



Legislation Details (With Text)

File #: 22-2900 **Version:** 1 **Name:** P22-33. Rezoning
Type: Consent **Status:** Agenda Ready
File created: 8/12/2022 **In control:** City Council Regular Meeting
On agenda: 9/26/2022 **Final action:**
Title: P22-33. Rezoning from Agricultural Residential (AR) to Limited Commercial (LC) 1.94 acres±, to be rezoned, located to the north of Raeford Road and west of Hoke Loop Road (REID # 9476572873000, 9476574127000), and being the property of Palmer Williams of Sycamore Corner LLC and represented by Lori Epler, Larry King & Assoc..

Sponsors:

Indexes:

Code sections:

Attachments: 1. Plan Review Application, 2. P22-33 notification Map, 3. P22-33 Zoning Map, 4. P22-33 Land Use Map, 5. Subject property, 6. Surrounding Properties, 7. Rezoning Request Map, 8. 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
Jennifer C Baptiste, CZO - Planning and Zoning Division Manager

FROM: Craig M. Harmon, CZO - Senior Planner

DATE: September 26, 2022

RE:
P22-33. Rezoning from Agricultural Residential (AR) to Limited Commercial (LC) 1.94 acres±, to be rezoned, located to the north of Raeford Road and west of Hoke Loop Road (REID # 9476572873000, 9476574127000), and being the property of Palmer Williams of Sycamore Corner LLC and represented by Lori Epler, Larry King & Assoc..

COUNCIL DISTRICT(S):

8 - Courtney Banks-McLaughlin

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 rezone 1.94 acres \pm of a 20.56 acre \pm parcel from AR - Agricultural Residential to LC - Limited Commercial. The parcels are currently undeveloped. These properties sit at the northwest corner of the intersection of Hoke Loop and Raeford Roads. Originally part of a larger 25 acre \pm lot that was rezoned and subdivided in 2018. A portion of the site was developed as the Fresenius Kidney Care - Rockfish Dialysis Center. Now the owners wish to rezone for possible development of the section of this property bordering Raeford Road.

The LC zoning district is established and intended to accommodate a wider range of moderate-intensity general retail, business, and service uses that serve groups of neighborhoods.

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

Background:

This property sits at the northwest corner of the intersection of Hoke Loop and Raeford Roads. This portion of the property is currently undeveloped.

Applicant: Lori Epler, Larry King & Assoc.

Owner: Palmer Williams, Sycamore Corner LLC.

Requested Action: AR to LC

Property Address: northwest corner of the intersection of Hoke Loop and Raeford Roads

Council District: 8 - Courtney Banks-McLaughlin

Status of Property: Undeveloped

Size: 1.94 acres \pm

Adjoining Land Use & Zoning:

- North: LC - Commercial
- South: Raeford Road
- East: LC - Commercial
- West: AR & Hoke County - Undeveloped

Letters Mailed: 22

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 Neighborhood Mixed Use (NMU).

Neighborhood Mixed Use is best described as Neighborhood-scale commercial uses. Horizontal mix of uses: vertically in key location. Buildings 1-3 stories. Smaller-scale multi-family, attached and small lot single family. Lower density on edges.

Issues/Analysis:

History:

This property was originally part of a 25 acre \pm tract. In February of 2018, 12.5 acres \pm was rezoned from AR to LC. Since that rezoning, Fresenius Kidney Care - Rockfish Dialysis Center has been built on the property.

Surrounding Area:

The applicant's proposal is congruous with the types of zoning and development along Raeford Road and South Raeford Road as you travel east towards the center of town. It is also in keeping with the recommended zoning of the 2040 Future Land Use Plan. The properties to the north and to the east, across Hoke Loop Road, are already zoned for both commercial and office uses.

Rezoning Request:

The applicant is requesting to rezone an area currently zoned Agricultural Residential (AR) to Limited Commercial (LC) which would allow the development of commercial, office or multi-family. The zoning purpose of the LC District is to "serve groups of neighborhoods instead of just an individual neighborhood." In the existing zone, AR, uses are intended to accommodate a variety of rural uses, including agricultural support and very low density residential.

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 Agricultural Residential (AR) to Limited Commercial (LC).

The 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 proposed zoning district is compatible with the area and this district is in keeping with the City's Future Land Use Plan. This rezoning would be a completion of the Limited Commercial zoning districts to the north, and east of the parcels.

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 as a Neighborhood Mixed Use (NMU). Neighborhood Mixed Use is best described as Neighborhood-scale commercial uses with horizontal mix of uses, vertical development in key location, and buildings 1-3 stories. Smaller-scale multi-family, attached and small lot single family are encouraged with lower density on edges.

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. Recommends approval of the map amendment to LC (recommended);
2. Recommends approval of the map amendment to a more restrictive zoning district; or
3. Denies the map amendment request.

Recommended Action:

The Zoning Commission and Professional Planning Staff recommend that the City Council approve the map amendment to LC 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 Neighborhood Mixed Use.
- 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. Rezoning Request Map
8. Consistency and Reasonableness Statements