



Legislation Details (With Text)

**File #:** 21-2431      **Version:** 1      **Name:** P21-59: Initial zoning  
**Type:** Consent      **Status:** Agenda Ready  
**File created:** 12/16/2021      **In control:** City Council Regular Meeting  
**On agenda:** 1/24/2022      **Final action:**  
**Title:** P21-59. Initial zoning of a property from Cumberland County to Single-Family Residential 15 (SF-15) in Fayetteville, 7165 Ramsey Street and 7249 Ramsey Street (REID # 0542231198000 & 0542234876000), 117.7 acres ± and being the property of Palmer Williams, SRW Builders, LLC & Pelican Property Holdings.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Plan Review Application, 2. P21-59 notofication Map, 3. P21-59 Zoning Map, 4. P21-59 Land Use Map, 5. Subject Prop, 6. Surrounding Prop, 7. p21-59 Consistency and Reasonableness Statements

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

**THRU:** Telly C. Whitfield, Ph.D. - Assistant City Manager  
Dr. Gerald Newton, AICP - Development Services Director

**FROM:** Craig M. Harmon, CZO - Planner II

**DATE:** January 24, 2022

**RE:**  
**P21-59.** Initial zoning of a property from Cumberland County to Single-Family Residential 15 (SF-15) in Fayetteville, 7165 Ramsey Street and 7249 Ramsey Street (REID # 0542231198000 & 0542234876000), 117.7 acres ± and being the property of Palmer Williams, SRW Builders, LLC & Pelican Property Holdings.

**COUNCIL DISTRICT(S):**  
1 - Mayor Pro Tem Kathy Jensen

**Relationship To Strategic Plan:**  
Strategic Operating Plan FY 2022  
Goals 2026

Goal II: Responsive City Government Supporting a Diverse and Viable Economy

- Objective 2.1 - To ensure a diverse City tax base
- Objective 2.4 - To sustain a favorable development climate to encourage business growth.

Goal III: City invested in Today and Tomorrow

- Objective 3.2 - To manage the City's future growth and strategic land use.
- Objective 3.3 - To sustain a favorable development and business climate through timely and accurate construction review and building inspection services

Goal IV: Desirable Place to Live, Work and Recreate

- Objective 4.3 - To improve mobility and connectivity through sidewalk, trail, and bike lane investments
- Objective 4.4 - To provide a clean and beautiful community with increased green spaces
- Objective 4.5 - To ensure a place for people to live in great neighborhoods

**Executive Summary:**

The applicant is seeking to annex and initially zone two large lots currently zoned PND - Planned Neighborhood Development in Cumberland County's jurisdiction. This development would consist of approximately 118 acres. The initial City zoning request is to zone the property as Single Family Residential 15 (SF-15).

The Zoning Commission voted 5-0 to recommend approval of this case on November 9, 2021. There was one speaker in favor and there was one speaker signed up in opposition who did not speak.

**Background:**

The property is located along Ramsey Street on the south side of its intersection with Tractor Road. The northern property is currently vacant and the southern property has some abandoned structures.

Applicant: Brad Schuler, Paramounte Engineering, Inc.

Owner: Palmer Williams, SRW Builders, LLC & Pelican Property Holdings, LLC

Requested Action: County PND to SF-15

Property Address: 7165 Ramsey Street and 7249 Ramsey Street

Council District: 1

Status of Property: Mostly Vacant

Size: 117.7 acres ±

Adjoining Land Use & Zoning:

- North: PND - Single Family Housing
- South: PND & C1(P) - Single Family Housing & Vacant
- East: PND - Single Family Housing
- West: PND - Single Family Housing

Traffic Count: No traffic count available on Cumberland Street.

Letters Mailed: 24

Land Use Plans:

With the adoption of the 2040 Comprehensive Plan: Future Land Use Map & Plan on May 26, 2020. All properties within the city limits as well as properties identified as being in the Municipal Influence Area (MIA) are subject to this plan.

According to the Plan, it is recommended that this portion of the city should be developed as Medium Density Residential (MDR) & Open Space Subdivisions (OSS).

Medium Density Residential (MDR) is best described as primarily single-family residential neighborhoods with small lots (3-6 dwellings per acre). Duplex or townhomes interspersed; low-rise apartments possible. Mostly auto-oriented, but with some walkable neighborhoods and destinations.

