

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
AUGUST 25, 2025
6:30 P.M.**

Present: Mayor Mitch Colvin;

Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7) (departed at 9:00 p.m.); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Kelly Strickland, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Adam Lindsay, Assistant City Manager
Roberto Bryan, Police Chief
Kevin Dove, Fire Chief
Gerald Newton, Development Services Director
Albert Baker, Assistant Economic and Community
Development Director
Loren Bymer, Marketing and Communications Director
John Jones, Office of Community Safety Director
Kimberly Toon, Purchasing Manager
Tiffany Murray, Chief Financial Officer
Jennifer Ayre, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 6:40 p.m.

2.0 INVOCATION

The invocation was offered by Father Alexander Papagikos of Saints Constantine and Helen Greek Orthodox Church.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Colvin and City Council.

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Mr. Hank Parfitt, President Emeritus of the Lafayette Society, presented a bronze commemorative medallion to City Council in honor of Fayetteville's recent celebration of the 200th anniversary of Lafayette's American Farewell Tour.

Ms. Carolyn Justice-Hinson, Rotary Club Immediate Past President, presented a unique scarf to City Council in honor of Lafayette from the Fayetteville Rotary Club and the Lafayette Rotary Club of Metz, France.

Mr. Taliq Whitfield presented a brief overview of Save the World from A to Z through sustainability with the World Mission Society Church of God. If anyone is interested in volunteering, they can reach out through the website at asez.org.

Ms. Amphitrite Constantelos Manuel recited a poem, "Fayetteville, All-American City of 1985," and a proclamation and City Coin was presented by Mayor Pro Tem Jensen and Council Member Hondros in honor of Ms. Manuel.

Council Member Haire presented a Certificate of Excellence and City Coin to Ms. Stephanie Kegler in recognition of her dedication to promoting fitness and healthy living.

Council Member Greene presented a proclamation to the parents of the late Ms. Stacey Park Milbern in honor of Ms. Milbern's activism for disability rights.

Council Member Greene presented a proclamation to Ms. Angela Tatum in honor of Black Breastfeeding Week, recognized August 17-21, 2025.

Mayor Colvin and Mayor Pro Tem Jensen presented the Key to the City and City Coin to Ms. Stacey Buckner in honor of her work in the community.

5.0 CITY MANAGER REPORT

Dr. Douglas Hewett, City Manager, stated recently Dr. Gerald Newton, Development Services Director, provided a leadership presentation to the Regional Land Use Advisory Commission (RULAC) on Fort Bragg and the City leadership team. Mr. Marcus Townsend, IT Solutions Architect, earned the Certified Government Digital Services Professional Certification.

Dr. Hewett stated Fayetteville OutFront will be held on Thursday, August 28, 2025, beginning at 6:30 p.m. at Senior Center East and will cover permitting. Monday, September 1, 2025, the City will be closed and changes to the solid waste schedule will happen in observance of Labor Day.

Council Member Greene stated Dr. Hewett's "Doug in the District" was informative and a successful event and looks forward to the next.

6.0 APPROVAL OF THE AGENDA

MOTION: Council Member Banks-McLaughlin moved to approve the agenda.
SECOND: Council Member Jensen
VOTE: UNANIMOUS (10-0)

7.0A CONSENT AGENDA

MOTION: Council Member Jensen moved to approve the consent agenda
SECOND: Council Member Thompson
VOTE: UNANIMOUS (10-0)

7.0A1 Approval of Meeting Minutes:
August 4, 2025 - Work Session
August 11, 2025 - Discussion of Agenda Items
August 11, 2025 - Regular

7.0A2 Adopt Proposed Loitering Ordinance - Second Reading

City Council adopted the proposed loitering ordinance, which was introduced at the August 4, 2025, Work session. The ordinance addresses escalating public safety concerns and property damage in city-owned facilities, particularly parking structures, and replaces the current limited drug-related loitering provision with broader regulations covering all city-owned or operated parking facilities and public spaces. The ordinance establishes clear guidelines for legitimate use, providing law enforcement with necessary tools to address problematic behavior, and includes appropriate constitutional protections for lawful assembly.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE CREATING A NEW SECTION 17-35, LOITERING PROHIBITED, UNDER CHAPTER 17, OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE CODE OF

ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2025-023

7.0A3 Adopt Resolution Authorizing the City Manager to Lease Space at 472 Hay Street to Subway Real Estate, LLC.

