



City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Meeting Agenda - Final City Council Regular Meeting

Monday, August 24, 2015

7:00 PM

Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 ANNOUNCEMENTS AND RECOGNITIONS

5.0 APPROVAL OF AGENDA

6.0 CONSENT AGENDA

6.01 [15-399](#) P15-22F. The initial zoning and rezoning of property from A1-Agricultural (County) and HI - Heavy Industrial zoning district to CC - Community Commercial Zoning District, located at 2065 Cedar Creek Road, and being the property of Naman Wilmington II LLC - Ashoh Patel).

COUNCIL DISTRICT(S): 2

Attachments:

[P15-22F Zoning Map](#)

[P15-22F Current Landuse Map](#)

[P15-22F Landuse Plan Map](#)

[P15-22F APPLICATION for Annexation](#)

[P15-22F APPLICATION](#)

[Site Photo 1](#)

[Site Photo 2](#)

[Site Photo 3](#)

[Site Photo 4](#)

- 6.02** [15-401](#) P15-20F. The rezoning of property from MU/CZ - Mixed Use Conditional Zoning to LC - Limited Commercial Zoning District and to be located at 4209 Bragg Blvd., and being the property of Tommy Kendall.

COUNCIL DISTRICT(S): 9

Attachments:

[P15-20F Zoning Map](#)

[P15-20F Current Landuse Map](#)

[P15-20F Landuse Plan Map](#)

[P15-20F APPLICATION](#)

[P15-20F site plan](#)

[Site Photo 1](#)

[Site Photo 2](#)

[Site Photo 3](#)

[Site Photo 4](#)

[Site Photo 5](#)

- 6.03** [15-438](#) P15-25F: The rezoning of property from SF-10 Single Family to OI Office and Institutional, on a property located at 985 S. McPherson Church Road, and being the property of Samuel P. Guy II.

COUNCIL DISTRICT(S): 5

Attachments:

[P15-25F Zoning Map](#)

[P15-25F Current Landuse Map](#)

[P15-25F 2010 Landuse Plan Map](#)

[P15-25F APPLICATION](#)

[Site Photo 1](#)

[Site Photo 2](#)

[Site Photo 3](#)

[Site Photo 4](#)

- 6.04** [15-443](#) Revisions of Chapter 14, Article V1, Regulation of Boarded Residential Structures

COUNCIL DISTRICT(S): All Districts

Attachments:

[Chapter 14, Article VI - Proposed Revisions](#)

[Chapter 14, Article VI - Proposed Revised Ordinance](#)

[Chapter 14, Article II, Section 14-39\(j\)](#)

- 6.05** [15-444](#) Revisions of Chapter 22, Article 1, Section 22-17, Notice to Abate Unlawful Conditions; Abatement by the City Where conditions of Matter Admit of No Delay; Penalty.
COUNCIL DISTRICT(S): All Districts

Attachments: [Proposed Ordinance Revisions, Chapter 22, Article I, Section 22-17](#)
[Proposed Ordinance Revising Chapter 22, Article I, Section 22-17](#)

- 6.06** [15-445](#) Rescinding of Demolition Ordinances
COUNCIL DISTRICT(S): 2

Attachments: [Haddock Street, 5111 - Recorded Demolition Ordinance](#)
[Haddock Street, 5111 - Proposed Resolution](#)
[Person Street, 133 - Recorded Demolition Ordinance](#)
[Person Street, 133 - Proposed Resolution](#)
[Person Street, 135 - Recorded Demolition Ordinance](#)
[Person Street, 135 - Proposed Resolution](#)

- 6.07 [15-451](#) Uninhabitable Structures Demolition Recommendations
231 B Street District 2
1011 Branson Street District 2
507 Person Street District 2
411 Plummers Lane District 2
2764 Rivercliff Road District 2
2779 Rivercliff Road District 2
2783 Rivercliff Road District 2
COUNCIL DISTRICT(S): 2 & 4

Attachments:

