



**FAYETTEVILLE CITY COUNCIL
SPECIAL MEETING AGENDA
AUGUST 29, 2011
5:00 P.M.
CITY HALL COUNCIL CHAMBER**

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 APPROVAL OF AGENDA

4.0 PUBLIC HEARINGS

For certain issues, the Fayetteville City Council may sit as a quasi-judicial body that has powers resembling those of a court of law or judge. The Council will hold hearings, investigate facts, weigh evidence and draw conclusions which serve as a basis for its decisions. All persons wishing to appear before the Council should be prepared to give sworn testimony on relevant facts.

- 4.1 Case P11-45F** Rezone from AR Agricultural Residential to LC Neighborhood Commercial Zoning for property at 7383 Stoney Point Road (PIN 9495-10-6440) owned by David L. Jackson.

Presenter(s): Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.2 Case P11-23F** Rezone from LC Limited Commercial to CC Community Commercial District for PINs 0428-55-3561, 0428-65-3814, 0428-64-4982, from SF-6 and SF-10 Single Family Residential District to LC/CZ Limited Commercial Conditional Zoning for PINs 0428-65-3814 for properties west of Murchison Rd. owned by Kingdom Impact Global Ministries (KIGM).

Presenter(s): Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.3 Case P11-24F** Rezone SF-10 Single Family Residential to MR-5/CZ Mixed Residential Conditional Zoning for property at W. Hwy 401 (Part of PIN 9476-95-3701) owned by John Williams, Jr.

Presenter(s): Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.4 Case P11-25F** Rezone MR-5 Mixed Residential and MHO Manufactured Home Overlay to CC/CZ Community Commercial Conditional Zoning for seven properties on the north side of Bonnie St. near Bragg Blvd., owned by Andrew Williams.

Presenter(s): Scott Shuford, Development Services Director & Craig Harmon, Planner II

4.5 Case No. P11-26F - Rezone from OI Office and Institutional to LC Limited Commercial or DT Downtown District for property at 645 Hay St. owned by John Tyson.
Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

4.6 Case No. P11-37F - Rezone SF-10 Single Family Residential to MR-5 Mixed Residential District for property at Southland Dr (PIN 0530-41-9723) owned by Joseph Riddle III.

Presented By: Craig Harmon, Planner II

4.7 Case No. P11-36F - Rezone SF-6 Single Family Residential to MR-5 Mixed Residential District for property at 700 McArthur Rd. (PIN 0530-31-2280) owned by Joe Riddle.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

4.8 Case No. P11-41F - Rezone from LC Limited Commercial to CC Community Commercial District for 15± acres at Sycamore Dairy Rd (PIN 0418-53-3255) owned by Joseph Riddle III.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

4.9 Case No. P11-40F - Rezone from OI Office and Institutional to LC Limited Commercial District for property on Cliffdale Rd. (PIN 0417-26-2808), 10± acres, owned by Joseph Riddle III.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

4.10 Case No. P11-29F - Rezone SF-10 Single Family Residential to CD Conservation District for property on Alleghany Rd (PIN 0416-37-7799) owned by Riddle Properties LLC.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

4.11 Case No. P11-30F - Rezone SF-10 Single Family Residential to CD Conservation District for property at (PIN 0416-47-0684) owned by Riddle Properties LLC.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

4.12 Case No. P11-31F - Rezone SF-10 Single Family Residential to CD Conservation District for property at (PIN 0416-49-5192) owned by

Joseph Riddle III.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.13 Case No. P11-32F - Rezone SF-10 Single Family Residential to CD Conservation District for property at 3330 Broomsgrove Dr. (PIN 9495-11-5899) owned by March Riddle.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.14 Case No. P11-33F - Rezone SF-10 Single Family Residential to CD Conservation District for property at Lakeridge Dr. (PIN 0405-47-0315) owned by March Riddle.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.15 Case No. P11-34F - Rezone SF-10 Single Family Residential to CD Conservation District for property at Alleghany Rd (PIN 0408-82-2846) owned by March Riddle.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.16 Case No. P11-27F - Rezone from OI Office and Institutional to CC/CZ Community Commercial Conditional Zoning for property on Boone Trail Extension at Quiet Cove (PIN 0426-25-5453) owned by Boone Trail Center LLC.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.17 Case No. P11-28F - Rezone SF-6 Single Family Residential to MR-5 Mixed Residential for property at 502 Setter Dr. and McArthur Rd. (PIN 0530-30-8380) owned by Crystal Lake II LLC.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.18 Case No. P11-39F - Rezone SF-10 Single Family Residential to MR-5 Mixed Residential District for property at Portsmouth Dr. (PIN 9497-91-3688) owned by March Riddle.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.19 Case No. P11-42F - Rezone from SF-10 Single Family Residential to OI/CZ Office and Institutional Conditional Zoning for property near Marshall Rd. between Roxie Ave. and All American Expressway on ramp (PIN 0417-80-0261) owned by March Riddle.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.20 Case No. P11-43F - Rezone from MR-5 Mixed Residential, LC and CC Limited and Community Commercial to OI/CZ Office and Institutional Conditional Zoning for property on East Shepherd St. between Roxie Ave. and All American Expressway (PIN 0416-89-5706) owned by March Riddle.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

- 4.21 Case No. P11-35F - Rezone CD Conservation District to SF-10 Single Family Residential District for property at 2345 Dundle Rd (9495-47-0022) owned by March Riddle.

Presented By: Scott Shuford, Development Services Director & Craig Harmon, Planner II

5.0 ADJOURNMENT

CLOSING REMARKS

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

POLICY REGARDING CITY COUNCIL MEETING PROCEDURES SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM

Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

Notice Under the Americans with Disabilities Act (ADA): The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at rmcelrath@ci.fay.nc.us, (910) 433-1696, or the office of the City Clerk at cityclerk@ci.fay.nc.us, (910) 433-1989, as soon as possible but no later than 72 hours before the scheduled event.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-45F - Rezone from AR Agricultural Residential to LC Limited Commercial Zoning for property at 7383 Stoney Point Road (PIN 9495-10-6440) owned by David L. Jackson.**

THE QUESTION:

Does the proposed rezoning to Limited Commercial fit the with the character of the neighborhood and the long range plans of the City of Fayetteville?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: David L. Jackson
Applicant: City of Fayetteville
Requested Action: AR to LC
Property Address: 7383 Stoney Point Rd.
Status of Property: Developed
Size: 0.67 acres +/-
Existing Land Use: Gas Station
Letters Mailed: 19

Land use plan calls for this area to be developed as low density residential.

AR. The Agricultural-Residential (AR) District is established and intends to accommodate rural uses, including agricultural uses, uses that complement or support agricultural uses, and very low-density residential uses. It encourages residential development that preserves farmland and other open space through flexibly-designed conservation subdivisions.

LC. The Limited Commercial (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.

ISSUES:

This one acre property has an existing gas station that has been there for over 20 years. The owners wish to have zoning compatible to their use. This property has SF-10 zoning to the north, AR to the west and east and NC to the south. As noted this property does adjoin existing commercial zoning to the south. Staff recommends approval.

The Zoning Commission voted 3-0 to recommend approval. The Commission said this would be appropriate to fix an incorrect zoning of this property.

BUDGET IMPACT:

This is a small lot with an existing gas station/convenience store and little to no increase in cost of providing public services and this should not affect the City's tax base greatly.

OPTIONS:

1. Approval of rezoning as presented (Recommended).
2. Approval of rezoning to a more restrictive zoning district.
3. Denial of the rezoning request.

RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to APPROVE the rezoning from Agricultural Residential to Limited Commercial.

ATTACHMENTS:

Zoning Map

Land Use Plan

ZONING COMMISSION
P11-45F

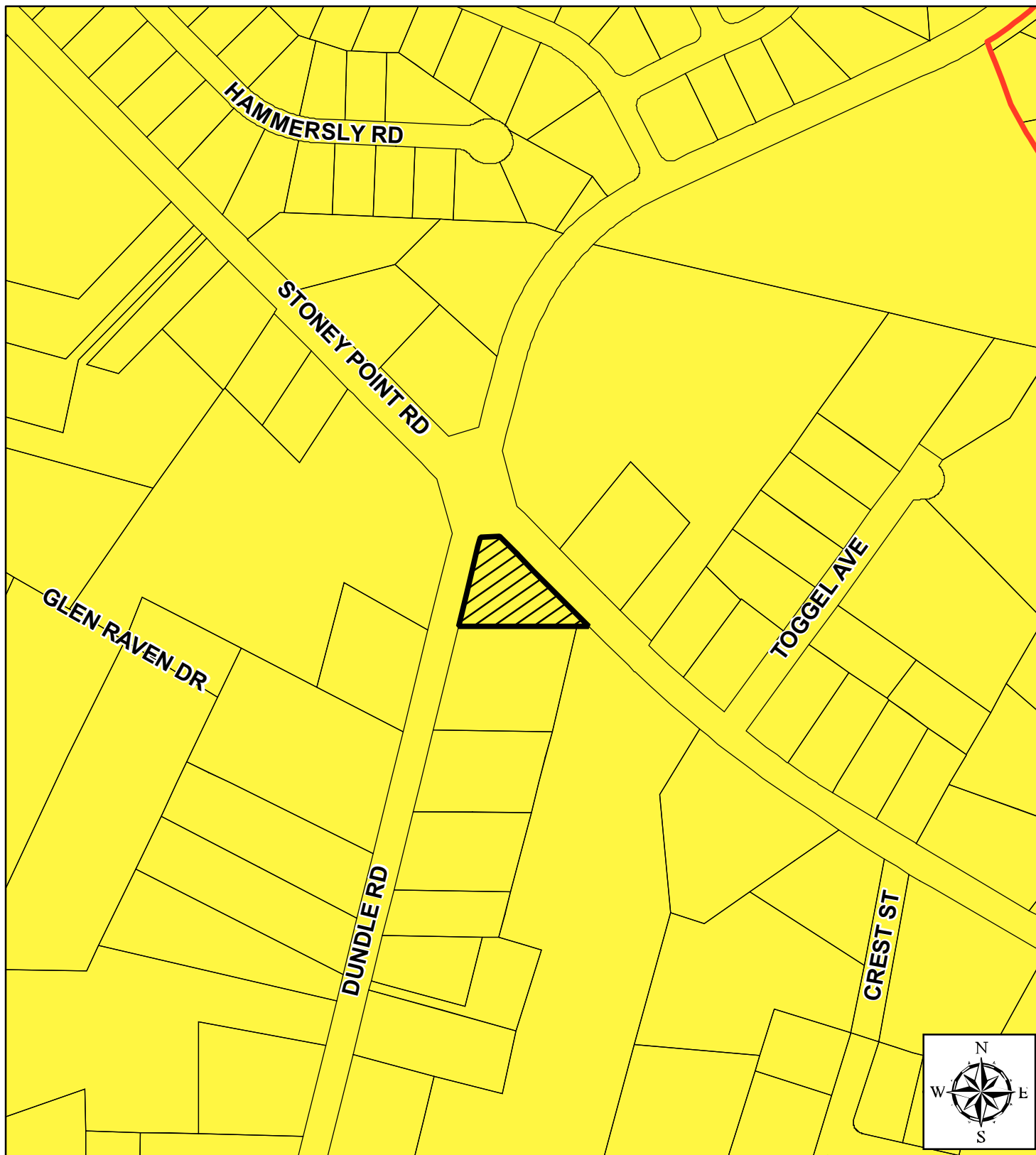


Request: Rezoning
Location: SE corner of Dundle Road
& Stoney Point Road
Acreage: +/- 1.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 9495-10-6440

ZONING COMMISSION

P11-45F



Legend

updated2010plan(dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg
Activity Node

Airfield Operations-Fort Bragg
Community Activity Node
Downtown
Farmland
Governmental

Heavy Commercial
Heavy Industrial
High Density Residential
Historical District-Fort Bragg
Light Commercial

Light Industrial
Low Density Residential
Medium Density Residential
Neighborhood Activity Node
Office & Institutional

One Acre Residential Lots
Open Space
Policy Directed Heavy Commercial
Policy Directed Light Commercial
Policy Directed Office & Institutional

Range & Training-Fort Bragg
Redevelop/Holding-Fort Bragg
Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-23F - Rezone from LC Limited Commercial to CC Community Commercial District for PINs 0428-55-3561, 0428-65-3814, 0428-64-4982, from SF-6 and SF-10 Single Family Residential District to LC/CZ Limited Commercial Conditional Zoning for PINs 0428-65-3814 for properties west of Murchison Rd. owned by Kingdom Impact Global Ministries (KIGM).**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Kingdom Impact Global Ministries (KIGM)

Applicant: City of Fayetteville

Requested Action: Rezone PINs 0428-55-3561, 0428-65-3814 and 0428-64-4982 from LC to CC; rezone PIN 0428-65-3814 from SF-6 and SF-10 to LC/CZ.

Property Address: PINs 0428-55-3561, 0428-65-3814 and 0428-64-4982

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Medium Density Residential, with a small amount of Open Space on the rear of the properties and a small amount of Heavy Commercial along the frontage of Murchison Road. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

KIGM operates a large worship center and associated administrative offices on the property frontage along Murchison Road. KIGM has a master plan for further development of this property that includes a wider variety of uses, all of which can be accommodated under the existing LC zoning. During the UDO remapping public hearings, a frequent point made by KIGM representative Glenn Adams was that the church had "conceded" to LC zoning of this previously-zoned C1P parcel, a concession that he felt warranted commercial designation for the remainder of the property under church ownership in this area. KIGM requested LC zoning for all parcels under its ownership.

Staff evaluated its rationale for LC zoning for the front part of this property as well as the requested LC zoning for the remainder of the property. Our conclusion is that CC zoning for the frontage site currently zoned KC is indeed appropriate given the size and depth of the parcel and the nearby heavy automotive use adjoining the property on the northwest. There is other CC zoning in the area. Consequently, we recommend that the existing LC-zoned property be rezoned to CC.

The remainder of the property is currently zoned primarily for single family development which is not suitable for the future plans of KIGM which include multifamily housing, group home(s), elderly housing, an amphitheater, and other uses facilitative to its ministry.

Staff recognizes these plans as supportive of the goals of the Murchison Road Corridor Plan and the City in general, and that there is a need for more intensive zoning to accommodate them. Staff also recognizes that there are various land use issues involved with extending commercial zoning some 3,300 feet in depth from Murchison Road. To put this depth into context, it is the equivalent of 11 football fields; additionally, Cross Creek Mall is “only” 2,800 feet deep as measured from Skibo Road. Commercial development this deep would be inconsistent with the development pattern proposed in the Murchison Road Corridor Plan, as well as creating a variety of potentially-negative impacts for surrounding properties.

Fortunately, the UDO contains a potential solution to this dilemma – conditional zoning allows the list of allowable uses to be trimmed to those necessary to support the uses desired by KIGM while excluding other uses that might be detrimental to the area and to the capacity of Murchison Road to handle traffic from development of the property.

Staff recommends that the rear portion of the KIGM site be rezoned from SF-6 and SF10 to LC/CZ subject to the following conditions:

- The uses shall be limited to the following permitted and special uses listed in the Table of Uses:
 - All Household Living, Group Living, Community Services, Day Care, Educational Facilities, Institutions, Parks and Open Spaces, Public Safety, Conference and Training Centers, and Recreation/Entertainment, Outdoor use types as allowed in LC.
 - The Theater use type as allowed in LC.
- The allowable density of multifamily development shall not exceed six dwelling units per acre (the maximum permitted under the prior R-10 zoning).
- Development of this property shall accommodate the infrastructure improvements established in the Murchison Road Corridor Plan.

The Zoning Commission voted 3-0 to recommend approval. The Commission stated this was an appropriate rezoning request with the conditions that have been offered by the applicant. NOTE: Since approval by the Zoning Commission, the applicant has expressed some concern about the Murchison Road Corridor Plan infrastructure condition; staff will provide an update on this during our presentation or, preferably, in a memo delivered prior to the Council meeting.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend approval of rezoning as recommended by staff (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

RECOMMENDED ACTION:

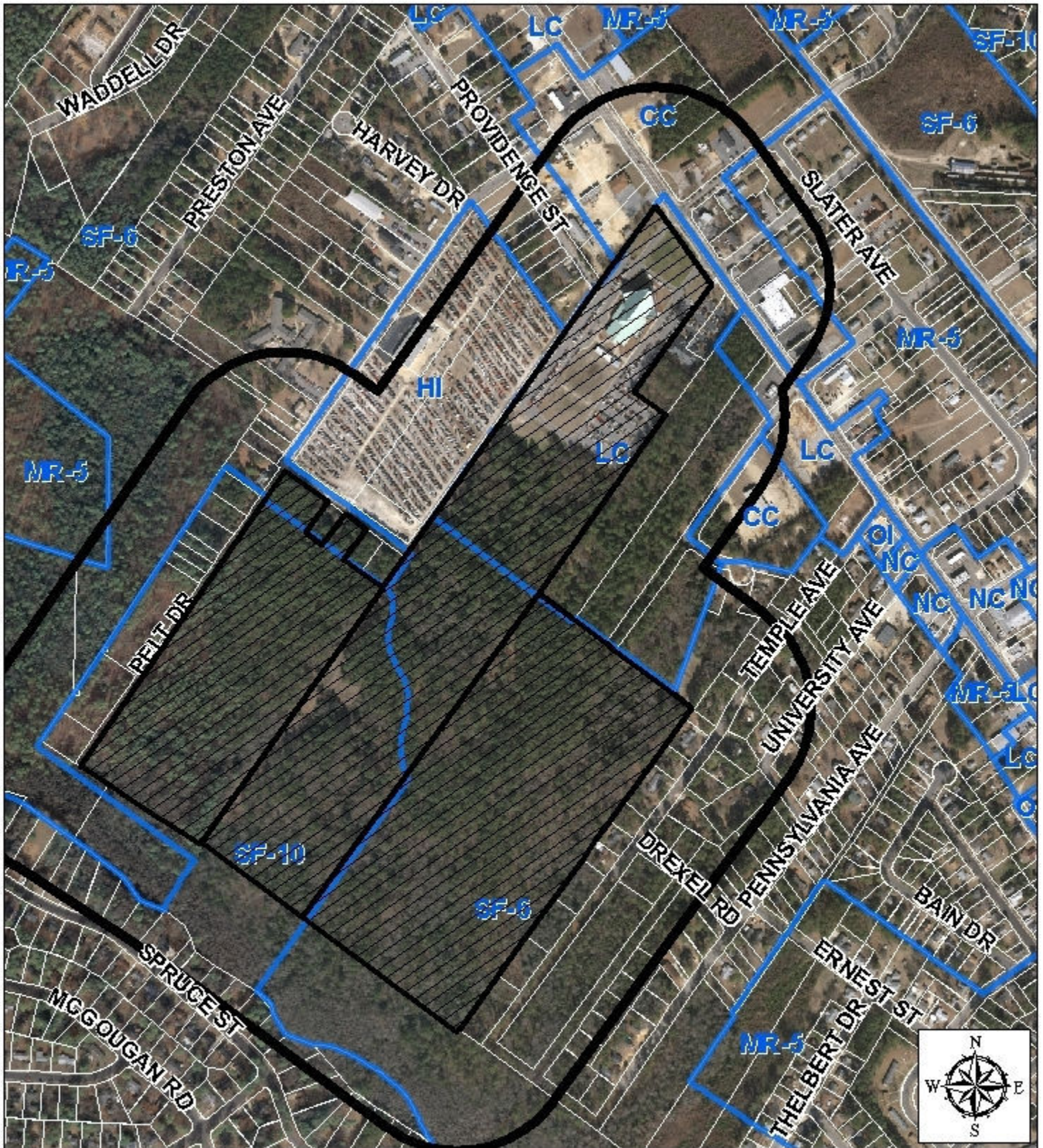
The Zoning Commission recommends that the City Council move to APPROVE the rezoning of the front part of the property from LC to CC and the rezoning of the rear portion of the property from SF-6 and SF-10 to LC/CZ subject to the conditions recommended by staff.

ATTACHMENTS:

Zoning Map

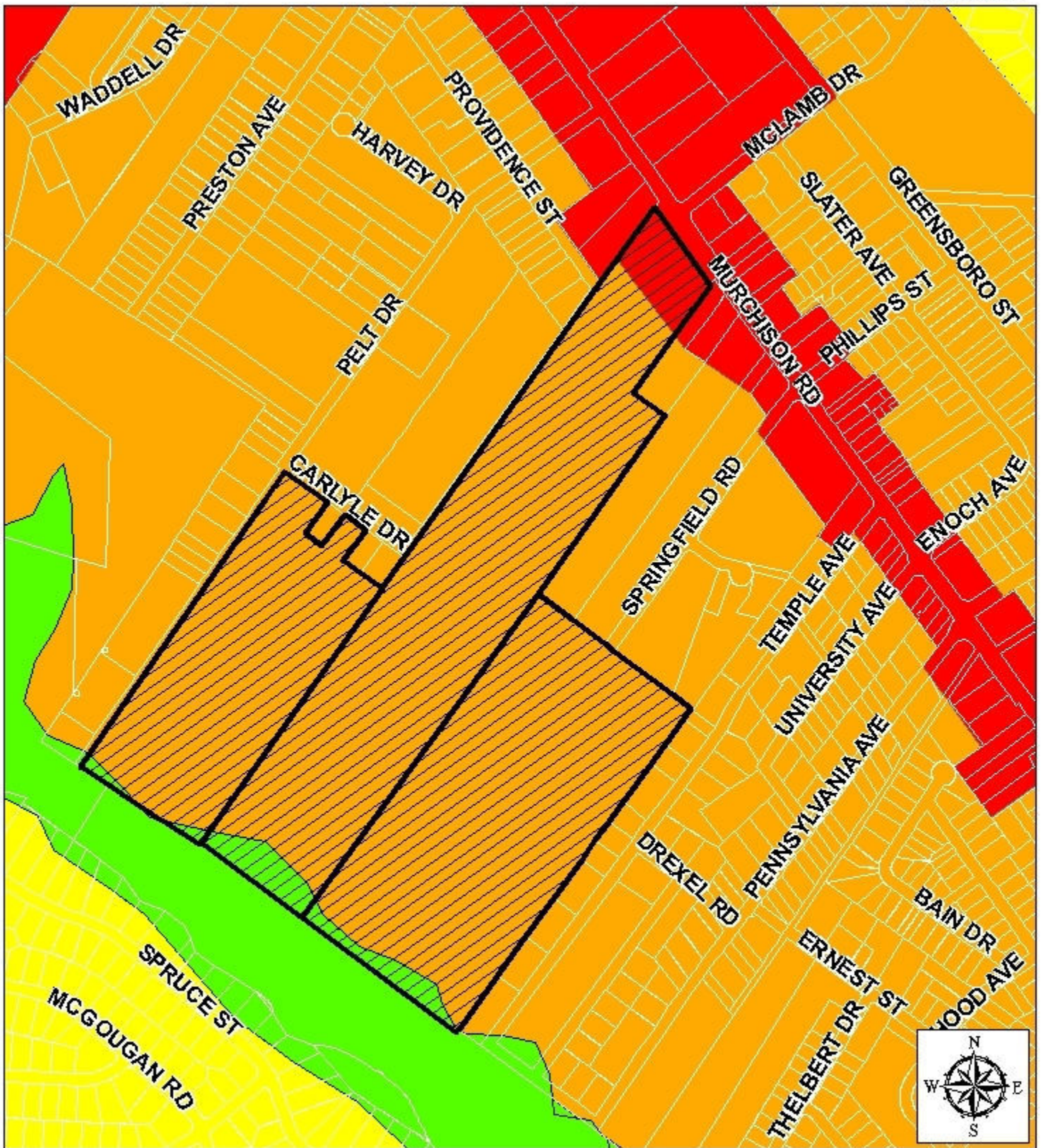
Land Use

Murchison Road Plan - Connectivity



Request: Rezoning
Location: West of Murchison Road

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0428-55-3561; 0428-65-3814; 0428-64-4982



Legend

updated2010plan(dhash)	Antid Operations-For I Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-For I Bragg
<all other values>	Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-For I Bragg
CLASS DN	Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential
Academic Training-For I Bragg	Farmland	Historical District-For I Bragg	Neighborhood Activity Node	Policy Directed Light Commercial	
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional	

CHAPTER 5

- **Street lighting:** Pedestrian scale lighting to supplement streetlights to enhance safety and contribute to pedestrian comfort and desire to walk during evening and night hours.
- **Buffers:** Two-foot wide utility strip, adjacent to retail buildings the buffer should be paved with periodic tree wells.
- **Median:** Brick pavers or stamped, colored concrete to reflect the architectural style of FSU and the adjacent neighborhoods.
- **Signalized crossings:** Pedestrian crossings at Langdon Street, Currie Street, and Filter Plant Road convenient for pedestrians.
- **Crosswalks:** Six intersection locations treated with high-visibility ladder-style crosswalk markings to achieve the best design for pedestrian safety; four-foot wide pedestrian refuge islands.
- **Bus stops:** Bus pull-outs to allow bus drivers to pull to the curb and avoid blocking the travel lane; bus shelters with covering to protect riders from weather, shade tree(s), appropriate seating, updated bus route schedules and information, and adequate pedestrian access leading to the sidewalk and nearest intersection.
- **Bicycle Provisions:** Bicycle route signage guiding cyclists from Murchison Road to the greenways; bicycle racks installed throughout the district.
- **Building form:** New buildings built up to the back-of-sidewalk and rise at least two stories.
- **Gateway treatments:** Gateways in the form of buildings, public art, wood or metal structures in the public right-of-way, water features, or well-designed "welcome" signs.
- **Parking:** Centralized municipal- or university-owned parking lot.



systemwide improvements

CONNECTIVITY

The lack of connectivity between Murchison Road and other north-south arterials in Fayetteville is problematic to its residents and motorists. An important goal is to **create better interconnectivity within the neighborhoods and between adjacent industrial areas**, as well as to **link them to the east-west arterials**. This will allow local trips better access to these corridors and reduce trips on Murchison Road. Prime examples of such projects are the extension of Commonwealth Avenue from Pamalee Drive south to Temple Avenue as parcels near Parks Chapel Church redevelop and the extension of Distribution Drive to Shaw Mill Road.

It will also be crucial to **alleviate choke points and plan for future widening of the east-west corridors crossing Murchison** when needed. New approaches and innovative intersection designs must be used when remedying congestion points in the system such as Langdon Street at Ramsey Street. Fayetteville and FAMPO should **consider the realignment of Shaw Road or Shaw Mill Road as investigated in NCDOT Feasibility Study F-0206B**. The realignment ensures that the two streets are no longer offset and can provide a contiguous connection to Murchison Road.