City Council adopted the resolution authorizing the continued commercial lease agreement of 472 Hay Street to Subway Real Estate Corp for three years with the option to renew for five additional one-year periods. The new lease will have an annual rent of \$17,679.12 and rental adjustments will be based on City policy.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING A COMMERCIAL LEASE AGREEMENT FOR SPACE AT 472 HAY STREET TO SUBWAY REAL ESTATE, LLC. RESOLUTION NO. R2025-031

7.0A4 Approve Ordinance for Uninhabitable Structures: Demolition Recommendations:

408 Ingram Street	District 2
832 East Orange Street	District 2
806 Serro Drive	District 7
818 Rembrandt Drive	District 7

City Council approved demolition ordinances for three residential buildings deemed dangerous and one blighted.

408 Ingram Street District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY OF FAYETTEVILLE, NC, 408 INGRAM STREET, PIN 0438-82-5052. ORDINANCE NO. NS2025-022

832 East Orange Street District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY OF FAYETTEVILLE, NC, 832 EAST ORANGE STREET, PIN 0437-59-8580. ORDINANCE NO. NS2025-023

806 Serro Drive District 7

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY OF FAYETTEVILLE, NC, 806 SERRO DRIVE, PIN 9487-73-7374. ORDINANCE NO. NS2025-024

818 Rembrandt Drive District 7

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY OF FAYETTEVILLE, NC, 818 REMBRANDT DRIVE, PIN 9487-62-4222. ORDINANCE NO. NS2025-025

7.0A5 Rescind Demolition Ordinance:

3121 Fort Bragg Road District 9

City Council approved the resolution to cancel a previously adopted demolition ordinance for a dangerous building that was repaired by the property owner to the point the building is no longer considered dangerous before the City could proceed with demolition.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
RESCINDING DEOMOLTION ORDINANCE NO. NS2025-015. RESOLUTION NO.
R2025-032**

**7.0A6 Adopt Ordinance for Proposed Text Amendment to Article 24
(Streets and Sidewalks) of the City Code of Ordinances Covering
Sidewalk Exemptions Related to Driveway Permits**

City Council adopted the ordinance amending section 24-101, Permit to Construct Required to now state:

- a. No person shall construct a driveway across any public sidewalk, walkway, parkway or into any street, or cut any curb for such purpose, without having first applied for and obtained a driveway permit from the city traffic engineer, which application shall show, among other things, the location, grade, dimensions, and the construction or reconstruction in those areas designated in the city's adopted sidewalk plan of the curbs and the purpose for which the driveway is desired. If the application complies with provisions of this section, the permit shall be issued.
- b. Where any new driveway is constructed or an existing driveway reconstructed that requires a driveway permit, a city standard sidewalk shall be constructed along the entire length(s) of the property served by such driveway that abut(s) a public street. This requirement is to include all developments except;
 1. single or duplex family dwelling units;
 2. interior building up-fits or change of use of an existing building that does not involve construction or modifications to existing driveways; and
 3. the removal of an existing driveway and/or curb cut.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
AMENDING SECTION 24-101, PERMIT TO CONSTRUCT REQUIRED, OF CHAPTER
24 STREETS AND SIDEWALKS, OF THE CODE OF ORDINANCES OF THE CITY
OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2025-024**

**7.0A7 Approve Bid Recommendation - Resurface Various Streets Powell
Bill FY26**

City Council approved awarding and authorized the City Manager to execute a contract for the Resurfacing of Various Streets, through Powell Bill FY26, with the lowest responsive, responsible bidder, Highland Paving Co., LLC, in the amount of \$4,604,169.65 for the resurfacing of 31 streets and milling of 18 streets. The work includes, but is not limited to, removing and replacing curb and gutter, installing and retrofitting handicap ramps, utility adjustments, milling, cutting out and patching areas, placing leveling and overlay courses, and thermoplastic pavement markings.

