

**FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MEETING
MINUTES
LAFAYETTE ROOM, CITY HALL
SEPTEMBER 20, 2007
4:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1); Darrell J. Haire (District 4); Lois A. Kirby (District 5); Juanita Gonzalez (District 8); Wesley A. Meredith (District 9)

Absent: Council Members Charles E. Evans (District 2); Robert A. Massey, Jr. (District 3); Paul Williams (District 6); Curtis Worthy (District 7)

Others Present: Dale E. Iman, City Manager
Karen M. McDonald, City Attorney
Jimmy Teal, Planning Director
Kyle Garner, Planner

Mr. Jimmy Teal, Planning Director, and Mr. Kyle Garner, Planner, gave an overview of the following cases scheduled for the Fayetteville City Council's September 24, 2007 agenda:

Approve the rezoning from C1 commercial district to R6 residential district or to a more restrictive zoning classification for property located at 1063 & 1065 Winslow Street. Containing .47 acres more or less and being the property of Harold and Thomasine Barrett. Case Number P07-59F.

Mr. Garner showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Garner stated the applicant wishes to change the zoning to residential to make the use conforming and noted the property contains two houses. Mr. Garner further stated the Zoning Commission and planning staff concur with the applicant's request.

Approve the rezoning from AR agricultural\residential to C1P commercial district or to a more restrictive zoning classification for property located off of North Reilly Road. Containing 2.6 acres more or less and being the property of Earl Hubbard Etal. Case Number P07-61F.

Mr. Garner showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Garner stated the applicant wishes to rezone to C1P to allow an expansion of an existing mini-warehouse facility. Mr. Garner further stated the Zoning Commission and planning staff concur with the applicant's request.

Consider the rezoning from R15 residential district to C1P commercial district or to a more restrictive zoning classification for property located at 1653 Cedar Creek Road and approve the rezoning from R15 residential district to C1 commercial district or to a more restrictive zoning classification for property located at 1651 Cedar Creek Road. Containing a total of 2.25 acres more or less and being the property of James and Monica Smith. Case Number P07-52F.

Mr. Garner showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Garner stated although the 2010 Land Use Plan Map for the property suggests median density residential, the property abuts commercial uses and is across the street from commercial uses. Mr. Garner stated the Zoning Commission recommends approval of C1P commercial district for 1653 Cedar Creek and approval of C1 commercial district for 1651 Cedar Creek Road.

Consider the rezoning from R10 residential district to C1 commercial district\conditional zoning district to allow a funeral home on property located at 1037 Seventy-First School Road. Containing 1.20 acres more or less and being the property of James Vernon Peterson & Shelton Leon Melvin. Case Number P07-57F.

Mr. Garner showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Garner stated the applicant is

requesting conditional zoning limiting the use of the property to a funeral home with a 378 square foot addition to the south side of the building and 63 parking spaces. Mr. Garner also discussed traffic counts and shared accident information. Mr. Garner stated the Zoning Commission recommends approval of the C1\Conditional Zoning with the conditions as submitted by the applicant.

Consider the rezoning from AR agricultural\residential to C1 commercial district or to a more restrictive zoning classification for property located at 7453 Stoney Point Road. Containing .477 acres more or less and being the property of Neil J. Smith. Case Number P07-58F.

Mr. Teal showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Teal stated the applicant wishes to rezone the property to C1 commercial district to match the zoning for the property he owns next to this property. Mr. Teal stated the Zoning Commission recommends approval of the C1 commercial district.

Consider an application by Larry Jones for a Special Use Permit to allow a daycare in an R5 residential district for property located at 524 Edwards Street. Containing .20 acres more or less and being the property of Rudolph Monroe. Case No. P07-60F

Mr. Teal showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. The Teal stated the applicant wishes to open a daycare facility with a maximum number of twenty-three (23) children at any one time at the facility. Mr. Teal stated the Zoning Commissions recommends approval of the Special Use Permit with conditions.

Approve the removal of three billboard faces in the vicinity of Hillsboro Street and Bragg Boulevard in exchange of upgrading a single face billboard located at Raeford Road\Faison Avenue to a double face billboard and upgrading a single face billboard on All-American Freeway.

Mr. Garner stated the applicant is removing three billboard faces in exchange for upgrading three billboard faces. Mr. Garner further stated the request is consistent with Council's recently adopted billboard transfer ordinance that allows a billboard owner to upgrade their legal non-conforming billboard in exchange for removing a billboard face based on a one billboard face for one billboard face ratio.

Consider an amendment to the Fayetteville Code of Ordinances, Section 30-285.1 Screening for salvage yards and lots that store junk or damaged vehicles.

Mr. Teal explained the proposed ordinance requirements. Council Member Haire requested clarification of fencing requirements. Council asked for clarification on its options at the conclusion of the public hearing. Mrs. Karen M. McDonald, City Attorney, explained options would be to adopt the ordinance, deny, take no action or refer the ordinance to staff or the Planning Commission for additional study and modification.

Consider a waiver to construct asphalt curbing rather than concrete curbing for the remaining unpaved streets in the Scotts Mill at Treyburn subdivision.

Mr. Teal showed a map and explained the waiver request. Mr. Teal stated the Planning Commission recommends approval of the waiver and staff recommends denial.

Amendment to the Taxicab Ordinance for Vehicles Operating Under Contract

Mrs. McDonald explained the ordinance relates to transportation of patrons according to contract with local, state or federal government agencies.

There being no further business, the meeting adjourned at 5:10 p.m.