

**FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
LAFAYETTE ROOM
SEPTEMBER 22, 2010
4:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1); Kady-Ann Davy (District 2); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7)

Absent: Council Members Robert A. Massey, Jr. (District 3); Wesley A. Meredith (District 9); Theodore W. Mohn (District 8)

Others Present:

Dale Iman, City Manager

Kristoff Bauer, Assistant City Manager

Doug Hewett, Assistant City Manager

Karen M. McDonald, City Attorney

Doug Peters, President, CEO Fayetteville-Cumberland County Chamber of

Commerce

Rob Anderson, Development Services Director

Karen Hilton, Planning & Zoning Division Manager

Craig Harmon, Planner II

Press

City staff presented the following items scheduled for the Fayetteville City Council's September 27, 2010, agenda:

CONSENT ITEMS:

Case No. P10-28F. The rezoning of 1.3 acres at 424 McArthur Road from C1P Commercial Shopping Center District to C1 Commercial District. Robert Michael Warren, owner.

Mr. Craig Harmon, Planner II, presented this item. 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 clarified that C1P was identical to the C1 Local Business District except for setbacks, and that plans were required by the subdivision chapter to be submitted to the planning agency for approval prior to development. He stated mixed residential use would be permitted with special limitations. He also clarified that C1 was primarily for the conduct of retail trade in outlying shopping areas with emphasis on daily necessities for the convenience of surrounding residential areas. Mr. Harmon explained the owner would like to expand the existing structure and the purpose for rezoning was to reduce the side-yard setback requirements. He stated the C1P district required a minimum 30-foot side-yard setback and the C1 district would allow building to the property line with a firewall or a 3-foot setback without one. He stated the Zoning Commission and staff recommended approval of the rezoning to C1 based on the following: (1) the 2010 Land Use Plan called for Heavy Commercial for the property with C1 being one of the City's Heavy Commercial Zoning Districts, (2) the property was currently zoned commercial, and (3) the C1 Zoning District was less restrictive than the C1P in its setback standards.

Council Member Bates questioned whether this would be a right-of-way encroachment. Mr. Harmon replied in the negative.

Case No. P10-29F. The amendment of conditions on 1.67 acres of a 128.04 acre site for a fire station on the south side of Andrews Road across from Rosebank Drive to MU/CZ Mixed Use Conditional Zoning District. River Landing Center, LLC, owner.

Mr. Craig Harmon, Planner II, presented this item. 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 explained the MU district was designed for the flexibility of development and use of the property subject to predetermined ordinance standards and rules imposed as part of the legislative decision creating the district and applying it to the particular

property. He stated a fire station was a permitted use in most districts including residential. He stated the Zoning Commission and staff recommended approval of the MU/CZ zoning district based on the following: (1) the public need for a new fire station in the Andrews Road area, (2) Andrews Road was a major thoroughfare and would provide appropriate access to the area around it, and (3) the fire station would be placed in an area adjacent to approved office buildings in the MU/CZ District.

Special sign permit request for temporary event signs for the Junior League's 2010 Holly Day Fair scheduled for November 4-7, 2010.

Mr. Rob Anderson, Chief Development Officer, presented this item.

Special sign permit request for temporary event signs for the 2010 Spaghetti Fundraiser by the Saints Constantine and Helen Greek Orthodox Church.

Mr. Rob Anderson, Chief Development Officer, presented this item.

Special sign permit request for temporary event signs for the 2010 Home Builders Association of Fayetteville Parade of Homes scheduled for October 2, 3, 9, and 10, 2010.

Mr. Rob Anderson, Chief Development Officer, presented this item. He reviewed the proposed UDO allowances and stated the sign permit would allow for three signs per City address and there were ten houses located in the City limits. Mr. Anderson explained the size and location of the proposed signs.

OTHER DISCUSSION:

Council Member Bates questioned why Item 6.7, supplemental agreement to existing municipal agreement with NCDOT for sidewalk construction, was being presented to Council. Mr. Doug Hewett, Assistant City Manager, explained the project was completed with money left over and the purpose for the supplementary agreement was to use the money.

Closed session to discuss an economic development project.

MOTION: Mayor Chavonne moved to go into closed session to discuss an economic development project.

VOTE: UNANIMOUS (7-0)

The regular session recessed at 3:58 p.m. The regular session reconvened at 4:28 p.m.

MOTION: Mayor Chavonne moved to go into open session.

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 4:28 p.m.