



## Legislation Details (With Text)

**File #:** 18-197      **Version:** 1      **Name:** P18-16F rezoning of property from SF-10 – Single Family to LC – Limited Commercial Zoning

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

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

**On agenda:** 6/25/2018      **Final action:**

**Title:** P18-16F rezoning of property from SF-10 - Single Family to LC - Limited Commercial Zoning, located at 5342 Yadkin Road; (0408-76-1091) near the intersection of Yadkin Road and Cimarron Drive, containing 0.28 acres and being the property of Matthew Feldbusch and wife Risa.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. P18-16F zoning map, 2. P18-16F Current Landuse Map, 3. P18-16F Landuse Plan Map, 4. Map Amendment Application, 5. Site Photo 1, 6. Site Photo 2, 7. Site Photo 3, 8. Site Photo 4, 9. Site Photo 5

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

**TO:** Mayor and Members of City Council

**THRU:** Jay Reinstein, Assistant City Manager

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

**DATE:** June 25, 2018

**RE:**  
P18-16F rezoning of property from SF-10 - Single Family to LC - Limited Commercial Zoning, located at 5342 Yadkin Road; (0408-76-1091) near the intersection of Yadkin Road and Cimarron Drive, containing 0.28 acres and being the property of Matthew Feldbusch and wife Risa.

**COUNCIL DISTRICT(S):**  
4

**Relationship To Strategic Plan:**  
Growth and Development

**Executive Summary:**  
This is a general rezoning from Single Family 10 (SF-10) to Limited Commercial (LC) zoning. Matthew Feldbusch wishes to convert the existing single family land into limited commercial..

**Background:**

This property is located near the intersection of Yadkin Road and Cimarron Drive.

Applicant: Matthew Feldbusch and wife Risa

Owner: Matthew Feldbusch

Requested Action: SF-10 to LC

Property Address: 5342 Yadkin Road; (Tax ID# 0408-76-1091)

Council District: 4

Status of Property: Three story single family home

Size: 0.28 acres +/-

Adjoining Land Use & Zoning:

North - SF-10 - Single Family Residential

South - LC - Limited Commercial and AR

West - SF-10 - Single Family Residential & Yadkin Rd

East: OI - Office and Institutional

Letters Mailed: 56

2010 Land Use Plan - Light Commercial

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

**Issues/Analysis:**

This request is from Single Family 10 (SF-10) to Limited Commercial (LC) zoning. In the existing zone 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 intent of the proposed LC district is established and intended to accommodate a wider range of moderate-intensity general retail, business, and service uses that serve groups of neighborhoods instead of just an individual neighborhood-e.g., grocery stores, drugstores, large restaurants, gas stations, and higher order retail uses like specialty stores. The district is not intended to accommodate intensive commercial or other business uses.

Residential uses are encouraged on the upper floors of nonresidential establishments. The district is subject to standards intended to ensure development is compatible with surrounding residential neighborhoods.

The applicant’s proposal is congruous with the types of zoning and development along Yadkin Road, both north and south from this location. The recommended zoning in the 2010 Future Land Use Plan is Light Commercial, which has been accommodated by the surrounding zoning; therefore, appropriate for rezoning this area for a denser development than single family along Yadkin Road.

On May 8, 2018, the Zoning Commission held a public hearing regarding this case. There were no speakers in favor or in opposition. The Commission voted 5-0 to recommend approval.

The Zoning Commission and Planning staff recommend APPROVAL of the rezoning to LC based on:

1. The proposed rezoning is consistent with prior actions of the city council to identify this portion of the city as appropriate for Limited Commercial development.
2. The City's land use plan calls for light commercial, which is what is being proposed.
3. This property is mostly surrounded by commercial and office zoning and uses.
4. The current use is not congruous with the surrounding development along Yadkin Road.

**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 LC (recommended)
- 2) Deny the request

**Recommended Action:**

The Zoning Commission and Planning staff recommend that the City Council move to APPROVE the rezoning to LC - Limited Commercial, as presented by the staff. The Amendment is consistent with applicable plans because: 1) the City's Land Use Plan calls for light commercial 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 Photos