**7.0A8 Authorization to Execute a Professional Service Contract for the
FY26 Citywide Stormwater Asset Inventory and Condition
Assessment**

City Council authorized the execution of a \$1,000,000.00 professional services contract for survey data collection of the City's Municipal Separate Storm Sewer System (MS4) in support of the City's National Pollutant Discharge Elimination System (NPDES) Permit requirement to develop, update, and maintain an inventory of MS4 components, including conveyances, flow directions, major outfalls, and receiving waters.

7.0A9 Adoption of Capital Project Ordinance Amendment to Correct Funding Amount for Revenue Listed as NC Department of Transportation

City Council adopted Capital Project Ordinance Amendment (CPOA) 2026-43. CPOA 2025-32 was adopted on November 24, 2024, appropriating \$6,867,255.00 in funds identified as NC Department of Transportation (NCDOT). CPOA 2026-43 corrects this amount to accurately reflect the funding of \$5,564,484.00, which is anticipated to be reimbursed by the NCDOT.

7.0A10 Adoption of Capital Project Ordinance Amendment 2019-21 and Special Revenue Fund Project Ordinance Amendment 2019-7 to move \$40,000 of Federal Transit Administration Grant Funds and Appropriate \$10,000 of Local Match Funds

City Council adopted Capital Project Ordinance Amendment (CPOA) 2019-21 and Special Revenue Fund Project Ordinance Amendment (SROA) 2019-17 to move \$40,000.00 of Federal Transit Administration (FTA) grant funds from the Transit Special Revenue Fund to the Transit Capital Project Fund and appropriate \$10,000.00 of required local match funds. The funds will be used for the construction of sidewalks and accessible bus stops in the City.

7.0A11 Adoption of Capital Project Ordinance Amendment to Appropriate Additional Funds for the Radio Core Upgrades

City Council adopted Capital Project Ordinance Amendment (CPOA) 2026-8 to appropriate an additional \$269,091.00 from General Fund to cover the remaining costs for radio core upgrades. The original Capital Project Ordinance appropriation for upgrades was \$732,280.00 and the cost totaled \$1,001,371.00.

7.0A12 PWC - Approve Bid Recommendation - Stator Vane Kit

City Council approved the bid recommendation to award bid for one (1) additional Stator Vane Kit to Turbine Service, Ltd. Saratoga Springs, NY, the lowest responsive, responsible bidder and in the best interest of PWC, in the total amount of \$275,000.00, and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

7.0A13 PWC - Adopt Preliminary Resolution Authorizing the Filing of an Application with the Local Government Commission Requesting the Local Government Commission Sell Bonds at a Competitive Sale and Approving of the Financing Team

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL BONDS AT A COMPETITIVE SALE AND APPROVING THE FINANCING TEAM ALL IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS BY THE CITY OF FAYETTEVILLE, NORTH CAROLINA RESOLUTION NO. R2025-033

7.0B ITEMS PULLED FROM CONSENT

There were no items pulled from the consent agenda.

8.0 STAFF REPORTS

8.01 Receive the Fayetteville Police Department 2025 Second Quarter Review

Mr. Roberto Bryan, Jr., Police Chief, presented this item with the aid of a PowerPoint presentation and stated as the newly appointed Chief of Police, he has just finished 45 days in the role and expressed gratitude for the warm welcome and trust. The 2025 second-quarter statistics represent real efforts, progress, and areas for improvement. The department is committed to using the data to guide

strategies and remain proactive in addressing crime trends while ensuring the community is served with professionalism and integrity.

Chief Bryan presented data on crime trends, crime-fighting strategies, and community engagement. Crimes against persons, property crimes, and felony arrests are down by 13.09 percent, but arrests are up by .6 percent. Traffic stops increased by 8.99 percent due to an effort to slow down drivers in the community. Crimes against society, such as weapons and drugs, increased by 3.98 percent. Chief Bryan presented statistics on violent crimes, which includes an increase in homicides by 108 percent, no change in rapes, and a decrease in aggravated assaults by 13.13 percent. There was also an increase in overdoses by 108 percent, but a decrease in suicide by 17 percent. The department is working with the Phoenix Center on Domestic Violence Aggravated Assault cases to help the victim, work to empower them, and follow up, leading to a decrease of 15.85 percent. Data on Shotspotter (Soundthinking) was presented. Property crimes such as burglary, larceny, motor vehicle theft, and robbery are all trending downward.

