

**FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
LAFAYETTE ROOM
FEBRUARY 23, 2011
4:00 P.M.**

Present: Mayor Pro Tem Darrell J. Haire (District 4)
Council Members Keith Bates, Sr. (District 1); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); James W. Arp, Jr. (District 9)
Absent: Council Members Anthony G. Chavonne; Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3);
Theodore W. Mohn (District 8)

Others Present:

Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Craig Harmon, Planner II
Karen Hilton, Planning and Zoning Division Manager
David Steinmetz, Senior Zoning Administrator
Members of the Press

Mayor Pro Tem Haire called the meeting to order and offered invocation.

Mr. David Steinmetz, Senior Zoning Administrator, reviewed the sign and banner request from MWR.

City staff presented the following items scheduled for the Fayetteville City Council's February 28, 2011, agenda:

CONSENT ITEMS:

Case No. P11-02F. Rezoning of four properties totaling 1.19 acres at 1018, 1010, 1009 Ellis Street and 828 Wilbon Drive from C1 Commercial District to R5 Residential District. Grace Baldwin, Yvette Bullard, David McLaurin, and Daniel Washington, 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 area was zoned years ago for commercial use and at one time there was a neighborhood store and junkyard in the area. Since that time, the store has burned down and the junkyard has to be removed by January 1, 2012. He stated the rezoning request was precipitated by the owner of the store lot because of not being able to build a house on his property since it was zoned commercial. He stated the owners were requesting the rezoning so that their properties would match the surrounding properties and so that they could rebuild their homes if necessary. He stated the Zoning Commission and Planning staff recommended approval to R5 based on the properties being adjacent to and surrounded by similar residential zoning and uses and the rezoning would allow the owners to rebuild their homes in case they were destroyed.

PUBLIC HEARING ITEMS:

Case No. P11-01F. Rezoning 81.38 acres at west of All American and northwest of Santa Fe Drive and south of Fort Bragg from R10 Residential District to R6 Residential District. John Koenig and wife, Margarete, 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 stated the property had no direct road access and since this was a straight rezoning to R6, there were no conditions or plan to lock in the access to any future development and this was a concern expressed by residents in the adjoining subdivision. He stated if development plans were submitted, City staff would evaluate the proposed access at that time. He stated a valid protest petition was filed by the adjoining property owners. He stated Zoning Commission and Planning staff recommended approval to R6 based on although the 2010 Land Use Plan recommended low-density zoning for the property, staff and Zoning Commission agreed that medium-density was appropriate because (1) the property was

adjacent to low- and medium-density residential and (2) the property was separated from the existing residential development by a creek and flood plain, which would also provide a buffer between the All American Highway and the existing single-family residential.

Discussion ensued regarding the proposed use and whether the City Council could prohibit connection to Southwick.

Case No. P11-04F. Special Use Permit for mini-storage warehouses. 1.98 acres at 2638 Legion Road. Rorie Investments, LLC, owner.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and provided overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated the Zoning Commission and Planning staff recommended approval subject to the following conditions:

1. The site plan;
2. Construction and operation of such facilities shall comply with the provisions of the general statutes of the State of North Carolina and any other applicable federal, state, or local codes including the City of Fayetteville Fire Code;
3. All required driveway permits shall be obtained;
4. The construction of the facilities and the future expansion indicated on the site plan must comply with the City's regulations regarding mini-warehouses at the time of construction;
5. The Special Use Permit would be null and void if the mini-warehouses would not receive a permit to construct within two years from the date of approval of the Special Use Permit; and
6. All outside lighting must be shielded to prevent light trespass to other properties.

OTHER ITEMS OF BUSINESS:

Consideration of a Planned Neighborhood District (PND) General Site Plan application for property located on the southeast side of Bingham Drive across from Lakeridge Drive. Containing 56.22 acres more or less and being the property of Edgar L. Maness and wife and Robert C. Draughon and wife.

Ms. Karen Hilton, Planning and Zoning Division Manager, presented this item and distributed a handout outlining the City of Fayetteville Re-Mapping Project. She stated the handout highlights the schedule and process for moving forward with creating a new Official Zoning Map for the City's new Unified Development Ordinance, which was adopted in December 2010.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:35 p.m.