



# 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, May 22, 2023

7:00 PM

Council Chamber

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1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 ANNOUNCEMENTS AND RECOGNITIONS

5.0 CITY MANAGER REPORT

6.0 APPROVAL OF AGENDA

7.0 CONSENT AGENDA

7.01      [23-3374](#)      Approval of Meeting Minutes:  
May 8, 2023 - Discussion of Agenda Items  
May 8, 2023 - Regular

**Attachments:**      [050823 Discussion of Agenda Items](#)  
                                 [050823 REG](#)

- 7.02      [23-3342](#)      P23-11. Initial conditional zoning of two contiguous parcels totaling 4.68± acres, requesting annexation, to Heavy Industrial (HI/CZ) located at 1682 Middle River Loop (REID #0447464759000), being the property of Charles F. Horne, and 1662 Middle River Loop (REID #0447466947000), being the property of Billy D. Horne and Fay J. Horne, represented by Cynthia Smith of Moorman, Kizer & Reitzel, Inc.

**Attachments:**

[Plan Review Application \(1\)](#)  
[P23-11 Aerial Notification Map](#)  
[P23-11 Zoning Map](#)  
[P23-11 Future Land Use Map](#)  
[Subject Property](#)  
[Surrounding Properties](#)  
[Annexation Map](#)  
[District Standards HI](#)  
[Signed Consistency and Reasonableness Statement P23-11](#)  
[City Council PowerPoint](#)

- 7.03      [23-3343](#)      P23-13. Conditional Rezoning from Heavy Industrial (HI) to Heavy Industrial/Conditional Zoning (HI/CZ) to allow car washing and auto detailing on 1.57± acres, located at 616 Person Street (REID #0437929325000), and being the property of AOM II, LLC, represented by E.C., (Ned) Garber, III.

**Attachments:**

[Plan Review Application](#)  
[P23-13 Aerial Notification Map](#)  
[P23-13 Zoning Map](#)  
[P23-13 Future Land Use Map](#)  
[Subject Property](#)  
[Surrounding Properties](#)  
[Signed Consistency and Reasonableness Statement P23-13](#)  
[City Council Powerpoint](#)



- 7.08      [23-3375](#)      Approval of Installment Financing and Adoption of Resolution for Various Vehicles and Equipment Purchases
- Attachments:**      [Approving Resolution - Fayetteville 2023 IFA \(Vehicles\) \(00441958-2xBAC86\)](#)  
[Fayetteville Bank Bid Summary \(00441758xBAC86\)](#)  
[Fayetteville, NC - 2023 Installment Financing RFP \(Vehicles Equipment\) \(00441960-2xBAC86\)](#)  
[Installment Financing Agreement - Fayetteville 2023 IFA \(Vehicles\) \(00441960-2xBAC86\)](#)  
[Security Agreement - Fayetteville 2023 IFA \(Vehicles\) \(00441959-2xBAC86\)](#)  
[Vehicle List](#)
- 7.09      [23-3376](#)      Bid Recommendation - Excitation System in Steam Turbine Generator at BWGP
- Attachments:**      [Bid Recommendation - Excitation System at Butler Warner](#)  
[Bid Recommendation - Excitation System at Butler Warner - Analysis of Recommendation](#)
- 7.010      [23-3377](#)      Bid Recommendation - Readvertisement for PH V Annex, Project XII, Area 26 Cliffdale West Subdivision
- Attachments:**      [Bid Recommendation - Phase V Annexation Project XII Area 26 Cliffdale West Subdivision](#)  
[Bid Recommendation - Phase V Annexation Project XII Area 26 Cliffdale West Subdivision](#)  
[Bid Recommendation - Phase V Annexation Project XII Area 26 Cliffdale West Subdivision](#)
- 7.011      [23-3381](#)      Capital Project Ordinance - Appropriating \$15.55 million of General Obligation Bonds for public infrastructure (\$9.4 million), public safety (\$4.15 million), and housing (\$2 million)

## 8.0 STAFF REPORTS

8.01 [23-3322](#) Fayetteville Fire Department 2023 First Quarter Report

**Attachments:** [2023 Fayetteville Fire Department 1st Quarter Review](#)

8.02 [23-3296](#) Fayetteville Police Department 2023 1st Quarter Review

**Attachments:** [PD Quarterly Report 052223](#)  
[First 90 Days](#)  
[PD Quarterly Report 052223](#)

## 9.0 PUBLIC HEARINGS (Public & Legislative 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.*

9.01 [22-2975](#) New Design Standards for the locally designated historic districts and local landmarks to comply with Chapter 160D of the North Carolina General Statutes

**Attachments:** [1. Historic District Design Standards](#)  
[Community Meeting Summary](#)  
[New standards spreadsheet](#)  
[Ordinance \(Design Standards\)](#)  
[Presentation](#)

- 9.02**      [23-3344](#)      AX23-02: Charles F. Horne, Billy D. Horne, and Fay J. Horne are petitioning to annex into the corporate limits of the City of Fayetteville and initially zone two parcels, a total of 4.68 ± acres to Heavy Industrial Conditional Zoning (HI/CZ). These parcels are located on the northern side of I-95 at 1682 and 1662 Middle River Loop and can be further identified by PIN: 0447-46-4759 and 0447-46-6947; REID: 0447-46-4759000 and 0447-46-6947000.