GREENWAYS

The City-owned land along streamways on either side of Murchison provides a corridor for what could be **two attractive greenways along Little Cross Creek and Cross Creek**. Anchored by Martin Luther King, Jr., Park and the development of NC Veterans Park at the south end of the Murchison Road corridor, these two greenways could parallel the creeks and provide the residential neighborhoods of north Fayetteville with a green and recreational corridor to downtown. The greenway trail could create a linkage between downtown parks like Veterans Memorial, Cross Creek, and Downtown Linear Parks to outlying parks such as Rowan, Seabrook, and College Lakes Parks. It is also important to identify neighborhood connections to provide access to the facilities outside of major trailheads.

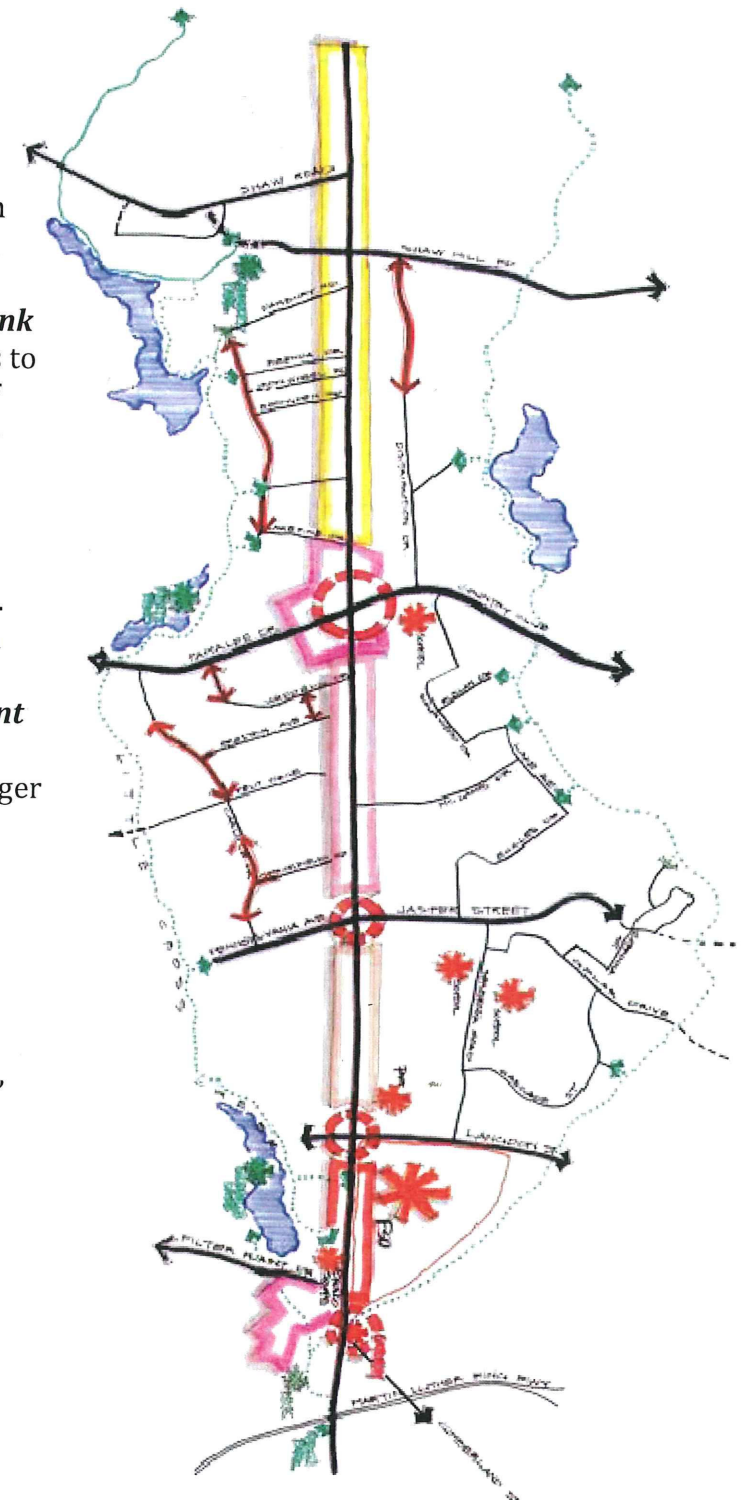
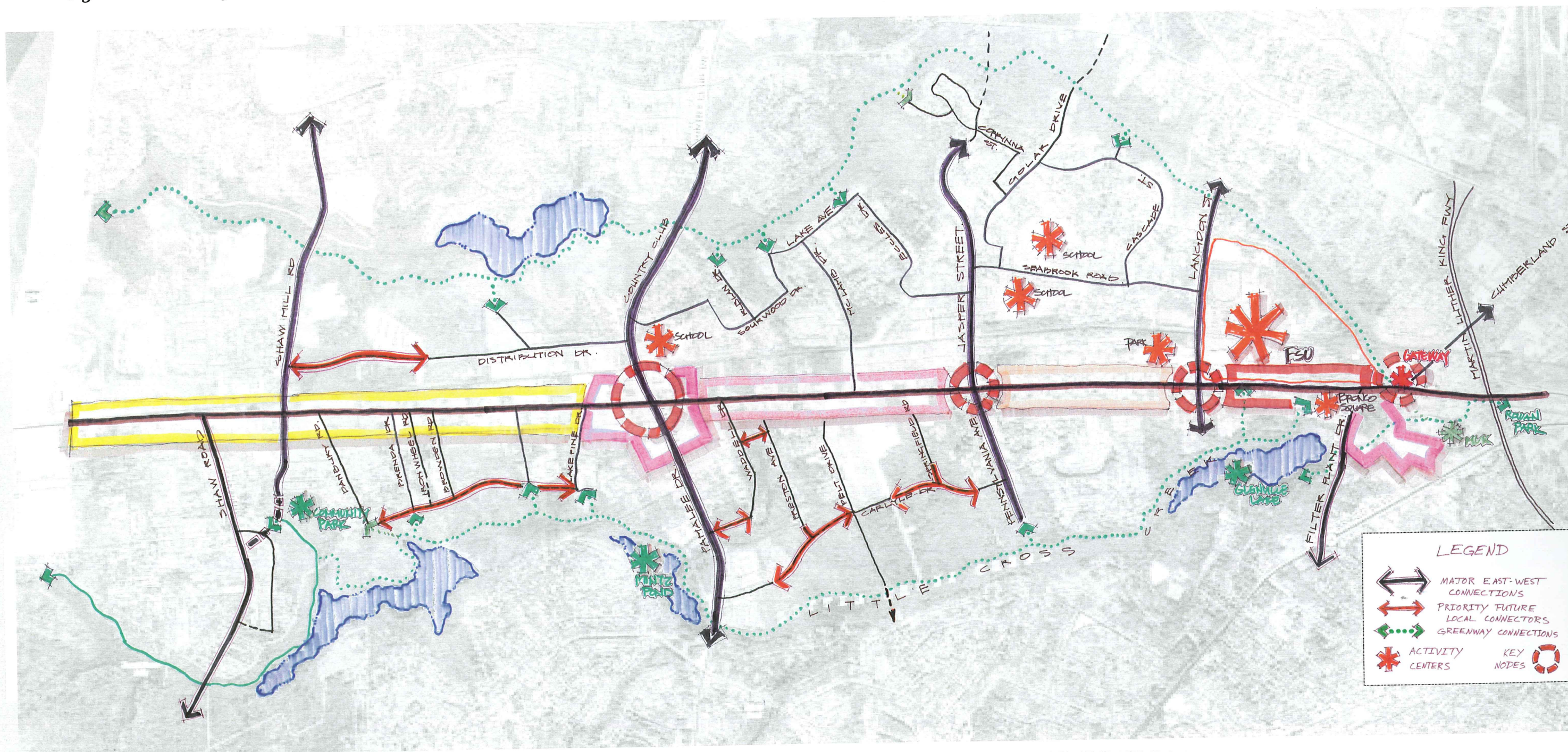




Figure 9. Connectivity Recommendations



CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-24F - Rezone SF-10 Single Family Residential to MR-5/CZ Mixed Residential Conditional Zoning for property at W. Hwy 401 (Part of PIN 9476-95-3701) owned by John Williams, Jr.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: John Williams, Jr.

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to MR-5/CZ.

Property Address: Part of PIN 9476-95-3701

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed with Low Density Residential and Open Space. This request is not consistent with the Land Use Plan.

ISSUES:

Please note that this parcel is split-zoned, with the northernmost portion of the property being zoned SF-10 and the southernmost portion being zoned CD. This case involves ONLY the 34 acre SF-10-zoned portion of this site; the existing CD-zoned portion will remain CD. This rezoning request is to rezone property that was formerly able to have by-right multifamily development into a zoning district that allows multifamily development by right. The property adjoins a four-lane or larger roadway (West Raeford Road) and is located in an area having a varied development pattern that includes Agricultural Residential, Limited Commercial, Community Commercial and various single family districts. It is located between two low density single family neighborhoods. The owner had the property rezoned to R-10 approximately two years ago in order to be able to develop it as a low density multifamily development; some progress has been made toward that end, but it was insufficient to vest the development. Staff review of the request suggests that this rezoning would be consistent with the nature of the property and the Comprehensive Plan, provided density is limited to six dwelling units per acre (the density allowed under the former R-10 zoning). The property owner concurs with this limitation. The property is not subject to any small area or corridor plans.

Condition:

Density shall be limited to six or fewer dwelling units per acre.

Staff recommends approval of the conditional rezoning as conditioned above.

Zoning Commission voted 3-0 to recommend approval. The Commission recommended this rezoning based on the fact that with the conditions offered the developer would now have the same development rights that they had before the UDO remapping.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend approval of rezoning as recommended by staff (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

RECOMMENDED ACTION:

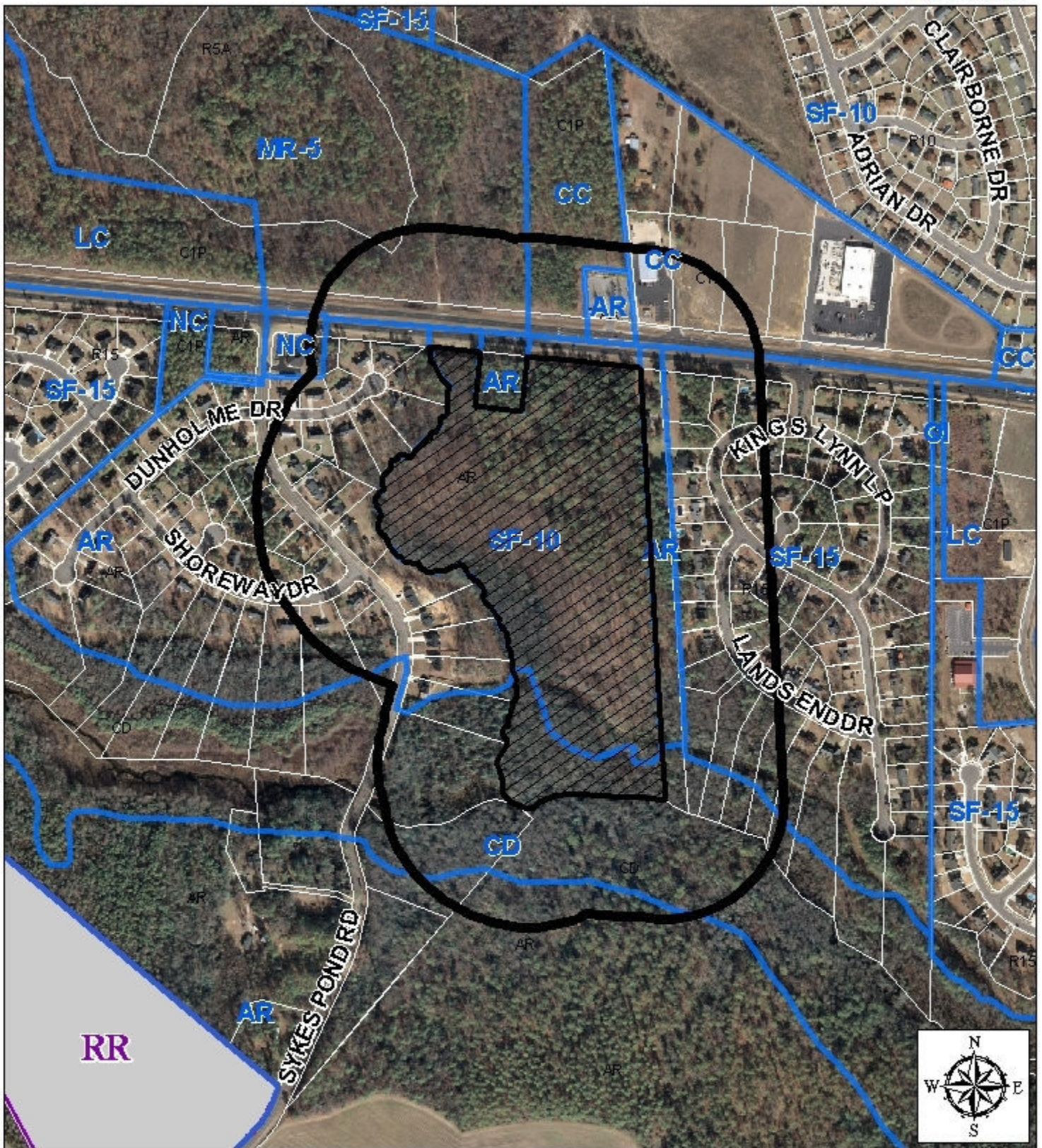
Zoning Commission recommends that the City Council move to APPROVE the rezoning of part of PIN 9476-95-3701 from SF-10 to MR-5/CZ with the condition recommended by staff.

ATTACHMENTS:

Zoning Map

Land Use Plan

ZONING COMMISSION
P11-24F

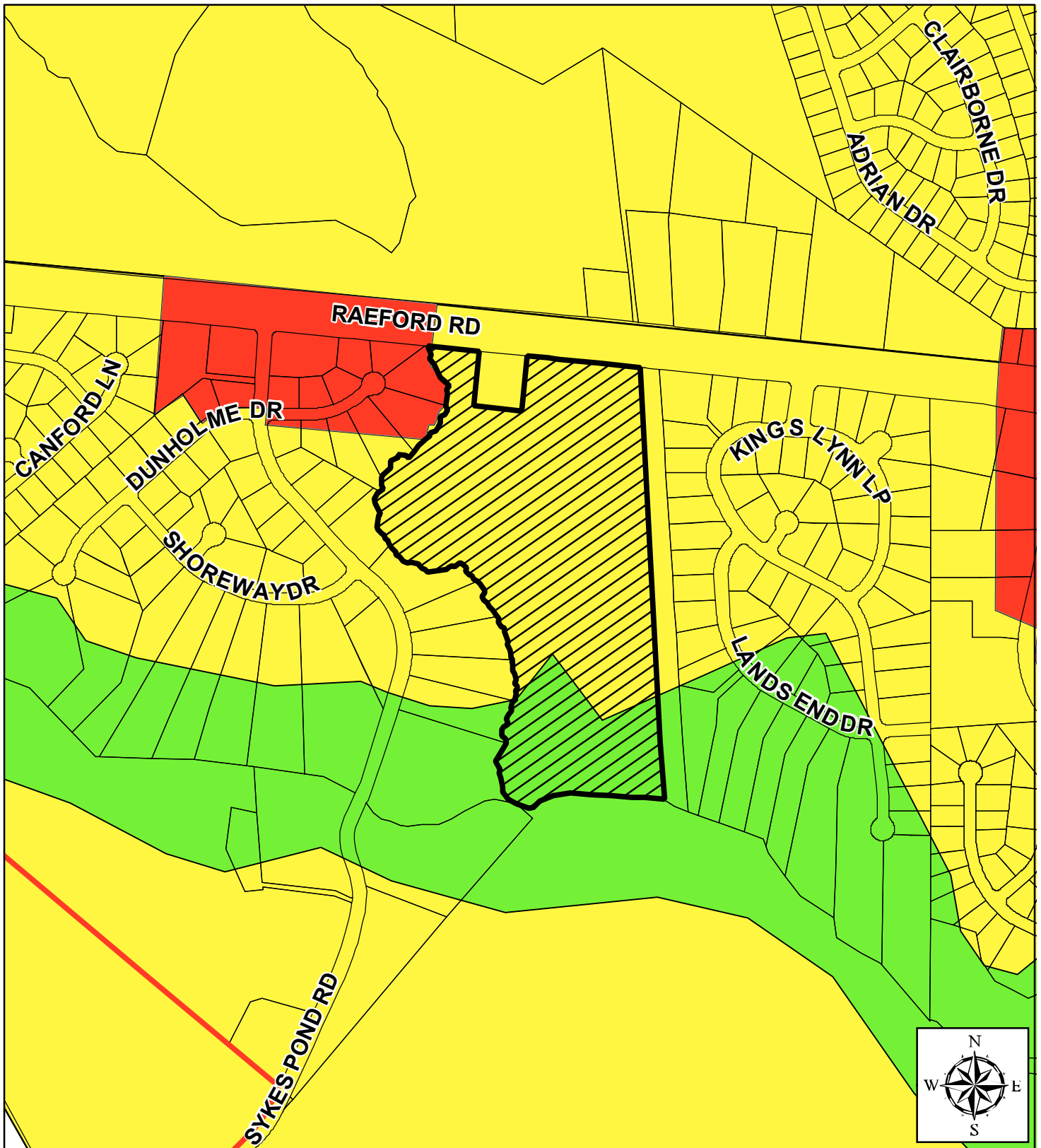


Request: Rezoning
Location: South side of Raeford Road
Acreage: +/- 34.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 9476-95-3701

ZONING COMMISSION

P11-24F



Legend

updated 2010 plan (dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg	Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Activity Node	Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
	Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential
	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial	
	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional	

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-25F - Rezone MR-5 Mixed Residential and MHO Manufactured Home Overlay to CC/CZ Community Commercial Conditional Zoning for seven properties on the north side of Bonnie St. near Bragg Blvd., owned by Andrew Williams.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Andrew Williams

Applicant: City of Fayetteville

Requested Action: Rezone seven lots from MR-5 MHO to CC/CZ

Property Address: North Side of Bonnie Street (PINs 0418-29-4945, 0418-29-5938, 0418-29-6031, 0418-29-4862, 0418-29-5844, 0418-29-6837, and 0418-29-7819)

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed with Medium Density Residential. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This rezoning request is to rezone approximately 2 acres of property that is located in an area having a varied development pattern that includes Community Commercial, MR-5, and various single family districts. The subject property consists of seven lots.

Condition:

Should the rezoning be approved, staff recommends that these lots be recombined into a single parcel to facilitate redevelopment; the owner agrees with this condition.

The depth of the proposed commercial zoning from Bragg Blvd. is consistent with the depth of commercial development immediately across Bonnie Street. The property is not subject to any small area or corridor plans. Staff recommends approval of the conditional rezoning as requested.

The Zoning Commission voted 3-0 to recommend approval of this request. The Commission noted this was a natural extension and would match the depth of commercial development on the property to the south.

BUDGET IMPACT:

The City would not be required to provide an increase in public services by this development.

OPTIONS:

1. Recommend approval of conditional rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of rezoning.

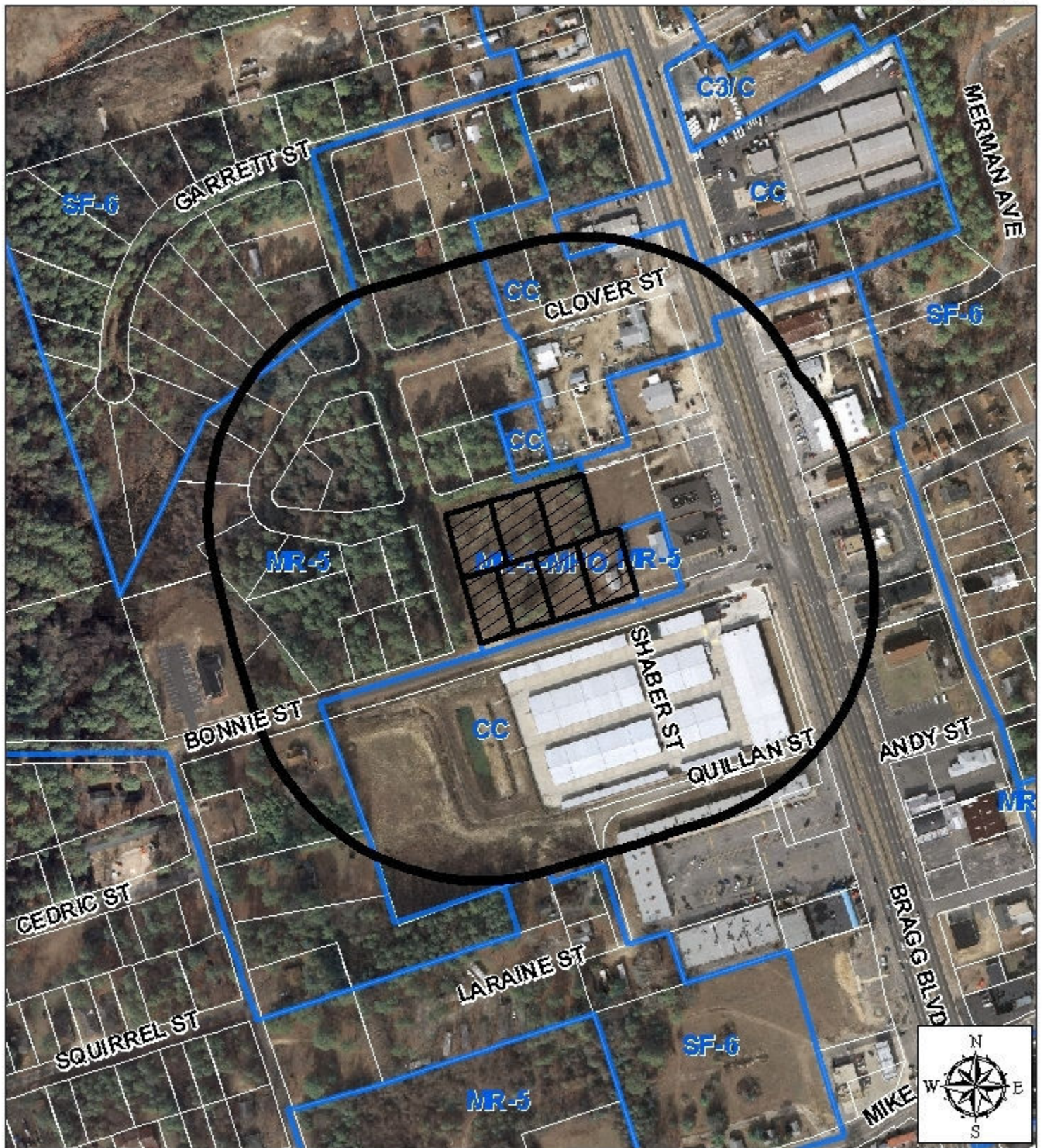
RECOMMENDED ACTION:

Zoning Commission recommends that the City Council APPROVE the rezoning of PINs 0418-29-4945, 0418-29-5938, 0418-29-6031, 0418-29-4862, 0418-29-5844, 0418-29-6837, and 0418-29-7819 from MR-5 MHO to CC/CZ with the sole condition being that the owner recombine the seven lots into a single parcel within 60 days of the effective date of the rezoning.

ATTACHMENTS:

Zoning Map

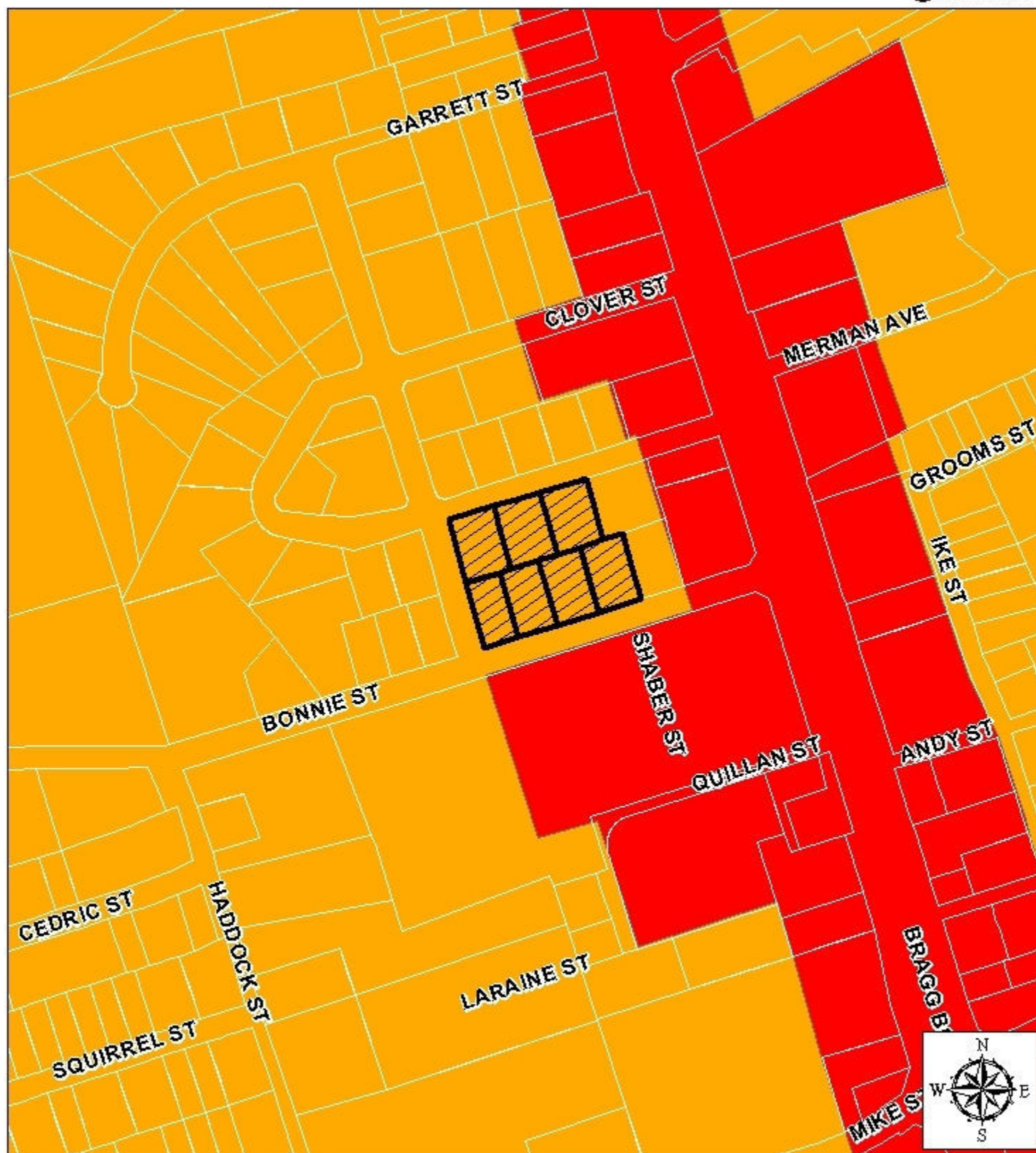
Land Use



Request: Rezoning
Location: North side of Bonnie Street
Acreage: +/- 2.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0418-29-4945; 0418-29-5938; 0419-20-6031;
0418-29-4862; 0418-29-5844; 0418-29-6837;
0418-29-7819

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.