[B Streett, 231 - Aerial Map](#)
[B Streett, 231 - Photos](#)
[B Streett, 231 - Ordinance](#)
[Branson Street, 1011 - Aerial Map](#)
[Branson Street, 1011 - Photos](#)
[Branson Street, 1011 - Ordinance](#)
[Person Street, 507 - Aerial Map](#)
[Person Street, 507 - Photos](#)
[Person Street, 507 - Ordinance](#)
[Plummers Lane, 411 - Aerial Map](#)
[Plummers Lane, 411 - Photos](#)
[Plummers Lane, 411 - Ordinance](#)
[Rivercliff Road, 2764 - Aerial Map](#)
[Rivercliff Road, 2764 - Photos](#)
[Rivercliff Road, 2764 - Ordinance](#)
[Rivercliff Road, 2779 - Aerial Map](#)
[Rivercliff Road, 2779 - Photos](#)
[Rivercliff Road, 2779 - Ordinance](#)
[Rivercliff Road, 2783 - Aerial Map](#)
[Rivercliff Road, 2783 - Photos](#)
[Rivercliff Road, 2783 - Ordinance](#)

- 6.08** [15-450](#) Approval of Pinewood Terrance Extension in Rayconda Subdivision,
Capital Project Ordinance 2016-11 and Budget Ordinance
Amendment 2016-1
COUNCIL DISTRICT(S): 6
- Attachments:** [BOA 2016-1](#)
[CPO 2016-11 \(Pinewood Terrace Extension\)](#)
[Rayconda connector option MAP](#)
[Agreementand Deed for Gillis](#)
[PinewoodTerraceCondemnation](#)
[Siple Public Hearing](#)
[GillisAgreement](#)
- 6.09** [15-447](#) Capital Project Ordinance 2016-10 - Aquatic Center at College
Lakes Recreation Center
COUNCIL DISTRICT(S): 3
- Attachments:** [CPO 2016-10 \(College Lakes Aquatic Center\)](#)
- 6.010** [15-459](#) Capital Project Fund Amendments
COUNCIL DISTRICT(S): All
- Attachments:** [Capital Project Fund Amendments.pdf](#)
[City - Annexation Phase V Reserve - #16.pdf](#)
[City - Annex 16 -17 #2.pdf](#)
- 6.011** [15-461](#) Special Revenue Fund Project Ordinance 2016-5 (2015 Badges for
Baseball Program)
COUNCIL DISTRICT(S): All
- Attachments:** [SRO 2016-5 \(2015 Badges for Baseball\)](#)
- 6.012** [15-448](#) Bid Recommendation - I/O Underground Primary Distribution Cable
COUNCIL DISTRICT(S): All
- Attachments:** [UG Cable Recommendation](#)
- 6.013** [15-449](#) Bid Recommendation - Cross Creek WRF Alkalinity Feed
Improvements
COUNCIL DISTRICT(S): All
- Attachments:** [Cross Creek Alkalinity Project Recommendation](#)
- 6.014** [15-454](#) Bid Recommendation - Annexation Phase V - Project VII, Area 16,
Hampton Oaks & Southgate Subdivisions to include Overlay
COUNCIL DISTRICT(S): All
- Attachments:** [Bid Recommendation - Annex Ph V Area 16](#)

6.015 [15-455](#) Bid Recommendation - Annexation Phase V - Project VII, Area 17
Section I - Blue Spring Woods, Beacon Hill and Emerald Gardens
Subdivisions to include Overlay
COUNCIL DISTRICT(S): All

Attachments: [Bid Recommendation - Annex Ph V Area 17 Section I](#)

6.016 [15-456](#) Bid Recommendation - Annexation Phase V - Project VII, Area 17
Section II - Blue Spring Woods, Beacon Hill and Emerald Gardens
Subdivisions to Include Overlay
COUNCIL DISTRICT(S): All

Attachments: [Bid Recommendation - Annex Ph V Area 17 Section II](#)

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 [15-453](#) Joint Fayetteville Cumberland County Senior Citizen Advisory Commission - Reports from Boards and Commissions
Presenter: Carey Berg, JFCCSCAC Chair
COUNCIL DISTRICT(S): All

7.02 [15-463](#) Fayetteville Metropolitan Housing Authority Annual Report
COUNCIL DISTRICT(S): All

Attachments: [2015 Annual Report Metropolitan Housing Authority](#)

8.0 PUBLIC HEARINGS

For certain issues, the Fayetteville City Council may sit as a quasi-judicial body that has powers resembling those of a court of law or judge. The Council will hold hearings, investigate facts, weigh evidence and draw conclusions which serve as a basis for its decisions. All persons wishing to appear before the Council should be prepared to give sworn testimony on relevant facts.

