



* P18-39F *

Map Amendment Application Form

433 Hay Street, Fayetteville, North Carolina 28301
910-433-1612 Fax # 910-433-1776

Submittal Date: 10/10/18 Approval/Denial Date: _____

Fee: \$700.00 Received By: K. Estep

Notes:

1. A pre-application conference is mandatory prior to submission of an application for a map amendment.
2. Map amendment applications proposing re-classification from a Conservation (CD) zoning district to MR-5, OI, NC, LC, CC, MU, DT, LI, or HI require neighborhood meetings to be conducted prior to application submittal.
3. A map amendment application should be consistent with the comprehensive plan.
4. The City Council may not apply conditions of approval to a map amendment application.
5. All allowed uses within a proposed zoning district must be considered when considering a map amendment application, not just the particular use that the applicant is desiring to place on the property.
6. Applications seeking to "single out" a lot or site and applying for an exceptional zoning district designation may constitute illegal "spot zoning".

1. General Project Information

Project Address:	West of 3425 Amour Drive Fayetteville, NC 28303		
Tax Parcel Identification Number:	9485-61-0037-		
Project Name:	Westhaven Section 3		
Current Zoning District:	CD	Proposed Zoning District:	AR
Does an overlay district apply to this site? ☐ Yes ☒ No If so, which one(s)? _____			
Has the land been the subject of a map amendment application in the last five years? ☐ Yes ☒ No When? _____ Case #? _____			
Amount of land to be rezoned (in acres):		9.09	Is this application related to an annexation? ☐ Yes ☒ No
Existing/proposed water service: ☒ Public ☐ Private		Existing/proposed sewer service: ☐ Public ☒ Private	

A) Please describe all existing uses of the land and existing structures on the site, if any (attach additional sheets if necessary).

There is no current use for the property; it is simply a re-forested timber tract with some young pine growth on it at the present.

B) Please describe the zoning district designation and existing uses of lands adjacent to and across the street from the subject site.

To the east lies the existing Westhaven Section 2 subdivision as well as a farm field that are both currently zoned "AR." To the south and west are other parcels owned by the applicant that are mainly wooded wetlands and are currently zoned "CD." The parcel to the north of the site is the previously dedicated Westhaven Open Space/Common Area park land that is dually zoned "AR" and "CD" currently.

2. Amendment Justification – Answer all the questions under this section. Attach additional sheets as necessary.

A) State the extent to which the proposed amendment is consistent with the comprehensive plan and all other applicable long-range planning documents.

The proposed amendment to the zoning boundary will hold true to the spirit of the UDO's Article 30-3.C.2. "CD" Conservation district by preserving and protecting identifiable natural resources from any urban encroachment with the "CD" zoning boundary being moved only to the delineated wetlands boundary. This wetlands boundary provides an extensively wide buffer of several hundred feet between the proposed single-family, "AR" zoned development of Westhaven Section 3 and the centerline of the run of Stewarts' Creek.

B) Are there changed conditions that require an amendment?

No, there are no changed conditions that would require an amendment. This effort is just meant to simply "clean up" the zoning boundary by moving the CD Zoning line to correspond with the delineated wetlands' boundary.

C) State the extent to which the proposed amendment addresses a demonstrated community need.

The proposed amendment demonstrates a community need within Fayetteville's City Limits by providing single-family housing within a highly desired school district. The proposed, larger houses anticipated to be constructed in this development will yield additional tax base with good property values tributary to the city.

D) State the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and why it is the appropriate zoning district for the land.

The proposed amendment of moving the "CD" zoning boundary to the actual delineated wetlands boundary is compatible with the existing land uses on the adjacent parcels. The "CD" zone is for areas to be conserved, and this change will adjust the boundary to an official line that is fully recognized as being a protected area. The adjustment of the "CD" boundary will allow for the "AR" zone to cover developable land that has already been checked and is suitable to support a more rural, single family development type. The adjacent developed areas have similar characteristics, with the "CD" boundary being close to the existing wetlands boundary and the "AR" covering the developable areas of the properties.

E) State the extent to which the proposed amendment results in a logical and orderly development pattern.

This amendment would result in a logical development pattern as it adhere's to the City of Fayetteville's Unified Development Ordinance continuing with the same style of development as the existing Westhaven subdivision with larger, 1/2+ acre lots that are of a lower density which help to conform with the Agricultural Residential "AR" zoning that is being sought for the developable land.

F) State the extent to which the proposed amendment might encourage premature development.

The proposed amendment would not encourage any form of premature development as the subdivision could still be built with the same overall street layout, just with a fewer lots due to the way the current "CD" zoning boundary zig-zags back and forth across the property. The existing "CD" boundary does not conform with the actual wetlands' boundary and the property's natural features.

G) State the extent to which the proposed amendment results in strip-style commercial development.

This development will not have any commercial development impacts as it is purely residential with only single-family dwellings utilizing PWC's public water system with private septic systems and only the necessary stormwater control measures to accommodate those structures within this development.

H) State the extent to which the proposed amendment results in the creation of an isolated zoning district unrelated to adjacent and surrounding zoning districts.

This proposed amendment will not create an isolated zoning district as it only seeks to relocate the existing zoning boundary to an appropriate location.

I) State the extent to which the proposed amendment results in significant adverse impacts on the property values of surrounding lands.

The proposed amendment should not pose any adverse impacts on the surrounding parcels' property values in any way. If anything, it should help to raise property values.

J) State the extent to which the proposed amendment results in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The proposed amendment will not pose any adverse impacts to the natural environment or wetlands as these will be left undisturbed. Stormwater management facilities will be designed and constructed per City of Fayetteville Stormwater Ordinance for the Westhaven Section 3 subdivision to minimize any impacts along with an NCDEQ approved erosion & sedimentation control plan.

3. Submittal Requirement Checklist

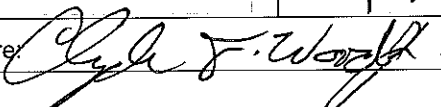
(Submittals should include 2 copies of listed items, unless otherwise stated.)

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|-------------------------------------|---|
| ☒ | Pre-application conference completed |
| ☒ | Map Amendment Application Form |
| ☐ | Copy of an approved Certificate of Appropriateness (COA) if located within the HLO |
| ☒ | Rezoning Application Fee |
| ☒ | Site Plan Application fee |
| ☒ | A copy of the recorded deed, or a written legal description if application is for a portion of a larger tract |
| ☒ | Scaled drawing showing all existing structures, site features, and setbacks |
| ☒ | Elevations required if rezoning involves new construction or changes to an existing building |
| ☐ | Transportation analysis, if required |

4. Primary Contact Information

Primary Point of Contact Name:	Jimmy Kizer Jr., PE		
Mailing Address:	115 Broadfoot Avenue Fayetteville, NC 28305	Fax No.:	
Phone No.:	910-484-5191	Email:	jkizerjr@mkrinc.com
Signature:		Date:	10/10/18

5. Property Owner Information (if different from the primary point of contact)

Property Owner Contact Name:	Clyde T. Wood Jr.		
Mailing Address:	435 Charlotte Drive Fayetteville, NC 28305	Fax No.:	
Phone No.:	910-850-7826	Email:	clydetwood@gmail.com
Property Owner or Authorized Signature:		Date Signed:	10/10/18