



Legislation Details (With Text)

File #: 18-321 **Version:** 1 **Name:** P18-21F rezoning of property from SF-10 to OI, located at 2005 Hope Mills Road.

Type: Public Hearing (Public & Legislative) **Status:** Agenda Ready

File created: 6/28/2018 **In control:** City Council Regular Meeting

On agenda: 9/24/2018 **Final action:** 10/14/2025

Title: P18-21F Rezoning of property from SF-10 - Single Family Residential to OI - Office and Institutional Zoning, located at 2005 Hope Mills Road (tax map number 0416-12-4622-) near the intersection of Hope Mills and Ashton streets, containing 0.24 acres and being the property of Jeffrey Bryant.

Sponsors:

Indexes:

Code sections:

Attachments: 1. P18-21F Aerial Map, 2. P18-24F Zoning Map, 3. P18-21F Landuse Plan Map, 4. Map Amendment Application, 5. Site Photo 1, 6. Site Photo 2, 7. Site Photo 3, 8. Site Photo 4

Date	Ver.	Action By	Action	Result
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TO: Mayor and Members of City Council

THRU: Jay Reinstein, Assistant City Manager

FROM: Craig Harmon, Senior Planner, AICP, CZO
Gerald Newton, AICP Development Services Director

DATE: September 24, 2018

RE:
P18-21F Rezoning of property from SF-10 - Single Family Residential to OI - Office and Institutional Zoning, located at 2005 Hope Mills Road (tax map number 0416-12-4622-) near the intersection of Hope Mills and Ashton streets, containing 0.24 acres and being the property of Jeffrey Bryant.

COUNCIL DISTRICT(S):

6

Relationship To Strategic Plan:

2024 Goals, Goal II: Diverse and Viable Economy is achieved by continued development of Hope Mills Road as outlined in the plan completed for this corridor in 2006.

2024 Goals, Goal III: High Quality Built Environment is achieved by helping to revitalize the Hope Mills Road Corridor.

Executive Summary:

This proposal implements a portion of the Hope Mills Road Corridor Land Use Plan. This rezoning furthers the city's mission to promote redevelopment along Hope Mills Road.

Background:

This property is less than a quarter of an acre and has an existing residential structure.

Applicant: Jeffrey Bryant
Owner: Jeffrey Bryant
Requested Action: SF-10 to OI
Property Address: 2005 Hope Mills Road
Council District: 6
Status of Property: Residential
Size: 0.24 acres +/-
Adjoining Land Use & Zoning:
North: SF-10 - Residential
South: OI - Office
West: OI - Office/Service
East: SF-10 - Residential
Letters Mailed: 70

Hope Mills Road Corridor Land Use Plan:

Concept:

Typically, land use plans have consisted of a map with the suggested land use category for each parcel. In most cases, this works well. However, this one size fits all method does not address various development plans and timing.

The Hope Mills Road Corridor Land Use Plan attempts to address future development through a land use map and a land use policy thereby providing flexibility and opportunity for innovative and positive development to occur in this area.

Objectives:

1. Promote redevelopment along Hope Mills Road that significantly increases property value.
2. Minimize negative factors for residential units located in the vicinity of non-residential development.

Strongly discourage non-residential development for the interior lots of the corridor when access is not available on Hope Mills Road.

Issues/Analysis:

Land within the City is generally classified by the Unified Development Ordinance (UDO) to be within one of a number of base zoning districts. Land may be reclassified to one of a number of comparable conditional zoning districts in accordance with Section 30-2.C.

Map Amendment/Straight Rezoning:

The request is for a straight rezoning from Single Family 10 to Office and Institutional Zoning. The purpose of the SF-10 District is to "accommodate principally single-family detached residential

development at low densities, and to accommodate flexibly-designed residential development that provides variable housing types and arrangements that respond to environmental and site conditions.” The purpose of the Office and Institutional District is to “accommodate a mix of small-scale, low-intensity professional and business offices and institutions, together with limited personal service and supporting retail uses (See 30-4.D Accessory Uses) , single-family detached, single-family attached, and multi-family residential uses in close proximity to one another, subject to design and compatibility standards. The districts are generally near residential neighborhoods and often serve as a buffer or transition between neighborhoods and more intense business districts.”

The reclassification of land to a straight zoning district allows all of the business/office uses that are shown on the attached Use Table taken from the UDO. The City Council may not consider conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards, and other regulations that are applicable.

Hope Mills Road Corridor Land Use Plan Analysis:

As mentioned, this property falls within the Hope Mills Road Corridor Land Use Study and land use plan, which was incorporated into the City’s existing land use plan upon adoption. The Hope Mills Road Corridor Land Use Plan stretches just over two and one-half miles from Raeford Road to Cumberland Rd. It extends on all properties abutting Hope Mills Road and in some cases includes properties that form the second row of lots from Hope Mills Road. The corridor plan calls for promoting redevelopment along Hope Mills Road and minimizing the negative factors for residential units located in the vicinity of non-residential development.

The property in question falls within an area abutting Hope Mills where the plan calls for Office and Institutional uses. The residential property to the east or rear of this lot is designated for additional Office and Institutional uses.

On July 10th the Zoning Commission held a public hearing regarding this case. There were no speakers in favor or in opposition. A motion was made for approval. The Commission’s vote was 2-2. This vote was heavily influenced by the owner’s absence and inability to provide testimony. The property owner asked that the city council hearing wait until the September meeting; otherwise, this item would have been heard at the August 27th meeting.

The City Planning staff recommends APPROVAL of the map amendment to OI based on:

- (1) This proposed zoning map amendment implements the policies of the adopted Hope Mills Corridor Plan, including the land use classification of the property on the future land use map, as amended;
- (2) 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 future land use plan for this area and the existing zoning and uses surrounding this property;
- (3) The proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area since the corridor plan was developed after the widening of Hope Mills Road and due to most of the surrounding lands having already been developed.
- (4) There are no other factors which will substantially affect the public health, safety, morals, or general welfare.

Budget Impact:

There is not an immediate budgetary impact but there is an economic impact to this rezoning. A business will move into the site and provide continued or expanded jobs and service to the Fayetteville area.

Options:

- 1) Approval of the map amendment/rezoning to OI as presented by the Planning staff (recommended).
- 2) Approval of a more restrictive map amendment/rezoning.
- 3) Deny the request.

Recommended Action:

The Planning Staff recommends that the City Council move to APPROVE the requested rezoning to OI - Office and Institutional Zoning. The amendment is consistent with applicable plans because: 1) the City's existing Hope Mills Road Corridor Plan calls for this area to be used for office and institutional purposes and 2) that the uses surrounding this property are all compatible with the proposed zoning and 3) the proposed zoning is reasonable and in the public interest because the proposed zoning does fit with the character of the development in this area.

Attachments:

Zoning Map
Current Land Use Map
Land Use Plan Map
Application
Site Photo