

**FAYETTEVILLE CITY COUNCIL**  
**AGENDA BRIEFING MINUTES**  
**LAFAYETTE ROOM**  
**APRIL 17, 2013**  
**4:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Absent: Council Members Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); D. J. Haire (District 4); Bobby Hurst (District 5)

Others Present:

Ted Voorhees, City Manager  
Rochelle Small-Toney, Deputy City Manager  
Karen McDonald, City Attorney  
Craig Harmon, Planner II  
Pamela Megill, City Clerk  
Members of the Press

Mayor Chavonne called the meeting to order at 4:00 p.m.

City staff presented the following items scheduled for the Fayetteville City Council's April 22, 2013, agenda:

**CONSENT ITEMS**

**Case No. P13-09F. Request to rezone property from SF-6 and SF-10 Single Family Residential to CC Community Commercial or to a more restrictive district, located at 4735 Yadkin Road. Containing 0.69 acres more or less and being the property of Daniel and Miyoung Koceja.**

Mr. Craig Harmon, Planner II, presented this item with the aid of a power point presentation. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated this property was located near the All American Expressway overpass on Yadkin Road between Festus Avenue and Castle Hayne Road. He further stated there were three zoning districts on the property--CC Community Commercial fronting Yadkin Road. Behind that is first a small triangular piece of SF-6 (Single Family) zoning with the remaining portion of the property being zoned SF-10 to the right-of-way of the All American Expressway. While all of the property fronting Yadkin in this area is zoned commercially, the backsides for several of the properties beside this one have large residential areas behind the commercial zoning. He advised the Zoning Commission and staff recommended approval of the rezoning to Community Commercial based on (1) the Land Use Plan calling for heavy commercial on the property, (2) the property to the north being completely zoned commercial as were the properties across the road, (3) the property not only fronting Yadkin Road but also backing up to the All American Expressway, and (4) the rezoning would increase the usability of the property.

**Case No. P13-10F. Request to rezone property from CC Community Commercial and SF-6 and SF-10 Single Family Residential to CC/CZ Community Commercial Conditional Zoning or to a more restrictive district, located at 5869 Yadkin Road. Containing 9.2 acres more or less and being the property of Sperring Memorial Baptist Church. (OI/CZ Recommended by the Zoning Commission and staff.)**

Mr. Craig Harmon, Planner II, presented this item with the aid of a power point presentation. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He briefly reviewed the location of the property and noted there was a church and Head Start center on the property. He explained that Sperring Memorial Baptist Church would like to build a Child Daycare Center, which they would lease out to a private operator, on the vacant property behind their current church along Horseshoe Road. He stated the portion of their property was now zoned for

residential use and daycare centers would only be allowed in residential districts when they were located along a major or minor thoroughfare. He further stated in keeping with the 2030 Plan, it was staff's opinion that a more restrictive OI Office and Institutional Conditional district would be more appropriate for the property than the requested CC. He noted in February 2013 the church properties were recombined into one property and the County parcel data had not been updated to reflect the recombination. He advised the applicant stated they would have no problem with O&I since it would allow them to do all of the uses they had planned. He reviewed the following conditions offered by the applicant:

- 1.The property would allow for a Child Care Center and Elderly Care/Assisted Living facility under the OI district.
- 2.All uses in the existing SF-10 and SF-6 districts would remain.
- 3.The Daycare hours of operations would be Monday through Friday from 7:00 a.m. to 6:00 p.m.
- 4.The existing church, Head Start, and other facilities would be allowed to remain as permitted uses.

Mr. Harmon advised the Zoning Commission and staff recommend approval of a more restrictive OI/CZ based on the following:

- 1.The only uses other than those allowed in the SF-6 or SF-10 districts would be for a child daycare and elderly care/assisted living facilities. All uses would be required to meet all requirements of the City's Development Code, including all use-specific standards.
- 2.2030 Plan calls for the OI district to be used as a transitional area between residential and higher intensity uses.
- 3.Child Care Centers and Elder Care/Assisted Living are both permitted uses within the OI district.

#### **OTHER ITEMS**

Mr. Harmon stated Mr. Scott Shuford, Development Services Director, would have an item for the April 22, 2013, City Council agenda pertaining to the "Update on Land Use Plan". He said the presentation would be basically a condensed version of the presentation that was given at the Strategic Planning meeting and staff would be requesting approval of the plan.

Mr. Ted Voorhees, City Manager, stated staff would be working with developers and property owners to try to jump-start development on the City's major corridors.

There being no further business, the meeting adjourned at 4:37 p.m.