

**FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MEETING
LAFAYETTE ROOM, CITY HALL
MAY 24, 2007
4:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1); Council Charles E. Evans (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Lois A. Kirby (District 5); Paul Williams (District 6); Curtis Worthy (District 7); Juanita Gonzalez (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Kyle Sonnenberg, Assistant City Manager
Karen M. McDonald, City Attorney
Jimmy Teal, Planning Director

Mr. Jimmy Teal, Planning Director, gave an overview of the following cases scheduled for Council's May 29, 2007 agenda:

Approve the rezoning from P2 professional district to C1 commercial district or to a more restrictive zoning classification for property located at 6424 Yadkin Road. Containing .32 acres more or less and being the property of Guzman Wildemar and wife as evidenced by deed recorded in Deed Book 5774 and Page 155, Cumberland County Registry. Case No. P07-28F.

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 2010 Land Use Plan Map for the property suggests commercial uses. Mr. Teal further stated the Zoning Commission and planning staff recommend C1 commercial zoning.

Approve the rezoning from C1P commercial district to R5 residential district or to a more restrictive zoning classification for property located north of Village Drive and east of Purdue Drive. Containing 5.57 acres more or less and being the property of Dark Branch Golf Center as evidenced by deed recorded in Deed Book 4542 and Page 375, Cumberland County Registry. Case No. P07-29F.

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 2010 Land Use Plan Map for the area suggests residential, professional and commercial uses in the area. Mr. Teal further stated the City Council approved a rezoning in early 2006 to allow redevelopment of the former golf course site and this rezoning is a continuation of that process. Mr. Teal stated the Zoning Commission and planning staff recommend R5 residential zoning.

Approve the rezoning from R10 residential district to R6 residential district\conditional zoning to allow a 56-unit apartment complex for property located west of Rim Road and south of Castle Falls Circle. Containing 6 acres more or less and being the property of William Richardson and Robert Cellner as evidenced by deed recorded in Deed Book 3163 and Page 193, Cumberland County Registry. Case No. P07-32F.

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 submitted an R6\conditional zoning request to develop the property with 56 units where 64 units are allowed and provide additional landscaping than what is required. Mr. Teal further stated the Zoning Commission and planning staff recommend R6\conditional zoning.

Approve the rezoning from R6 residential district to C1 commercial district\conditional zoning to allow the expansion of an existing garden nursery for property located on the eastern side of Ramsey Street between Circle Court and Brainard Avenue. Containing .95 acres more or less and being the property of Randall Page as evidenced by deed recorded in Deed Book 5121 and Pages 766-770, Cumberland County Registry. Case No.

P07-33F.

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 owns an existing nursery that he wishes to expand and is requesting conditional zoning to make that happen. Questions were raised about the effect of the conditional zoning on future owners. Mr. Teal further stated the Zoning Commission and planning staff recommend C1\conditional zoning.

Approve a request from Lamar Advertising to upgrade a legal non-conforming billboard at the intersection of Raeford Road and Faison Avenue and upgrade a second legal non-conforming billboard on All-American Freeway north of Yadkin Road in exchange for removing a two-sided billboard on Hillsboro Street near the Rowan Street Bridge.

Mr. Teal explained the City Council recently adopted a 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. Mr. Teal stated the Planning Commission recommends approval of the request.

Consider the rezoning from C1P commercial district and R10 residential district to C1 commercial district or to a more restrictive zoning classification for property located on the northwest corner of Sequoia Road and Hope Mills Road. Containing .42 acres more or less and being the property of David Faircloth as evidenced by deed recorded in Deed Book 3479 and Page 739, Cumberland County Registry. Case No. P07-25F

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 City Council set a public hearing for this case at the April 23, 2007 meeting. Mr. Teal further stated the Hope Mills Road Land Use Plan suggests commercial uses for the site. Mr. Teal stated the Zoning Commission recommends approval of C1 commercial district.

Consider the rezoning from R10 residential district to P2 professional district or to a more restrictive zoning classification for property located at 3202 and 3206 Boone Trail. Containing .92 acres more or less and being the property of Eugene and Myrtle England and Mary Callahan as evidenced by deed recorded in Deed Book 749 and Page 196, Cumberland County Registry. Case No. P07-34F.

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 use both properties for office uses. Mr. Teal further stated the 2010 Land Use Plan Map for the two lots suggests residential uses. Mr. Teal stated the Zoning Commission recommends denial of the rezoning request.

Consider an application by Sonya Brown for a Special Use Permit as provided by the City of Fayetteville Code of Ordinances, Article IV, Section 30-107(24) to allow a daycare in an R10 residential district for property located at 913 Country Club Drive. Containing .52 acres more or less and being the property of Lewis Jourden, M.I.T. of Cumberland, Inc. as evidenced by deed recorded in Deed Book 3721 and Page 619, Cumberland County Registry. Case No. P07-35F.

Mr. Teal stated the applicant wishes to operate a daycare at this location. Mr. Teal further stated the Zoning Commission recommends approval with conditions.

Consider approval of an infill project located on McNeill Circle, Part II of Churchill Manor

Mr. Teal stated the Planning Commission held a public hearing on May 1, 2007 and did not approve the project. Mr. Teal stated the applicant has appealed the case triggering a public hearing by City Council. Mr. Teal further stated the applicant has revised his original plan from two attached townhouses units to two detached residential units in response to the neighbors' request. Questions were raised regarding whether the revised plan should go back to the Planning Commission. Mr. Teal stated the Planning Commission recommends denial.

Discussion ensued regarding the resolution endorsing Eastover incorporation. Mr. Dale E. Iman, City Manager, explained the terms under which the City would endorse the Eastover incorporation bill. The terms included reducing the boundaries of the town, restricting the areas

that Eastover could annex, compliance with the sales tax agreement and agreeing that the area situated between the Town of Eastover and the City of Fayetteville would be included in the City of Fayetteville Influence Area.

There being no further business, the meeting adjourned at 5:00 p.m.