

**FAYETTEVILLE CITY COUNCIL  
AGENDA BRIEFING MEETING  
MINUTES  
HUMAN RESOURCE DEVELOPMENT CONFERENCE ROOM, CITY HALL  
JULY 19, 2007  
4:00 P.M.**

Present: Council Members Keith A. Bates, Sr. (District 1); Charles E. Evans (District 2)(arrived 4:40 p.m.); Juanita Gonzalez (District 8); Wesley A. Meredith (District 9)

Absent: Mayor Anthony G. Chavonne; Council Members Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Lois A. Kirby (District 5); Paul Williams (District 6); Curtis Worthy (District 7)

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

Mr. Jimmy Teal, Planning Director, gave an overview of the following cases scheduled for Council's July 23, 2007 agenda:

**Approve the rezoning from R10 residential district to R6 residential district\conditional zoning to allow a 253 unit development on property located on Rosehill Road north of Walstone Road and south of Hickory Hill Road. Containing 28.2 acres more or less and being the property of Green Valley South, LLC. Case Number P07-41F.**

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 plans for 192 condominium units and 61 single-family units with landscaping on property abutting Rosehill Road, vehicle access limited to Country Club Drive and storm water detention ponds with aerator devices. Mr. Teal stated the Zoning Commission and planning staff concur with the request.

**Approve the rezoning from C1 commercial district to R6 residential district or to a more restrictive zoning classification for property located at 751 Bunce Road. Containing .59 acres more or less and being the property of Jason and Nancy Johnson. Case Number P07-42F.**

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 remove a vacant building on the property currently zoned commercial and construct new housing units on the property with R6 residential zoning. Mr. Teal stated the Zoning Commission and planning staff concur with the request. Council Members asked if this would trigger review under the infill ordinance.

**Approve the rezoning from P2 professional district to C1 commercial district or to a more restrictive zoning classification for property located at 1018 Hope Mills Road. Containing .31 acres more or less and being the property of Marian and Kimberly Starling. Case Number P07-43F.**

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 Hope Mills Road Land Use Plan Map suggests commercial uses for this property. Mr. Teal stated the Zoning Commission and planning staff concur with the request. Council pointed out minutes from the Zoning Commission meeting were not included in the agenda packet and requested a copy of the minutes.

**Approve the rezoning from AR agricultural\residential district to MUD mixed use district\conditional zoning to allow an expansion of an existing dog kennel facility for property located at 2102 Strickland Bridge Road. Containing 4.1 acres more or less and being the property of Lisa Adams-Turner. Case Number P07-45F.**

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 and operates a dog kennel on the property as well as resides on the property. Mr. Teal further

stated that the owner wishes to expand the kennel by constructing nine dog suites, but currently is unable to do so because the kennel is considered a non-conforming use. Mr. Teal stated the Zoning Commission and planning staff concur with the request. Council pointed out minutes from the Zoning Commission meeting were not included in the agenda packet and requested a copy of the minutes.

**Approve the rezoning from R6 residential district to C1 commercial district or to a more restrictive zoning classification for property located at 1302 and 1304 Ramsey Street. Containing .95 acres more or less and being the property of Winnie Cotton and Brenda Johnson. Case Number P07-46F.**

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 Ramsey Street Land Use Plan Map suggests commercial uses for this property. Mr. Teal stated the Zoning Commission and planning staff concur with the request. Council Member Evans inquired about the land use study for Ramsey Street. Mr. Teal explained the land use study for Ramsey Street was light commercial.

**Approve the rezoning from R10 residential district to R6 residential district or to a more restrictive zoning classification for property located at 1366 Bingham Drive. Containing .21 acres more or less and being the property of Richard and Georgia Matthews, Jon and Dawn Boyles, Janice Simpson, Glyndetta Hubbard, Annetee Fox and Samuel Tolar. Case Number P07-49F.**

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 construct apartment units on the property. Mr. Teal stated the Zoning Commission and planning staff concur with the request. Council Member Meredith asked about the allowable number of units. Council Member Bates expressed concern about stormwater run-off.