Legend

update 02/10 plan (draft)

Call for the rules

CLASSDN

Academic Training-Fort Bragg	Community Activity Node	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Activity Node	Down town	Heavy Industrial	Low Density Residential	Open Space	Recreation/Holding-Fort Bragg
Governmental	Farm land	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential
	Governmental	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial	
		Light Commercial	Office & Institutional	Policy Directed Office & Institutional	

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-26F - Rezone from OI Office and Institutional to LC Limited Commercial or DT Downtown District for property at 645 Hay St. owned by John Tyson.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: John Tyson

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from OI to LC or DT

Property Address: 645 Hay Street

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed under the Downtown uses. This request is consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This property is developed with an historic residence. The owner desires a zoning district that includes incidental retail and catering, uses that were accommodated under the prior zoning. Staff has agreed to add these uses to the OI district via a code amendment, but the property owner prefers a rezoning to DT zoning (LC zoning, an alternative previously suggested by the owner, is no longer desired by the owner). Staff finds that such a rezoning represents too intense a solution to this problem. Because ownership can change and historic structures can be modified or demolished, DT zoning would create the possibility of tall, intense commercial development at this location which would be inappropriate for the area. Staff recommends denial of this proposed rezoning and supports direction to pursue a code amendment that would address the relatively-benign uses desired by the owner.

The Zoning Commission recommended denial 2-1. The Commission would like to see this case come back either as a text amendment or as a conditional rezoning request.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend denial of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend approval of the rezoning.

RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of 645 Hay Street from OI to DT or LC and direct staff to work with the property owner to resolve the use issues through either a code amendment or a conditional zoning request.

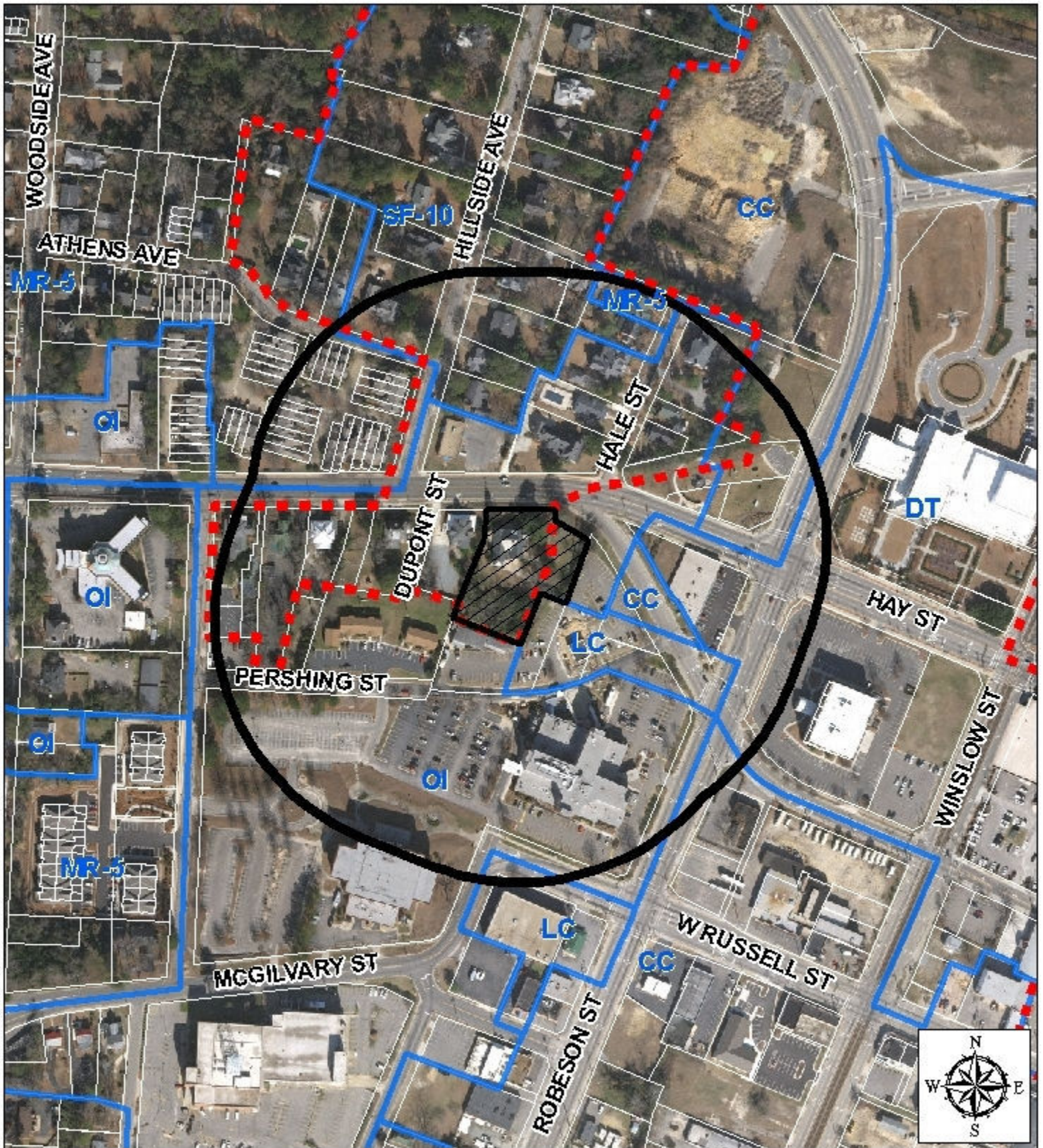
ATTACHMENTS:

Zoning Map

Land Use

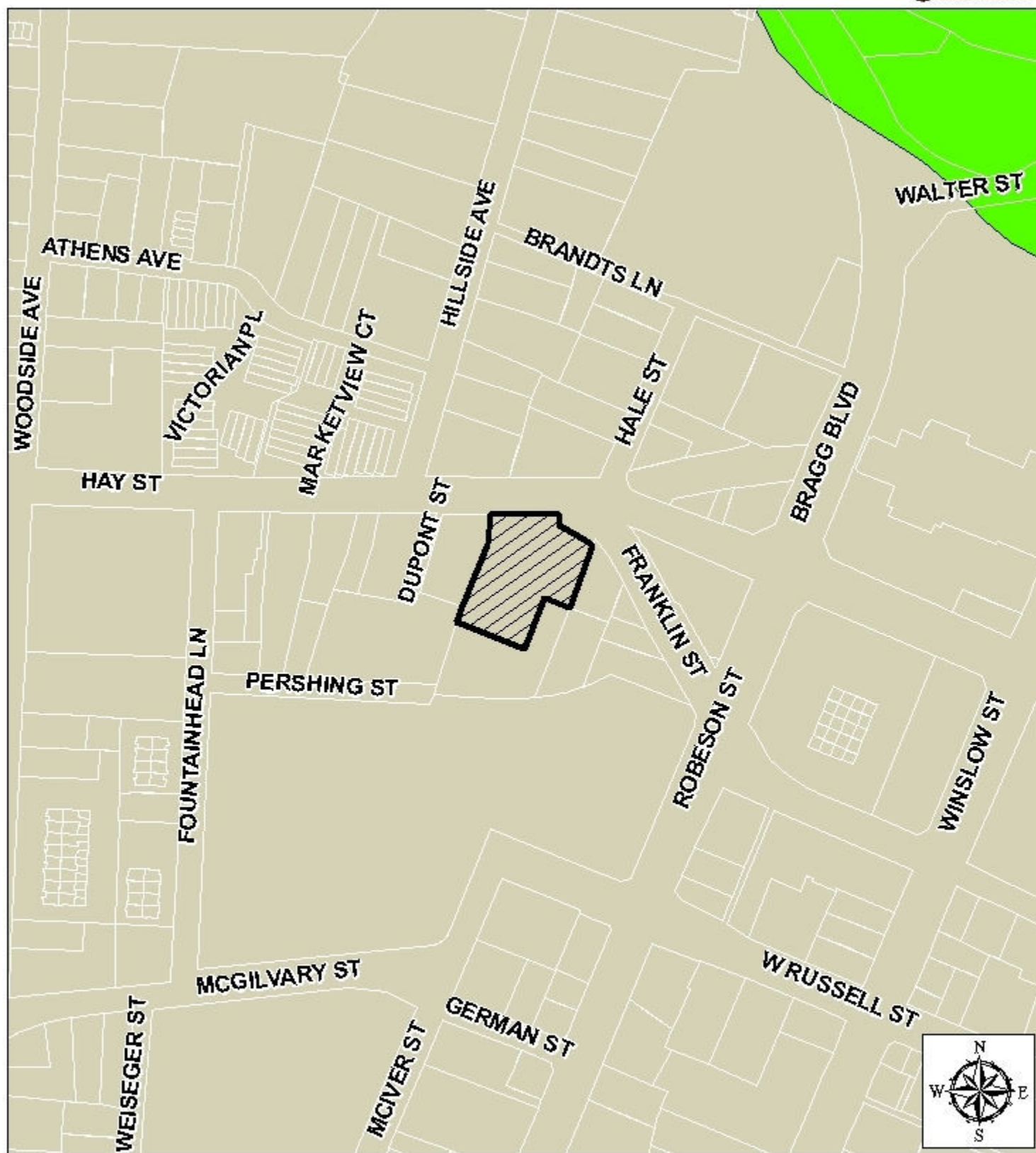
O&I illustration

Downtown illustration



Request: Rezoning
Location: South side of Hay Street
Acreage: +/- 1.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0437-35-3142



Legend					
updated2010plan(dhash)	Armed Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
<all other uses>	Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
CLASS DN	Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential
Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial	
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional	

Subsection 2: Office and Institutional (OI) District

A photograph of a two-story brick building with a portico, surrounded by trees with vibrant red autumn foliage. A street lamp stands in the foreground, and a wet road is visible at the bottom.



Article 30-3: Zoning Districts
Section E: Business Base Zoning Districts
 Subsection 7: Downtown (DT) District

Figure 30-3.E.7.a: DT Typical Lot Pattern



Figure 30-3.E.7.b: DT Typical Building Form

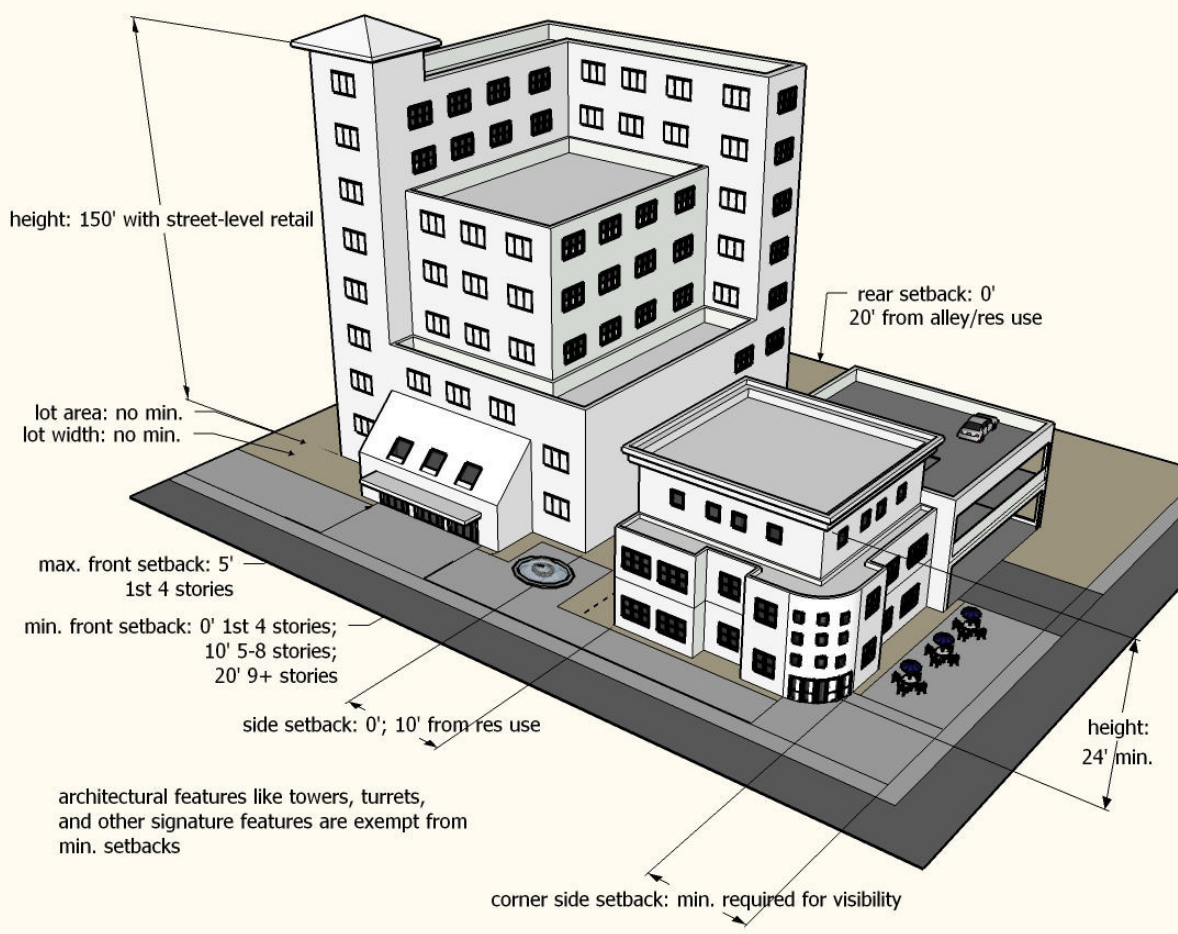


Figure 30-3.E.7.c: DT Typical Building/Lot Configuration

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-37F - Rezone SF-10 Single Family Residential to MR-5 Mixed Residential District for property at Southland Dr (PIN 0530-41-9723) owned by Joseph Riddle III.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Joseph Riddle III

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to MR-5.

Property Address: PIN 0530-41-9723

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed Low Density Residential. This request is not consistent with the Land Use Plan

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This request is to rezone a three acre property that was formerly able to have by-right multifamily development into a zoning district that allows multifamily development by right. The property adjoins a two-lane neighborhood street and is located in an area having an entirely single family development pattern. Staff review of the request suggests that this rezoning is inconsistent with the nature of the property due to these factors. The property is not subject to any small area or corridor plans. Staff recommends denial of the rezoning request.

The Zoning Commission voted 3-0 to recommend denial. Because of the proximity and access to the existing single family development, College Lakes, the Commission stated that it would be more appropriate for this request to come back as a conditional zoning. There is direct access to Southland Dr. and potential access to the surrounding single family neighborhood through other property under the same ownership that is still in the County.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend denial of rezoning as presented (Recommended).
2. Recommend approval of rezoning.
3. Recommend approval of the rezoning with changes.

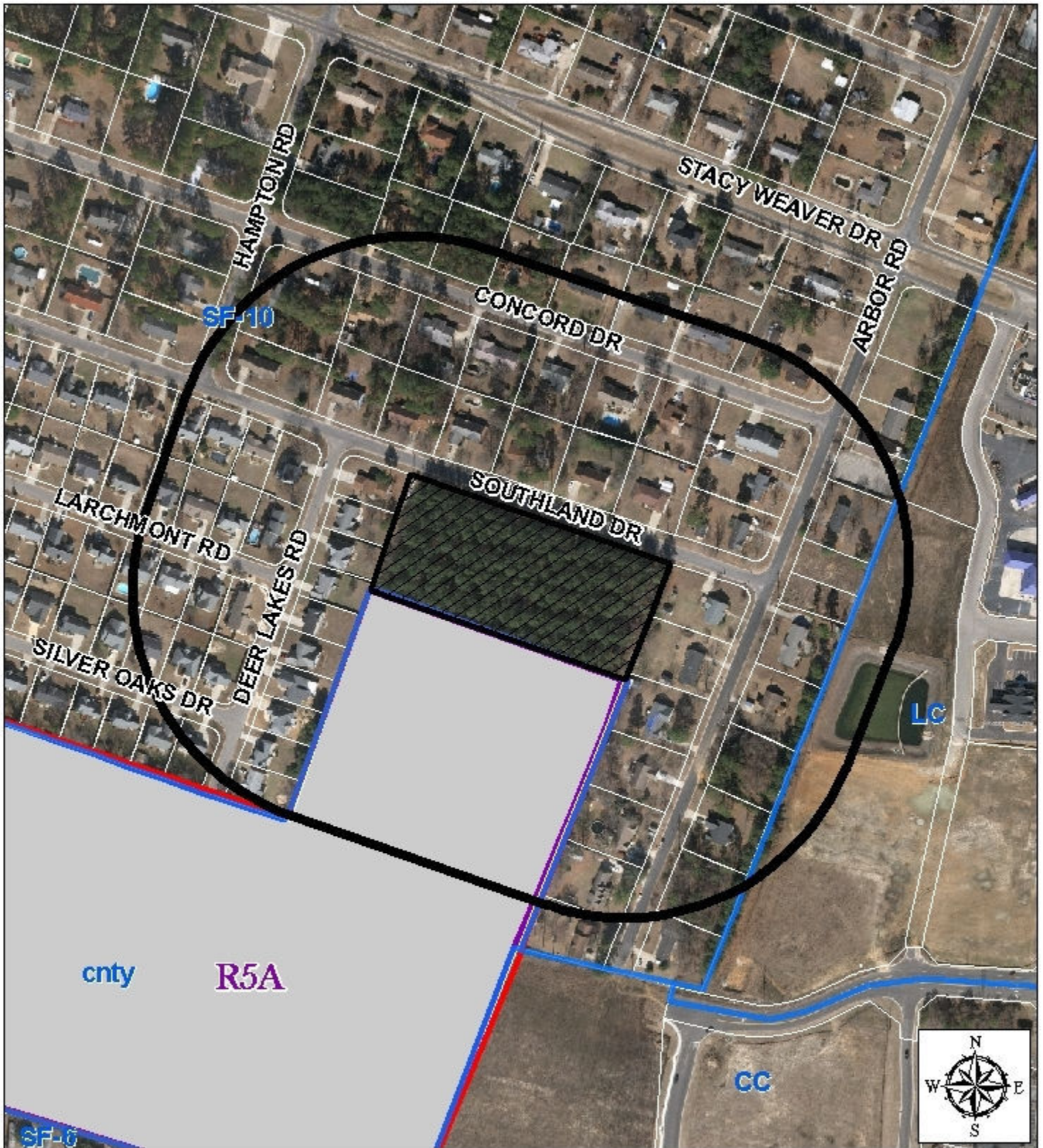
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of PIN 0530-41-9723 from SF-10 to MR-5.

ATTACHMENTS:

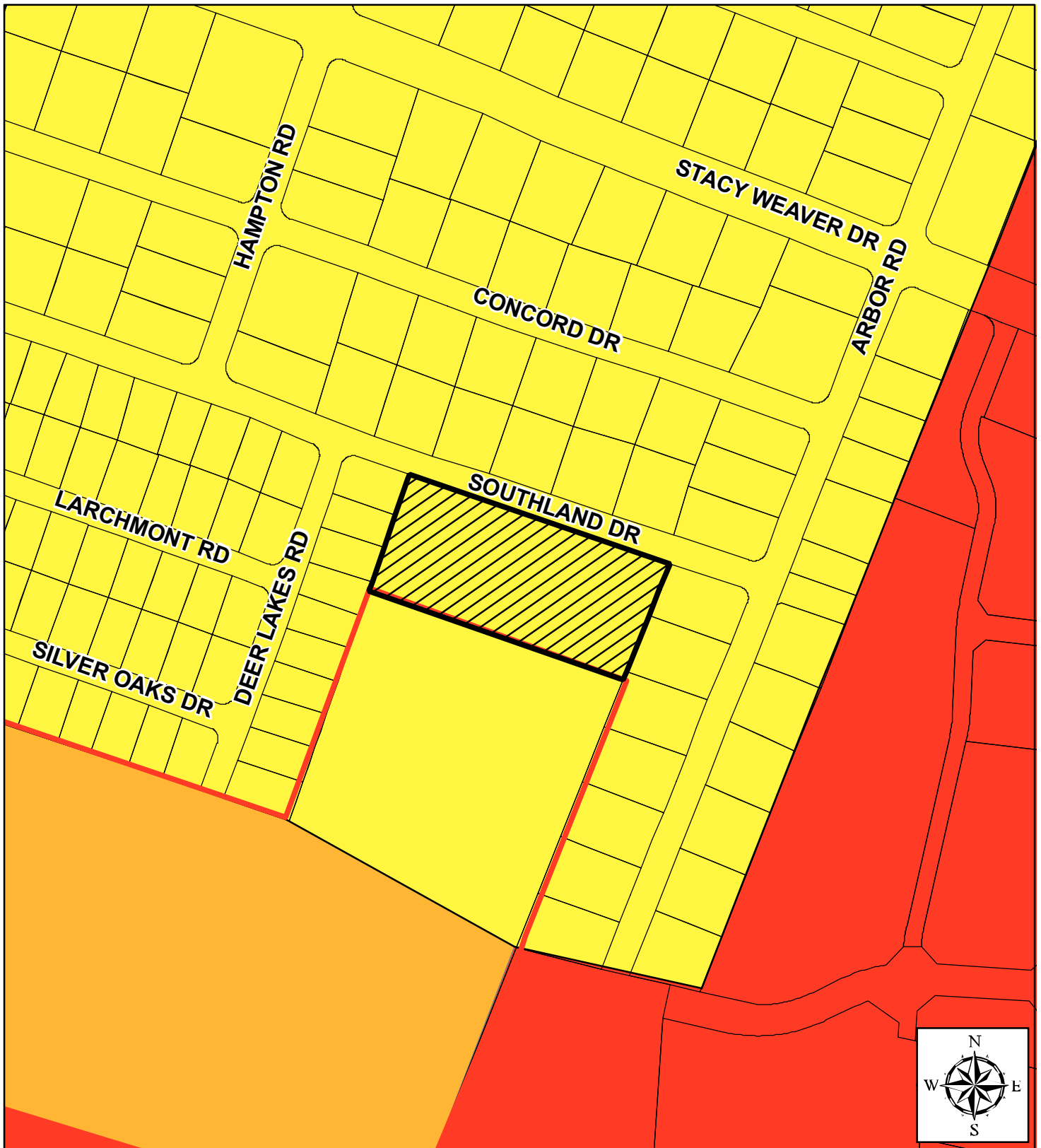
Zoning Map

Land Use Plan



Request: Rezoning
Location: South side of Southland Drive
Acreage: +/- 3.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0530-41-9723



Legend

updated2010plan(dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg
Activity Node

Airfield Operations-Fort Bragg
Community Activity Node
Downtown
Farmland
Governmental

Heavy Commercial
Heavy Industrial
High Density Residential
Historical District-Fort Bragg
Light Commercial

Light Industrial
Low Density Residential
Medium Density Residential
Neighborhood Activity Node
Office & Institutional

One Acre Residential Lots
Open Space
Policy Directed Heavy Commercial
Policy Directed Light Commercial
Policy Directed Office & Institutional

Range & Training-Fort Bragg
Redevelop/Holding-Fort Bragg
Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-36F - Rezone SF-6 Single Family Residential to MR-5 Mixed Residential District for property at 700 McArthur Rd. (PIN 0530-31-2280) owned by Joe Riddle.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Joe Riddle

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-6 to MR-5.

Property Address: 700 McArthur Road (PIN 0530-31-2280)

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Low Density Residential. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This rezoning request is to rezone an eight acre property that was formerly able to have by-right multifamily development into a zoning district that allows multifamily development by right. The property adjoins a four-lane or larger roadway (McArthur Road) and is located in an area having a varied development pattern that includes Light Industrial, Limited Commercial, Community Commercial and various single family districts. Staff review of the request suggests that this rezoning is consistent with the surrounding development pattern. The property is not subject to any small area or corridor plans. The only negative seen in this case is that there is a possible connection to the College Lakes subdivision through other property under the same ownership. That property is still in the County's jurisdiction and is already zoned for multifamily development. Staff recommends approval of the rezoning as requested.

The Zoning Commission voted 3-0 to recommend approval.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend approval of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

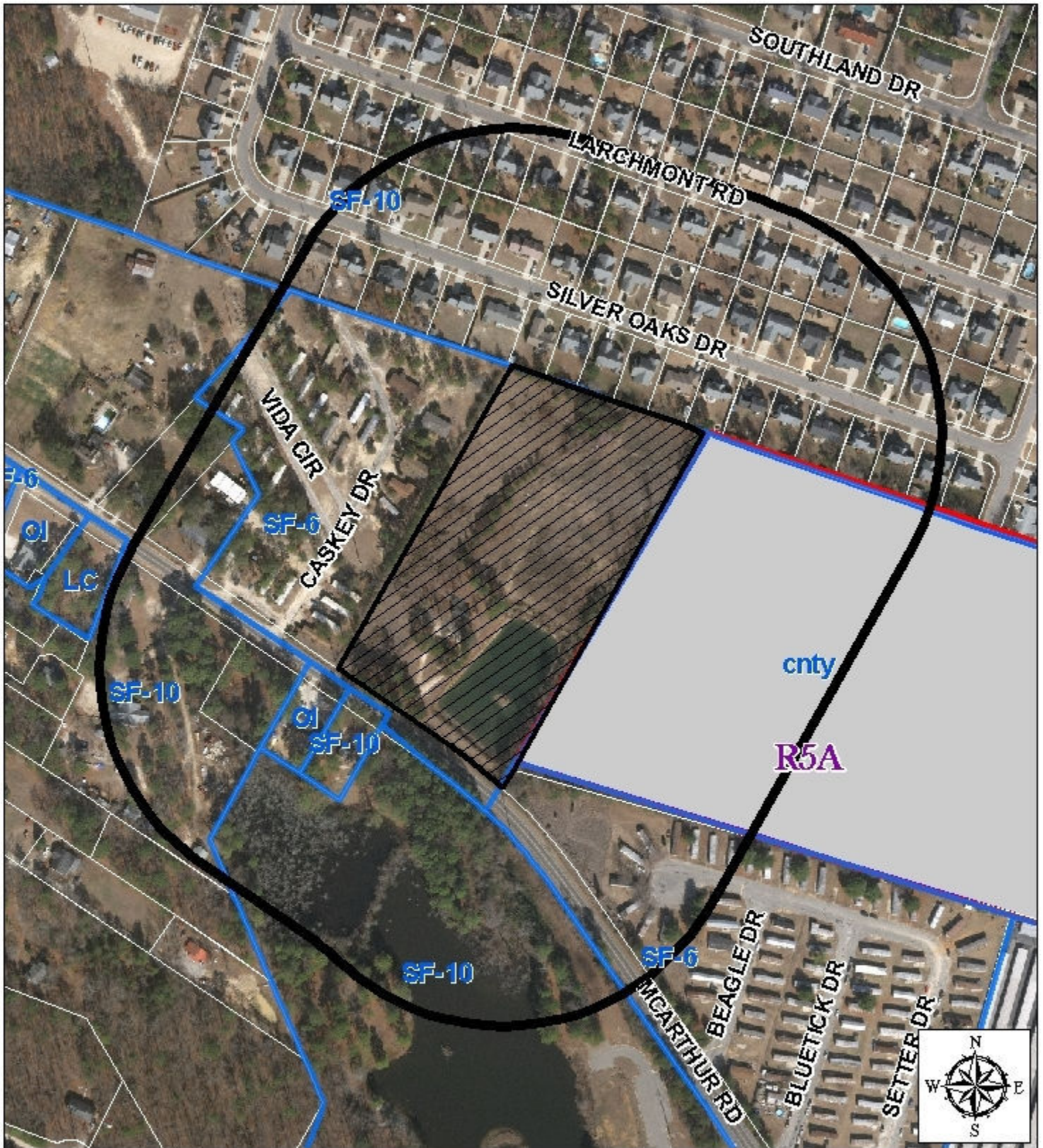
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to APPROVE the rezoning of 700 McArthur Road (PIN 0530-31-2280) from SF-6 to MR-5.

