

**FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MEETING
MINUTES
LAFAYETTE ROOM, CITY HALL
JUNE 21, 2007
4:00 P.M.**

Present: Mayor Pro Tem Robert A. Massey, Jr. (District 3) and Council Members Keith A. Bates, Sr. (District 1); Council Charles E. Evans (District 2); Paul Williams (District 6); Juanita Gonzalez (District 8); Wesley A. Meredith (District 9)

Absent: Mayor Anthony G. Chavonne and Council Members Darrell J. Haire (District 4); Lois A. Kirby (District 5); Curtis Worthy (District 7);

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

Mr. Jimmy Teal, Planning Director, introduced a new Planner, Kyle Garner, and provided an overview of the following cases scheduled for Council's June 25, 2007 agenda:

Approve the rezoning from C1 Commercial District to R6 Residential District or to a more restrictive zoning classification for property located at 1039 Southern Avenue. Containing .76 acres more or less and being the property of Larry Malloy. Case No. P07-36F.

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 from commercial to residential to change the status of the house on the property from non-conforming to conforming. Mr. Teal further stated the Zoning Commission and planning staff recommend R6 Residential District. Council Members posed questions as to why the property was non-conforming. Mr. Teal explained the property was zoned C1 but is being used as a residence.

Consider an application by Jeanette Kennedy for a Special Use Permit as provided for 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 6822 Baldoon Drive. Containing .29 acres more or less and being the property of Hung and Hua Jimg Tu. Case No. P07-30F.

Mr. Teal stated the applicant wishes to operate a daycare at this location. Mr. Teal further stated the Zoning Commission recommends approval with conditions. Karen M. McDonald, City Attorney, reminded Council that this was a quasi-judicial hearing.

Consider an amendment to the Fayetteville Code of Ordinances, Zoning, Article VIII, Advertising and Sign Regulations, Section 30-262(g) adding a provision allowing one-sided non-conforming billboards to be upgraded to two-sided billboards as part of the billboard transfer process.

Mr. Teal explained that currently, one-sided non-conforming billboards may not be upgraded to two-sided billboards as part of the billboard transfer ordinance. Mr. Teal stated adoption of this amendment allows this upgrade as an option. Mr. Teal further stated the Planning Commission recommends approval of the amendment.

Update regarding the Progress Eastover Committee Request to Incorporate the Town of Eastover, NC

Dale E. Iman, City Manager, explained that the Joint Committee on Municipal Incorporations was set to meet on Monday, June 25, 2007 at 5:30 p.m. to consider the Eastover incorporation. Mr. Iman stated Doug Hewett, Assistant City Manager, would attend on behalf of the City. Council Member Evans questioned whether someone from the City Attorney's Office should attend. Mrs. McDonald explained that the resolution was clear that the City's support was contingent upon all of the proposed language being included in the proposed bill and that without the inclusion of the language the City did not endorse the incorporation. Under the law,

if the City did not endorse the incorporation, the Committee could not make a positive recommendation to the House. Thus, it did not appear that someone from the City Attorney's Office needed to attend.

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