**Approve a request from Lamar Advertising to upgrade two legal non-conforming billboards on the south side of Bragg Boulevard between Bargain Street and 401 Bypass containing a total of six billboard faces in exchange for removing two billboards on Hillsboro Street near the Rowan Street Bridge and a billboard at the intersection of Bragg Boulevard and Martin Luther King, Jr. Freeway containing a total six billboard faces.**

Mr. Teal stated 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 showed the proposed locations and stated the Planning Commission recommends approval. Council Members asked for clarification on the process.

**Consider 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 Number P07-36F.**

Mr. Teal reminded Council had set a public hearing for the case at their June 25th meeting. 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 change a non-conforming use to a conforming use by rezoning the property to residential.

**Consider the rezoning from R10 residential district to R6 residential district\conditional zoning to allow a 96 unit apartment complex on property located at 862 Santee Drive. Containing 11.76 acres more or less and being the property of Pauline Longest. Case Number P07-40F.**

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 plans for 96 apartment units with no access onto Criss Drive, a 30-foot vegetative buffer along the southern lot line adjacent to the homes on that side of the property and no dwelling unit built east of the creek running through the property. Mr. Teal stated the Zoning Commission recommends denial. Mr. Teal reminded Council Members this case previously

came before Council and was denied. Mr. Teal stated the applicant then requested conditional zoning. Council Members requested minutes from the previous Council meeting.

**Consider the rezoning from R10 residential district to R6 residential district or to a more restrictive zoning classification for property located on Beaver Creek Drive. Containing 2.5 acres more or less and being the property of Watermark Homes, Inc. Case Number P07-44F.**

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 build multi-family housing on the property. Mr. Teal stated the Zoning Commission recommends denial.

**Consider an application by Margarita DeBlanche for a Special Use Permit to allow a daycare in an AR agricultural/residential district for property located at 1511 Rim Road. Containing .67 acres more or less and being the property of Margarita DeBlanche. Case Number P07-47F.**

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 operate a daycare at the location for a maximum of 21 children. Mr. Teal stated the Zoning Commission recommends approval of the Special use Permit with conditions.

**Consider an application by David Matthews for a Special Use Permit to allow an expansion of an existing mini-storage facility in a C3 commercial district for property located on Bonnie Street. Containing 3.96 acres more or less and being the property of American Flag Bragg Boulevard, LLC. Case Number P07-48F.**

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 approved a mini-storage facility on Bragg Boulevard and Bonnie Street on May 13, 2005. Mr. Teal stated the applicant wishes to build an addition to the existing mini-storage facility. Mr. Teal stated the Zoning Commission recommends approval of the Special Use Permit with conditions.

**Consider a request for payment-in-lieu of sidewalk construction on Dundle Road as requested by Franklin Johnson.**

Mr. Teal stated the subdivision ordinance and City Council sidewalk policy provides an opportunity for an individual to request for payment-in-lieu of constructing a sidewalk. Mr. Teal stated Mr. Johnson's required sidewalk length is 809 feet and at \$33 per linear foot, provides a payment of \$26,697. Mr. Teal stated the Planning Commission recommends approval of the payment-in-lieu request.

**Consider an amendment to the Fayetteville Code of Ordinances, Section 30-113 Zoning, MHPD manufactured home park district, to prohibit Class C manufactured homes.**

Mr. Teal stated adoption of this ordinance prohibits the future installation of Class C manufactured homes in manufactured home parks with the exception of a manufactured home park that is closed. Mr. Teal stated existing Class C manufactured homes may remain in place provided they comply with housing code. Mr. Teal stated the Planning Commission recommends approval of the ordinance amendment.

**Consider the rezoning from R10 residential district to C1 commercial district or to a more restrictive zoning classification for ninety feet from the rear property line for property located at 211 Eucalyptus Street. Containing .17 acres more or less and being the property of Perry Smith. Case Number P07-38F.**

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 6,750 square feet (90 feet x 75 feet) of the rear property from R10 residential to C1 commercial leaving 8,062 square feet of the property zoned R10 residential. Mr. Teal stated the Zoning Commission recommends approval of 4,500 square feet, 60 feet from the rear property line, in order for the lot to have at least 10,000 square feet in order to remain in compliance with R10 zoning. Mr. Teal explained the case was a regular item because the

recommendation was different from the request but the applicant did not appeal.

There being no further business, the meeting adjourned at 5:15 p.m.