ATTACHMENTS:

Zoning Map

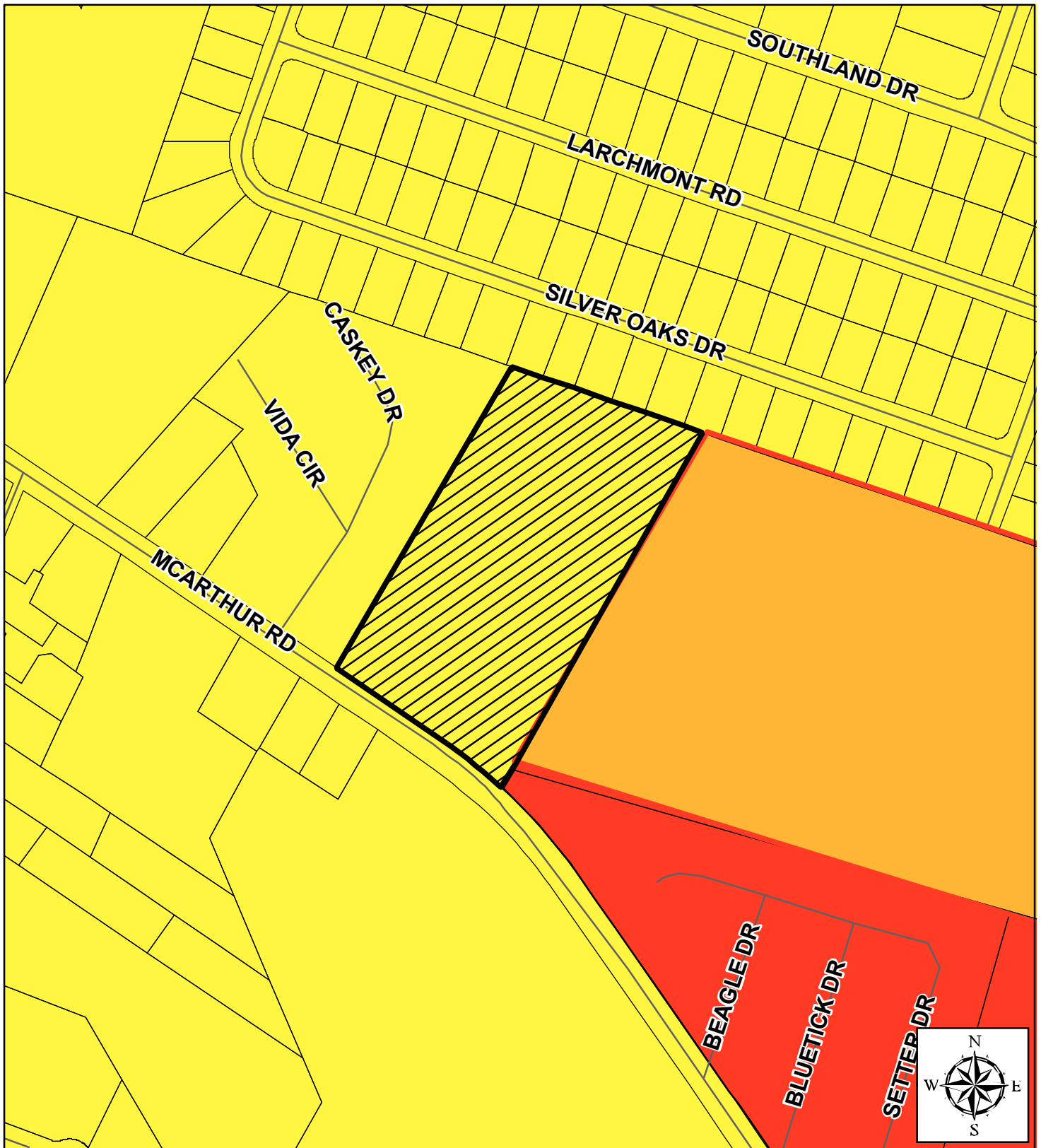
Land Use Plan



Request: Rezoning
Location: North side of McArthur Road
Acreage: +/- 8.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0530-31-2280

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.



Legend

updated2010plan(dnash)	Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
<all other values>	Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
CLASSDN	Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential
Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial	
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional	

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-41F - Rezone from LC Limited Commercial to CC Community Commercial District for 15± acres at Sycamore Dairy Rd (PIN 0418-53-3255) owned by Joseph Riddle III.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Joseph Riddle III

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from LC to CC

Property Address: Sycamore Dairy Road (PIN 0418-53-3255)

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Heavy Commercial. This request is consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This roughly 15 acre site is located on an arterial street, Sycamore Dairy Road, and adjoins multifamily-zoned property on the south and east, LC-zoned property to the east and southwest, and partially developed CC-zoned property across Sycamore Dairy to the north and west. Staff review of the case suggests that this rezoning is consistent with the CC zoning district due to its location and size. The property is not subject to any small area or corridor plans. .

The Zoning Commission voted 3-0 to recommend approval. The Commission stated that the CC zoning would most closely mimic the previous C1P zoning of this property. The surrounding neighborhood had a variety of concerns about particular uses allowed in CC so conditional zoning could be one option to address these concerns. A conditional zoning approach would require this case to be readvertised and for the property owner to agree to any conditions.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend approval of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

RECOMMENDED ACTION:

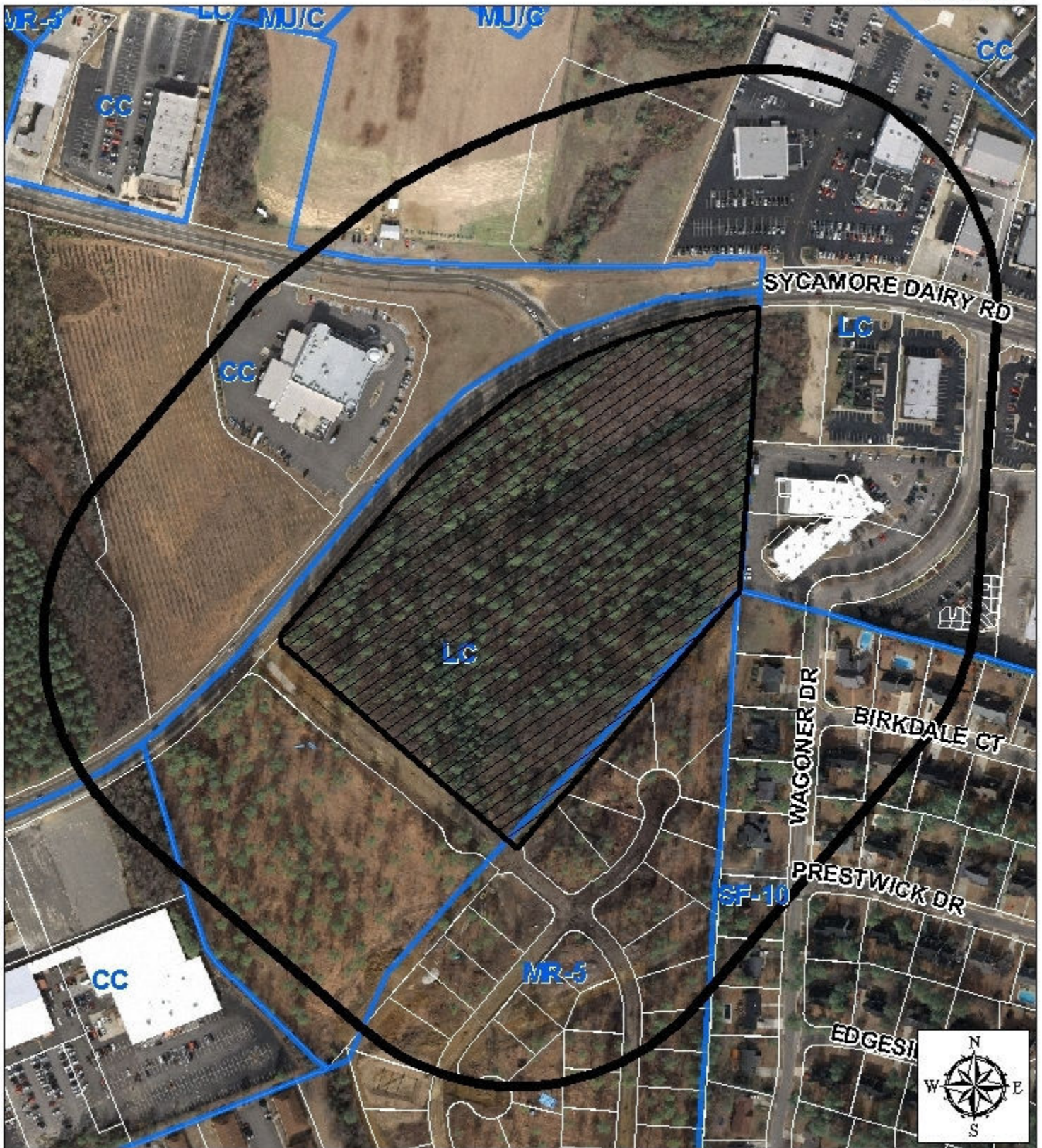
The Zoning Commission recommends that the City Council move to APPROVE the rezoning of PIN 0418-53-3255 from LC to CC.

ATTACHMENTS:

Zoning Map

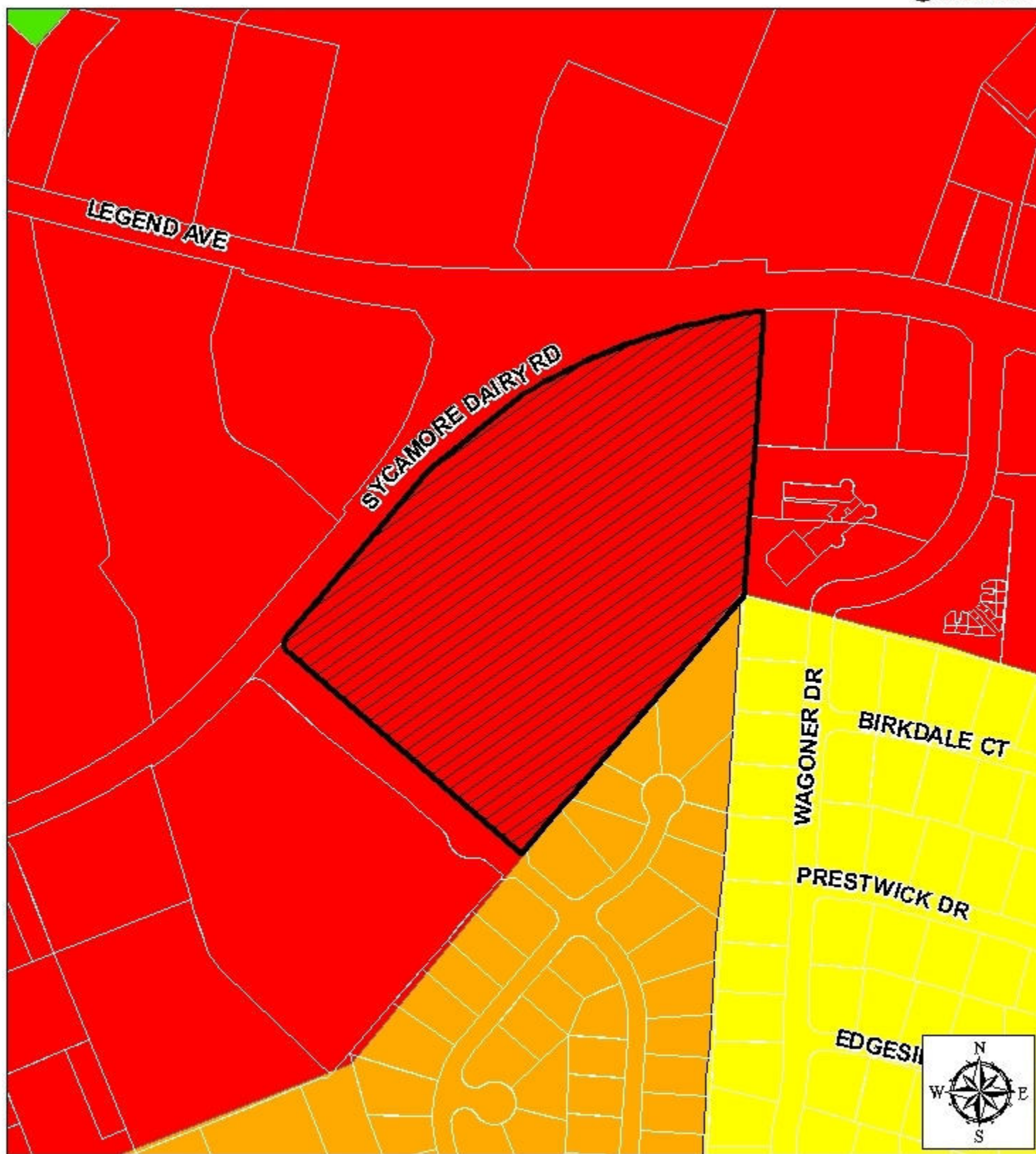
Land Use

ZONING COMMISSION
P11-41F



Request: Rezoning
Location: South side of Sycamore Dairy Road
Acreage: +/- 15.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0418-53-3255



Legend

updated2010plan(dnash)

<all other values>	Armed Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
CLASSON	Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Academic Training-Fort Bragg	Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential
Activity Node	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial	
	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional	

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-40F - Rezone from OI Office and Institutional to LC Limited Commercial District for property on Cliffdale Rd. (PIN 0417-26-2808), 10± acres, owned by Joseph Riddle III.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Joseph Riddle III

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from OI to LC.

Property Address: PIN 0417-26-2808

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Office and Institutional. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This roughly 10 acre site is located on an arterial street, Cliffdale Road, and adjoins a single family neighborhood on the north and east, County-zoned (CP) property to the west, and a multifamily neighborhood across Cliffdale to the south. The surrounding uses support development of this property in its current designation. The property was previously zoned P2 and was consequently remapped to its current OI zoning. The property is subject to the 2003 Glensford Area Study and was rezoned to P2 in accordance with the recommendations of this study (and the request of the owner) in 2005.

Staff review of the request suggests that rezoning of this property to LC is inconsistent with the surrounding development pattern. Staff recommends denial.

The Zoning Commission voted 2-1 to recommend denial. The Commission stated that commercial zoning was not appropriate for this property.

BUDGET IMPACT:

None Noted.

OPTIONS:

1. Recommend denial of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend approval of the rezoning.

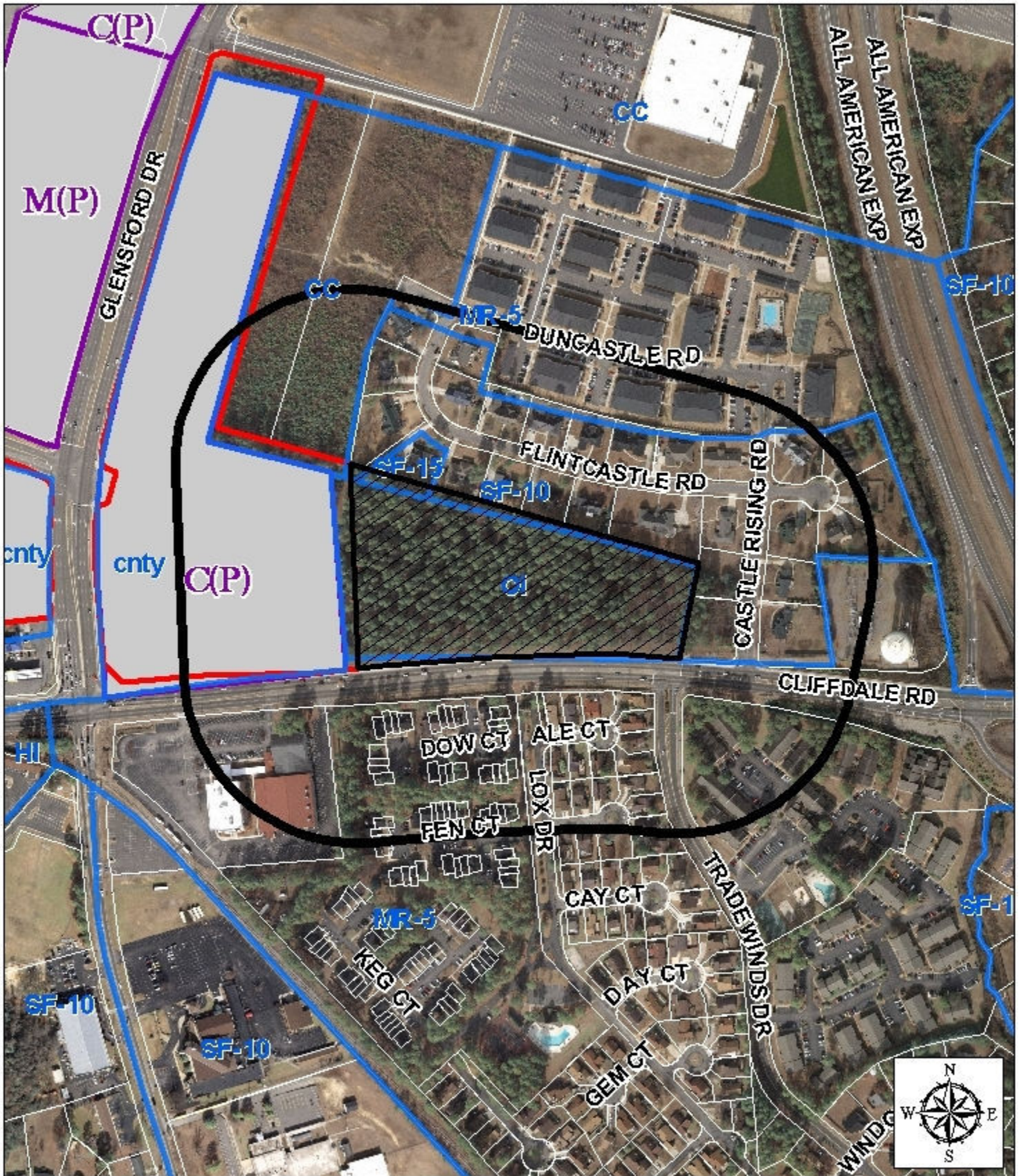
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of PIN 0417-26-2808 from OI to LC.

ATTACHMENTS:

Zoning Map

Land Use

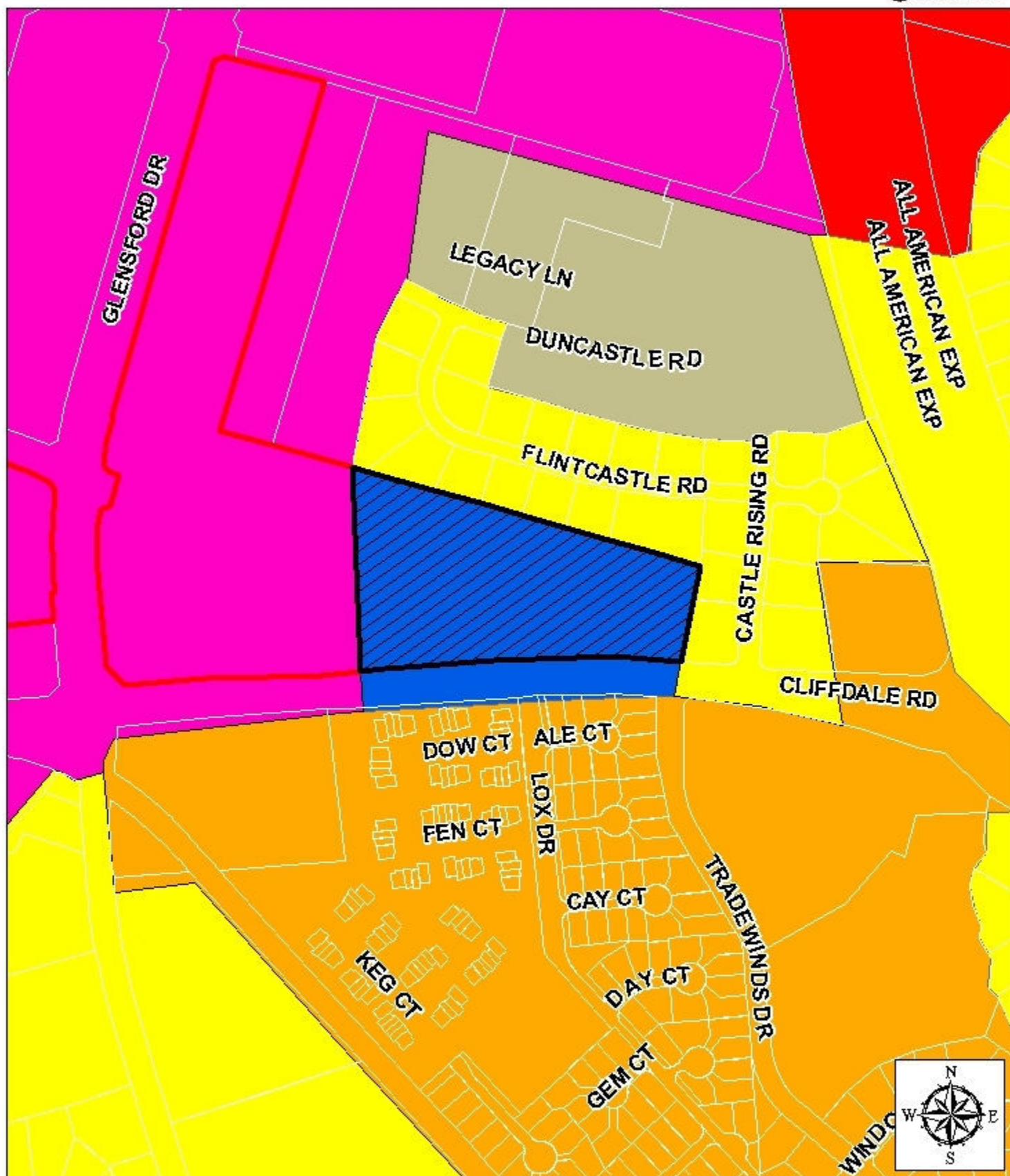


Request: Rezoning
Location: North side of Cliffdale Road
Acreage: +/- 10.0 acres

Zoning Commission: 08/18/2011
City Council:
Pin: 0417-26-2808

Recommendation: _____
Final Action: _____

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.



Legend

updated2010plan(dhash)

<all other values>

CLASS DN

Academic Training-Fort Bragg

Activity Mode

Airfield Operations-Fort Bragg

Community Activity Mode

Downtown

Farmland

Governmental

Heavy Commercial

Heavy Industrial

High Density Residential

Historical District-Fort Bragg

Light Commercial

Light Industrial

Low Density Residential

Medium Density Residential

Neighborhood Activity Mode

Office & Institutional

One Acre Residential Lots

Open Space

Policy Directed Heavy Commercial

Policy Directed Light Commercial

Policy Directed Office & Institutional

Range & Training-Fort Bragg

Redevelopment/Holding-Fort Bragg

Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-29F - Rezone SF-10 Single Family Residential to CD Conservation District for property on Alleghany Rd (PIN 0416-37-7799) owned by Riddle Properties LLC.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Riddle Properties LLC

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to CD.

Property Address: Alleghany Road (PIN 0416-37-7799)

Land Use Plan Recommendation: The property is recommended for Low Density Residential with a small area recommended for Open Space on the rear of the property. This request is consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This rezoning request is to place this eight acre environmentally-sensitive property into a CD (Conservation) zoning district. Staff review of the request suggests that this rezoning is consistent with the nature of the property. The property is not subject to any small area or corridor plans. Staff recommended approval of the rezoning as requested. However, the owner of this property rescinded the request to go to a Conservation District and asked that the Commission deny this case.

The Zoning Commission voted 3-0 to recommend denial.

BUDGET IMPACT:

The City tax base will potentially be negatively affected.

OPTIONS:

1. Recommend approval of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

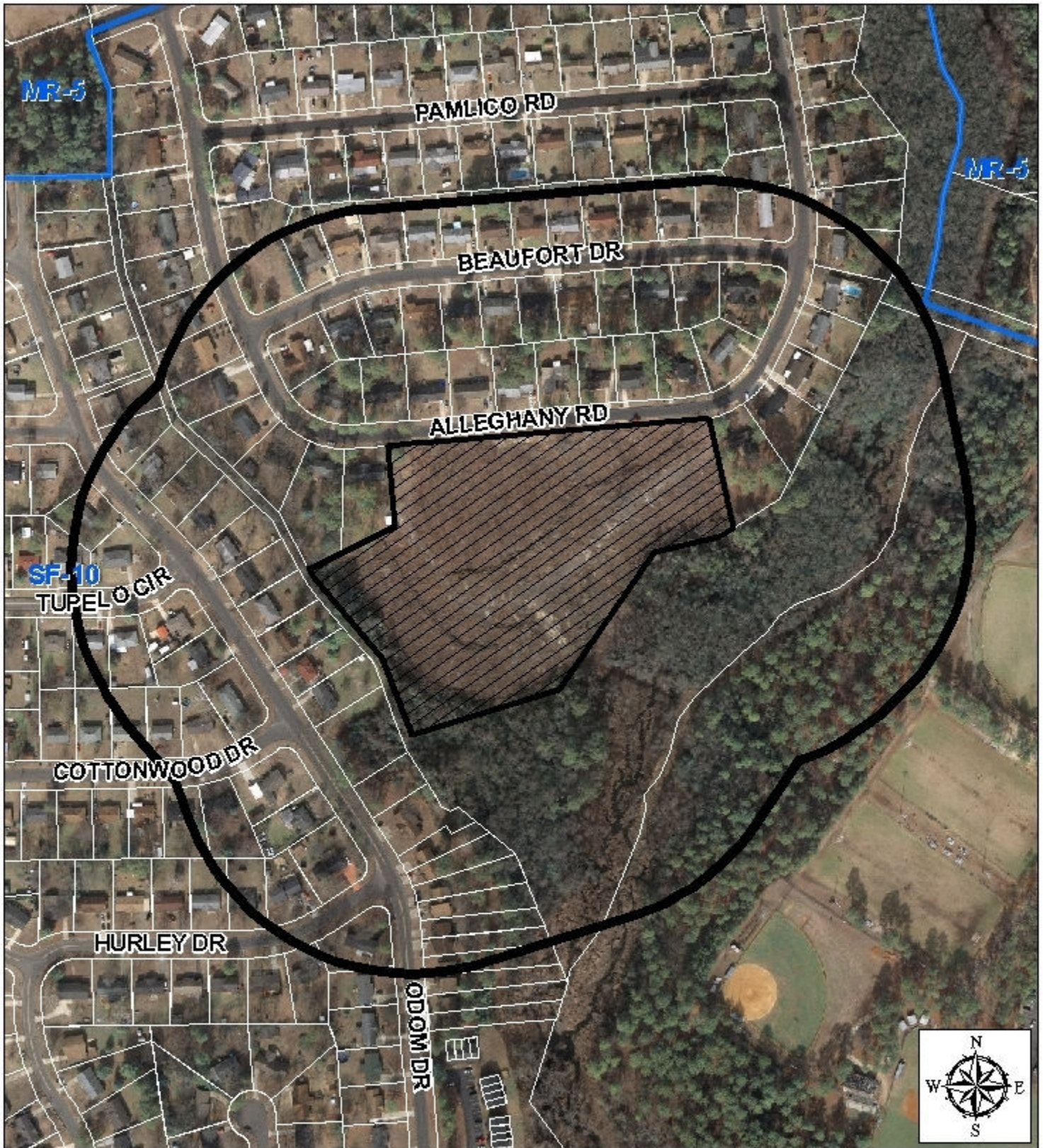
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of property described as PIN 0416-37-7799 from SF-10 to CD.