**Attachments:**

[Appendix A](#)  
[Aerial Map](#)  
[Legal Description](#)  
[Basic Information Sheet AX23-02](#)  
[1662 1682 Middle River Loop](#)  
[Draft Ordinance AX23-02](#)  
[East of Subject Property](#)  
[North of Subject Property](#)  
[South of Property \(Across I95\)](#)  
[Subject Property](#)  
[West of Subject Property](#)  
[AX23-02 Horne Brother Commercial](#)

- 9.03**      [23-3351](#)      P23-12. Rezoning from Single-Family Residential 10 (SF-10) to Mixed Residential 5 (MR-5), located at 0 Graham Road and 6677 Bailey Lake Road (REID #0406037174000 & 0406131181000), totaling 5.56 acres ± and being the property of LEF LLC, J & K General Contractor Inc., represented by Michael Adams of MAPS Surveying Inc.

**Attachments:**

[1. Plan Review Application](#)  
[2. Aerial Map](#)  
[3. Zoning Map](#)  
[4. Land Use Map](#)  
[5. Subject Property](#)  
[6. Surrounding Property Photos](#)  
[7. Consistency and Reasonableness Statement](#)  
[8. Site Plan](#)  
[9. Updated Site Plan](#)  
[10. P23-12 PowerPoint](#)

- 9.04**      [23-3357](#)      TA23-018 - Text Amendment to Article 30-3.H.6. Airport Overlay District of the Unified Development Ordinance
- Attachments:**      [Draft Ordinance - TA23-018](#)  
                                 [Consistency Statement - TA23-018](#)  
                                 [Airport Overlay Text Amend](#)
- 9.05**      [23-3359](#)      TA23-020-025: Proposed Text Amendment to UDO 30-2.C.8 Certificate of Appropriateness; 30-2.A.7.a Powers and Duties of the Historic Resources Commission; 30-2.C.22 Standards and Requirements for Local Landmark Designation; 30-1-9 Unified Development Ordinance; 2-41.A-F Historic Resources Commission.
- Attachments:**      [CLG Agreement](#)  
                                 [CLG guidelines handbook](#)  
                                 [Chapter 30, Article 30-2, Section 30-2.C.8](#)  
                                 [Chapter 30, Article 30-2, Section A.7.a](#)  
                                 [Chapter 30, Article 30-2, Subsection 30-2.C.22 \(new section\)](#)  
                                 [Chapter 30, Articles 30-1-9](#)  
                                 [Chapter 2, Article II, Section 2-41. A-F](#)  
                                 [Chapter 30, Article 30-3, Section 30-3.H.3; Section 30-3.H.3.a](#)  
                                 [Article 30-3 Section 30-3.H.3 Consistency Statement](#)  
                                 [Chapter 2 Signed Consistency Statement](#)  
                                 [Chapter 30 Article 30-2 Section 30-2.C.8 Consistency Statement](#)  
                                 [Chapter 30 Article 30-2 Section A.7 Consistency Statement](#)  
                                 [Chapter 30 Articles 30-1-9 Consistency Statement](#)  
                                 [Article 30-3 Section 30-3.H.3 Consistency Statement](#)  
                                 [CC HRC text amendments](#)

## 10.0 EVIDENTIARY HEARINGS

- 10.01**      [23-3354](#)      SUP23-03 Special Use Permit (SUP) to allow the reduction in separation standards between a bar and a church, school or daycare for property located at 127 Hay St (REID# 0437640039000) and owned by APPLIANCE & INVESTMENT CO., applicant Lawrence Bryant, Electric Jungle LLC.

**Attachments:**

[Application](#)  
[SUP23-03 Notification Map](#)  
[SUP23-03 Zoning Map](#)  
[SUP23-03 Land Use Plan](#)  
[Subject Property](#)  
[Surrounding Properties](#)  
[Site Separation Map](#)  
[CC PowerPoint SUP23-03](#)

- 10.02**      [23-3355](#)      SUP23-04. Special Use Permit to allow a duplex in the Single-Family Residential 15 (SF-15) zoning district on property located at 105 Arbor View Court (REID # 0427471706000) and owned by Nikki Creecy, Shinelight Properties, LLC.

**Attachments:**

[Application](#)  
[Aerial Map](#)  
[Zoning Map](#)  
[Land Use Map](#)  
[Subject Property](#)  
[Surrounding Properties](#)  
[Site Plan](#)  
[CC PowerPoint SUP23-04](#)



- 10.03**      [23-3356](#)      SUP23-05. Special Use Permit (SUP) to allow the construction of 42 townhomes (single family attached units) on property zoned Single-Family 6 Residential (SF-6) located on Old Bunce Road (REID #9497843830000) and being the property of King Model Homes Construction Co. Inc., Project owner Ben Stout, Stout Land Development, LLC., applicant Scott Brown, 4D Site Solutions, Inc..

**Attachments:**

- [1. Application](#)
- [2. Aerial Map](#)
- [3. Zoning Map](#)
- [4. Land Use Map](#)
- [Subject Property](#)
- [Surrounding Properties](#)
- [7. Site Plan](#)
- [CC PowerPoint SUP23-05](#)

## 11.0 ADJOURNMENT

### **POLICY REGARDING PUBLIC HEARING AGENDA ITEMS**

Citizens wishing to provide testimony in response to a notice of public hearing or to participate in the public forum can obtain instructions to submit a statement by emailing [cityclerk@ci.fay.nc.us](mailto:cityclerk@ci.fay.nc.us) or by calling 910-433-1312 for assistance. Individuals desiring to testify on a quasi-judicial public hearing must contact the City Clerk by 5:00 p.m. the day of the meeting to sign up to testify; instructions will be provided on how to appear before Council to provide testimony.

### **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**

**May 22, 2023 - 7:00 p.m.**

**Cable Channel 7 and streamed "LIVE" at FayTV.net**

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 [yamilenazar@fayettevillenc.gov](mailto:yamilenazar@fayettevillenc.gov), 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.