

Project Overview
#1209308
Project Title: 916 Hay St

Jurisdiction: City of Fayetteville

Application Type: 5.1) Rezoning (Map Amendment)

State: NC

Workflow: Staff Review

County: Cumberland

Project Location
Project Address or PIN: 916 HAY ST (0437150542NAD)

Zip Code: 28305

GIS Verified Data
Property Owner: Parcel

- 916 HAY ST: CARDASSI-LANGLEY INVESTMENTS LLC

Acreage: Parcel

- 916 HAY ST: 0.42

Zoning District: Zoning District

- 916 HAY ST: OI

Subdivision Name:
Fire District:
Airport Overlay District:
Hospital Overlay District:
Coliseum Tourism District:
Cape Fear District:
Downtown Historic District:
Haymount Historic District:
Floodway:
100 Year Flood: <100YearFlood>

500 Year Flood: <500YearFlood>

Watershed:
General Project Information
Has the land been the subject of a map amendment application in the last five years?: No

Previous Amendment Approval Date:
Previous Amendment Case #:
Proposed Zoning District: Neighborhood Commercial

Acreage to be Rezoned: .42

Is this application related to an annexation?: No

Water Service: Public

Sewer Service: Public

A) Please describe all existing uses of the land and existing structures on the site, if any:

The primary house and back office are currently zoned for Commercial O/I zoning. Both have been utilized as office buildings. There are 20+ parking spaces on the property.

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

Adjacent land and buildings as well as those across the street are currently zoned commercial o/i. Adjacent to the commercial O/I zoning are NC zoned properties within a block from the 916 Hay Street Property.

Amendment Justification - Answer all questions on this and all pages in this section (upload additional sheets as needed).
A) State the extent to which the proposed amendment is consistent with the comprehensive plan and all other applicable

long-range planning documents.:

We intend to use restore this historic home for a home store featuring light retail operations and offering the citizens and visitors of Fayetteville a chance to appreciate the historical value of this landmark. We had sufficient parking for a neighborhood commercial zoning, as well as a current commercial zoning of the property. The change in zoning allows for continued economic expansion in downtown Fayetteville, preservation and appreciation of a historic landmark, and continues the retail trail connecting upper Haymount to the downtown business district. It is in line with the city's planning goals of a vibrant downtown mixture of retail, as well as the goals of preserving historical structures and planning for their re-use to improve the downtown economic growth. We have restored multiple historic homes and also live in the designated historical district in downtown Fayetteville and are familiar with the importance of historic preservation. The rear building plans include continued use of office space for the site and are also in compliance with NC zoning.

B) Are there changed conditions that require an amendment? :

We do not plan to change the footprint of the historic property. Our only plans include making reasonable repairs to the current structure to preserve the integrity of this historic landmark. A new heating and cooling system will be installed and permitted through the city in order to sufficiently preserve the structure from seasonal changes. The only change required is for operational zoning to NC from OI.

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

Fayetteville is rich with history and landmarks. Unfortunately, this landmark is not currently available for public enjoyment, despite being on the national historic registry and on the center for historic landmarks in Fayetteville. This home is featured on the city's historical landmark places to visit, but cannot actually be enjoyed by visitors to Fayetteville. Additionally, this important landmark has fallen into disrepair by its previous owners. We intend to create a home store featuring locally made and designed products that help promote Fayetteville and the historical area, while also allowing people to visit, view and appreciate this historical landmark. We see our efforts as a way of incorporating the city goals of historic reuse and preservation, while also committing to the unique vision for a thriving and diverse downtown. We are a proud military family and we have embraced Fayetteville for over twenty years, working hard to impact our community in a positive way. This home store will feature products created and designed in Fayetteville, and we hope that we can continue to thrive and grow our community right in downtown Fayetteville.

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 zoning change is minimal. The change in zoning from OI to NC simply allows for light retail operations to be carried out on the property. NC is the zoning of the properties only one block from this property and is consistent with the nearby zoning. The traffic patterns and current parking are such that they can support the change to NC and there should be minimal to no neighborhood disruption at all with the zoning change.

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

Because the zoning adjacent to the OI properties is NC, it is consistent with the existing zoning of the nearby properties. Encouraging more foot traffic throughout the haymount area and helping to connect the downtown retail areas. There are over 20 parking places at the property that already provide for sufficient parking and has also been in place now for over 20 years. The change in zoning is very minimal as far as impact on the current operational flow of the area.

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

There is no risk of premature development in this area with a change to NC from OI. The area is already zoned commercial and has been a commercially zoned district for quite some time. It is already operational in the commercial zoning and therefore is not a risk to premature commercial development.

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

There is no risk to strip style commercial development. The property is a historical structure and originally a single family home construction. Historical guidelines prohibit the destruction of this historic property and therefore there is no risk for a strip style development on the site.

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.:

The only risk of this NC shift from OI is that this building would be NC inside a few houses zoned OI. the Adjacent zoning is currently NC and therefore changing this property to NC is not a huge isolation from the surround zoning districts.

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

This property is currently in disrepair and has been a battle for the city of Fayetteville police with the homeless visitors trespassing on the property. Restoring this building and preserving it's historical integrity while allowing more appreciation and care for the building should only positively impact the property values surrounding the property. Both owners of the adjacent buildings are more concerned with the current status and difficulty of the property negatively impacting the value of their properties. They are optimistic that we will achieve the zoning change and be able to invest in and preserve this property for long term improvement value.

J) State the extent to which the proposed amendment results in significantly adverse impacts on the natural environment.:

We plan to groom the current property, foliage and environment. Much of the environmental pieces of the land have been neglected and we are excited to restore the environmental beauty to the property. Historical properties have large beautiful trees and shrubs to preserve and care for and we intend to not only do this, but add more to beautify the property.