ATTACHMENTS:

Zoning Map

Land Use Plan

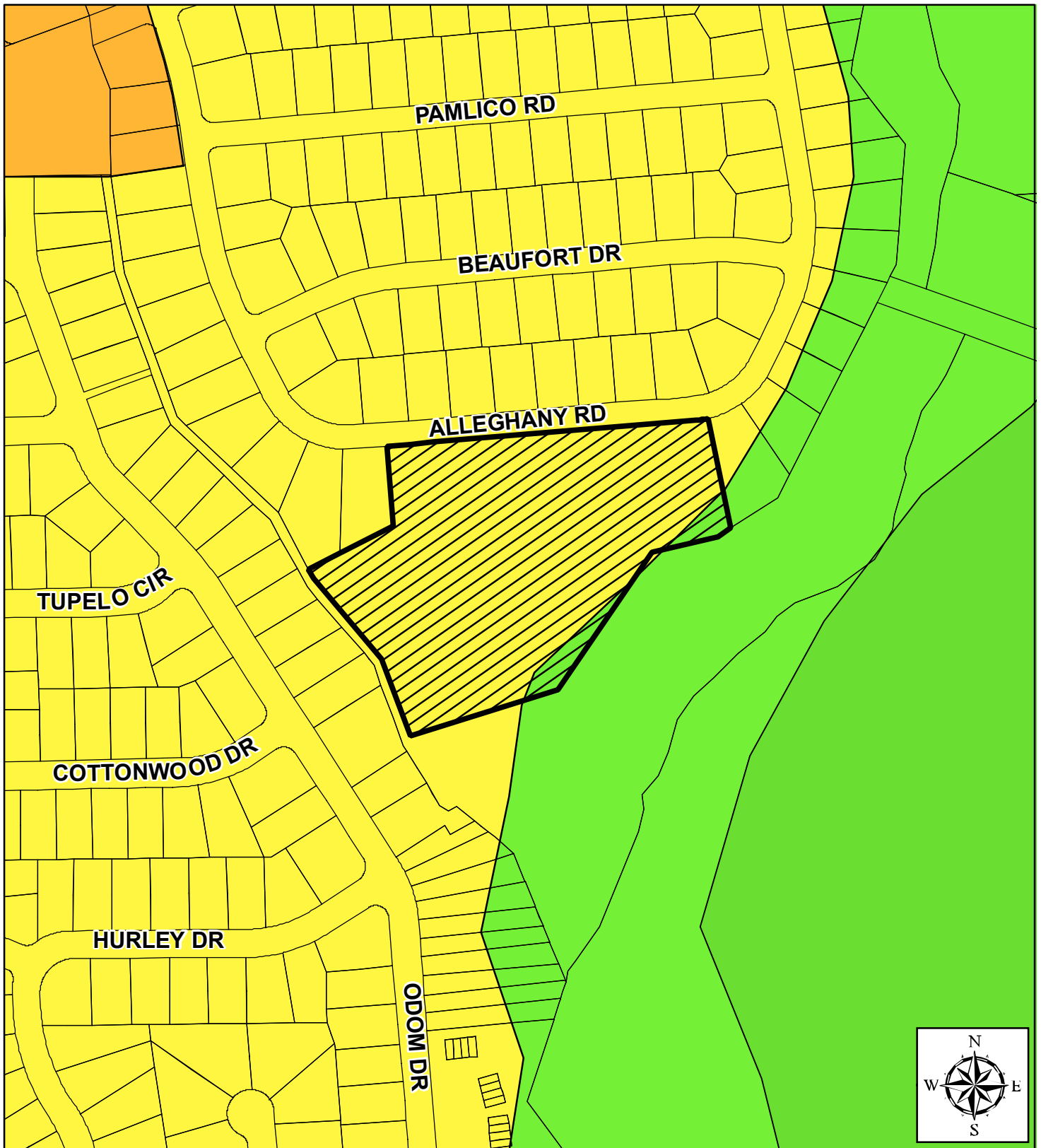


Request: Rezoning
Location: South side of Alleghany Road
Acreage: +/- 8.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0416-37-7799

ZONING COMMISSION

P11-29F



Legend

updated2010plan(dnash)

<all other values>

CLASSDN

Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential
Academic Training-Fort Bragg	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial	
Activity Node	Light Commercial	Office & Institutional	Policy Directed Office & Institutional	
Farmland				
Governmental				

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-30F - Rezone SF-10 Single Family Residential to CD Conservation District for property at (PIN 0416-47-0684) owned by Riddle Properties LLC.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Riddle Properties LLC

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to CD.

Property Address: PIN 0416-47-0684

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Open Space. This request is consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This rezoning request is to place a nine acre environmentally-sensitive property into a CD (Conservation) zoning district. Staff review of the request suggests that this rezoning is consistent with the nature of the property. The property is not subject to any small area or corridor plans. Staff recommended approval of the rezoning as requested, however, the owner of this property rescinded the request to go to a Conservation District and asked that the Commission deny this case.

The Zoning Commission voted 3-0 to recommend denial.

BUDGET IMPACT:

The City tax base will potentially be negatively affected by a CD zoning.

OPTIONS:

1. Recommend approval of rezoning as presented.
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning (Recommended).

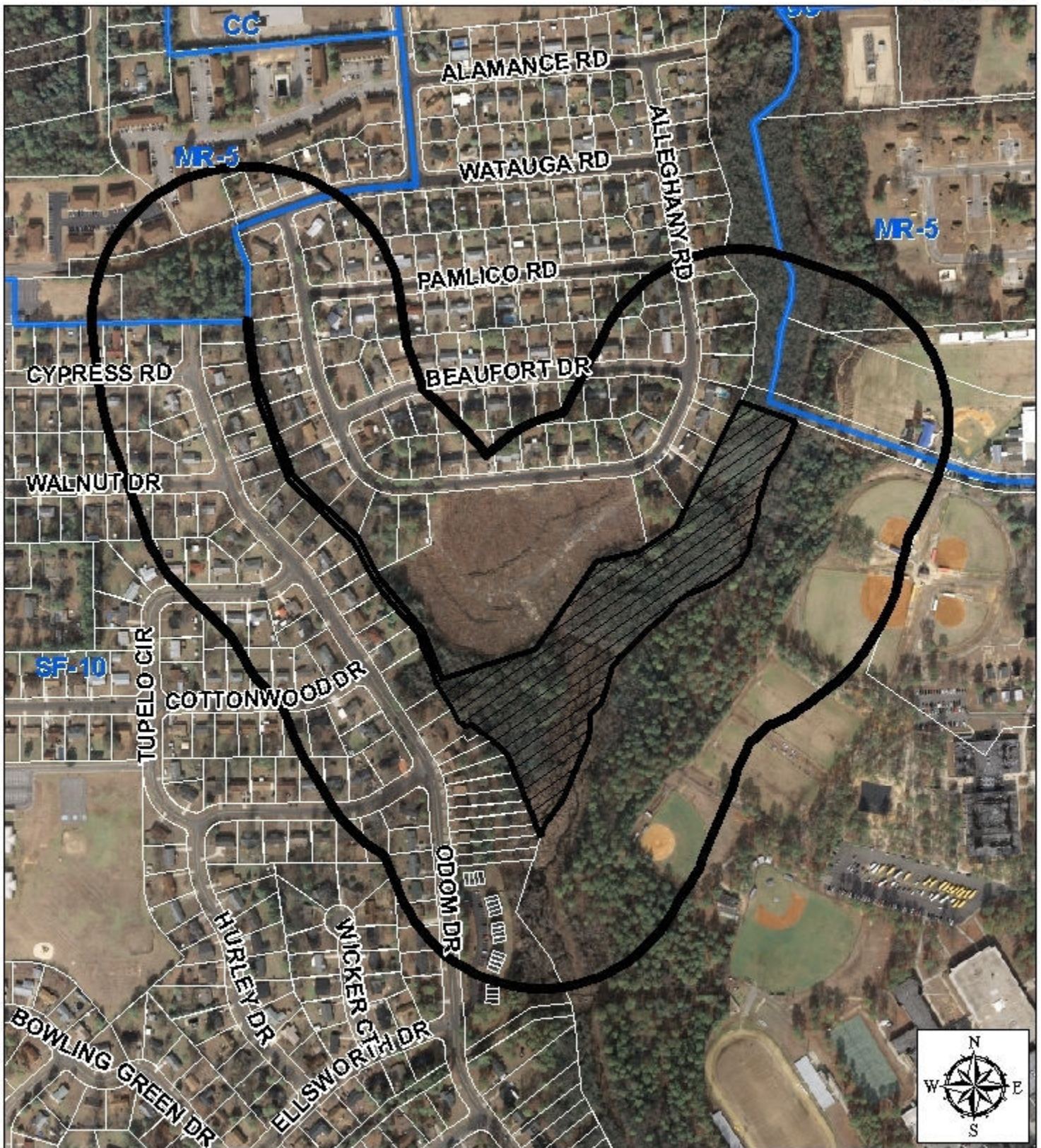
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of PIN 0416-47-0684 from SF-10 to CD.

ATTACHMENTS:

Zoning Map

Land Use Plan



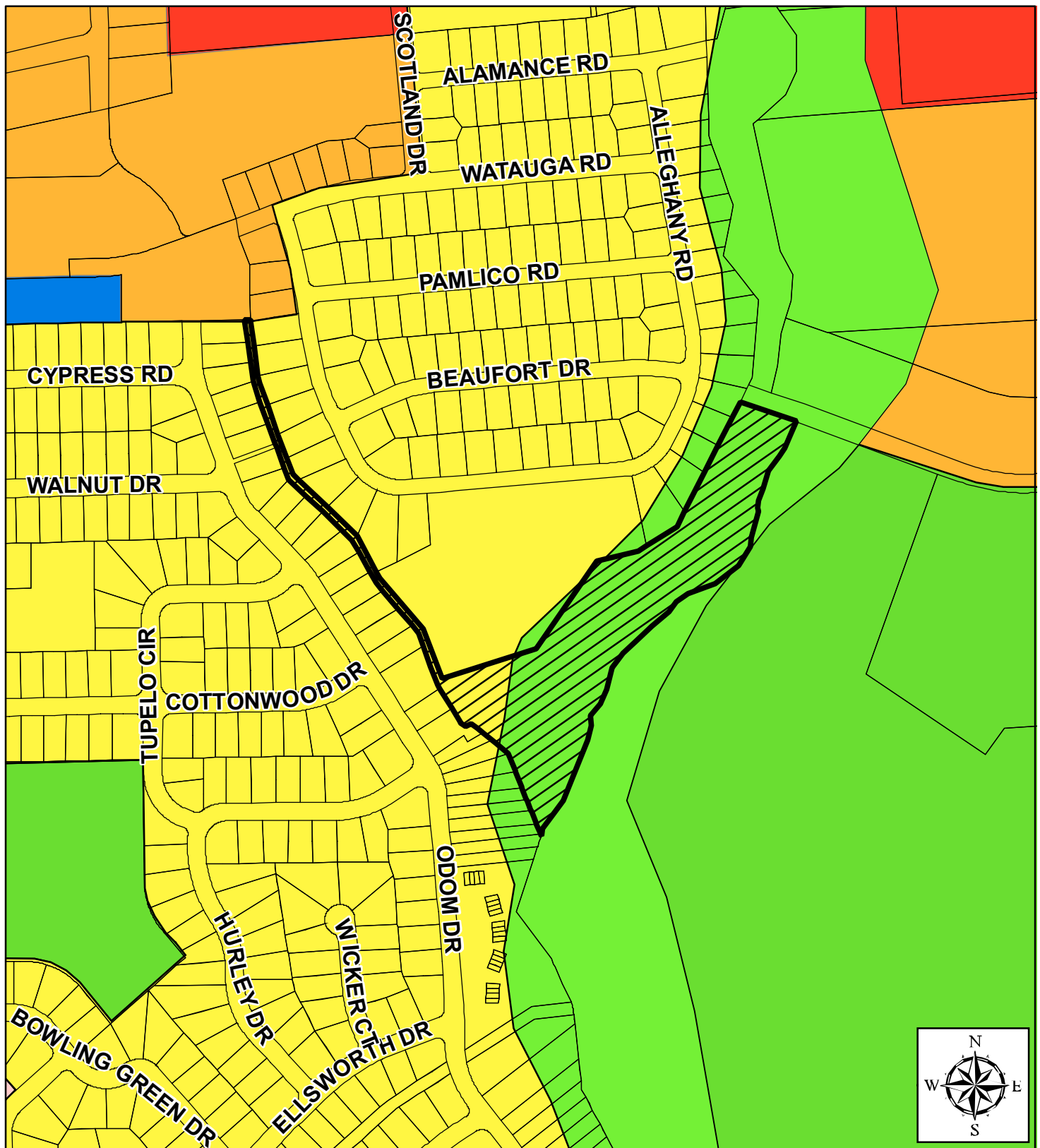
Request: Rezoning
Location: South side of Alleghany Road
Acreage: +/- 9.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0416-47-0684

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

ZONING COMMISSION

P11-30F



Legend

updated2010plan(dnash)	Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
<all other values>	Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
CLASSDN	Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential
Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial	
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional	

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-31F - Rezone SF-10 Single Family Residential to CD Conservation District for property at (PIN 0416-49-5192) owned by Joseph Riddle III.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Joseph Riddle III

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to CD.

Property Address: PIN 0416-49-5192

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Open Space. This request is consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This rezoning request is to place this five acre environmentally-sensitive property into a CD (Conservation) zoning district. Staff review of the request suggests that this rezoning is consistent with the nature of the property. The property is not subject to any small area or corridor plans. Staff recommended approval of the rezoning as requested. However, the owner of this property rescinded the request to go to a Conservation District and asked that the Commission deny this case.

The Zoning Commission voted 3-0 to recommend denial.

BUDGET IMPACT:

The City tax base will potentially be negatively affected if rezoned to CD.

OPTIONS:

1. Recommend approval of rezoning as presented.
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning (Recommended).

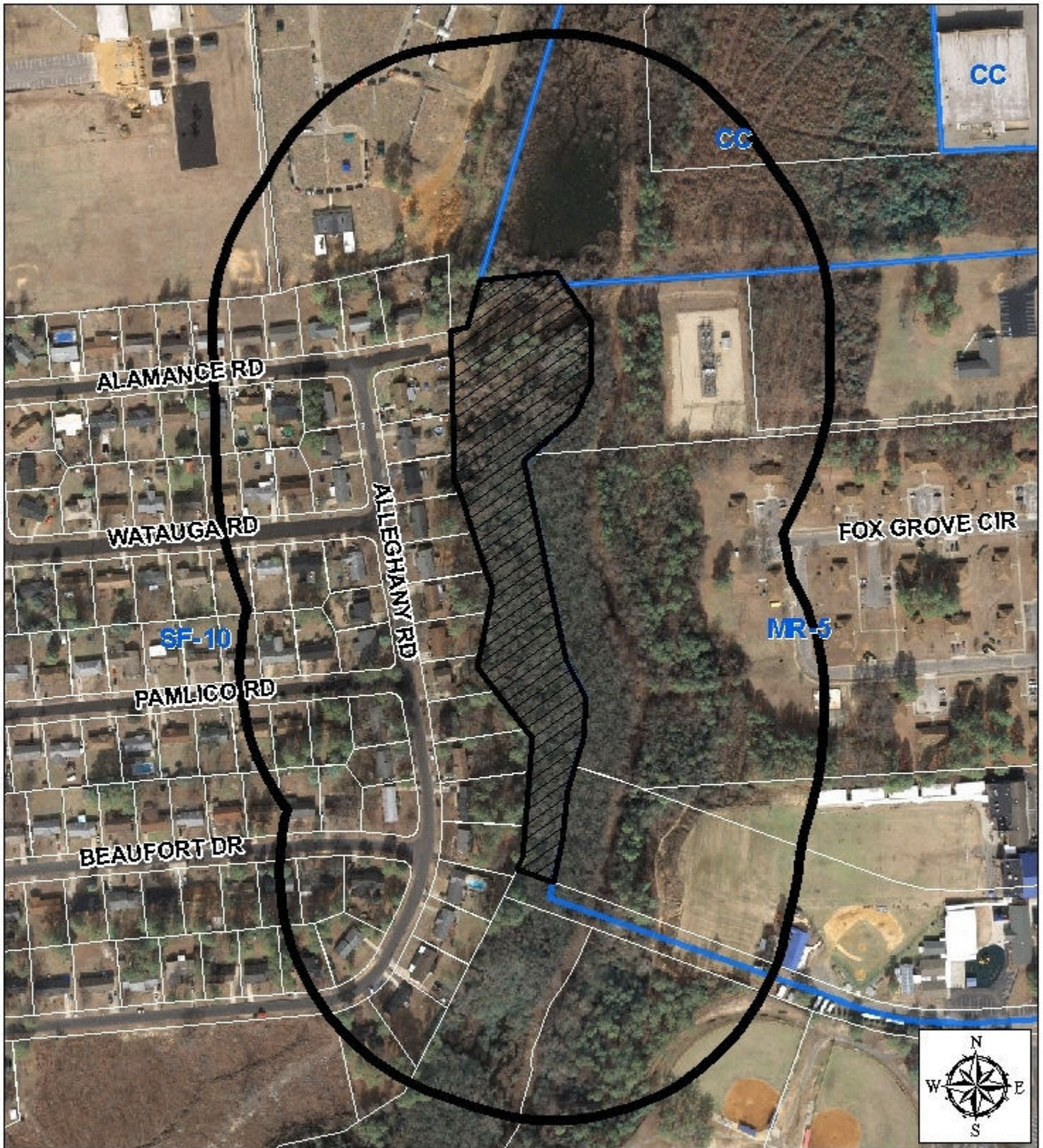
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of PIN 0416-49-5192 from SF-10 to CD.

ATTACHMENTS:

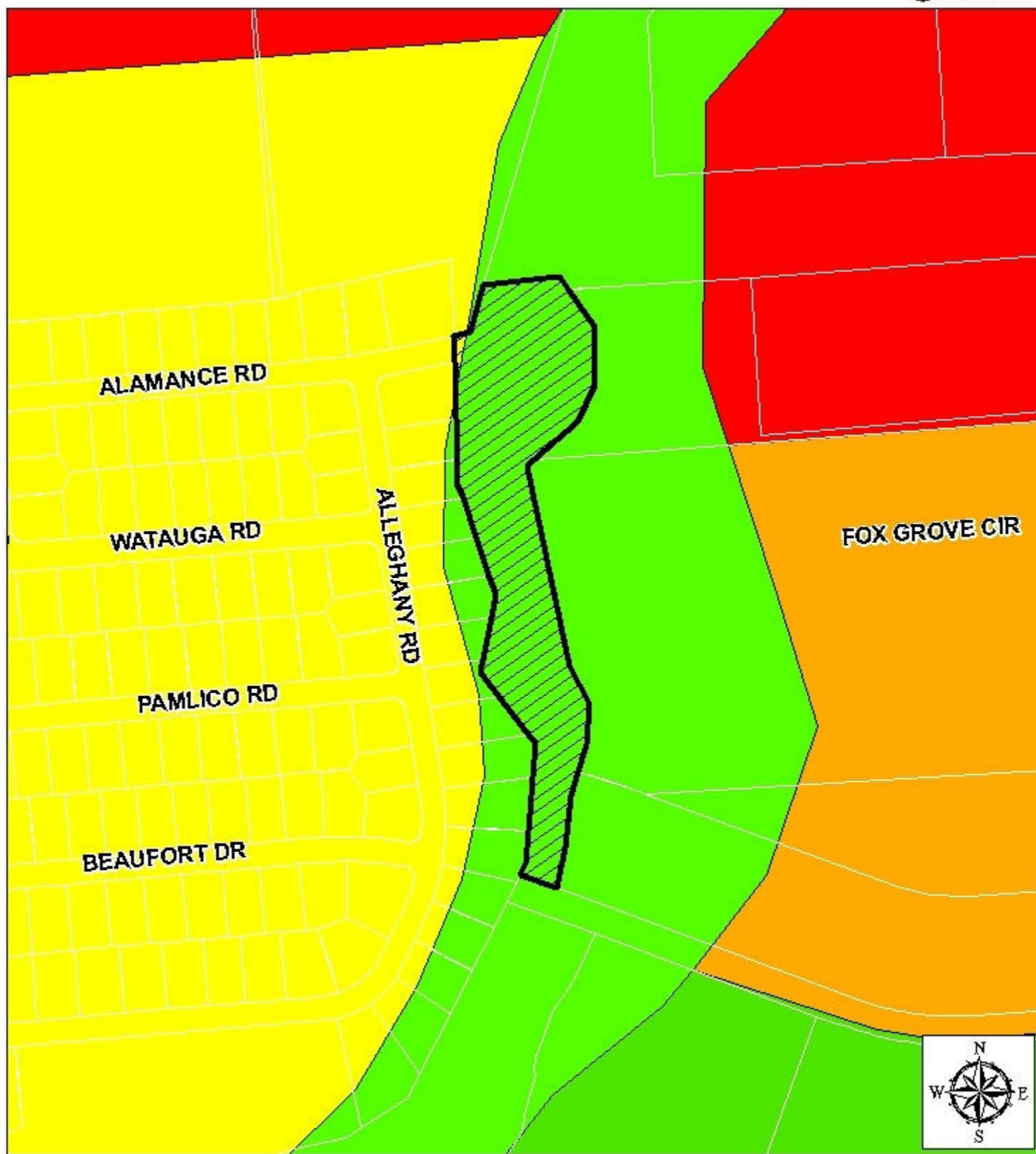
Zoning Map

Land Use



Request: Rezoning
Location: East side of Alleghany Road
Acreage: +/- 5.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0416-49-5192



Legend

updated2010plan(dnash)

<all other values>

CLAS SDN

Academic Training-Fort Bragg

Activity Mode

Airfield Operations-Fort Bragg

Community Activity Mode

Downtown

Farmland

Governmental

Heavy Commercial

Heavy Industrial

High Density Residential

Historical District-Fort Bragg

Light Commercial

Light Industrial

Low Density Residential

Medium Density Residential

Neighborhood Activity Mode

Office & Institutional

One-Acre Residential Lots

Open Space

Policy Directed Heavy Commercial

Policy Directed Light Commercial

Policy Directed Office & Institutional

Range & Training-Fort Bragg

Redevelop/Holding-Fort Bragg

Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-32F - Rezone SF-10 Single Family Residential to CD Conservation District for property at 3330 Broomsgrove Dr. (PIN 9495-11-5899) owned by March Riddle.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: March Riddle

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to CD.

Property Address: 3330 Broomsgrove Drive (PIN 9495-11-5899)

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Low Density Residential. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This rezoning request is to place this two acre environmentally-sensitive property into a CD (Conservation) zoning district. Staff review of the request suggests that this rezoning is consistent with the nature of the property and the Comprehensive Plan. The property is not subject to any small area or corridor plans. Staff recommended approval of the rezoning as requested. However, the owner of this property rescinded the request to go to a Conservation District and asked that the Commission deny this case.

Zoning Commission voted 3-0 to recommend denial.

BUDGET IMPACT:

The City tax base will potentially be negatively affected by a CD zoning.