There were over 250 Shotspotter (Soundthinking) alerts with 850 rounds fired and 239 casings found. Chief Bryan stated residents can go to the City of Fayetteville website and find information through the Soundthinking dashboard.

Chief Bryan also provided information on Federal Partnerships, Juvenile Crimes for 2025, which does not reflect the Youth Protection Ordinance, that takes effect in the third quarter, School Resource Officer Program, narcotics suppression, and homelessness and mental health responses, which they have started partnering with the Office of Community Safety. 911 communications processed over 190,000 calls and dispatched a total of 97,118 in the second quarter. Traffic enforcement has started the Drive Wise Stay Alive in 2025 with the hope of decreasing the number of fatalities. There were 12,653 moving violations and 13,869 non-moving violations, which is an increase from 2025. There were 8,936 white drivers, 16,248 black drivers, and 1,154 other drivers stopped. Of all the stops there were black drivers were searched 583 times, with 490 recovering either drugs or weapons; 150 white drivers were searched, with 105 recovering either drugs or weapons; and 30 other drivers were searched, with 29 recovering either drugs or weapons. The use of force was reviewed for a total of 37 incidents.

Chief Bryan reviewed departmental staffing and community events throughout the second quarter.

Discussion ensued.

MOTION: Council Member McNair moved to receive the 2025 Fayetteville Police Department Second Quarter Report.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

8.02 Receive the Fayetteville Fire Department 2025 Second Quarter Review

Mr. Kevin Dove, Fire Chief presented this item with the aid of a PowerPoint presentation and presented data for the 2025 second quarter. Three highlights of the second quarter included Camp READY, with 20 high school-age students learning all disciplines of public safety and receiving the CERT certification, Mr. Jordan Hawkins as the Fire Department's first ICON intern, and the new departmental service dog, Griffith. Twenty percent of all firefighters in America classify as having some form of Post Traumatic Stress Disorder, and Griffith helps and is assigned to Station 5. There are two dogs in the pipeline and hope to have one on each shift. The 2024 annual report was completed and is online for citizen review.

The Fire Department responded to 7,335 calls, 4,740 were for medical responses to include vehicle accidents, 231 were fires, 656 were false alarms, 731 were good intent calls, and 693 were service calls. The total response time is currently 7:34. Of the 231 fire responses, 67 were structure fires, twenty of which started in the kitchen, which is down from last year. The top three fire losses were one commercial and two residential. Hazardous materials included 56 responses, twenty-five natural gas responses, five carbon monoxide responses, and eleven hydrocarbon leaks/spill responses. Currently, there are 339 uniformed employees, eight civilian non-public safety employees, and four civilian public safety employees, and is fully staffed. There were eight resignations in the second quarter; all seven uniformed left the fire service entirely instead of going to an alternate department. Chief Dove also presented the demographics of the department.

Fire Inspections completed 840 new plan reviews, 2,585 fire inspections, and 3,171 fire code inspections. The top violations were fire extinguishers, identification and access, fire alarm maintenance records, inoperable fire protection equipment, and emergency and standby power systems.

Chief Dove stated the Fire Department engaged 8,397 residents, installed 634 smoke alarms, 99 carbon monoxide alarms, 134 stove top suppression units, and 55 child safety seats. 827 people were taught hands-only CPR. Thirteen fire station tours and six youth fire setter interventions took place. Community Risk was changed from sworn firefighters to educators last year, and they have grown the community risk reduction program to include Fire Safety game days in after-school programs, partnered with Fayetteville State University and Habitat for Humanity to teach CPT to at-risk youth, senior citizens, personnel, and families. They have also created fire safety educational games and activities for the youth fire setting interventions and the senior population.

Discussion ensued.

