

FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
FEBRUARY 18, 2009
4:00 P.M.
LAFAYETTE ROOM

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1); Robert A. Massey, Jr. (District 3); Bobby Hurst (District 5); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Absent: Council Members Charles E. Evans (District 2); Darrell J. Haire (District 4); William J. L. Crisp (District 6)

Others Present: Doug Hewett, Assistant City Manager

Karen McDonald, City Attorney

Rob Anderson, Chief Development Officer

Jimmy Teal, Planning Director

Karen Hilton, Assistant Planning Director

Craig Harmon, Planner

Press

Staff provided overviews of the following items scheduled for the February 23, 2009 City Council meeting:

Approve an application by Chris Manning to amend a previously approved R6 residential district\CZ conditional zoning case to allow the flexibility of the multifamily residential units to be condominiums and\or apartments for an area located on Rosehill Road at the end of Grafton Avenue and behind Haymount Presbyterian Church. Containing 28.2 acres more or less and being the property of Green Valley South, LLC. Case Number P09-02F

Jimmy Teal, 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. Mr. Teal explained the history and the request to amend the previously approved conditional zoning case. Council asked questions as to options. Mr. Teal explained options were to approve the conditions or set a public hearing. Council Members posed questions regarding the availability of data related to crime statistics for apartment rentals versus condominiums. Council also requested clarification of applicable stormwater regulations.

Consider the rezoning from R5A residential district and C1P commercial district to M2 industrial district or to a more restrictive zoning classification for property located between Louise Street and Raeford Road. Containing 8.87 acres more or less and being the property of Edward and Raymonde Schantz. Case Number P09-01F

Rob Anderson, Chief Development Officer, gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Anderson pointed out that the Zoning Commission's decision differed from the decision of planning staff. Karen M. McDonald, City Attorney, reminded Council that the Zoning Commission makes a recommendation and Council had the ultimate decision. Council Member Applewhite inquired regarding permitted uses under M2 industrial district and C1P commercial district.

Consider the rezoning from P3 professional district to CD conservation district for property located on the southeast corner of Morganton Road and Loch Haven Drive. Containing 4.25 acres more or less and being the property of William Maxwell, Sr., Harold Stutts and Edens LLC. Case Number P09-03F

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 in the case was not the property owners, but the McFadyen Lake Owners Association. Mr. Teal further stated Ed Blanchard, President of the McFadyen Lake Owners Association, appealed the decision of the Zoning Commission. Mr. Teal advised the Zoning Commission recommended denial of the rezoning to CD conservation district. Mr. Teal further advised Planning staff recommended approval of the CD Conservation District for the floodway for environmental

protection, leaving the remainder of the property P3 Professional District. Mr. Teal also explained a protest petition had been filed and would take eight to approve.

Consider the rezoning from PND plan neighborhood district to CD conservation district for property located in the area of Bahama Loop, Offing Drive, Georgetown Circle and Water Edge Drive. Containing 12.11 acres more or less and being the property of SABE, LLC and 3340 Investments, LLC. Case Number P09-04F

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 in this case was not the property owners, but the McFadyen Lake Owners Association. Mrs. Hilton further stated Ed Blanchard, President of the McFadyen Lake Owners Association, appealed the decision of the Zoning Commission. Mr. Teal advised the Zoning Commission recommended denial of the rezoning to CD conservation district. Mr. Teal further advised Planning staff recommended approval of the CD Conservation District for the floodway for environmental protection land, leaving the remainder of the property PND Planned Neighborhood District. Mr. Teal explained a protest petition had been filed in this case.

Consider the rezoning from R5 residential district to P4 professional district or to a more restrictive zoning classification for property located at 1101, 1103 and 1111 Arsenal Avenue. Containing .51 acres more or less and being the property of Stevie Ammons, Robert Brandenburg and Neil Grant. Case Number P09-05F

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 applicants wish to have the option of using their property for professional uses. Mr. Teal explained 1111 Arsenal Avenue previously requested rezoning and stated P4 permits professional uses and required the property to remain residential in appearance. Mr. Teal advised the Zoning Commission recommended approval of the rezoning request to P4 professional district. Mr. Teal further advised Planning staff recommended denial of the rezoning request based on rezoning these properties to professional would change the 1100 block of Arsenal Avenue from a residential setting to a professional setting and there were existing vacant office spaces in the vicinity. Mr. Teal explained a protest petition had been filed in this case.

Consider an application by Columbus Thurmond for a Special Use Permit to allow a daycare center in an R6 residential district for property located at 5007 Redwood Drive. Containing .26 acres more or less and being the property of Columbus Thurmond. Case Number P09-06F

Mr. Teal advised the applicant had requested a continuation. Mrs. McDonald explained the decision should be based on testimony presented at the hearing and thus Council should consider the request.

There being no further business, the meeting adjourned at 4:50 p.m.