

# City of Fayetteville

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

## Meeting Agenda - Final City Council Regular Meeting

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Monday, September 23, 2019

7:00 PM

Council Chamber

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REVISED

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**      [19-1020](#)      Approval of Meeting Minutes:  
August 26, 2019 - Regular Meeting  
September 3, 2019 - Work Session  
September 9, 2019 - Discussion of Agenda Items

**Attachments:**      [082619 Regular](#)  
[090319 WKS](#)  
[090919 Discussion of Agenda Items](#)

- 6.02**      [19-1011](#)      P19-33F. Rezoning of seven properties from Mixed Residential (MR-5) to Office and Institutional District (OI), located at 1423 Slater Ave, (Tax Map# 0438-02-6887); 1424 Murchison Road, (Tax Map# 0438-02-5880); 1502 Murchison Road, (Tax Map# 0438-02-5904); 0 Murchison Road, (Tax Map# 0438-02-4978); 1510 Murchison Road (Tax Map# 0438-03-4034); 1506 Murchison Road, (Tax Map# 0438-03-5084); and 1502 Murchison Road, (Tax Map# 0438-03-6000), totaling 1.18 acres ± and being the properties of Alvin & Sophia Pierce, represented by Angela Lee.

**Attachments:**

- [1. Plan Review Application](#)
- [2. P19-33F Aerial Notification Map](#)
- [3. P19-33F Zoning Map](#)
- [4. P19-33F Land Use Map](#)
- [5. Site Pictures](#)
- [6. Sample Building](#)
- [7. Use Table from UDO](#)

- 6.03**      [19-981](#)      P19-34F. A request to rezone a parcel from Single-Family 10 (SF-10) to Limited Commercial (LC), at 7502 Telfair Dr, located at the intersection of Reilly and Telfair Roads, (Tax Map # 9499-60-5053), containing 0.56± acre and being the property of Wallis & Rose Waller.

**Attachments:**

- [1. Plan Review Application- REVISED](#)
- [2. P19-34F Aerial Notification Map](#)
- [3. P19-34F Zoning Map](#)
- [4. P19-34F Land Use Map](#)
- [5. Survey](#)
- [6. Site Photo](#)
- [7. Use Table from UDO](#)

- 6.04**      [19-1014](#)      P19-35F. Rezoning of property from Single-Family Residential - 6 (SF-6) to Mixed Residential - 5 (MR-5), located at 6069 Lunar Drive (Tax Map #0407-60-0663), containing 1.94 ± acres, at the intersection of Lunar Drive and Wildwood Drive; being the property of Jason Miller and Natasha Vogt, Trustees, represented by Chris Young.

**Attachments:**

- [1. Plan Review Application](#)
- [2. P19-35F Aerial Notification Map](#)
- [3. P19-35F Zoning Map](#)
- [4. P19-35F Land Use Map](#)
- [5. Site Photos](#)
- [6. Survey](#)
- [7. Use Table](#)

- 6.05**      [19-1013](#)      P19-37F. Conditional Rezoning of property from Single Family Residential 6 (SF-6) to Conditional Community Commercial (CC/CZ) located at 489 & 493 McBain Dr. (Tax Map # 0427-42-2084 & 0427-42-3066), at the intersection of McBain and McPhee Drives containing approximately 0.47± acres, and being the property of Highland Dairies, Inc. & W Lyndo Tippet & Wife Lou P. (Owner has agreed to a less intense SF-6/CZ district)

**Attachments:**

- [1. Plan Review Application](#)
- [2. P19-37F Aerial Notification Map](#)
- [3. P19-37F Land Use Map](#)
- [4. P19-37F Zoning Map](#)
- [5. Concept Plans](#)
- [5. Concept Plans](#)
- [5. Concept Plans](#)
- [5. Concept Plans](#)
- [6. Subject properties](#)
- [7. Surrounding Properties](#)

- 6.06**      [19-1015](#)      Adoption of Capital Project Ordinance 2020-20 (FY18 Byrne Justice Assistance Grant)

**Attachments:**

- [CPO 2020-20 \(GCC 2018 Byrne Justice Assistance Grant\).pdf](#)
- [State of NC Department of Public Safety - Governor's Crime Commission Grant](#)
- [State of NC Department of Public Safety GCC Grant Special Conditions](#)



## 7.0 REPORTS FROM BOARDS AND COMMISSIONS

### 7.01 [19-973](#) Cool Spring Downtown District Annual Report

**Attachments:** [CSDD PPT City Council 9.23.19](#)  
[FY2019 Final Report](#)

## 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 [19-923](#) Public Hearing and Resolution to Approve Submission of a Grant Application to North Carolina Department of Transportation (NCDOT) for an Urban Advanced Technology Grant

**Attachments:** [FY 2021 Public Hearing Notice - Urban Advanced Technology Grant](#)  
[City Council Resolution Advanced Technology Grant FY 2021](#)

### 8.02 [19-1016](#) Public Hearing on Text amendments to Article 30; five (5) proposed amendments to the Unified Development Code.

**Attachments:** [TA19-040, Tree Preservation Staff Report](#)  
[TA19-040, Tree Preservation Ordinance](#)  
[TA19-043 Cul-de-sac Staff Report](#)  
[TA19-043 Cul-de-sac Ordinance](#)  
[TA19-047, Design Stds - abut - Staff Report](#)  
[TA19-047, Design Stds - abut - Ordinance](#)  
[TA19-049 Design Stds - parking- Staff Report](#)  
[TA19-049 Design Stds - parking - Ordinance](#)  
[TA19-051 Display Windows Staff Report](#)  
[TA19-051 Display Windows Ordinance](#)

## 9.0 OTHER ITEMS OF BUSINESS

### 9.01 [19-974](#) Stormwater Ordinance Amendment for Drainage Assistance Program

**Attachments:** [23-3.2 DAP, red-lined](#)  
[Ordinance for Section 23-3.2, final](#)

## 10.0 ADMINISTRATIVE REPORTS

10.01      [19-1034](#)      Opioid Response Team Report for City of Fayetteville Council,  
September 2019

**Attachments:**      [City Council Fayetteville](#)  
[Action Plan C-FORT Sept 2019](#)

10.02      [19-1006](#)      Proposed 2020 City Council Meeting Dates Calendar

**Attachments:**      [Resolution - 2020 Meeting Dates Calendar](#)  
[2020 City Council Meeting Dates Calendar](#)

10.03      [19-1027](#)      Monthly Statement of Taxes for August 2019

**Attachments:**      [Monthly Statement of Taxes - August 2019](#)

## 11.0 ADJOURNMENT

### **POLICY REGARDING 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 on the third 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.

### **POLICY REGARDING NON-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.

### **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 thirteen (13) 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**

**September 23, 2019 @ 7:00 p.m.**

**Spectrum Cable Channel 7**

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 Human Relations at [ynazar@ci.fay.nc.us](mailto:ynazar@ci.fay.nc.us), 910-433-1696, or the Office of the City Clerk at [cityclerk@ci.fay.nc.us](mailto:cityclerk@ci.fay.nc.us), 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.