Chief Dove stated that anyone who needs smoke alarms installed to call 910-433-1116 and the fire department will come install them for free.

MOTION: Council Member Benavente moved to receive the 2025 Fayetteville Fire Department Second Quarter Report.

SECOND: Council Member Banks-McLaughlin

VOTE: UNANIMOUS (10-0)

9.0 PUBLIC HEARINGS

9.01 Approve P25-30: A request to rezone 2211 Rosehill Road (0438470005000), consisting of 21.27 acres and owned by Cross Creek Refuse LLC, from Single Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5)

Mr. Craig Harmon, Senior Planner, stated that the applicant requested this item be tabled.

Discussion ensued.

MOTION: Council Member Davis moved to table Item 9.01 - P25-30: A request to rezone 2211 Rosehill Road (0438470005000), consisting of 21.27 acres and owned by Cross Creek Refuse LLC, from Single Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5) until October 27, 2025

SECOND: Council Member Hondros

VOTE: PASSED by a vote of 8 in favor, 1 in opposition, and 1 abstention. Opposed Council Member Benavente (Council Member McNair's vote counts as an unexcused abstention.)

9.02 Approve P25-37: A request to rezone from SF-10 to Limited Commercial Conditional Zoning (LC/CZ) at 549 Stacy Weaver Drive (READ #0530028255000, and a portion of 0530120415) owned by Paul Thompson Development Corp.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated the request is to change from Single Family 10 (SF-10) to Limited Commercial/Conditional Zoning (LC/CZ). The original application was a straight rezoning; the applicant chose to withdraw their application at the time of the hearing and reapply for a conditional rezoning. The Zoning Commission recommended approval. The property is located at the corner of Stacey Weaver Drive and most of the property is in neighborhood mixed use. There is currently a home on the property but has been used as an office for many years. Nearby properties include a Circle K, a vacant parcel directly across from the subject property, and a library. The proposed use for the property is a 7-Eleven gas and convenience store. The applicant is putting forth 5 conditions which includes a 4-foot-tall chain link fence around the dry water pond, making the stormwater retention pond a dry pond, an 8-foot-tall wooden fence located along the rear and near residential zoning, a 20-foot undisturbed buffer with additional evergreen trees planted every 15 feet, and site lighting shall be shielded to prevent glare and light spillover into the neighborhood.

The request is consistent with the Future Land Use Map and Comprehensive Plan, compatible with surrounding zoning patterns, adds flexibility for neighborhood-serving uses, promotes strategic infill with adverse impact, and enhances corridor viability and the local economy. The plan designates the subject property for Neighborhood Mixed-Use development, allowing for a blend of residential and commercial uses within a walkable environment.

This is the advertised public hearing set for this date and time, the public hearing was opened.

Mr. Jonathan Charleston, 201 Hay St., Fayetteville, NC, spoke in favor of the rezoning.

Mr. Patrick Budronis, 1646 W. Snow Ave., Tampa, FL, and Mr. Crawford McKethan, 2814 Skye Dr., Fayetteville, NC, deferred their time to Mr. Jonathan Charleston.

Ms. Arleen Fields, 5318 Hampton Rd., Fayetteville, NC, spoke in opposition to the rezoning.

Ms. Donna Johnson, 5059 Hampshire Dr., Fayetteville, NC, spoke in opposition to the rezoning.

Mr. Walter Broadhurst, 450 Grayton Pl., Fayetteville, NC, spoke in opposition to the rezoning.

Mr. Isaac Fields, 5318 Hampton Dr., Fayetteville, NC, spoke in opposition to the rezoning.

Mr. Benjamin Hultquist, 801 Rim Rd., Fayetteville, NC, spoke in opposition to the rezoning.

MOTION: Council Member Benavente moved to add 3 minutes to hear the last speaker in opposition

SECOND" Council Member Davis

VOTE: UNANIMOUS (10-0) (Council Member McNair's vote counts in the affirmative due to unexcused absence.)

Mr. Jamie Davis, 458 Bayshore Dr., Fayetteville, NC, spoke in opposition to the rezoning.

There being no one further to speak, the public hearing was closed.

