

City of Fayetteville

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

Meeting Agenda - Final City Council Regular Meeting

Tuesday, April 23, 2019

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 [19-760](#) Approval of Meeting Minutes:
April 8, 2019 - Discussion of Agenda Items
April 8, 2019 - Regular

Attachments: [040819 Discussion of Agenda Items](#)
[040819 Regular](#)

6.02 [18-694](#) P19-10F. Initial zoning of property from Residential 5A in Cumberland County (R5A) to Mixed Residential (MR-5) in Fayetteville, located near the intersection of McArthur Road and Idlewild Drive (Tax map # 0530-40-6824) containing 6 +/- acres of 31 total acres and being the property located at McArthur Park II-Northern Part. Related to item AX19-002 - Annexation Request.

Attachments: [1 - Plan Review Application](#)
[2 - P19-10F Aerial Notification Map](#)
[3 - P19-10F Zoning Map](#)
[4 - P19-10F Land Use Map](#)
[5 - ANNEXATION MAP](#)
[6 - ANNEXATION-REZONE DESCRIPTION](#)
[7 - McArthur Park II for NCHFA 2019 - Site Plan 1-17-19](#)
[8 - Subject Property](#)
[9 - Surrounds Properties](#)

- 6.03** [19-728](#) P19-07F. Initial zoning of property from Planned Service and Retail (C2(P)) and Planned Commercial (C(P)) county zoning districts to Community Commercial (CC), located at Ramsey Street and Farmers Road, containing approximately 9.79 ± acres and being the property of GCMMB, LLC represented by Carolyn Armstrong and Lori Epler. Related to item AX19-001 - Annexation Request.

Attachments:

- [1. Plan Review Application](#)
- [2. P19-07F Aerial Notification Map](#)
- [3. P19-07F Zoning Map](#)
- [4. P19-07F Land Use Map](#)
- [5. 2018-11-13 Ramsey at 295 Site Plan Submittal](#)
- [6. Pictures](#)

- 6.04** [19-746](#) P19-08F. Rezoning of property in the Military Business Park to Conditional Business Park (BP/CZ), located near the intersections of Coalition Blvd., Bragg Blvd. and Santa Fe Dr., containing 230 +/- acres, to add emergency veterinary hospital to the description of Animal Care Uses and being the property of Military Business Park Inc.

Attachments:

- [1. Aerial Notification Map](#)
- [2. Zoning Map](#)
- [3. Land Use Map](#)
- [4. Plan Review Application](#)
- [5. Animal Urgent Care Site Plan](#)
- [6. Site Photos](#)
- [7. Surrounding Properties](#)

- 6.05** [19-730](#) P19-09F. Rezoning a portion of property from Mixed Use /Conditional Zoning (MU/CZ) to Limited Commercial (LC), located at 4058 Legend Avenue, (Tax Map # 0418-54-2435) near the intersection of Bragg Boulevard and Sycamore Dairy Road, containing 7.28± acres and being the property of Phillip Taylor

Attachments:

- [P19-09F Aerial Notification Map](#)
- [P19-09F Zoning Map](#)
- [P19-09F Land Use Map](#)
- [Plan Review Application](#)
- [Legend Avenue Commercial Tract Survey](#)
- [Photo of Subject Property](#)
- [Conceptual Site Plan](#)
- [Use Table from UDO](#)

