



Case # P18-22F

Map Amendment Application Form

433 Hay Street, Fayetteville, North Carolina 28301

910-433-1612 Fax # 910-433-1776

Submittal Date: 6-5-18 Approval/Denial Date: _____

Fee: \$700.00 Received By: Karen 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:	<u>117 and 133 Grove Street</u>		
Tax Parcel Identification Number:	<u>117 Grove St. 0437-75-3736, 133 Grove Street 0437-75-4186</u>		
Project Name:	<u>Former Harst Annah and Ms. Winner's Restaurant (117)</u>		
Current Zoning District:	<u>DT</u>	Proposed Zoning District:	<u>LC</u>
Does an overlay district apply to this site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If so, which one(s)?	_____
Has the land been the subject of a map amendment application in the last five years?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	When?	_____ Case #? _____
Amount of land to be rezoned (in acres):	<u>133 = 1.11 117 = .944</u>	Is this application related to an annexation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Existing/proposed water service:	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	Existing/proposed sewer service:	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private

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

133 Grove St Improved with Brick Masonry + Steel Frame building and Shelters and loading docks and offices and showroom with on site parking.
117 Grove St masonry walls and wood frame A-line roof, built for a Restaurant with a drive through and on-site parking

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 - Cross Creek Cemetery - Across Ann Street.
To the South - First Citizens Branch Bank, Vick's Biscuits + Walgreens
To the West - CVS Drug Store w/ housing fronting Barges Lane.
To the North - Adjoins Dodson Exterminating Company.

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.

Adjoining parcels are zoned LC and uses include a drive-through on all businesses- Bank, Drug Stores, Restaurants

B) Are there changed conditions that require an amendment?

Yes. Proposed use requires a Drive through Lane that is not allowed in a D.T zone.

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

Redevelopment of Major Gateway (Crove Street) near Intersection w/ Ramsey Street. Redevelopment of vacant buildings

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.

Adjoining properties and zoning districts are zoned LC, and include compatible uses.

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

Proposed use is more consistent with adjoining and nearby zoning districts.

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

Both properties have been previously fully developed and all required utilities and transportation is present on site - Public water, Sewer, Gas, Electrical, Storm water.

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

Proposed uses are individual, freestanding buildings on each parcel.

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.

Proposed amendment brings these parcels into a consistent and compatible zoning district with adjoining properties.

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

None noted.

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.

None noted. Both parcels are currently fully developed with structures.

3. Submittal Requirement Checklist

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

<input checked="" type="checkbox"/>	Pre-application conference completed	May 30, 2018 TRC
<input checked="" type="checkbox"/>	Map Amendment Application Form	
<input type="checkbox"/>	Copy of an approved Certificate of Appropriateness (COA) if located within the HLO	N/A
<input checked="" type="checkbox"/>	Rezoning Application Fee	
<input type="checkbox"/>	Site Plan Application fee	N/A
<input checked="" type="checkbox"/>	A copy of the recorded deed, or a written legal description if application is for a portion of a larger tract	
<input checked="" type="checkbox"/>	Scaled drawing showing all existing structures, site features, and setbacks	
<input type="checkbox"/>	Elevations required if rezoning involves new construction or changes to an existing building	N/A
<input type="checkbox"/>	Transportation analysis, if required	N/A

4. Primary Contact Information

Primary Point of Contact Name:	Cedar Creek Crossing West, LLC, John M. Tyson Member		
Mailing Address:	23 Market Sq. Fayetteville NC 28301	Fax No.:	910-323-8683
Phone No.:	(910) 483-3696	Email:	judgetyson@gmail.com
Signature:	John M. Tyson member	Date:	6-5-18

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

Property Owner Contact Name:			
Mailing Address:		Fax No.:	
Phone No.:		Email:	
Property Owner or Authorized Signature:			Date Signed:

Robert B. Duran