OPTIONS:

1. Recommend approval of rezoning as presented.
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning (Recommended).

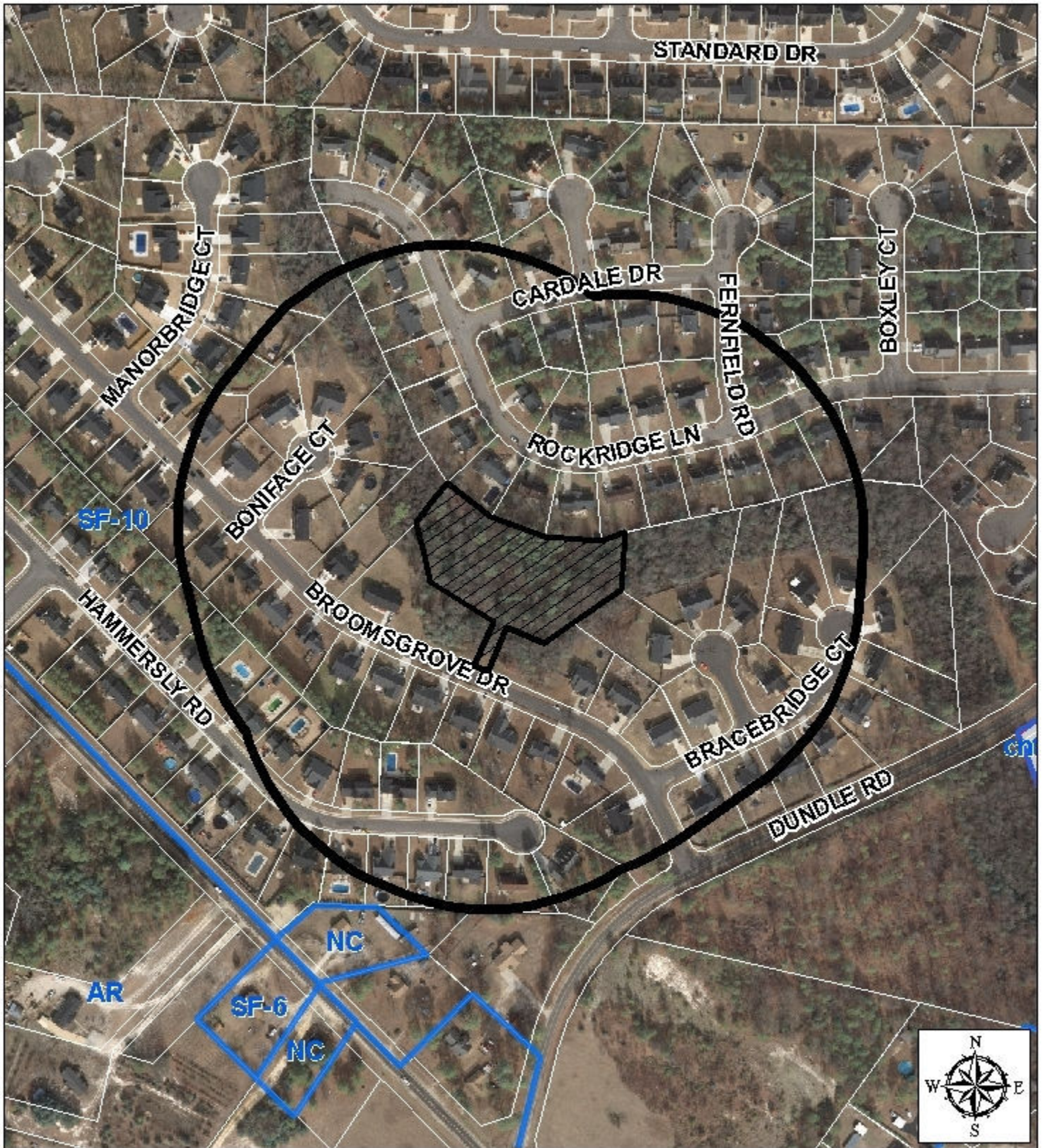
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of 3330 Broomsgrove Drive (PIN 9495-11-5899) from SF-10 to CD.

ATTACHMENTS:

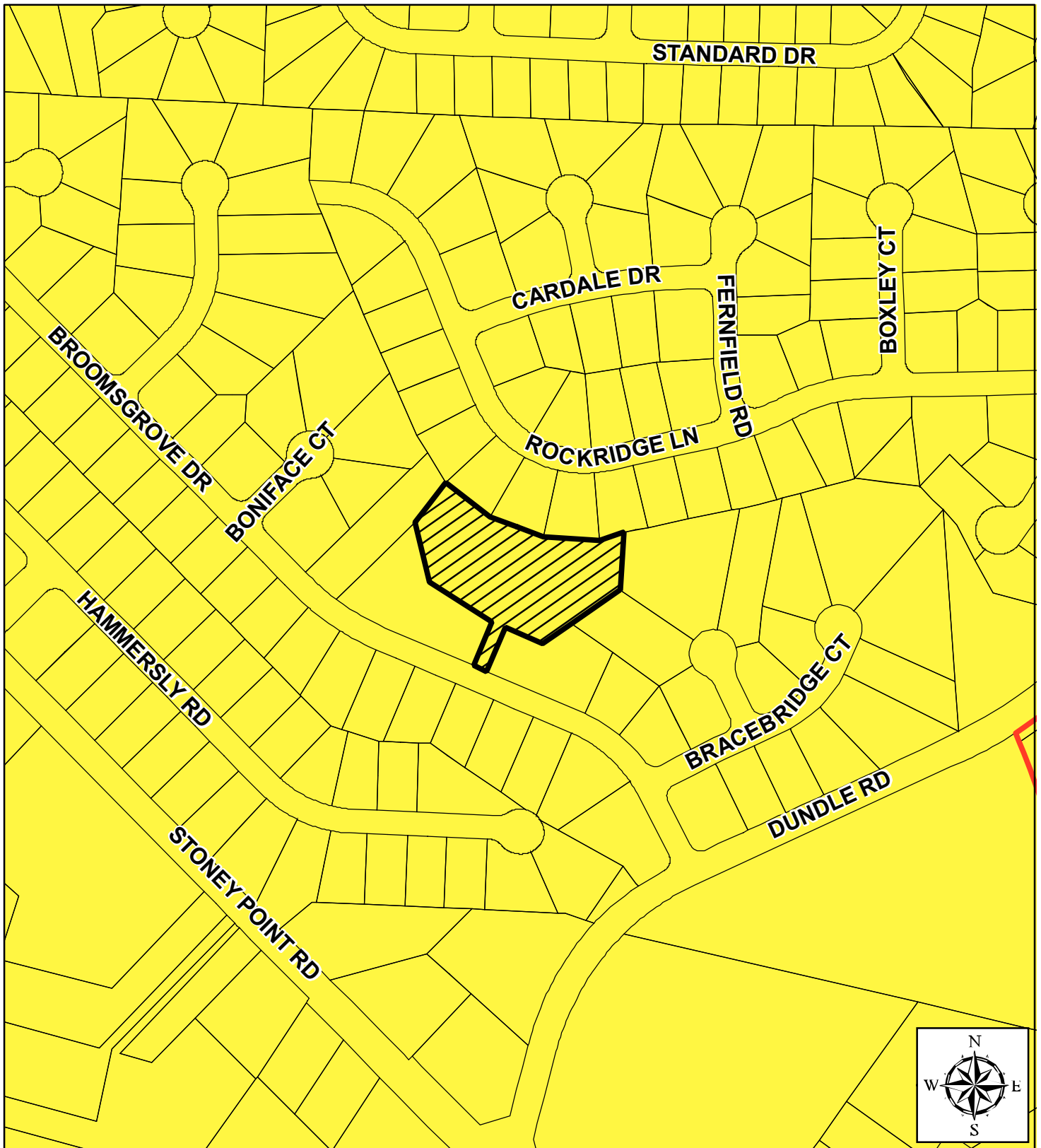
Zoning Map

Land Use Plan



Request: Rezoning
Location: North side of Broomsgrove Drive
Acreage: +/- 2.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 9495-11-5899



Legend

updated2010plan(dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg
Activity Node

Airfield Operations-Fort Bragg
Community Activity Node
Downtown
Farmland
Governmental

Heavy Commercial
Heavy Industrial
High Density Residential
Historical District-Fort Bragg
Light Commercial

Light Industrial
Low Density Residential
Medium Density Residential
Neighborhood Activity Node
Office & Institutional

One Acre Residential Lots
Open Space
Policy Directed Heavy Commercial
Policy Directed Light Commercial
Policy Directed Office & Institutional

Range & Training-Fort Bragg
Redevelop/Holding-Fort Bragg
Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-33F - Rezone SF-10 Single Family Residential to CD Conservation District for property at Lakeridge Dr. (PIN 0405-47-0315) owned by March Riddle.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: March Riddle

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to CD.

Property Address: Lakeridge Drive (PIN 0405-47-0315)

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as with a mix of Low Density Residential and Open Space. This request is consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This rezoning request is to place this 32 acre environmentally-sensitive property into a CD (Conservation) zoning district. Staff review of the request suggests that this rezoning is consistent with the nature of the property. The property is not subject to any small area or corridor plans. Staff recommended approval of the rezoning as requested. However, the owner of this property rescinded the request to go to a Conservation District and asked that the Commission deny this case.

Zoning Commission voted 3-0 to recommend denial.

BUDGET IMPACT:

The City tax base will potentially be negatively affected by a CD zoning.

OPTIONS:

1. Recommend approval of rezoning as presented.
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning (Recommended).

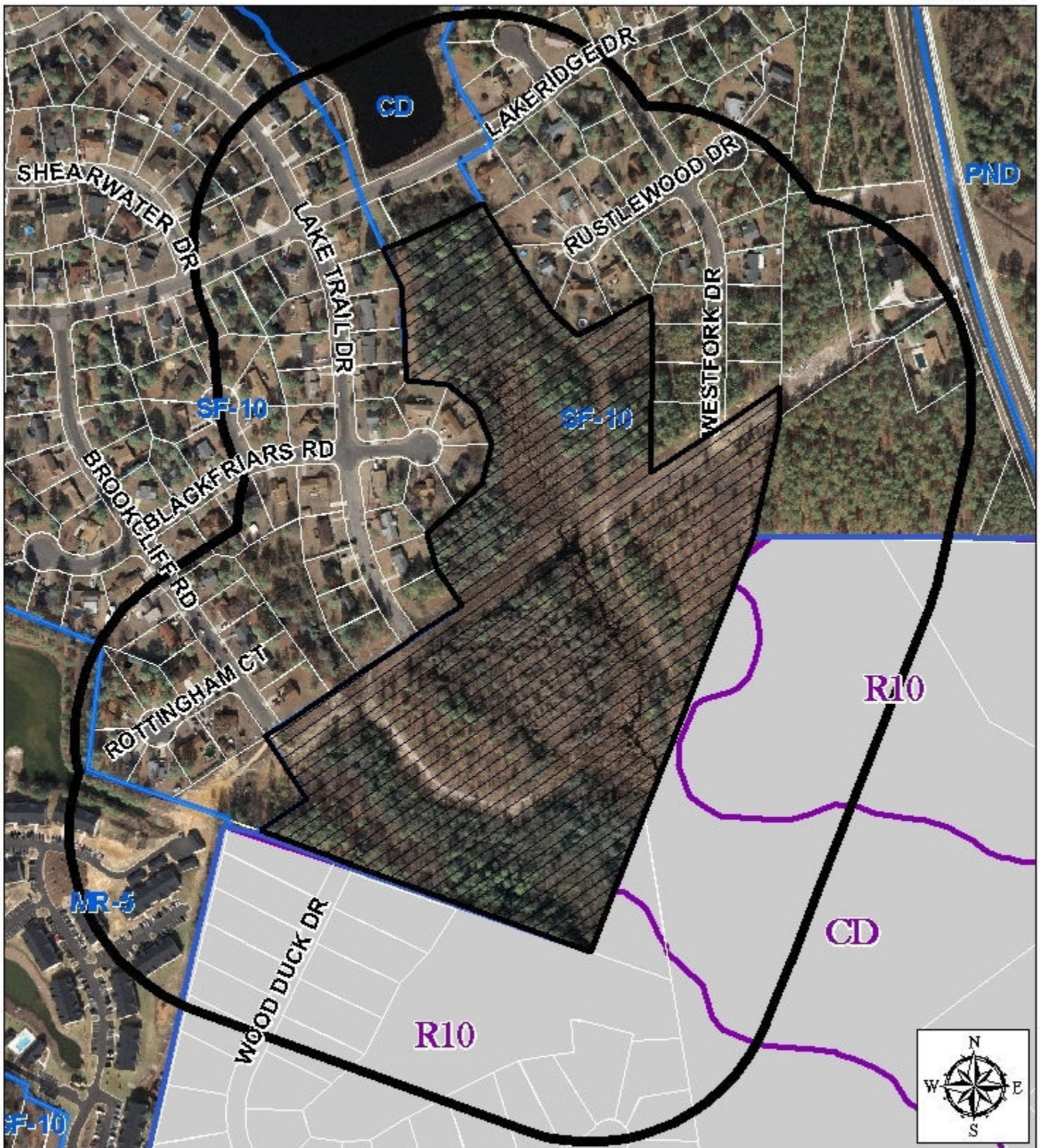
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of PIN 0405-47-0315 from SF-10 to CD.

ATTACHMENTS:

Zoning Map

Land Use Plan

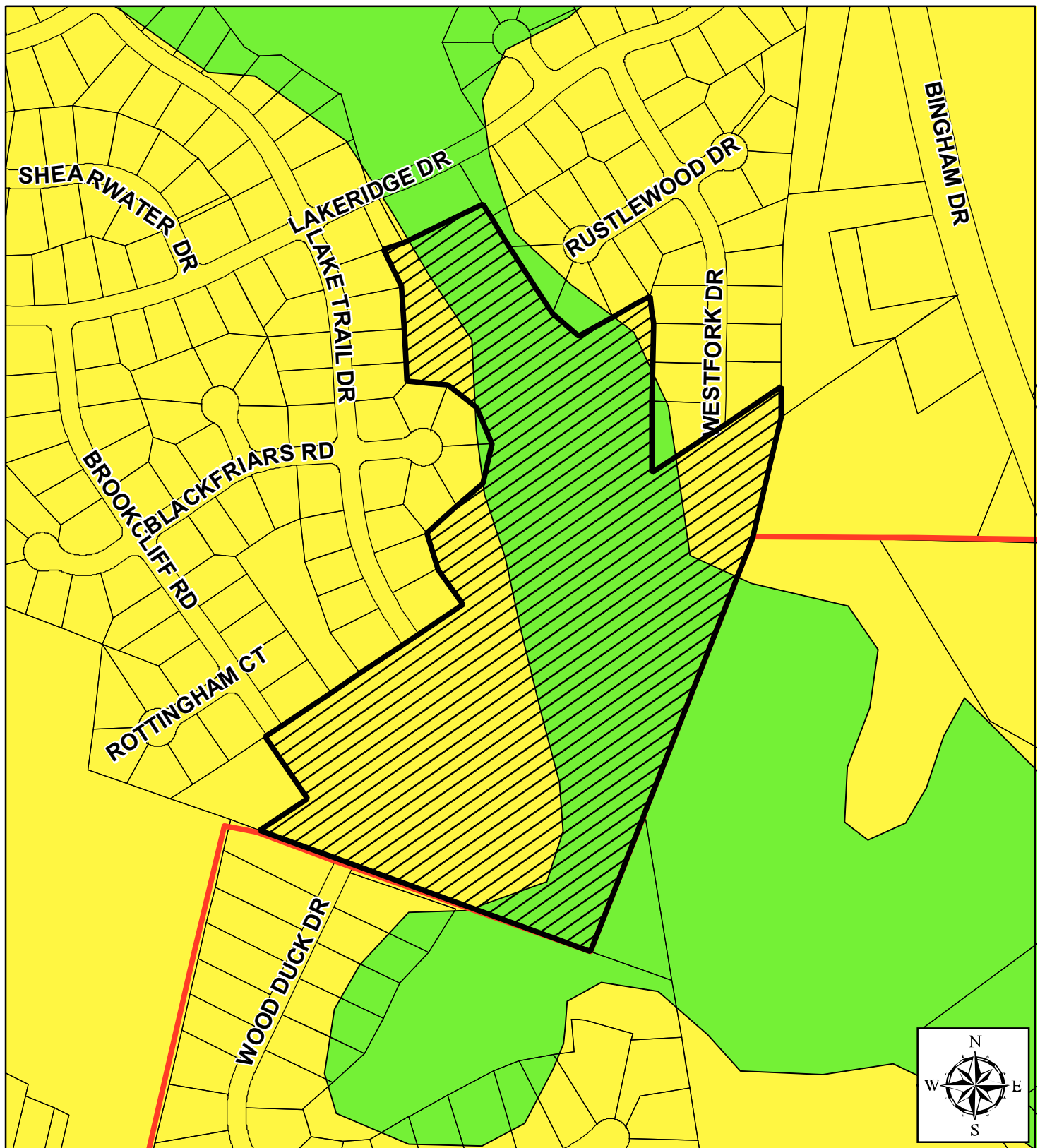


Request: Rezoning
Location: South side of Lakeridge Drive
Acreage: +/- 32.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0405-47-0315

ZONING COMMISSION

P11-33F



Legend

updated2010plan(dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg
Activity Node

Airfield Operations-Fort Bragg
Community Activity Node
Downtown
Farmland
Governmental

Heavy Commercial
Heavy Industrial
High Density Residential
Historical District-Fort Bragg
Light Commercial

Light Industrial
Low Density Residential
Medium Density Residential
Neighborhood Activity Node
Office & Institutional

One Acre Residential Lots
Open Space
Policy Directed Heavy Commercial
Policy Directed Light Commercial
Policy Directed Office & Institutional

Range & Training-Fort Bragg
Redevelop/Holding-Fort Bragg
Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-34F - Rezone SF-10 Single Family Residential to CD Conservation District for property at Alleghany Rd (PIN 0408-82-2846) owned by March Riddle.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: March Riddle

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to CD.

Property Address: PIN 0408-82-2846

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Open Space. This request is consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This rezoning request is to place this five acre environmentally-sensitive property into a CD (Conservation) zoning district. Staff review of the request suggests that this rezoning is consistent with the nature of the property. The property is not subject to any small area or corridor plans. Staff recommended approval of the rezoning as requested. However, the owner of this property rescinded the request to go to a Conservation District and asked that the Commission deny this case.

The Zoning Commission voted 3-0 to recommend denial.

BUDGET IMPACT:

The City tax base will potentially be negatively affected.

OPTIONS:

1. Recommend approval of rezoning as presented.
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning (Recommended).

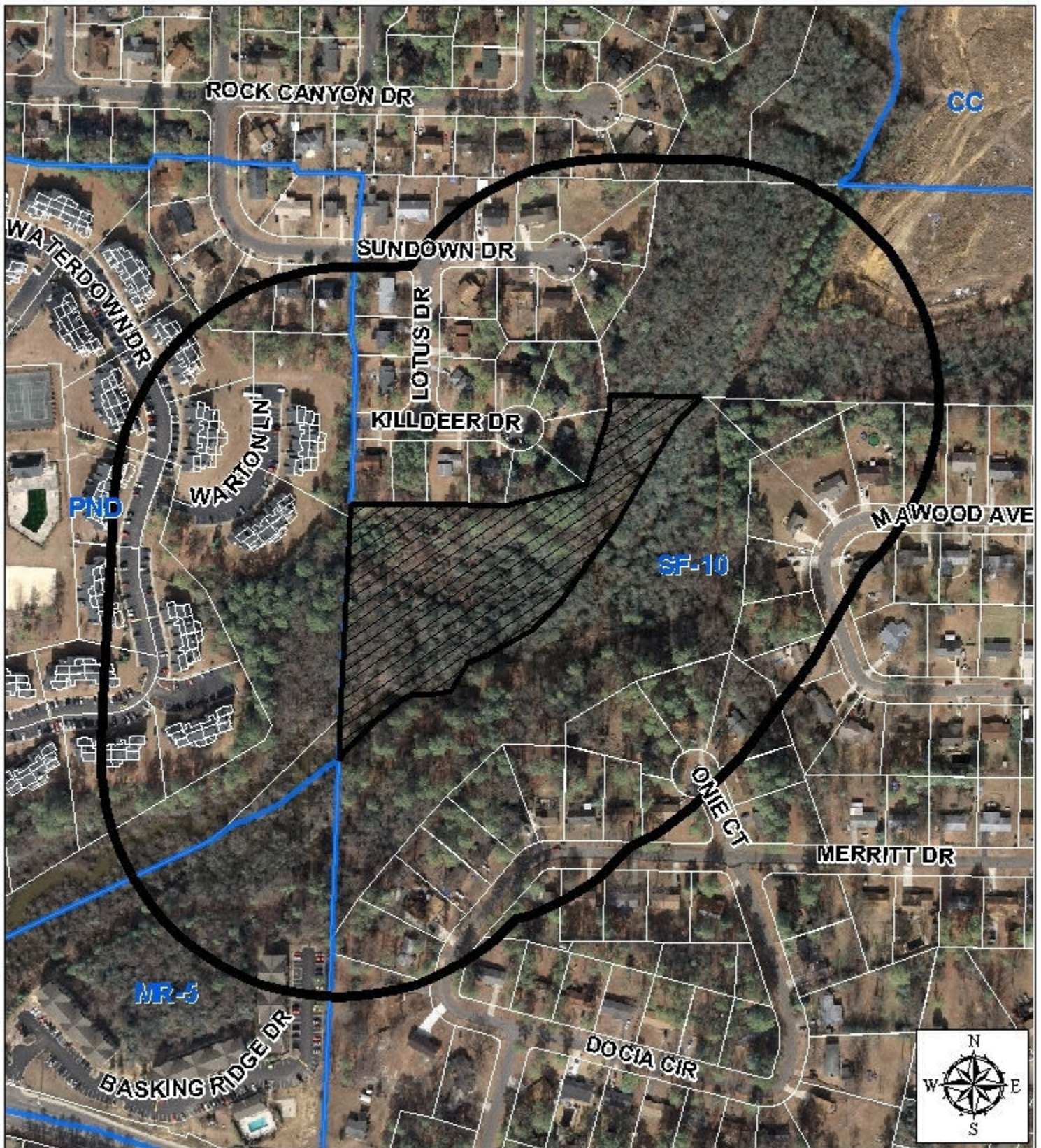
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to DENY the rezoning of PIN 0408-82-2846 from SF-10 to CD.

ATTACHMENTS:

Zoning Map

Land Use Plan

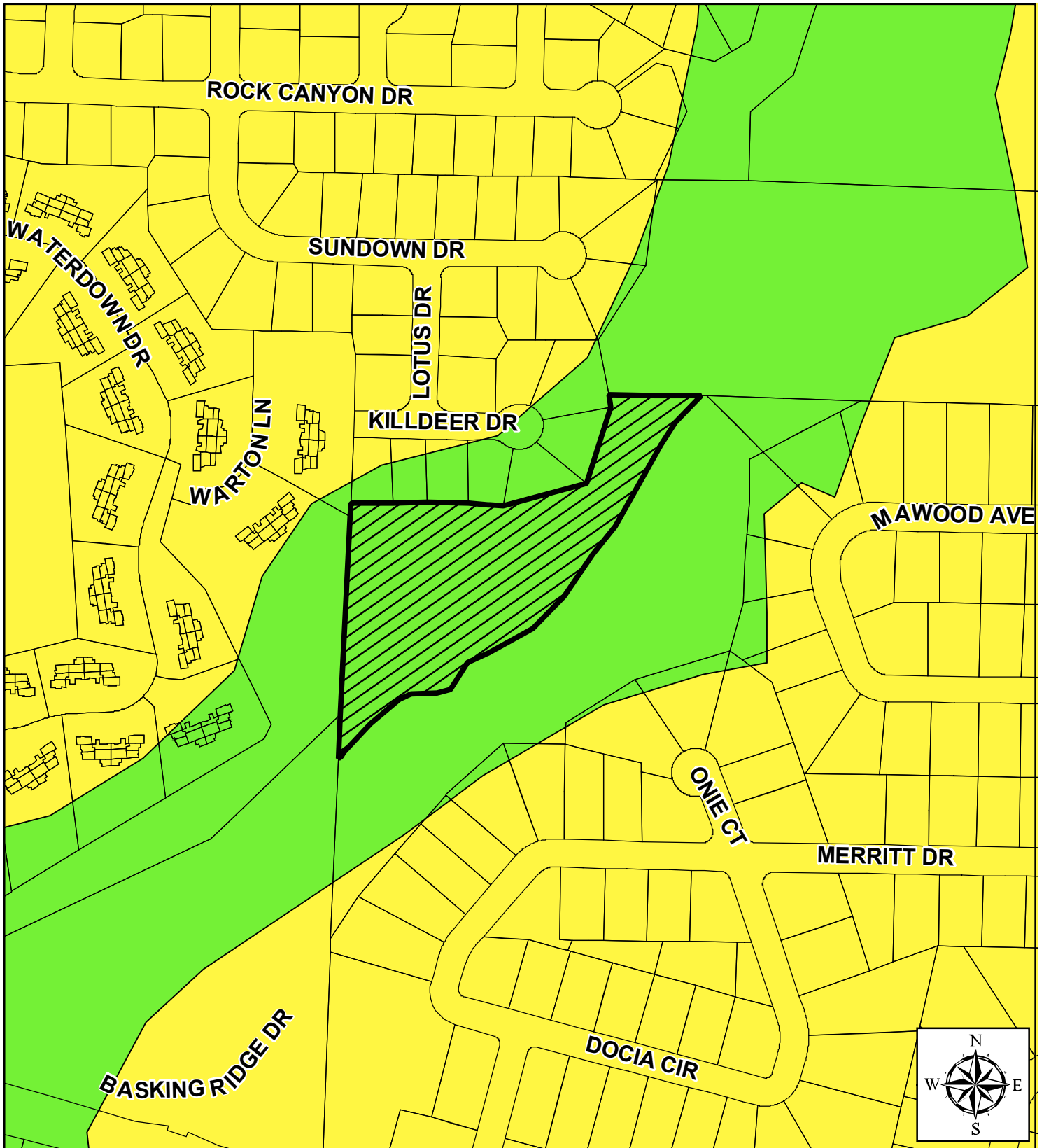


Request: Rezoning
Location: South side of Killdeer Drive
Acreage: +/- 5.0 acres

Zoning Commission: 08/018/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0408-82-2846

ZONING COMMISSION

P11-34F



Legend

updated2010plan(dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg
Activity Node

Airfield Operations-Fort Bragg
Community Activity Node
Downtown
Farmland
Governmental

Heavy Commercial
Heavy Industrial
High Density Residential
Historical District-Fort Bragg
Light Commercial

Light Industrial
Low Density Residential
Medium Density Residential
Neighborhood Activity Node
Office & Institutional

One Acre Residential Lots
Open Space
Policy Directed Heavy Commercial
Policy Directed Light Commercial
Policy Directed Office & Institutional

Range & Training-Fort Bragg
Redevelop/Holding-Fort Bragg
Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-27F - Rezone from OI Office and Institutional to CC/CZ Community Commercial Conditional Zoning for property on Boone Trail Extension at Quiet Cove (PIN 0426-25-5453) owned by Boone Trail Center LLC.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Boone Trail Center LLC Applicant: City of Fayetteville Requested Action: Rezone the subject property from OI to CC/CZ Property Address: Boone Trail Extension (PIN 0426-25-5453) Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Office and Institutional. This request is not consistent with the Land Use Plan.

Purpose: This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This three-acre property is developed as access and parking for an adjoining developed property that is zoned CC. Prior to the UDO remapping, this property was zoned P2, likely because of its potential to access an adjoining street that serves office uses (no access currently exists to this street named Quiet Cove). Staff would support this rezoning request provided such access is precluded. The property owner agrees with this proposed condition. Staff review of the request suggests that this rezoning is consistent with the nature of the property and the Comprehensive Plan. The property is in the Hospital Area Plan and Overlay District.

Condition:

Access to the adjoining street (Quiet Cove) serving office uses shall not be allowed.