- 6.06** [18-666](#) Approval of a Resolution to execute a Municipal Agreement with NCDOT for Closure of an at-grade railroad crossing on Hillsboro Street as a part of the Rowan Street Roadway Project
- Attachments:** [NCDOT-NS-CSXT-City of Fayetteville-Crossing Closure Agreement-Hillsboro St](#)
[Rowan St Bridge B 4490 Hillsboro RR Xing Closure RESOLUTION](#)
[B4490 Rowan Bridge RR Xing Closure MAP](#)
- 6.07** [19-734](#) Approval of Municipal Certificate with NCDOT for speed limit reduction to 35 mph on Bonanza Drive from Morganton Road to Yadkin Road
- Attachments:** [Bonanza Drive 35 mph MAP](#)
[Repeal 45 mph Bonanza Drive](#)
- 6.08** [19-735](#) Adoption of Capital Project Ordinance 2019-31 to Provide Funding for Installation of Water Taps for Landscape Irrigation on the NCDOT Raeford Road Project, U-4405
- Attachments:** [CPO 2019-31 Water Taps for Raeford Rd Irrigation](#)
[COF RAEFORD RD MEDIAN PROJECT 1 OF 5](#)
[COF RAEFORD RD MEDIAN PROJECT 2 OF 5](#)
[COF RAEFORD RD MEDIAN PROJECT 3 OF 5](#)
[COF RAEFORD RD MEDIAN PROJECT 4 OF 5](#)
[COF RAEFORD RD MEDIAN PROJECT 5 OF 5](#)
- 6.09** [19-738](#) Independent Auditor Contract FY ending June 30, 2019
- Attachments:** [Fay Contract 2019](#)
[Fayetteville arrangement letter](#)
- 6.010** [19-743](#) Ordinance revising definition of “owner” in Chapter 14, Section 14-131, (Nuisance Properties)
- Attachments:** [Ordinance S2019-001 - Nuisance Properties](#)
[Proposed Ordinance - Nuisance Properties](#)
- 6.011** [19-757](#) Uninhabitable Structure Demolition Recommendation
205 University Avenue -- District 4
- Attachments:** [University Ave, 205 - Aerial Map](#)
[University Ave, 205 - Ordinance](#)
[University Ave, 205 - Photos](#)

- 6.012** [19-759](#) Adoption of Capital Project Ordinance Amendment 2019-34 and Authorization for the City Manager to Execute a Professional Services Contract for the Program Management and Early Watershed Study Activities for the City-Wide Stormwater Master Plan

Attachments:

[Fayetteville WS Program Work Authorization](#)
[Project Schedule FY19-20 - Detailed](#)
[Watershed Studies Program Update](#)
[July 27, 2018 - Final memorandum for Stormwater Program Funding and FY 20](#)
[Revised Watershed Study Timing](#)
[CPOA 2019-34 FY19 Stormwater Improvements and Capital](#)

- 6.013** [19-761](#) Request for Legal Representation of Former City Employee

- 6.014** [19-762](#) Prefabricated Relay Control Houses for College Lakes and Hogan Street Substations

Attachments:

[Bid Recommendation - Prefabricated Relay Control Houses for 2 Substations C](#)

7.0 STAFF REPORTS

7.01 [19-758](#) Presentation on PWC Time-of-Use Rates Initiative

Attachments: [City Council Presentation April 23](#)

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 [19-727](#) TA19-002 - TA19-018: Proposed Text Amendments to the Unified Development Ordinance (UDO).

Attachments: [Amendments Summary](#)

[Amendment 2](#)

[Amendment 3](#)

[Amendment 4](#)

[Amendment 5](#)

[Amendment 6](#)

[Amendment 7](#)

[Amendment 8](#)

[Amendment 9](#)

[Amendment 10](#)

[Amendment 11](#)

[Amendment 12](#)

[Amendment 13](#)

[Amendment 14](#)

[Amendment 15](#)

[Amendment 16](#)

[Amendment 17](#)

8.02 [19-736](#)

TA19-018 - TA19-035: Proposed Text Amendments to the Unified Development Ordinance as recommended by the UDO Task Force

Attachments:

[TA19-018, 30-5.A.3.k., Mainted in Good Repair](#)
[TA19-019, 30-5.A.4.f., Maximum Number of Spaces Permitted Maximum Numb](#)
[TA19-020, Table 30-5.A.7., Dimensional Standards for Parking Spaces and ...](#)
[TA19-021, 30-5.A.8.c.3., Site Zoning](#)
[TA19-022, 30-A.8.c.4., Maximumm Shared Spaces](#)
[TA19-023, 30-A.8.c.4., Shared Parking](#)
[TA19-024, Table 30-5.A.10., Required Off-Street Loading Spaces](#)
[TA19-025, 30-5.A.11.d.2., Medians in Driveway Entrances](#)
[TA19-028, Table 30-5.B.3.e.2.h., Species Variety](#)
[TA19-032, 30-5.B.4.c.3.d., Interior Vehicular Use Landscaping Standards....](#)
[TA19-033, 30-5.B.4.e.3.b., Screening Methods](#)
[TA19-026, 30-5.A.11.c., Stacking Lanes for Parking Lot Entrances](#)
[TA19-027, 30-5.B.3.e.2., New Plantings](#)
[TA19-029, 30-5.B.4.b.2., Location](#)
[TA19-030, 30-5.B.4.c.3.b., Interior Vehicular Use Area Landscaping Stan...](#)
[TA19-031, Figure 30-5.B.4.c., Vehicular Use Area Landscaping \(002\)](#)
[TA19-034, 30-5.B.4., Location of Buffers](#)
[TA19-035, 30-5.E.5.d., Coordination with Tree Locations](#)
[TA19-018 Text Amendments Summary](#)

8.03 [19-744](#)

AX19-001: Annexation Request for GCMMB, LLC Property - (Ramsey Street at Farmers Road). Related to P19-07F: Initial Zoning.

Attachments:

[Appendix A-The GCMMB LLC Property-Summary of Services-Costs-Revenues](#)
[Vicinity Map-The GCMMB LLC Property-\(8x11 Landscape\) 040919](#)
[Legal Description Map-The GCMMB LLC Property-8x14-Portrait](#)
[Basic Info Sheet-The GCMMB LLC Property](#)
[Sufficiency Memo-TheGCMMB LLC Property-Recd 031219](#)
[Proposed Annexation Ordinance-The GCMMB LLC Property-\(Contiguous Area\)](#)
[Site Photo 1-Subject property and north](#)
[Site Photo 2-Subject property](#)

- 8.04** [19-745](#) AX19-002 - Annexation Request - McArthur Park II-Northern Part.
Related to item P19-10F - Initial zoning of property from Residential 5A
in Cumberland County (R5A) to Mixed Residential (MR-5).

Attachments: [Appendix A-The Riddle Property-Summary of Services-Costs-Revenues](#)
[Vicinity Map-The Riddle Property-8x11-Landscape-040819](#)
[Legal Description Map-The Riddle Property-Recd 031519](#)
[Basic Info Sheet-The Riddle Property](#)
[Sufficiency Memo-The Riddle Property-Recd 040819 from BBishop](#)
[Proposed Annexation Ordinance-The Riddle Property-\(Contiguous Area\)](#)
[Site Photo 1-The Riddle Property-IMG_1961](#)
[Site Photo 2-The Riddle Property-IMG_1964](#)

- 8.05** [19-750](#) P19-06F: A Zoning Map Amendment to remove obsolete Zoning
Districts within the City of Fayetteville, to reclassify to the closest
matching or appropriate districts within the Unified Development
Ordinance (UDO) and to correct the zoning boundaries to reflect parcel
specific districts versus polygons.

Attachments: [1. Current Zonings Map](#)
[2. Proposed Zoning Map](#)
[3. Pre-UDO Zoning Spreadsheet](#)

- 8.06** [19-754](#) Phase 5 Annexation Utility Improvement Project Areas 18 and 19
Public Hearing on Preliminary Assessment Roll

Attachments: [rollpublichearingarea18and19\(MB\).pdf](#)

9.0 OTHER ITEMS OF BUSINESS

- 9.01** [19-742](#) Resolution Providing for the Sale and Issuance of \$16,000,000
General Obligation Parks and Recreation Bonds, Series 2019

Attachments: [Issuance Resolution-Fayetteville 2019 G.O. \(Voted G.O.R.\) \(Competitive\) \(004\)](#)
[Parks and Recreation Bond Funding Schedule](#)
[Parks and Recreation Re-payment Schedule with Revenue](#)
[General Obligation Bonds Schedule - Fayetteville 2019](#)

10.0 ADMINISTRATIVE REPORTS

- 10.01** [19-747](#) Monthly Statement of Taxes for March 2019

Attachments: [Monthly Statement of Taxes - March 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 **Tuesday, April 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, 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.