8.01 [15-400](#) P15-21F. The issuing of a Special Use Permit for Transitional Housing, on a property located at 600 Hillsboro Street, and being the property of Catfish & Goldies Unlimited.
COUNCIL DISTRICT(S): 2

Attachments: [City Council Packet Quasi-Judicial Evidence from Operations Inasmuch](#)
[P15-21F Zoning Map](#)
[P15-21F Current Landuse Map](#)
[P15-21F Landuse Plan Map](#)
[P15-21F APPLICATION](#)
[Site Photo 1](#)
[Site Photo 2](#)
[Site Photo 3](#)

- 8.02** [15-402](#) P15-19F. The issuing of a Special Use Permit for outdoor dog runs/part-time kennels, located at 4209 Bragg Blvd., and being the property of Tommy Kendall.
COUNCIL DISTRICT(S): 9

Attachments:

[P15-19F Zoning Map](#)
[P15-19F Current Landuse Map](#)
[P15-19F Landuse Plan Map](#)
[P15-19F APPLICATION](#)
[P15-19F site plan](#)
[Site Photo 1](#)
[Site Photo 2](#)
[Site Photo 3](#)
[Site Photo 4](#)

- 8.03** [15-460](#) Code amendment 1) to define and classify brewpubs, and 2) limiting ground floor residential uses on Hay, Person, Green and Gillespie Streets in the DT Downtown District.
COUNCIL DISTRICT(S): All

Attachments:

[Draft Ord - brewpub and DT resid CC 8-24-2015](#)
[Evaluation Criteria - brewpub and DT resid](#)
[PPT brewpub and DT residential 8-24-2015](#)

- 8.04** [15-464](#) Code Amendment to various sections for parking standards for trailers, campers and RVs in residential zoning districts.

Attachments:

[Draft Ord - trailer and RV parking](#)
[Evaluation Criteria - trailers campers RVs](#)
[Existing regs - trailer RV pkg](#)
[Comparison - Trailers and RV pkg 2015](#)
[CC trailers RVs 8-24-2015](#)

- 8.05** [15-457](#) Annexation of the Naman Wilmington II LLC Property

Attachments:

[Proposed Annexation Ordinance Naman Wilmington II LLC Property-\(Contiguo Vicinity Map-With PWC Water & Sewer Naman Wilmington II LLC Property ES Legal Description Map Naman Wilmington II LLC Property.pdf](#)
[Basic Info Sheet-Naman Wilmington II LLC Property.doc](#)
[Sufficiency Memo 2065 Cedar Creek Road-E Side of Judson Church Road.doc](#)
[100_6401.JPG](#)
[100_6404.JPG](#)

9.0 OTHER ITEMS OF BUSINESS

9.01 [15-458](#)

Request by Pearce's Mill Fire Department for a Waiver of the Annexation Requirement Contained in City Council Policy 150.2

Attachments:

[Vicinity Map-Re Pearces Mill Fire Dept Annexation Waiver Request 8x11 Lan](#)
[Annexation Waiver Request- Pearces Mill Fire Dept 6-15-15.pdf](#)
[Policy 150-2 Effective 021312.pdf](#)

10.0 ADJOURNMENT

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

CLOSING REMARKS

POLICY REGARDING CITY COUNCIL MEETING PROCEDURES **SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM**

Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

COUNCIL MEETING WILL BE AIRED **August 24, 2015 @ 7:00 p.m.**

Notice Under the Americans with Disabilities Act (ADA):

The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at rmcelrath@ci.fay.nc.us, 910-433-1696, or the Office of the City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.