Primary Contact Information

Contractor's NC ID#:

Project Owner

Casey Benander

214 Hillside Ave
Fayetteville, NC 28301
P:9108187045
benanderfamily@gmail.com

Project Contact - Agent/Representative

Casey Benander

214 Hillside Ave
Fayetteville, NC 28301
P:9108187045
benanderfamily@gmail.com

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$40,000. :

Project Contact - General Contractor

Henry Hayes
Hayes Inc
P.O. Box 53694
Fayetteville, NC 28305
P:(910) 323-9112
hayesinc@nc.rr.com

NC State General Contractor's License Number: L.42892

Electrical Contractor

Henry Hayes
Hayes Inc
P.O. Box 53694
Fayetteville, NC 28305
P:(910) 323-9112
hayesinc@nc.rr.com

NC State Electrical Contractor #1 License Number:

NC State Electrical Contractor #2 License Number:

Mechanical Contractor

Henry Hayes
Hayes Inc
P.O. Box 53694
Fayetteville, NC 28305
P:(910) 323-9112
hayesinc@nc.rr.com

NC State Mechanical Contractor's #1 License Number:

NC State Mechanical Contractor's #2 License Number:

NC State Mechanical Contractor:

Plumbing Contractor

Henry Hayes

Hayes Inc

P.O. Box 53694

Fayetteville, NC 28305

P:(910) 323-9112

hayesinc@nc.rr.com

NC State Plumbing Contractor #1 License Number:

NC State Plumbing Contractor #2 License Number:

Indicate which of the following project contacts should be included on this project: General Contractor

FILED	Dec 21, 2023
AT	04:52:22 PM
BOOK	11880
START PAGE	0530
END PAGE	0532
INSTRUMENT #	39178
RECORDING	\$26.00
EXCISE TAX	\$670.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$670.00

Parcel Identifier No.: 0437-15-0542

Mail after recording to: MCGEACHY HUDSON & ZURAVEL 612 WINDING CREEK RD STE 101
46494/kdg FAYETTEVILLE, NC 28305

This instrument was prepared by: The Hutton Law Firm, 159 Maxwell Street, Fayetteville, NC 28301

Brief Description from the Index: LOT 1 VILLAGE OF BELMONT

THIS DEED made this date of 6TH December 2023 by and between

GRANTOR	GRANTEE
<p>Cardassi-Langley Investments, LLC</p> <p>6856 Timbercrott Lane Fayetteville, NC 28314</p>	<p>Haymount Homes LLC 214 Hillside Ave Fayetteville, NC 28301</p> <p>Property address: 916 Hay Street Fayetteville, North Carolina 28301</p>

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in City of Parkton, Cumberland County, North Carolina and more particularly described as follows:

See Exhibit "A" Attached Hereto and Made a Part Hereof

The property herein described is the primary residence of the Grantors.

The property herein described was acquired by Grantor by instrument recorded in Book 6659, Page 333, Cumberland County Registry.

A map showing the above described property is recorded in Plat Book 79, Page 3, and referenced within this instrument.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand, or if corporate, has caused this to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

Langley ^{de}

Cardassi-Lanaley Investments LLC, a North Carolina Limited Liability Company

By: Janet O. Cardassi
Janet O. Cardassi, Managing Member
Cardassi ^{de}

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

Cardassi ^{de}

I, Kelley Chapman, a notary, certify that Janet O. Cardassi, Managing Member of Cardassi-Lanaley Investments personally came before me this day and acknowledged that he/she is Managing Member of Cardassi-Lanaley Investments, a Limited Liability Company, and that he/she, as Managing Member, being authorized to do so, executed the foregoing on behalf of the Limited Liability Company.

* Langley ^{de}

Witness my hand and official seal this 6th day of December, 2023

Kelley Chapman
Official Signature of Notary

Printed or typed name of Notary

Kelley Chapman
My Commission Expires: 7-14-2027

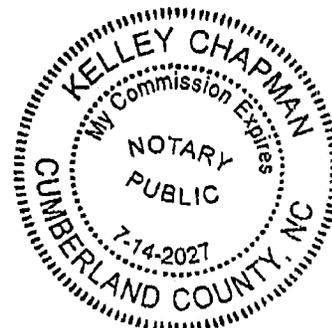


Exhibit "A"

BEING all of Lot 1 as shown on a plat entitled "Village of Belmont" said plat being duly recorded in Book of Plats 79, Page 3, Cumberland County Registry, North Carolina.

Tax Parcel Number: 0437-15-0542

Property Address: 916 Hay Street, Fayetteville, NC 28305

AFFIDAVIT OF OWNERSHIP

I, Haymount Homes LLC, being duly sworn, deposes and says:

1. That I am the owner of the property/properties located at 916 Hay Street in the City of Fayetteville, a political subdivision of the State of North Carolina.

2. I do hereby give permission to Cari + Casey Benander to submit a Conditional Rezoning Rezoning Variance/Special Use (circle one) application to the City of Fayetteville on my behalf for the above referenced property/properties.

3. This authority is only granted for the application to be submitted on 1/5/2024.

[Signature]
Signature of Affiant

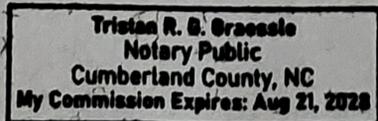
Casey Cathleen Krumpal Benander
Signature of Affiant member manager

Cumberland County, North Carolina

Sworn to and subscribed before me this day on the 5th day of Jan, 2024.

[Signature]
Signature of Notary Public

(Official Seal)



tristan R B Grassie, Notary Public
Printed Name of Notary Public

My Commission Expires: Aug, 21, 2028