MOTION: Council Member Benavente moved to excuse Council Member McNair

Motion died for lack of a second.

Mayor Pro Tem Jensen asked what could be built on it under the current zoning. Mr. Harmon stated single-family, duplex, quadplex, or townhomes with a buffering of five (5) feet with some hedges.

Council Member Hondros asked how the land use map is developed. Mr. Harmon stated that the land use plan, plus the text, was developed in tandem and is a set of maps and goals of the City. There was a template map that was presented at community meetings for input. Public hearings are then held at the Planning Commission and City Council before adoption. It usually takes about a year to develop. Council Member Hondros stated City Council heard the original request in June when the applicants pulled the application to make self-imposed conditions.

Discussion ensued regarding the procedure and a traffic study.

MOTION: Council Member Benavente moved to deny the zoning request P25-37 at 549 Stacy Weaver Drive because it is inconsistent with the Future Land Use Plan which designates the site for neighborhood mixed use and medium density rather than commercial fueling, and the rezoning would permit uses that are incompatible with the established character of the district including proximity to residential homes and an elementary school, the rezoning is unnecessary as multiple fueling stations already serve the area and the Zoning Commission had previously recommended denial and the minor revisions proposed by the applicant do not cure the inconsistency with the comprehensive plan nor the negative community impacts.

SECOND: Mayor Pro Tem Jensen

VOTE: FAILED by a vote of 3 in favor, 6 in opposition, and 1 abstention. Opposed: Council Members Davis, Haire, Greene, Thompson, Banks-McLaughlin, and Hondros (Council Member McNair's vote counts as an unexcused abstention.)

MOTION: Council Member Hondros to approve the map amendment to Limited Commercial/Conditional Zoning (LC/CZ) as presented, finding it consistent with the Future Land Use Plan as demonstrated in the attached consistency and reasonableness statement, and approve the rezoning.

SECOND: Council Member Davis

VOTE: PASSED by a vote of 6 in favor, 3 in opposition, and 1 abstention. Opposed: Mayor Colvin, Council Members Jensen and Benavente (Council Member McNair's vote counts as an unexcused abstention.)

9.03 AX25-03. Carvers Falls Road City-Owned Property is seeking annexation into the corporate limits of the City of Fayetteville for four contiguous parcels totaling approximately 40.54 acres. These parcels are situated on the Southern side of Carvers Falls Road at 430 and Unaddressed Carvers Falls Road. They can be further identified by Parcel Identification Numbers (PINs): 0540-18-4339

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint Presentation and stated this is a contiguous annexation of four parcels at 430 Carvers Falls Road and is

approximately 40 acres. The owner of the property is the City of Fayetteville as well as the applicant. The property has historically been undeveloped except for a Public Works Commission substation, and the surrounding area is a mix of undeveloped properties, single-family and multi-family housing. The Future Land Use Map & Plan suggests that this area of the city should develop as low-density residential and Office/Institutional development. The Low-Density Residential area is envisioned primarily for single-family homes with the occasional duplex or townhome.

The planning staff recommends approval of the annexation petition. County fire district taxes and recreational taxes may apply. Upon annexation, the property tax burden may increase due to imposing City taxes; however, the county fire district tax, special fire tax, and recreation tax will no longer apply, partially offsetting the increase. Financial impacts, including stormwater revenue and anticipated property tax contributions, demonstrating a projected financial benefit to the City. The City has sixty days to rezone the property and will come to Council at a future date.

This is the advertised public hearing set for this date and time; the public hearing was opened.

There being no speakers, the public hearing was closed.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, City-Owned Property, on the southern side of Carvers Falls Road, known as PIN 0540-18-4339. Annexation NO. 2025-08-600

MOTION: Council Member Thompson moved to adopt the proposed ordinance annexing the parcel with an effective date of August 25, 2025.

SECOND: Council Member Hondros

VOTE: UNANIMOUS (9-0-1) (Council Member McNair's vote counts as an unexcused abstention.)

