

**FAYETTEVILLE CITY COUNCIL  
AGENDA BRIEFING MEETING  
MINUTES  
CAPE FEAR CONFERENCE ROOM, CITY HALL  
DECEMBER 13, 2007  
4:00 P.M.**

Present: Mayor Anthony G. Chavonne  
Council Members Keith A. Bates, Sr. (District 1); Charles E. Evans (District 2); Robert A. Massey, Jr. (District 3); Robert T. Hurst (District 5); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)  
Absent: Council Members Darrell J. Haire (District 4); William J. L. Crisp (District 6)  
Others Present: Dale E. Iman, City Manager  
Karen M. McDonald, City Attorney  
Jimmy Teal, Planning Director  
Karen Hilton, Assistant Planning Director  
Kyle Garner, Planner II  
Victor Sharpe, Community Development Director  
Press

Planning Department staff gave an overview of the following cases scheduled for the Fayetteville City Council's December 17, 2007 agenda:

**Approve the rezoning from R15 residential district to P2 professional district or to a more restrictive zoning classification for property located at 4704 Rosehill Road. Containing .48 acres more or less and being the property of Glenda and James Hobson. Case Number P07-73F.**

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 operates a hair salon at 4704 Rosehill Road that she wishes to expand and place a sign but cannot due to her property being zoned R15 residential. Mr. Garner further stated the beauty and tanning salon is a legal non-conforming use and rezoning the property to professional would change the status to a conforming use. Mr. Garner stated the Zoning Commission concurs with the applicant's request for P2 professional zoning.

**Approve the rezoning from R5 residential district to mixed-use district\conditional zoning to allow a family life center, senior housing living center and a health clinic for property located at 400 Campbell Avenue. Containing 5.672 acres more or less and being the property of Friendship Baptist Church. Case Number P07-75F.**

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 this request is part of the Hope VI plan for the Campbell Avenue\Old Wilmington Road area in partnership with the Fayetteville Metropolitan Housing Authority, the City of Fayetteville and Friendship Baptist Church. Mr. Garner stated the Zoning Commission and planning staff concur with the applicant's request for mixed-use conditional zoning.

**Approve the rezoning from R5 residential district to mixed-use district\conditional zoning to allow a childcare facility, housing office, senior living center, single-family homes and duplexes for property located at the current Delona Garden site on Old Wilmington Road. Containing 7.91 acres more or less and being the property of the Fayetteville Metropolitan Housing Authority. Case Number P07-76F.**

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 this request is part of the Hope VI plan for the Campbell Avenue\Old Wilmington Road area in partnership with the Fayetteville Metropolitan Housing Authority and the City of Fayetteville. Mr. Garner stated the Zoning Commission and planning staff concur with the applicant's request for mixed-use conditional zoning.

**Approve the rezoning from R6 residential district to C1 commercial district or to a more restrictive zoning classification for property located west of Strickland Bridge Road and south of Graham Road. Containing 2.00 acres more or less and being the property of Rodger and Letha Pierce. Case Number P07-70F.**

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 redevelop a former mobile home site to a commercial use and although the 2010 Land Use Plan map for the site suggests medium density residential uses, there are commercial and institutional uses in the area. Mr. Garner stated the Zoning Commission and planning staff concur with the applicant's request and recommend approval of the rezoning request.

**Consider an application by John Gillis for a Special Use Permit for a skilled nursing and rehabilitation center in an R5A residential district for vacant property located at the intersection of Old Bunce Road and Seventy-First School Road. Containing 18.5 acres more or less and being the property of Gillis Properties. Case Number P07-72F.**

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 locate a nursing and rehabilitation center at this location. Mr. Garner further stated this use is allowed on R5A residentially zoned property with approval by City Council of a Special Use Permit. Mr. Garner stated the Zoning Commission recommends approval of the nursing and rehabilitation center with conditions.

**Consider extending the corporate limits of the City of Fayetteville for a petition-initiated contiguous annexation by North Ramsey Partners, LLC. (Located on western side of Ramsey Street between Fairfield Farms subdivision and South River Electric Co-op)**

Jimmy Teal, Planning Director, presented this item and stated the annexation petition is submitted in order to receive PWC water and sewer service as outlined in City Council Policy# 150.2. Mr. Teal stated the recommendation is to annex the property effective December 17, 2007. Council Member Keith Bates expressed concerns on buffers.

**Consider a waiver to construct asphalt curbing rather than concrete curbing for the remaining unpaved streets in the James Creek and Scotts Mill subdivisions.**

Mr. Teal stated Greg Floyd has constructed approximately 85% of the subdivision using asphalt curbing and wishes to complete the remaining 15% with asphalt curbing. Mr. Teal stated the county approved Mr. Floyd's plans in September 2005 allowing him to construct the subdivision with asphalt curbing through September 29, 2007. Mr. Teal further stated that beginning September 30, 2007, the two-year period expired and the required city standard is concrete curbing. Mr. Teal stated the Planning Commission recommends approval of the waiver.

**Consider a request for payment in lieu of sidewalk construction on River Road as requested by John Koenig.**

Mr. Teal stated the subdivision ordinance and city council policy provides an opportunity for an individual to request payment in lieu of constructing the required sidewalk. Mr. Teal further stated Mr. Koenig's required sidewalk length abutting River Road is 930 feet and at \$33 per linear foot, provides a payment of \$30,690. Mr. Teal stated the Planning Commission recommends approval of the payment in lieu of request.

**Consider an amendment to the Fayetteville Code of Ordinances, Sections 30-107, 30-117 and 30-125, Zoning, to institute a separation of 500 feet from daycares, schools and places of worship from bars and adult entertainment establishments.**

Mr. Teal stated City Council earlier this year requested a separation of daycares from bars. Mr. Teal stated the Planning Commission developed an ordinance separating daycares, schools and places of worship from bars and adult entertainment establishments with a 500-foot separation requirement. Mr. Teal further stated existing establishments within 500 feet would remain as legal non-conforming uses. Mr. Teal stated the Planning Commission recommends approval of the amendment.

**Consider an amendment to the Fayetteville Code of Ordinances, Section 30-541, Planning Commission Membership, to add two alternates to the Planning Commission membership roster.**

Mr. Teal stated the Planning Commission is requesting two alternate members to their roster so they will have a full complement of members whenever a regular member is absent from a meeting. Mr. Teal explained this would coincide with the membership roster for the Zoning Commission. Mr. Teal stated the Planning Commission recommends approval of the amendment.

**A Report on Proposed Changes to the Recreation and Open Space Requirement as Requested by City Council**

Mr. Teal presented this item and stated the City Council, at the August 6, 2007 work session, requested staff to look at increasing the amount of open space required and the method used for payment in lieu of providing open space. Mr. Teal explained the proposal includes increasing the required open space from 500 square feet to 800 square feet per residential unit, calculating payment in lieu of open space on post-development land value rather than pre-development land value and requiring city council approval for payment in lieu of open space for developments with greater than five units. Mayor Chavonne requested figures on the cost differences.

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