The Zoning Commission voted 3-0 to recommend approval. The Commission decided that CC/CZ is a better fit for this property since it is already a parking lot for a theater and the condition placed on the property will prevent interference with the existing development on Quiet Cove.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend approval of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

RECOMMENDED ACTION:

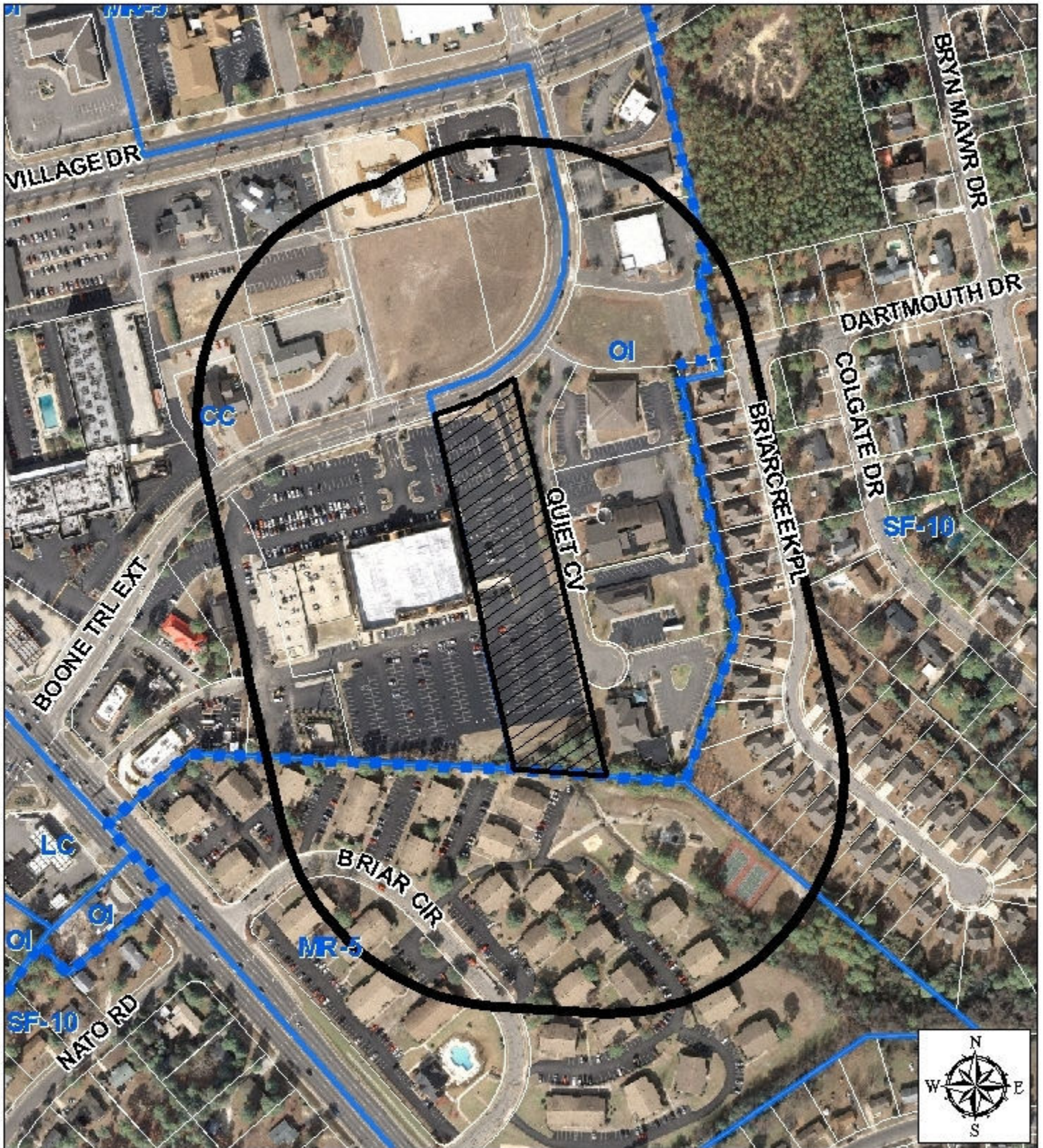
The Zoning Commission recommends that the City Council move to APPROVE the rezoning of

Boone Trail Extension (PIN 0426-25-5453) from OI to CC/CZ subject to the sole condition that access to the adjoining street (Quiet Cove) serving office uses shall not be allowed.

ATTACHMENTS:

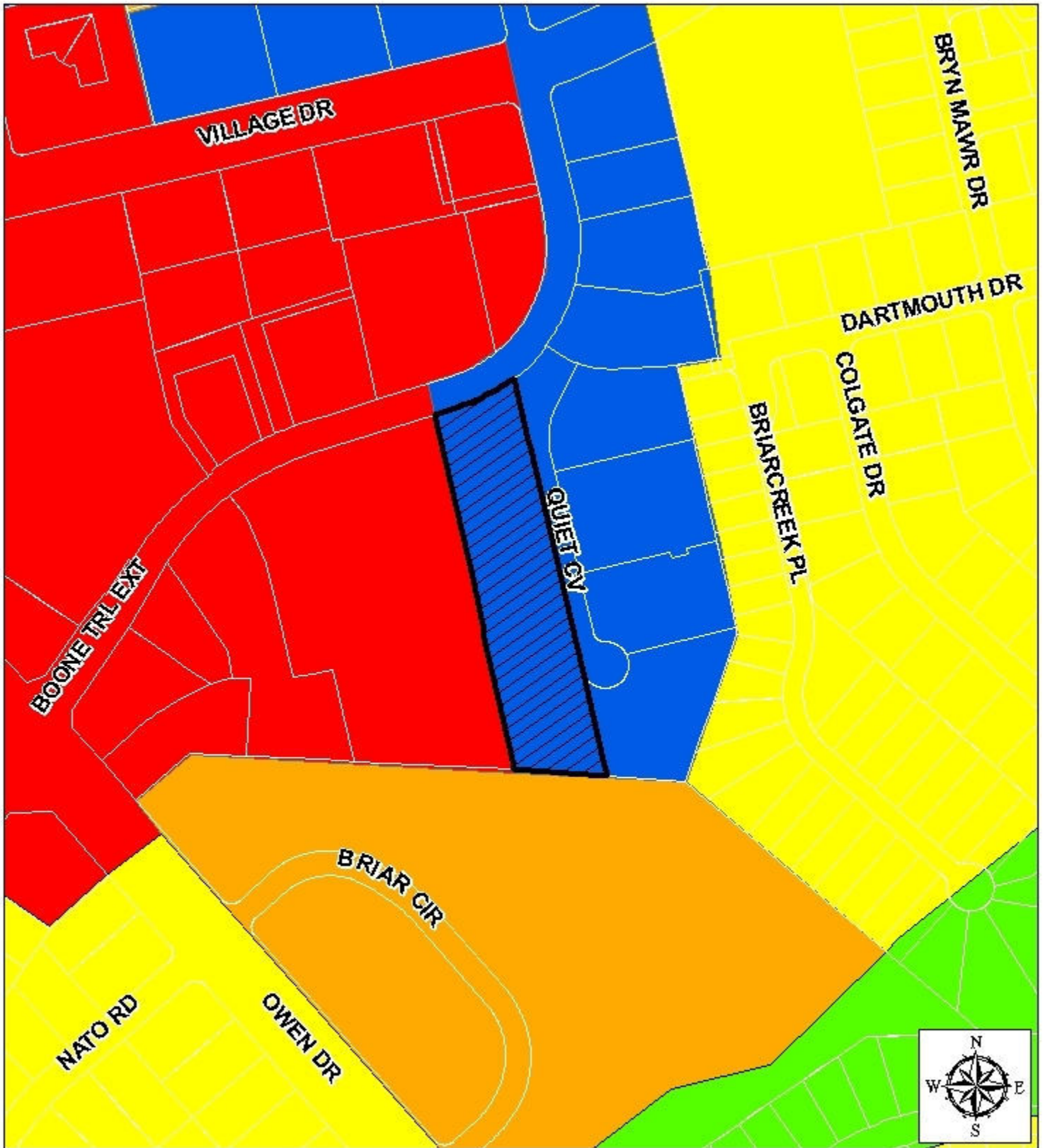
Zoning Map

Land Use



Request: Rezoning
Location: South side of Boone Trail Ext
Acreage: +/- 3.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0426-25-5453



Legend

updated 2010 plan (dash)

<all other uses>

CLASSDN

Academic Training-Fort Bragg

Activity Node

Airfield Operations-Fort Bragg

Community Activity Node

Downtown

Farm land

Governmental

Heavy Commercial

Heavy Industrial

High Density Residential

Historical District-Fort Bragg

Light Commercial

Light Industrial

Low Density Residential

Medium Density Residential

Neighborhood Activity Node

Office & Institutional

One-Acre Residential Lots

Open Space

Policy-Directed Heavy Commercial

Policy-Directed Light Commercial

Policy-Directed Office & Institutional

Range & Training-Fort Bragg

Redevelop/Holding-Fort Bragg

Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-28F - Rezone SF-6 Single Family Residential to MR-5 Mixed Residential for property at 502 Setter Dr. and McArthur Rd. (PIN 0530-30-8380) owned by Crystal Lake II LLC.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: Crystal Lake II LLC

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-6 to MR-5

Property Address: 502 Setter Drive (PIN 0530-30-8380)

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed with Heavy Commercial. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This request is to rezone an 11 acre property that was formerly able to have by-right multifamily development into a zoning district that allows multifamily development by right. The property adjoins a four-lane or larger roadway (McArthur Road) and is located in an area having a varied development pattern that includes Light Industrial, Limited Commercial, Community Commercial and various single family districts. Staff review of the request suggests that this rezoning is consistent with the surrounding development pattern. The property is not subject to any small area or corridor plans. Staff recommends approval of the rezoning as requested.

The Zoning Commission voted 3-0 to recommend approval.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend approval of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

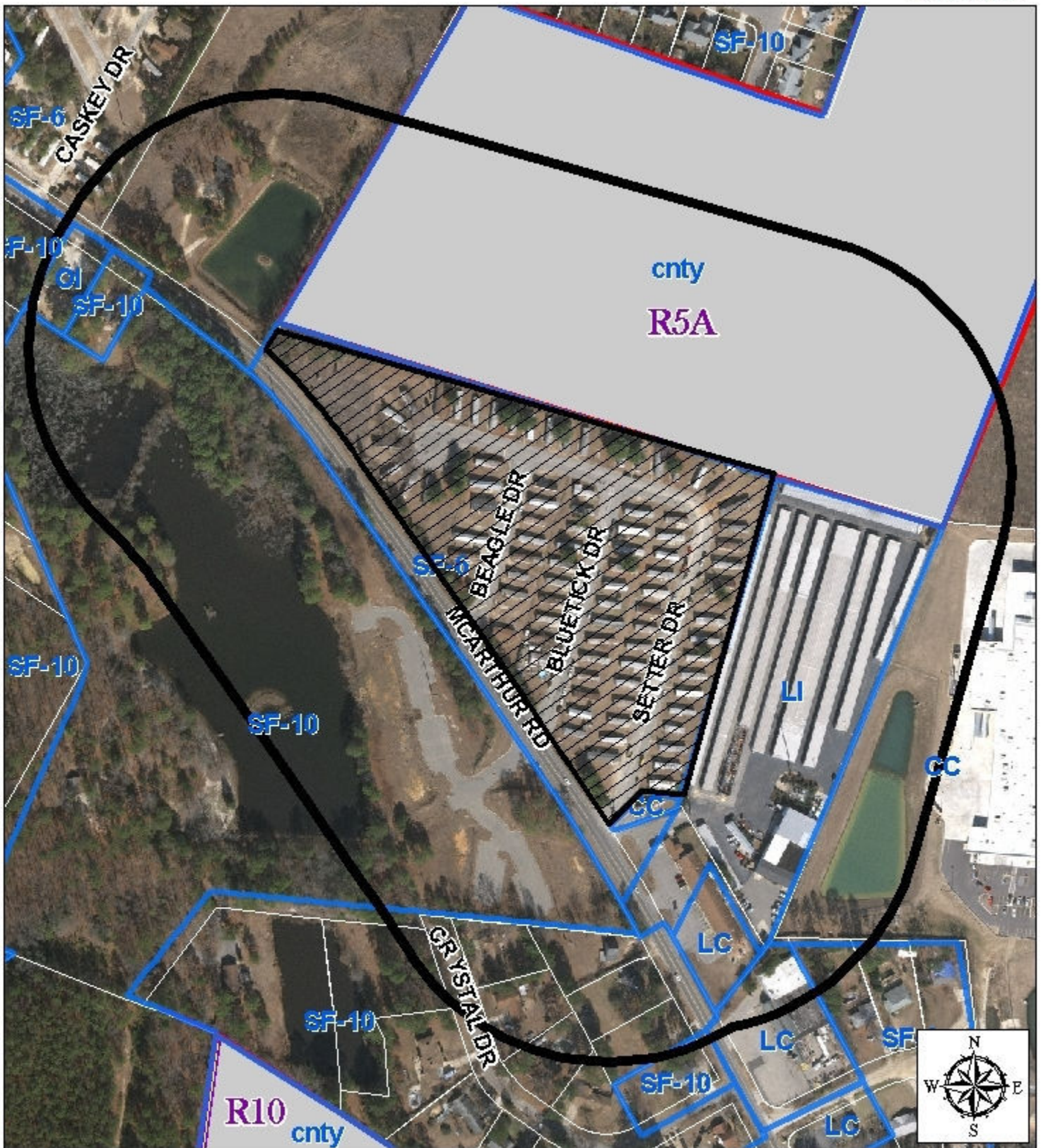
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to APPROVE the rezoning of 502 Setter Drive (PIN 0530-30-8380) from SF-10 to MR-5.

ATTACHMENTS:

Zoning Map

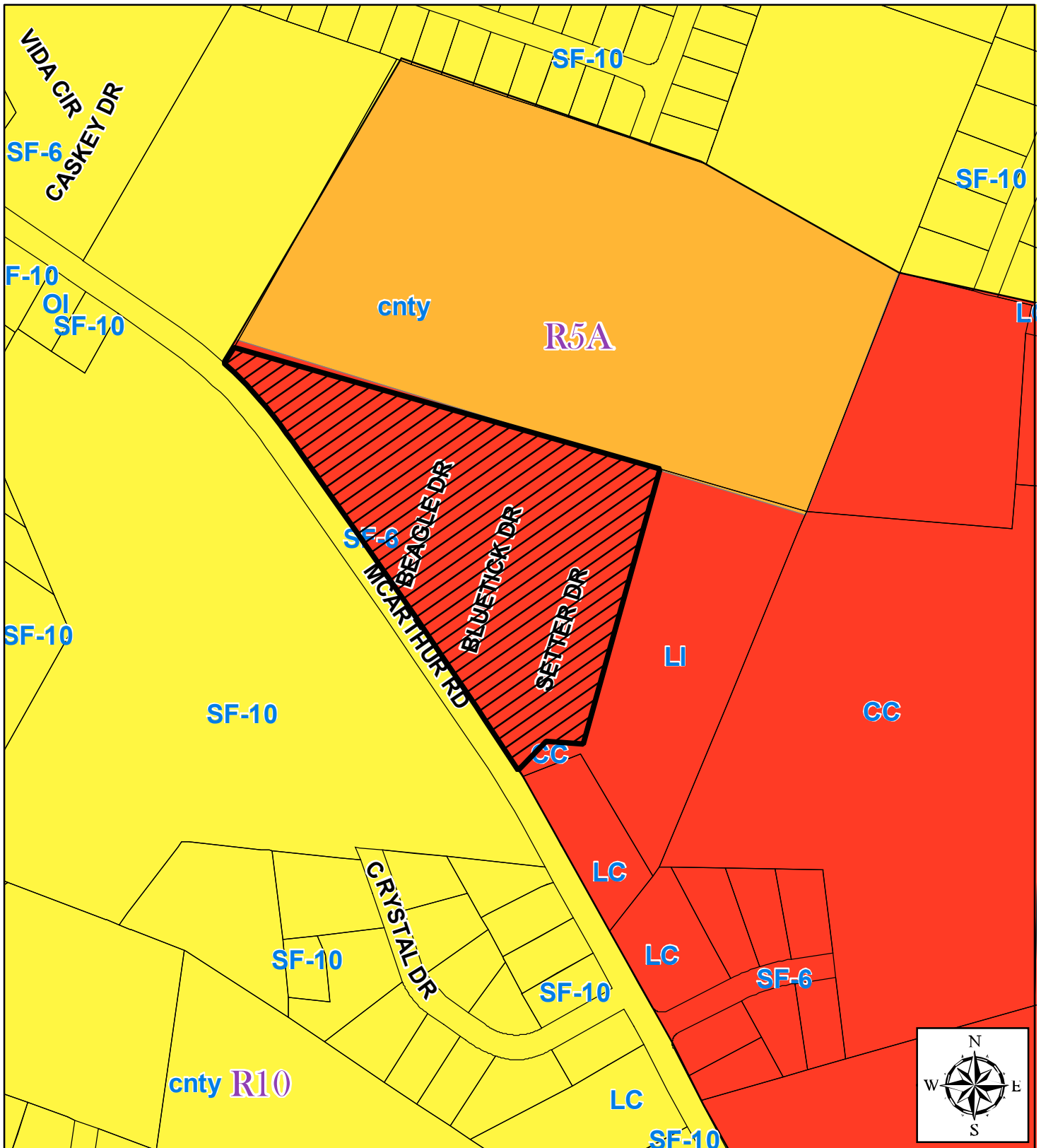
Land Use Plan



Request: Rezoning
Location: North side of McArthur Road
Acreage: +/- 11.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0530-30-8380

ZONING COMMISSION
P11-28F



Request: Rezoning
Location: 700 McArthur Road
Acreage: +/- 11.42 acres

Zoning Commission: 08/18/2011 **Recommendation: _____**
City Council: _____ **Final Action: _____**
Pin: 9495-10-6440

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-39F - Rezone SF-10 Single Family Residential to MR-5 Mixed Residential District for property at Portsmouth Dr.(PIN 9497-91-3688) owned by March Riddle.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: March Riddle

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to MR-5.

Property Address: PIN 9497-91-3688

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Low Density Residential and Open Space. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This request is to rezone a 51 acre property that was formerly able to have by-right multifamily development into a zoning district that allows multifamily development by right. The property is located in an area having an entirely single family development pattern, except for the LC-zoned property to the south. Staff review of the request suggests that this rezoning is inconsistent with the surrounding development pattern due to this factor. The property is not subject to any small area or corridor plans. Staff recommends denial of the rezoning request.

The Zoning Commission voted 2-1 to recommend denial. This recommendation was based on proximity to existing single family development.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend denial of rezoning as presented (Recommended).
2. Recommend approval of rezoning.
3. Recommend approval of the rezoning with changes.

RECOMMENDED ACTION:

Zoning Commission recommends that the City Council move to DENY the rezoning of PIN 9497-

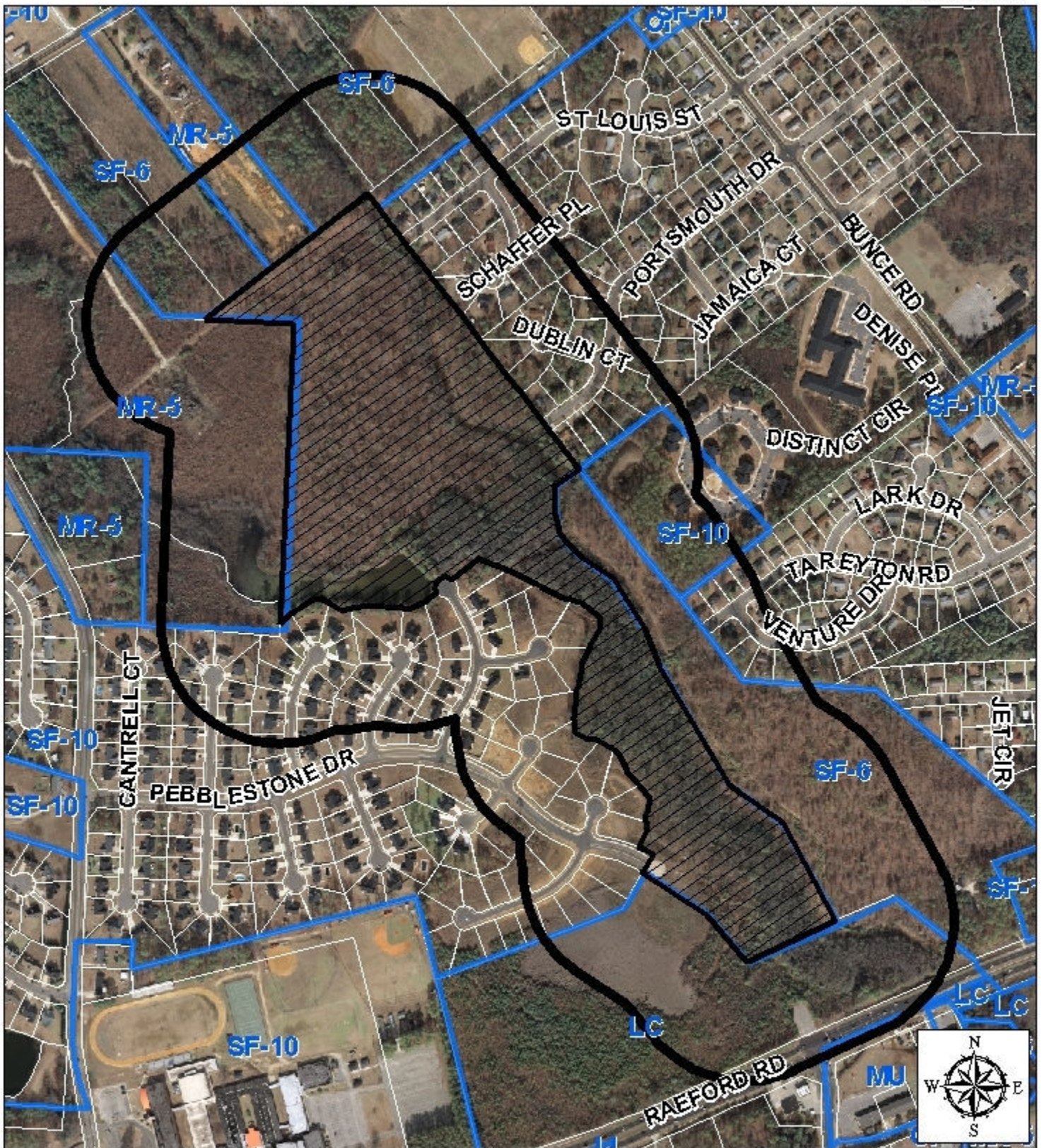
91-3688 from SF-10 to MR-5.

ATTACHMENTS:

Zoning Map

Land Use Plan

ZONING COMMISSION
P11-39F

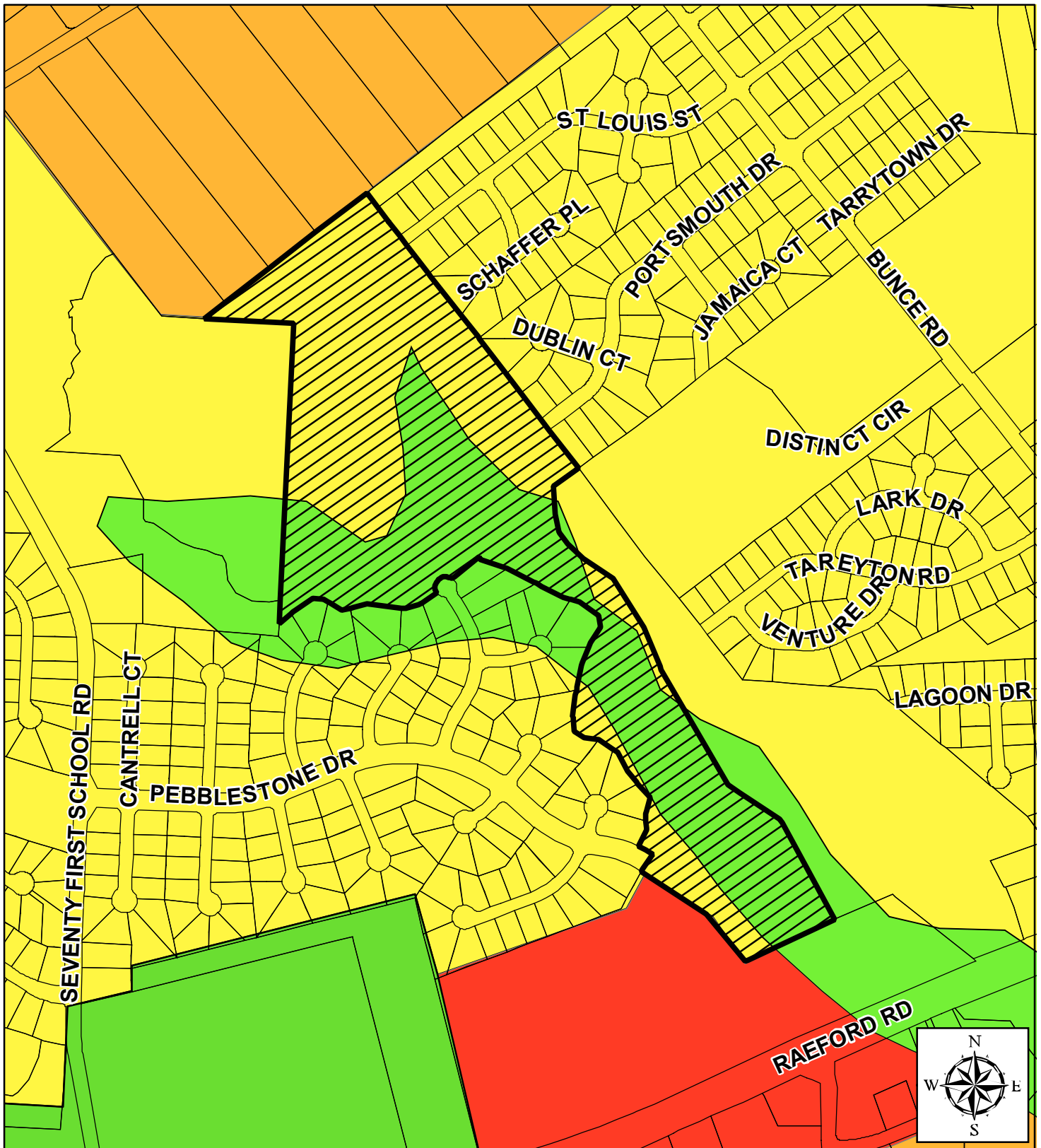


Request: Rezoning
Location: East side of Pebblestone Drive
Acreage: +/- 51.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 9497-91-3688

ZONING COMMISSION

P11-39F



Legend					
updated2010plan(dnash)					
[light blue box] <all other values>					
CLASSDN					
[blue box] Academic Training-Fort Bragg	[light purple box] Farmland	[red box] Heavy Commercial	[purple box] Heavy Industrial	[light yellow box] Light Industrial	[yellow box] Low Density Residential
[green box] Activity Node	[green box] Governmental	[brown box] High Density Residential	[brown box] Historical District-Fort Bragg	[blue box] Neighborhood Activity Node	[orange box] Medium Density Residential
[brown box] Airfield Operations-Fort Bragg	[brown box] Community Activity Node	[red box] Heavy Commercial	[purple box] Heavy Industrial	[light yellow box] Light Industrial	[yellow box] Low Density Residential
[brown box] Downtown	[brown box] Farmland	[brown box] High Density Residential	[brown box] Historical District-Fort Bragg	[blue box] Neighborhood Activity Node	[orange box] Medium Density Residential
[brown box] Range & Training-Fort Bragg	[brown box] Redevelop/Holding-Fort Bragg	[brown box] Suburban Density Residential	[brown box] Policy Directed Heavy Commercial	[brown box] Policy Directed Light Commercial	[brown box] Policy Directed Office & Institutional
[brown box] Redevelop/Holding-Fort Bragg	[brown box] Suburban Density Residential	[brown box] Policy Directed Heavy Commercial	[brown box] Policy Directed Light Commercial	[brown box] Policy Directed Office & Institutional	

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-42F - Rezone from SF-10 Single Family Residential to OI/CZ Office and Institutional Conditional Zoning for property near Marshall Rd. between Roxie Ave. and All American Expressway on ramp (PIN 0417-80-0261) owned by March Riddle.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: March Riddle

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from SF-10 to OI/CZ

Property Address: PIN 0417-80-0261

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Low Density Residential. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This is an awkwardly-situated four acre property located between Roxie Avenue and the on-ramp for All American Expressway. It is adjoined by developed LC-zoned property to the north, single family neighborhoods to the west and south and the Expressway to the east. Access appears to be from Marshall Road, through a single family neighborhood. Single family residential development of this property is unlikely due to its shape and proximity to the Expressway.

