



## Legislation Details (With Text)

**File #:** 18-438      **Version:** 1      **Name:** P18-29F. Rezoning of property from Single Family Residential (SF-10) to Limited Commercial (LC) Zoning

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

**File created:** 9/12/2018      **In control:** City Council Regular Meeting

**On agenda:** 10/22/2018      **Final action:**

**Title:** P18-29F. Rezoning of property from Single-Family Residential (SF-10) to Limited Commercial (LC) Zoning, located at 2238 Hope Mills Road (Tax Map # 0416-00-4376) near the intersection of Hope Mills Road and Queensdale Drive, containing 0.25 acres and being the property of BRYANT, KRISTOPHER KURT & WIFE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. P18-29F Zoning map, 2. P18-29F Landuse Plan Map, 3. Map Amendment Application, 4. Site Photo 1, 5. Site Photo 2, 6. Site Photo 3, 7. 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, AICP, CZO - Senior Planner

**DATE:** October 22, 2018

**RE:**  
P18-29F. Rezoning of property from Single-Family Residential (SF-10) to Limited Commercial (LC) Zoning, located at 2238 Hope Mills Road (Tax Map # 0416-00-4376) near the intersection of Hope Mills Road and Queensdale Drive, containing 0.25 acres and being the property of BRYANT, KRISTOPHER KURT & WIFE.

**COUNCIL DISTRICT(S):**

6 - William Crisp

### Relationship To Strategic Plan:

2024 Goals, Goal II: Diverse and Viable Economy is achieved through the expansion of business activity along Hope Mills Road.

### Executive Summary:

The property in question is located on the western side of Hope Mills Road, near the City Limits of Hope Mills. The owner looks to rezone this residential property to allow commercial uses.

**Background:**

This property has a single-family residence and is a quarter of an acre.

Applicant: Kristopher Bryant

Owner: BRYANT, KRISTOPHER KURT & WIFE.

Requested Action: SF-10 to LC

Property Address: 2238 Hope Mills Road

Council District: 6

Status of Property: Residential

Size: 0.25 acres +/-

Adjoining Land Use & Zoning:

North: SF-10 & OI - Residential and Professional

South: SF-10 & LC - Residential and Professional

West: SF-10 - Residential

East: LI - Storage Warehousing

Letters Mailed: 49

**2010 Land Use Plan (Amended with the Hope Mills Corridor Plan): Light Commercial**

**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 applicant is requesting to rezone the subject property from Single-Family 10 to Limited Commercial Zoning for the purpose of converting this property for future business uses.

The intent of the Limited Commercial District is 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 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:**

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 Road. The corridor extends to all properties abutting Hope Mills Road and includes properties that form most of the second row of lots long Hope Mills Road. The corridor plan calls for promotion of redevelopment along Hope Mills Road and minimization of 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 Road where the plan calls for Light Commercial uses.

### **Design Standards - Sidewalks:**

Currently there is a continuous sidewalk on the eastern side of Hope Mills Road, across the street from this location. There is no sidewalk on the western side of the street, where this site is located. The City’s Unified Development Ordinance requires sidewalks to be constructed when there is new construction or the renovation of an existing structure that exceeds 50% of the buildings value. If it is determined that a new driveway permit is required, that action would also trigger the requirement for a new sidewalk. Hope Mills Road is a North Carolina Department of Transportation (NCDOT) maintained road, therefore NCDOT will determine whether a new driveway permit is required.

### **Zoning Commission Public Hearing:**

On September 11<sup>th</sup>, the Zoning Commission held a public hearing regarding this case. There were no speakers in favor or opposition to this request. The Commission voted 4-0 to recommend approval.

The Zoning Commission and Planning Staff recommend APPROVAL of the map amendment to LC based on:

- 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;
- 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;
- The proposed change is in accordance 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. Most of the surrounding lands have already been developed.

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 may move into the site and provide additional jobs and service to the Fayetteville area.

**Options:**

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

**Recommended Action:**

The Zoning Commission and Planning Staff recommend that the City Council move to APPROVE the requested rezoning to LC - Limited Commercial 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 Light Commercial purposes; 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