Open Space Subdivisions (OSS) is best described as clustered residential or conservation subdivisions that reserve significant land for open space. Generally 1-2 dwelling units per acre. Potential for utility service or septic systems.

### **Issues/Analysis:**

#### History:

According to the County tax records, the northern most property was purchased in 2018 and the southern parcel in 2021. The northern property is currently vacant and is about half wooded while the southern property has abandoned structures (pole barn, sheds, and a garage). The subject site consists of two parcels of land totaling approximately 118 acres.

This development is possible now that public water and sewer are being extended to this section of Ramsey Street to serve the Elliot Farm Subdivision (AKA Broadwell Property).

#### Surrounding Area:

The sites are located within the unincorporated area of the County and are surrounded by PND zoning except for one parcel to the southeast which is zoned C1(P) Planned Local Business District. The PND District allows for any residential use permitted in the R7.5 zoning district (min lot size 7,500sf), which includes a variety of single-family, multifamily, townhouses, and zero lot line developments. In addition, the PND district permits a variety of commercial and office uses allowed in the C1(P), O&I(P), and C2(P) districts. The majority of the surrounding land is undeveloped. Single-family housing is existing north and south of the subject site along Ramsey Street and Rachel Road. Small commercial businesses are located to the southeast along Ramsey Street. Rezoning Request:

The applicant is requesting to rezone an area currently zoned under Cumberland County as PND to the city of Fayetteville's SF-15 which would allow the development of mainly single-family homes.

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

#### Straight Zoning:

The request is for a straight zoning from PND to SF-15.

The SF-15 District is established to accommodate principally single-family detached residential development at low densities subject to the design standards in Article 30-5: Development Standards. It also accommodates two- to four-family dwellings designed to appear as single-family detached homes, and zero lot line development subject to the requirements of this Ordinance. District regulations are intended to discourage any use that substantially interferes with the development of single-family detached dwellings and that is detrimental to the quiet residential nature of the district. Also allowed are complementary uses usually found in residential zoning districts such as parks, open space, schools, and places of worship.

The proposed zoning district is compatible with the area, as this district requires lots larger than the

current and surrounding zoning. This rezoning would not present the issue of spot-zoning.

The reclassification of land to a straight zoning district allows all of the 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 applicable regulations.

**Land Use Plan Analysis:**

According to Future Land Use Map & Plan, this area is recommended to be developed Medium Density Residential (MDR) & Open Space Subdivisions (OSS). Medium Density Residential (MDR) & Open Space Subdivisions (OSS) is best described as an area that allows medium and low density residential, mainly single family detached and attached.

**Consistency and Reasonableness Statements:**

The Future Land Use Plan also sets forth written goals, policies, and strategies. This application looks to follow the City's strategic, compatible growth strategies by meeting the goals of the Land Use Plan found on the attached Consistency and Reasonableness form.

**Budget Impact:**

There is not an immediate budgetary impact but there will be an economic impact associated with this rezoning that will occur due to taxes collected in the future.

**Options:**

1. Recommend approval of the initial zoning/map amendment to SF-15 (recommended);
2. Recommend approval of the initial zoning/map amendment to a more restrictive zoning district; or
3. Recommend denial of the rezoning request.

**Recommended Action:**

The Zoning Commission and Professional Planning Staff recommend APPROVAL of the map amendment to SF-15 based on the following:

- The proposed zoning map amendment implements the policies adopted in the Future Land Use Plan (FLUP), and those policies found in the Unified Development Ordinance (UDO). The Future Land Use Plan calls for the subject property to be developed as Medium Density Residential (MDR) & Open Space Subdivisions (OSS) which are best described as areas that allow medium and low density residential, mainly single family detached and some attached.
- The uses permitted by the proposed change in zoning district classification and standards apply to such use and will be appropriate in the immediate area of the land to be reclassified due to the existing zoning and uses surrounding this property; and
- There are no other factors that will substantially affect public health, safety, morals, or general welfare.

**Attachments:**

1. Plan Application
2. Aerial Notification map
3. Zoning Map
4. Land Use Plan Map
5. Subject Property
6. Surrounding Property Photos
7. Consistency and Reasonableness Statements