

P21-26. Hadley Joseph presented a conditional rezoning request of property from Limited Commercial (LC) to Limited Commercial/Conditional Zoning (LC/CZ). There is single-family and multi-family zoning in the area. The proposed area will be single-family. The current development is gated. The Land Use Plan has the area zoned as low-density residential. This applicant has gone through the TRC for pre-application review. Mr. Joseph stated that the fire department informed the applicant that he would need access to a secondary road. Therefore, the applicant would need access to Rosehill Road.

Staff recommended approval of the request for the conditional rezoning based on the following:

- The proposed zoning map amendment does implement the policies adopted in the Future Land Use Plan (FLUP) and the Comprehensive Plan.
- The uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified due to the existing zoning and uses surrounding this property.
- The proposed change is in accordance with the existing or proposed plans for the area.
- There are no other factors that will substantially affect public health, safety, morals, or general welfare.

Mr. Shah asked if more lots would be allowed under SF-6 zoning, and Mr. Joseph stated that fewer lots would be allowed. Mr. Shah opened the hearing.

Speakers in favor:

Mike Nichols, 122 Cinema Drive, Wilmington, NC 28403

Mr. Nichols said they are proposing 66 lots. They want to provide homes for empty nesters. They are continuing the same prototype that they have already built to include open space buffers. He said they will provide a secondary access point off of Rosehill Road. Mr. Nichols said the neighborhood would not be a gated community.

Speakers in Opposition:

Robert C. Williams, 2713 Rosehill Road, Fayetteville, NC 28301

Mr. Williams is concerned about an excessive number of developments in the area.

Charles Parker, 2933 Rosehill Road, Fayetteville, NC 28301

Mr. Parker stated that he lives near the proposed development. He said the residents were promised a gated community by the developers. He does not agree with the current design plans. He wants them to go back to the original plans and avoid extending it out to Rosehill Road.

MOTION: Roger Shah made a motion to approve the conditional rezoning based on the following:

- The proposed zoning map amendment does implement the policies adopted in the Future Land Use Plan (FLUP) and the Comprehensive Plan.
- The uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified due to the existing zoning and uses surrounding this property.
- The proposed change is in accordance with the existing or proposed plans for the area.
- There are no other factors that will substantially affect public health, safety, morals, or general welfare.

SECOND: Bryant Edwards

VOTE: 3-2 (David Baran and Willie Dorman opposed)