



## Legislation Details (With Text)

**File #:** 18-012      **Version:** 1      **Name:** P18-02 The rezoning of property from OI – Office and Institutional to CC Community Commercial Zoning

**Type:** Consent      **Status:** Agenda Ready

**File created:** 1/5/2018      **In control:** City Council Regular Meeting

**On agenda:** 2/26/2018      **Final action:**

**Title:** P18-02F The rezoning of property from OI - Office and Institutional to CC Community Commercial Zoning, located 417 East Mountain Drive at the intersection of East Mountain and Owen, containing 5.47 acres and being the property of WESLEYAN PENTECOSTAL CHURCH.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. P18-02F zoning map, 2. P18-02F Current Landuse Map, 3. P18-02F Landuse Plan Map, 4. Map Amendment Application, 5. Site Photo

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 M. Harmon, AICP, CZO - Senior Planner

**DATE:** February 26, 2018

**RE:**  
P18-02F The rezoning of property from OI - Office and Institutional to CC Community Commercial Zoning, located 417 East Mountain Drive at the intersection of East Mountain and Owen, containing 5.47 acres and being the property of WESLEYAN PENTECOSTAL CHURCH.

**COUNCIL DISTRICT(S):**

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### Relationship To Strategic Plan:

Growth and Development

### Executive Summary:

Wesleyan Pentecostal Church wishes to rezone their property located at the intersection of East Mountain Drive and Owen Drive Extension.

### Background:

Owner: WESLEYAN PENTECOSTAL CHURCH

Applicant: WESLEYAN PENTECOSTAL CHURCH  
Requested Action: OI to CC  
Property Address: 417 East Mountain Drive.  
Council District: 2  
Status of Property: Partially developed as a church  
Size: 5.47 acres +/-  
Adjoining Land Use & Zoning:  
North - CC Coliseum Complex  
South - C(P) & M(P) Commercial and Industrial Development  
West - CC Coliseum Complex  
East - CC Owen Drive & National Guard Armory  
Letters Mailed: 15

Landuse Plan: Office and Institutional

Strategic Plan: Goals 2020: The City of Fayetteville will be a highly desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all residents.

2030 Growth Vision Plan:

Policy 2.9: NEW DEVELOPMENT AND INFILL DEVELOPMENT shall be especially encouraged in locations where a full range of urban services and infrastructure (i.e. schools, fire stations, water and sewer facilities, parks, and roads) is already in place, and where the public sector will not incur the full cost of building new facilities to serve the area.

Policy 3.1: Recognizing that infrastructure has a powerful influence on growth and development, the availability of infrastructure (along with other factors) should determine WHERE DEVELOPMENT WILL OCCUR in the region, rather than the other way around.

Policy 3.3: DEVELOPMENT INTENSITY should be matched, generally, with the availability of infrastructure. There will be locations, however, where infrastructure alone cannot make up for poor soils, inadequate topography (drainage), or other overriding factors.

Additional Reviews:

Technical Review Committee (TRC) - A preliminary review was conducted on this site. There are no plans for the TRC to review at this time.

### **Issues/Analysis:**

Although the City's land use plan calls for office and institutional uses on this property, the property is already completely surrounded by commercial and industrial zoning and uses. A change in zoning to commercial seems appropriate at this time. This action would also change the City's land use plan for this property.

On January 9, 2018, the Zoning Commission held a public hearing regarding this case. There was one speaker in favor and none in opposition. The Commission voted 5-0 to recommend approval.

The Zoning Commission and City staff recommend Approval of the rezoning to CC - Community Commercial based on:

1. This property is located in a developing area of the city.
2. The property is surrounded by commercial and industrial zoning and uses.

3. A change to the City's land use plan from office to commercial use would be appropriate for this property.

**Budget Impact:**

This action may result in an increase in City services that would be offset by the increased revenue collected through the City's taxes.

**Options:**

- 1) Approval of the rezoning to CC (Recommended).
- 2) Approval of the rezoning to a more restrictive district.
- 3) Denial of the rezoning.

**Recommended Action:**

The Zoning Commission and City staff recommend that the City Council move to APPROVE the rezoning to CC - Community Commercial Zoning District, as presented by the staff. The Amendment is consistent with applicable plans because: 1) the City's 2030 Growth Vision plan calls development intensity to match that of the surrounding area and 2) that the uses and zoning near this property are a mix of commercial and industrial property which is 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 most of the development in this area. City staff believes that this proposed amendment is consistent with the City's comprehensive plans. (If inconsistent, list how the public interest is served by this action.)

(Any action inconsistent with the City's comprehensive plans will serve as a modification of the City's Comprehensive Plans for this area.

**Attachments:**

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