10.0 EVIDENTIARY HEARINGS

10.01 SUP25-03: Special Use Permit request to reduce the separation requirement for an Automotive Wrecker Service in a CC Zoning District at 3003, 3005, 3009 MURCHISON RD (REID# 0428597115000, 0428596376000, 0428597350000) owned by Ali Abdo, CITY PROPERTY LLC.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint Presentation and stated, the applicant is requesting a 250-foot reduction in the separation requirement for an automotive wrecker service and residential zoning to zero (0) feet. The surrounding area primarily consists of Community Commercial (CC) and Heavy Industrial (HI) zoning districts along Murchison Road, transitioning to a mix of single-family detached and attached housing, along with two-to-four-family dwellings, townhomes, and multi-family along Rosemary Drive and Waddell Drive. Two (2) of the three (3) properties that are included in this application abut residentially zoned properties, and almost all of these properties are developed. The Land Use Plan calls for Neighborhood Improvement, which primarily allows higher density redevelopment and "missing Middle" housing to increase private reinvestment and revitalize neighborhoods. Updated fencing will be required to comply.

Council Member Haire asked how much of a buffer could be done with the first house. Mr. Abdo stated he could do a 10-foot buffer. Ms. Lachelle Pulliam, City Attorney, stated if the other standards are met the buffer could be included.

This is the advertised public hearing set for this date and time, the public hearing was opened.

Mr. Ali Abdo, 203 Blount St., Fayetteville, NC, spoke in favor of the special use permit.

There being no further speakers, the public hearing was closed.

MOTION: Council Member Haire moved to approve the Special Use Permit (SUP) to allow the reduction of the separation requirement between an automotive wrecker service and residentially zoned property subject to the submitted site plans and conforming to the current Unified Development Ordinance standards as depicted on the attached site plan, as presented by staff, based on the standards of the City's development code and the evidence presented during this hearing. And that the application is consistent with applicable plans because: (1) the development is located in a Community Commercial (CC) zoning district and (2) that this use complies with the findings listed and (3) the proposed permit is in the public interest because the proposed SUP does fit with the character of the area. This SUP shall become effective with the approval of the Order of Findings by the City Council. The SUP shall expire one year from its effective date if a building permit is not issued within that time. The SUP meets all of the following findings of fact as presented:

1. The special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards, because no vehicle repair or salvage activities will take place on the site, and it will only be for vehicle storage;
2. The special use will be in harmony with the area in which it is located, because the site plan adheres to the setback buffer and the addition of a 10-foot buffer with all required buffers;
3. The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved, because the stormwater management, noise complies with the City code and is designed to minimize the adverse impact on neighboring properties;
4. The special use is in general conformity with the City's adopted land use plans and policies because the proposed towing lot is consistent with the City's adopted land use plans and policies, which identify this area as appropriate for light industrial, service, or vehicle-related uses;
5. The special use will not substantially injure the value of the abutting land, or the special use is a public necessity, because the proposed towing lot is not expected to substantially injure the value of abutting properties. The site is located in an area with compatible land uses, including other commercial, industrial, or service-oriented businesses, which are not sensitive to the impacts associated with towing operations and;
6. The special use complies with all other relevant City, State, and Federal laws and regulations, because the proposed towing lot will be developed and operated in full compliance with all applicable City ordinances, State requirements, and Federal regulations.

SECOND: Council Member Hondros

VOTE: UNANIMOUS (9-0-1) (Council Member McNair's vote counts as an unexcused abstention.)

11.0 ADMINISTRATIVE REPORTS

11.01 Public Safety Compensation

This item was for information purposes only and not presented.

11.02 Receive an Administrative Report on the Empowering Community Safety Micro-Grant Program as of June 30, 2025 - End of Cycle Six.

This item was for information purposes only and not presented.

11.03 Fayetteville-Cumberland Youth Council (FCYC) - Junior Mayor Program Establishment

This item was for information purposes only and not presented.

11.04 Updated MOU with Crime Stoppers to Support Enhanced Tip Rewards

This item was for information purposes only and not presented.

12.0 ADJOURNMENT

There being no further business, the meeting adjourned at 10:53 p.m.

Respectfully submitted,

JENNIFER L. AYRE
City Clerk
082525

MITCH COLVIN
Mayor