Provided certain uses are prohibited and hours of operation are restricted, staff feels OI development standards will minimize impact on the single family neighborhood. These proposed conditions are listed below.

Conditions:

Operation shall be prohibited between 7:00 PM and 7:00 AM, all days of the week.

Use categories that shall be prohibited at this location are:

- o Transportation/Communication

- o Eating Establishments
- o Recreation/Entertainment, Outdoor
- o Retail Sales and Services
- o Visitor Accommodations
- o Waste Related Services

The owner has agreed to these conditions.

The property is not subject to any small area or corridor plans.

The Zoning Commission voted to recommend approval. The Commission stated that with the proposed conditions this conditional zoning is appropriate for the area.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend approval of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to APPROVE the rezoning of PIN 0417-80-0261 from SF-10 to OI/CZ, subject to the conditions proposed by staff.

ATTACHMENTS:

Zoning Map

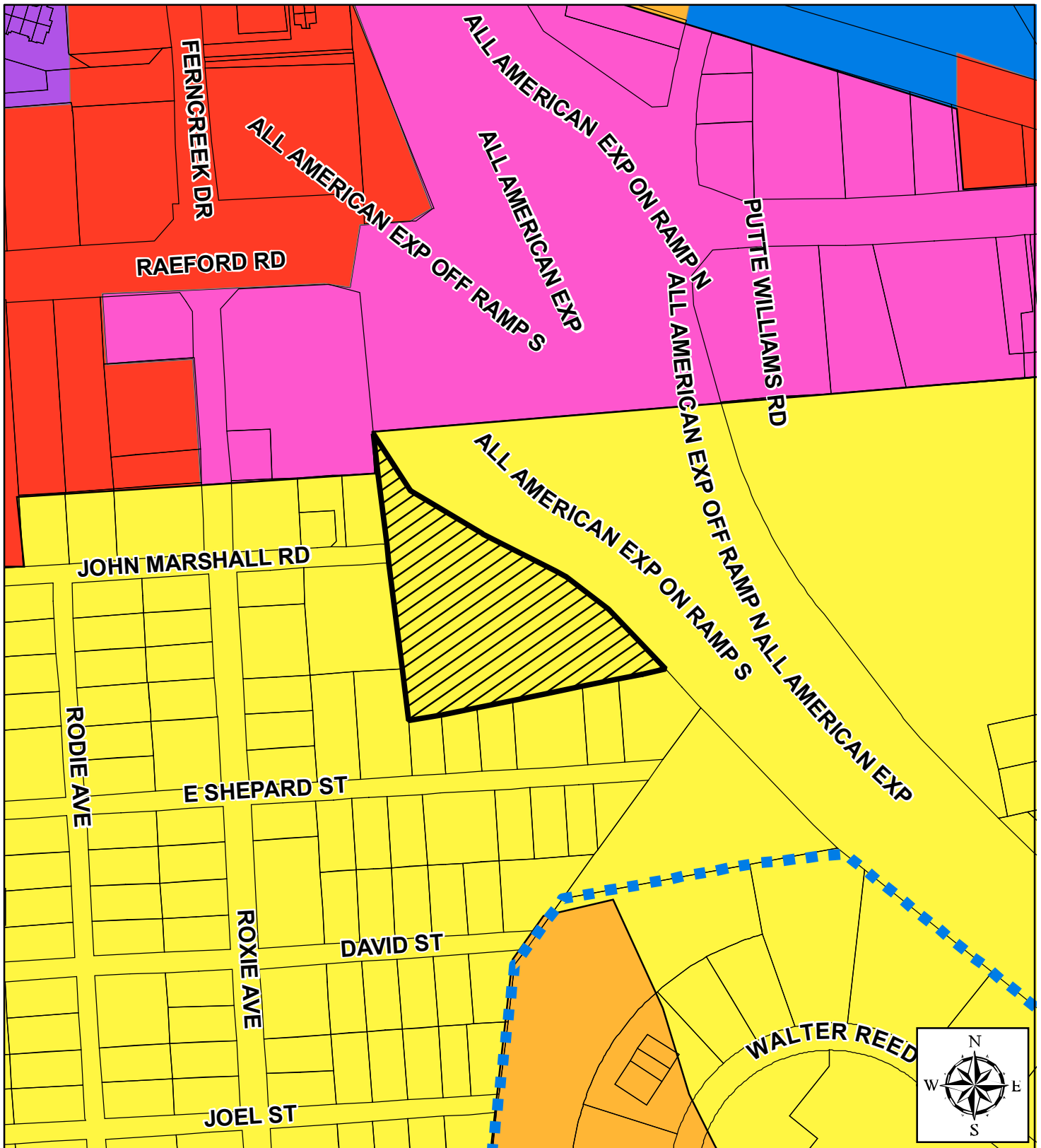
Land Use Plan



Request: Rezoning
Location: East side of John Marshall Road
Acreage: +/- 4.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0417-80-0261

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.



Legend

updated 2010 plan (dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg

Activity Node

Airfield Operations-Fort Bragg

Community Activity Node

Downtown

Farmland

Governmental

Heavy Commercial

Heavy Industrial

High Density Residential

Historical District-Fort Bragg

Light Commercial

Light Industrial

Low Density Residential

Medium Density Residential

Neighborhood Activity Node

Office & Institutional

One Acre Residential Lots

Open Space

Policy Directed Heavy Commercial

Policy Directed Light Commercial

Policy Directed Office & Institutional

Range & Training-Fort Bragg

Redevelop/Holding-Fort Bragg

Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-43F - Rezone from MR-5 Mixed Residential, LC and CC Limited and Community Commercial to OI/CZ Office and Institutional Conditional Zoning for property on East Shepherd St. between Roxie Ave. and All American Expressway (PIN 0416-89-5706) owned by March Riddle.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: March Riddle

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from MR-5, LC, CC and SF-10 to OI/CZ

Property Address: East Shephard Street (PIN 0416-89-5706)

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Low Density Residential. This request is not consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This is an awkwardly-situated two acre property located between Roxie Avenue and All American Expressway. It is adjoined by LC-zoned property to the south, single family neighborhoods to the west and north and the Expressway to the east. Access appears to be from East Shephard Street, through a single family neighborhood. Single family residential development of this property is unlikely due to its shape and proximity to the Expressway.

Provided certain uses are prohibited and hours of operation are restricted, staff feels OI development standards will minimize impact on the single family neighborhood. These proposed conditions are provided below.

Conditions:

Operation shall be prohibited between 7:00 PM and 7:00 AM, all days of the week.

Use categories that shall be prohibited at this location are:

- Transportation/Communication
- Eating Establishments

- Recreation/Entertainment, Outdoor
- Retail Sales and Services
- Visitor Accommodations
- Waste Related Services

The owner has agreed to these conditions.

The property is not subject to any small area or corridor plans.

The Zoning Commission voted 3-0 to recommend approval. The Commission stated that with the submitted conditions this conditional zoning is appropriate for the area.

BUDGET IMPACT:

None noted

OPTIONS:

1. Recommend approval of rezoning as recommended by staff (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

RECOMMENDED ACTION:

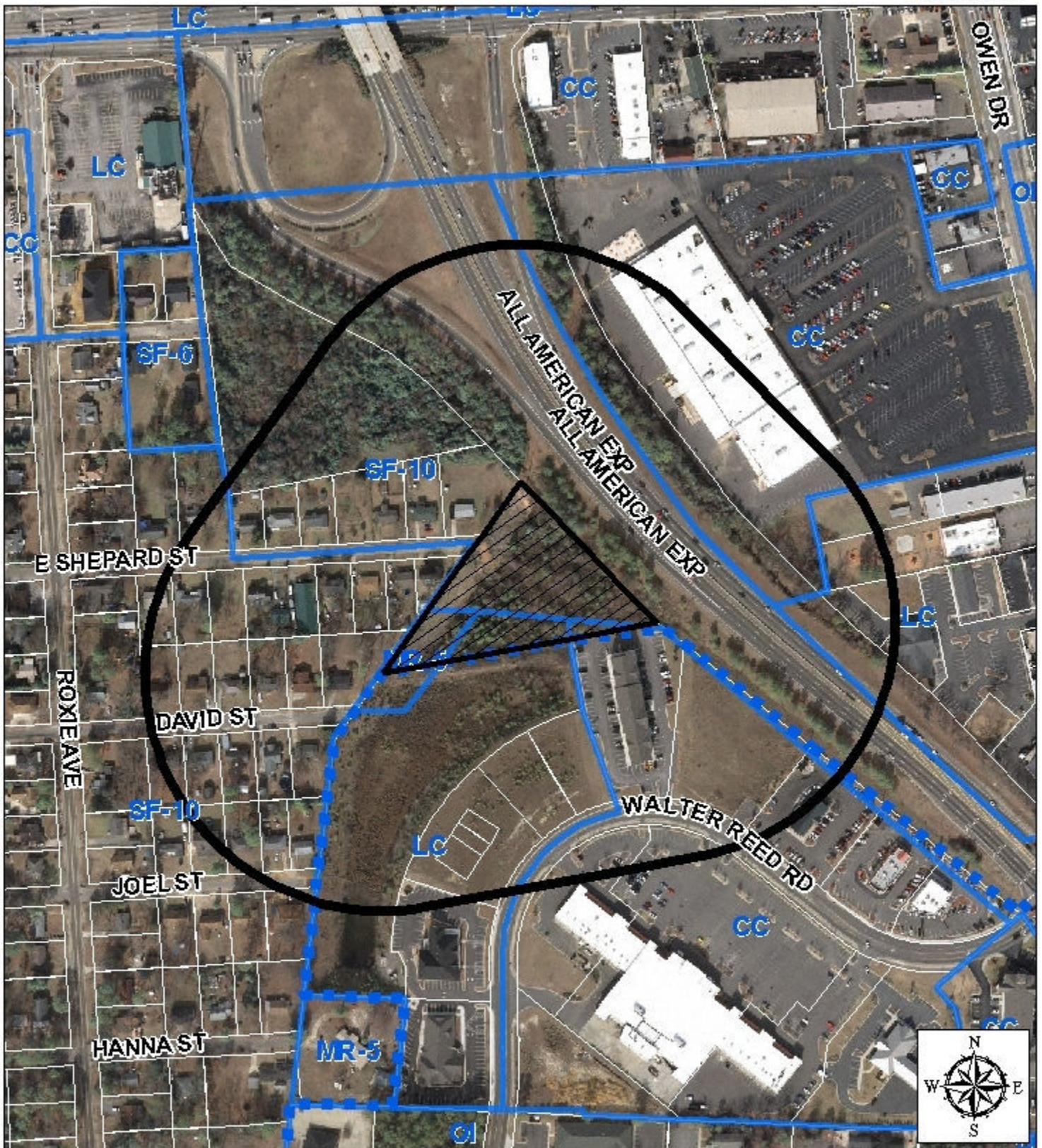
The Zoning Commission recommends that the City Council move to APPROVE the rezoning of East Shephard Street (PIN 0416-89-5706) from MR-5, LC, CC and SF-10 to OI/CZ, subject to the conditions proposed by staff.

ATTACHMENTS:

Zoning Map

Land Use Plan

ZONING COMMISSION
P11-43F



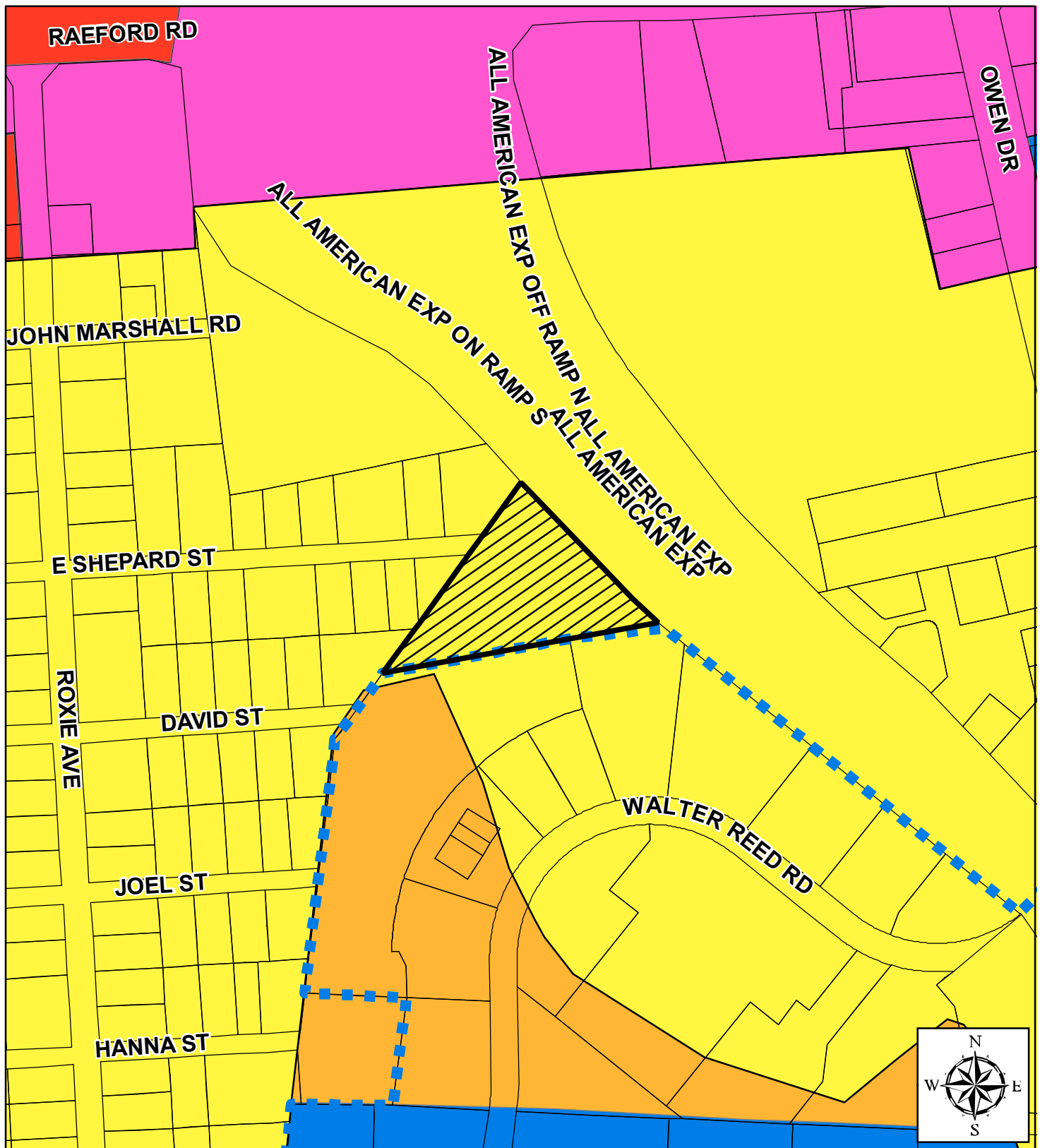
Request: Rezoning
Location: West side of All American
Acreage: +/- 2.0 acres

Zoning Commission: 08/18/2011 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0416-89-5706

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

ZONING COMMISSION

P11-43F



Legend

updated2010plan(dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg
Activity Node

Airfield Operations-Fort Bragg
Community Activity Node
Downtown
Farmland
Governmental

Heavy Commercial
Heavy Industrial
High Density Residential
Historical District-Fort Bragg
Light Commercial

Light Industrial
Low Density Residential
Medium Density Residential
Neighborhood Activity Node
Office & Institutional

One Acre Residential Lots
Open Space
Policy Directed Heavy Commercial
Policy Directed Light Commercial
Policy Directed Office & Institutional

Range & Training-Fort Bragg
Redevelop/Holding-Fort Bragg
Suburban Density Residential

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Scott Shuford, Development Services Director & Craig Harmon, Planner II
DATE: August 29, 2011
RE: **Case No. P11-35F - Rezone CD Conservation District to SF-10 Single Family Residential District for property at 2345 Dundle Rd (9495-47-0022) owned by March Riddle.**

THE QUESTION:

Should the subject property be rezoned as requested by the owner?

RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development

BACKGROUND:

Owner: March Riddle

Applicant: City of Fayetteville

Requested Action: Rezone the subject property from CD to SF-10

Property Address: 2345 Dundle Road (PIN9495-47-0022)

Land Use Plan Recommendation: The Land Use Plan recommends this property to be developed as Low Density Residential. This request is consistent with the Land Use Plan.

Purpose:

This case involves property identified by City Council for City-initiated rezoning consideration during the UDO remapping process. This process allows consideration of the requested rezoning in a standard fashion, with specific notice to adjoining property owners and an opportunity for full analysis by staff.

ISSUES:

This one acre property was apparently mistakenly zoned the Cumberland County equivalent of CD at the time of annexation. In keeping with City policy, the most closely related zoning designation was applied and this continued through the UDO remapping process. The parcel does not have particular environmental sensitivity and staff agrees that SF-10 is a reasonable zoning classification for this property given the surrounding single family zoning pattern.

Zoning Commission voted 3-0 to recommend approval. This property was zoned CD by the County even though it has always had a single family dwelling on it.

BUDGET IMPACT:

None noted.

OPTIONS:

1. Recommend approval of rezoning as presented (Recommended).
2. Recommend approval of rezoning with changes.
3. Recommend denial of the rezoning.

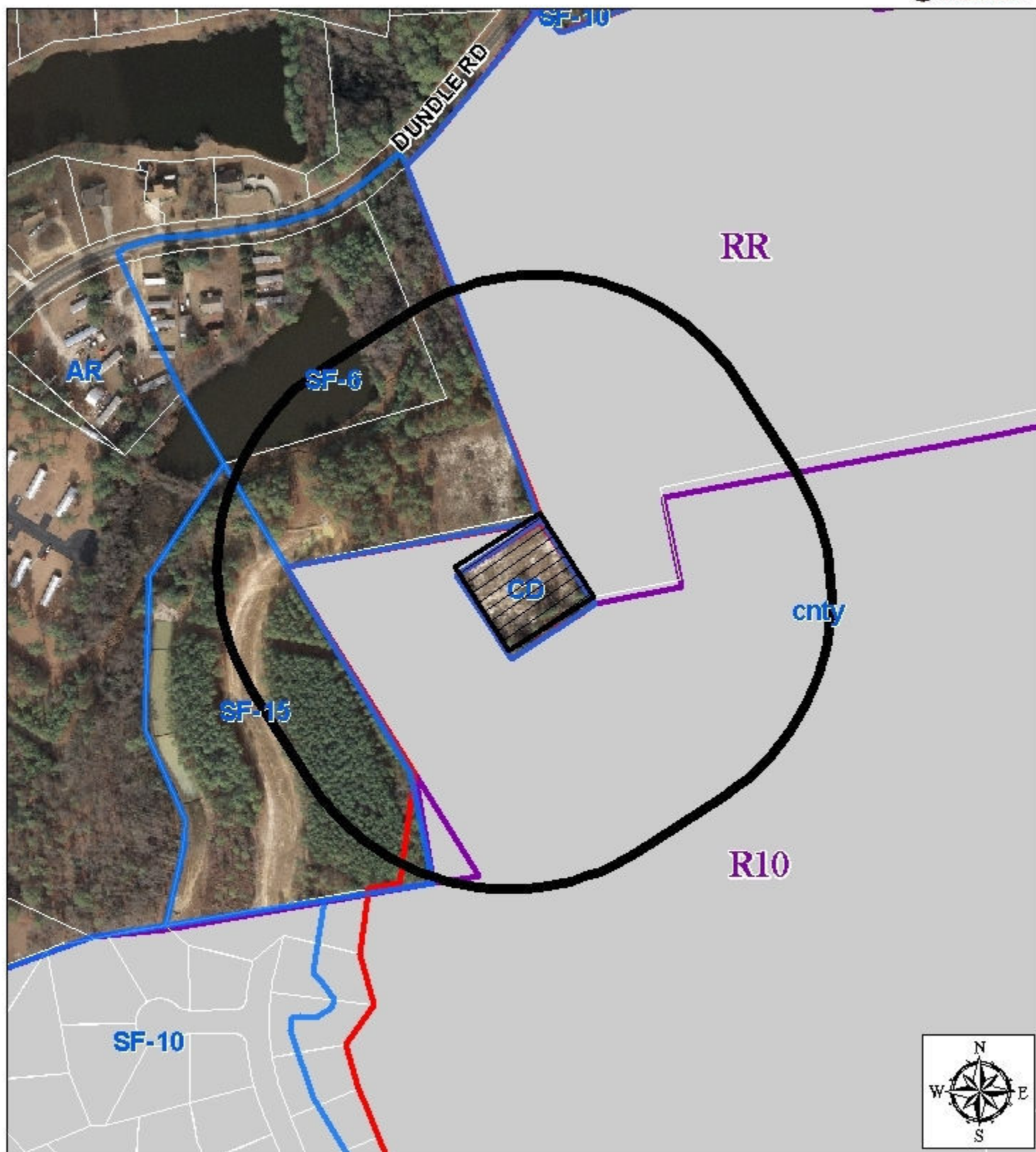
RECOMMENDED ACTION:

The Zoning Commission recommends that the City Council move to APPROVE the proposed rezoning from CD to SF-10.

ATTACHMENTS:

Zoning Map

Land Use Plan



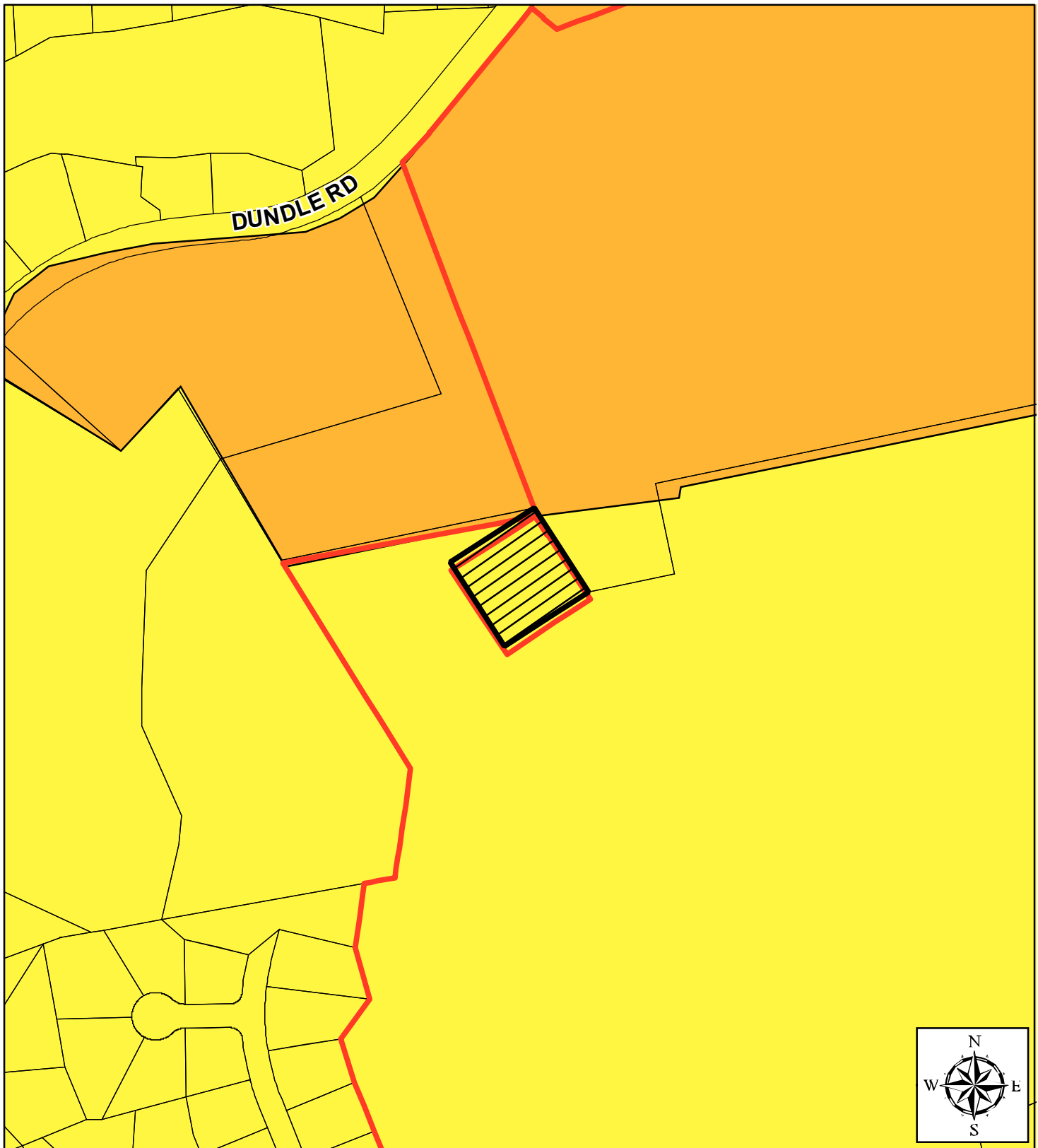
Request: Rezoning
Location: +/- 800' South of Dundle Road
Acreage: +/- 1.0 acres

Zoning Commission: 08/18/2011 **Recommendation:** _____
City Council: _____ **Final Action:** _____
Pin: 9495-47-0022

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

ZONING COMMISSION

P11-35F



Legend

updated2010plan(dnash)

<all other values>

CLASSDN

Academic Training-Fort Bragg
Activity Node

Airfield Operations-Fort Bragg
Community Activity Node
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Farmland
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Heavy Commercial
Heavy Industrial
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Range & Training-Fort Bragg
Redevelop/Holding-Fort Bragg
Suburban Density Residential