

**FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
LAFAYETTE ROOM
SEPTEMBER 23, 2009
4:00 P.M.**

Present: Council Members Keith A. Bates, Sr. (District 1); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Theodore W. Mohn (District 8)

Absent: Mayor Anthony G. Chavonne; Council Members Charles E. Evans (District 2); Robert A. Massey, Jr. (District 3); Valencia A. Applewhite (District 7); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager
Karen M. McDonald, City Attorney
Kristoff Bauer, Assistant City Manager
Rob Anderson, Chief Development Officer
Craig Harmon, Planner II
Karen Hilton, Interim Planning Director

Planning staff gave an overview of the following items scheduled for the Fayetteville City Council's September 28, 2009 agenda:

CONSENT AGENDA ITEMS:

G. Sign permit request by the Junior League for ten signs between October 6 and November 8 for the Holly Day Fair

Ms. Karen Hilton, Interim Planning Director, wrote sign request.

H. Community Street Banner Request by the Cape Fear Botanical Garden for banners along the service road, for 180 days

Ms. Karen Hilton, Interim Planning Director, wrote banner request.

I. Case P09-27F: The rezoning from R10 Residential District to R6 Residential District for the property located west of All American Expressway, northwest of the intersection with Santa Fe Dr. Containing 84.82 acres more or less and being the property of John and wife Margarete Koenig

Mr. Craig Harmon 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. He clarified Council's options of 1) approval or 2) set a public hearing. Mr. Harmon explained staff received a petition, which would be reviewed to determine its validity.

Council expressed concerns as to whether this would be multi-family. Mr. Rob Anderson, Chief Development Officer, clarified the issues were about the level of density and whether it was appropriate for this location.

PUBLIC HEARINGS:

A. Amendment to the Code of Ordinances, Chapter, Article IV, Section 107 (10), to allow one employee not a resident of the home for an incidental home daycare occupation

Ms. Karen Hilton, Interim Planning Director, 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. Mrs. Hilton stated the Zoning Commission recommended approval of the amendment.

B. Economic Development Incentive – Property Tax Grantback for the Towers at Wood Valley Apartments

Mr. Rob Anderson, Chief Development Officer, provided an overview of this item. He reviewed the requirement to extend Preston Avenue. Mr. Anderson stated the development was consistent with the Murchison Road Corridor Plan and staff recommended approval.

C. P09-23F: The rezoning from AG Agricultural District to R6/CZ Residential Conditional Zoning District for property located on Rim Road between Identity Road and Olted Road. Containing 14.9 acres more or less and being the property of Vance and Elizabeth

Hall and the property of Alex and Catherine Hall

Mr. Craig Harmon, Planner II, 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. Harmon reminded Council this case was previously pulled from the consent Agenda and set for public hearing.

D. Case P09-28F: The rezoning from C1 Commercial District and R6 Residential District to C1/CZ Commercial Conditional Zoning District for a Military Christian Center on property located at 590 N. Reilly Rd. Containing 1.37 acres more or less and being the property of Missions to Military Inc.

Mr. Craig Harmon, Planner II, 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.

Although Zoning Commission recommended denial, staff had recommended approval and continues to recommend to Council for approval with conditions limiting the depth of the rezoning and other features depicted on the site plan as well as the singular use as a community center. Staff also recommends the organization clearly define the scope of the overnight facilities component and their operation prior to approval.

E. Case P09-29F: Special Use Permit (SUP). Consideration of an application for a SUP to allow a Daycare in a Residential District for property located at the corner of 5514 Ramshorn Dr and Santa Fe Dr. Containing .36 acres more or less and being the property of Harry Jefferson and Linda E. Jefferson

Mr. Craig Harmon, Planner II, 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. Harmon stated staff does not make recommendations regarding Special Use Permit requests. He explained the possible conditions should Council approve the request.