

**FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
LAFAYETTE ROOM
AUGUST 18, 2010
4:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present:

Dale Iman, City Manager
Kristoff Bauer, Assistant City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Rob Anderson, Development Services Director
Karen Hilton, Planning Division Manager
Craig Harmon, Planner II
Dwight Miller, PWC Chief Finance Officer
Press

City staff presented the following items scheduled for the Fayetteville City Council's August 23, 2010, agenda:

PUBLIC HEARING ITEMS:

Case No. P10-26F. The rezoning of 0.97 acres at 6576 Cliffdale Road from R10 Residential District to C1 Commercial District or to a more restrictive zoning classification. Kim O. Miller-Nakamoto and George M. Nakamoto, owners.

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 property was currently being used as a single-family detached residential unit and the applicants wanted to open a beauty salon/barbershop and retail store. He stated the Zoning Commission recommended approval of the rezoning to P2 Professional, instead of C1 as requested by the applicant, based on the following: (1) the rezoning was in keeping with the character of the neighborhood, (2) Cliffdale Road was a major thoroughfare, and (3) the proposed use was needed because of the multi-family development around the property. He stated staff recommended denial of the rezoning to C1 to the Zoning Commission based on the following: (1) the 2010 Land Use Plan called for medium-density residential for the property, (2) the 2030 Plan cautioned against rezoning properties to commercial mainly because it was on a major thoroughfare, and (3) the property was surrounded by residential zoning and uses.

Case No. P10-27F. The rezoning of 0.34 acres at 7762 Hazelwood Avenue from AR Residential District to P4/CZ Professional Conditional Zoning District. Willie McNeil, 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 property was surrounded by residentially compatible uses and that it was part of a residential subdivision that was on three sides of the property. He stated that contrary to 2030 policies that would support a zoning to a nonresidential district, the property was within a subdivision and was not in a transition area. He stated it was staff's opinion that the request would constitute an impermissible "spot zoning". He stated the owner had offered the following conditions of approval: (1) limiting office hours to 9:00 a.m. to 5:00 p.m. and (2) limiting the use to an outpatient care office. He stated the Zoning Commission recommended approval of the rezoning to P4/CZ based on the following: (1) the rezoning was compatible with the character of the neighborhood and (2) that P4 zoning would stand as a

transition buffer in the future if commercial properties continue to move north from Raeford Road. He stated staff recommended denial of the rezoning to P4/Cz to the Zoning Commission based on the following: (1) the 2010 Land Use Plan called for low-density residential for the property; (2) the 2030 Plan stated that offices may be used as transitional uses, but in this case, the property was not located in a transitional area and Hazelwood was not an intensively traveled road; and (3) the property was surrounded by residential zoning and compatible uses.

OTHER ITEMS OF BUSINESS:

Phase 5, Areas 4 and 5, proposed assessment revisions.

Mr. Dwight Miller, PWC Chief Finance Officer, presented this item and provided background information on the assessment roll for Phase 5, Areas 4 and 5, Arran Lakes East and West annexation. He stated there were four assessments the PWC staff had researched and determined a revision was needed to the assessment amount due to being served by grinder pump or gravity. He then proceeded to provide background information and recommended revisions on each parcel.

There being no further business, the meeting adjourned at 5:55 p.m.