



# City of Fayetteville

433 Hay Street  
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## Legislation Text

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File #: 18-399, Version: 1

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

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

**FROM:** David Steinmetz, CZO - Chief Zoning Administrator  
Gerald Newton, AICP, Director, Development Services Department

**DATE:** August 27, 2018

**RE:**  
**P18-19F rezoning of property from MR-5, Mixed Residential to CC, Community Commercial Zoning, located at 108 Wiley Street; (0438-50-6242) near the intersection of Ramsey Street and Wiley Street, containing 0.17 acres and being the property of Fayetteville Metropolitan Housing Authority**

**COUNCIL DISTRICT(S):**

2

### **Relationship To Strategic Plan:**

Growth and Development

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

### **Executive Summary:**

This is a general rezoning from Mixed Residential (MR-5) to Community Commercial (CC) zoning. Fayetteville Metropolitan Housing Authority wishes to convert the existing mixed residential land into community commercial

### **Background:**

This property is located near the northwest corner of the intersection of Ramsey Street and Wiley Street.

Applicant: Dawn Drigger

Owner: Fayetteville Metropolitan Housing Authority

Requested Action: MR-5 to CC

Property Address: 108 Wiley Street (Tax ID 0438-50-6242)

Council District: 2

Status of Property: Office and Storage

Size: 0.17 acres +/-

Adjoining Land Use & Zoning:

North - CC-Community Commercial and MR-5

South - CC and MR-5

West - MR-5

East - CC

Letters Mailed: 46

2010 Land Use Plan - DT, Downtown

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 is a general rezoning from Mixed Residential (MR-5) to Community Commercial (CC) zoning. In the existing zone the purpose of the MR-5 District is to “meet the diverse housing needs of City residents by accommodating a wide variety of residential housing types and arrangements at moderate to high densities, including single-family detached dwellings, two- to four-family dwellings, multi-family dwellings.”

The intent of the proposed CC district is established and intended to accommodate a diverse range of medium to high-intensity retail, service, and office uses that provide goods and services serving the residents and businesses in the community at large. 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 Ramsey Street, both north and south from subject property. The recommended zoning in the 2010 Future Land Use Plan is DT (Downtown). The Ramsey Street Corridor Plan suggest multi-family use; however, the current development on Ramsey Street in the area is CC and HI (Heavy Industrial). Therefore, the appropriate rezoning in this area is for a more intense use.

The uses permitted in the proposed zoning district are in harmony with current surrounding districts and uses. The proposed zoning change will not produce a burden for the surrounding public schools, streets, water supply, sanitary sewers and other public services in the area.

City staff recommends APPROVAL of the rezoning to CC 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 Community Commercial development.
2. The City’s land use plan calls for DT, Downtown, however this area of Ramsey Street is made up of mainly commercial uses and not within the core downtown.
3. This property is mostly surrounded by commercial and retail uses.
4. The rezoning would bring a legal nonconforming use into compliance.

### **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) Deny the request

**Recommended Action:**

Staff recommends that the Zoning Commission move to recommend APPROVAL of the rezoning to CC - Community Commercial, as presented by the staff. The Amendment is consistent with applicable plans because: 1) the City's Land Use Plan calls for DT zoning at this location however the area is made up of mainly commercial uses and is not within the core downtown area; 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