

City of Fayetteville

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

Meeting Agenda - Final City Council Regular Meeting

Monday, September 28, 2020

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** [20-1539](#) P20-25F. The request is to rezone property from Single-Family 6 (SF-6) and Neighborhood Commercial (NC) to Mixed Residential (MR-5), located on Cliffdale Road (Tax Map #s 9487-47-7123 & 9487-36-6817), near the intersection of Cliffdale and Braybrooke Place, containing 30.98 acres ± and being the property of Joe Riddle K&Js Properties, LLC and TPGM Properties, LLC, represented by Lori Epler of Larry King & Assoc.

Attachments:

- [1. Application](#)
- [2. P20-25F Aerial Notification Map](#)
- [3. P20-25F Zoning Map](#)
- [4. P20-25F Land Use Map](#)
- [5. Subject Property](#)
- [6. Surrounding Property](#)
- [7. UDO Use Table](#)

- 6.02** [20-1513](#) P20-27F. Rezoning of an existing apartment complex from Single-Family 10 (SF-10) to Mixed Residential 5 (MR-5), located off McArthur Road, (Tax Map# 0439-39-0892) totaling 33.27 acres ± and being the property of Aspen Point, LLC; Crystal Lake Apartments, LLC, represented by Lori Epler.
- Attachments:** [1. Application](#)
 [2. P20-27F Aerial Notification Map](#)
 [3. P20-27F Zoning Map](#)
 [4. P20-27F Land Use Map](#)
 [5. Site Photos](#)
 [6. Site Plan](#)
 [use table](#)
- 6.03** [20-1543](#) Adoption of Special Revenue Fund Project Ordinance 2021-8 for the FY19 Assistance to Firefighters Grant to Purchase Automated External Defibrillators
- Attachments:** [SRO 2021-8 FY19 Assistance to Firefighters Grant](#)
 [FY2019 Assistance to Firefighters Grant Award](#)
- 6.04** [20-1510](#) Adopt a Resolution Authorizing the Conveyance of Water and Sanitary Sewer Easements to the City of Fayetteville by and through Fayetteville Public Works Commission
- Attachments:** [BrunerResolution.doc](#)
 [Bruner.pdf](#)
- 6.05** [20-1509](#) Resolution Authorizing a Quitclaim Deed of the City's Title to the County in Order to Expedite the Sale of Land
- Attachments:** [CountyLotResolutionSeptember2020.docx](#)
 [402SPlymouthSt.pdf](#)
 [319LincolnDr.pdf](#)
 [2TractsJohnsonSt.pdf](#)
 [Lt233BonnieAc.pdf](#)
- 6.06** [20-1525](#) Rescind Demolition Ordinance - 5725 Waters Edge Drive
- Attachments:** [Waters Edge Drive, 5725 Recorded Demolition Ordinance](#)
 [Waters Edge Drive, 5725 Resolution Rescinding Demolition Ordinance](#)
 [Waters Edge Drive, 5725 Before & After Photos](#)
- 6.07** [20-1540](#) Request for Legal Representation of City Employees

- 6.08** [20-1528](#) Bid Recommendation - Two 67kV Delta Primary Voltage Power Transformers for Black & Decker & PO Hoffer Substation Rebuild Projects
- Attachments:** [Bid Recommendation - Black and Decker PO Hoffer 67kV Delta Power Transfo](#)
- 6.09** [20-1534](#) Bid Recommendation - Two 67kV Delta Primary Voltage Power Transformers
- Attachments:** [Bid Recommendation - 67kV Delta Power Transformers](#)
- 6.10** [20-1551](#) Election Season Requests
- Attachments:** [§136.32 - Regulation of Signs](#)

7.0 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.

7.01 [20-1520](#)

P20-12F. Rezoning of all or portions of properties located on Candlelight Drive off Kenwood Drive and on Arbor Road from Single-Family Residential 6 (SF-6), Single-Family Residential 10, and Limited Commercial (LC) to Mixed Residential 5 (MR-5), totaling 8.82 acres ± and being the properties of Measamer Construction Co. Inc, Measer/West, LLC and Westco Properties, LLC, represented by Tim Clark of McKim and Creed.

Attachments:

- [1. Plan Review Application](#)
- [2. P20-12F Aerial Notification Map](#)
- [3. P20-12F Zoning Map](#)
- [4. P20-12F Land Use Map](#)
- [5. Subject Property](#)
- [6. Preliminary Plat](#)
- [7. Kenwood Apartments Front Building Elevations
use table](#)

7.02 [20-1516](#)

P20-26F. The request is for a Special Use Permit to allow the construction of a four unit townhome, zoned as Single-Family 6 (SF-6), located at 600 & 602 Roxie Avenue (Tax Map # 0416-78-5714 & 0416-78-5616), totaling .48 acres ± and being the property of Wayside Investments, LLC, represented by Scott Brown.

Attachments:

- [1. Application](#)
- [2. P20-26F Aerial Notification Map](#)
- [3. P20-26F Zoning Map](#)
- [4. P20-09F - Land Use Map](#)
- [5. Subject Properties](#)
- [6. Roxie Ave Townhomes updated site plan](#)

- 7.03** [20-1476](#) P20-28F. The request is for a Special Use Permit to allow an automotive wrecker service on property zoned Community Commercial (CC), located at 4800 & 4802 Murchison Road (Tax Map # (0429-33-2524, 0429-33-2447 & 0429-33-3405), near the intersection of Murchison and Bowden Road, containing 1.15 acres ± and being the property of Steven McBride, represented by Henry Tyson, Tyson Commercial Real Estate.

Attachments:

- [1. Application](#)
- [2. P20-28F Aerial Notification Map](#)
- [3. P20-28F Zoning Map](#)
- [4. P20-28F Land Use Map](#)
- [5. Subject Property](#)
- [6. Surrounding Property](#)
- [7. Site Survey – Existing Conditions](#)

- 7.04** [20-1537](#) Public Hearing for Text Amendments: TA20-001, TA20-002, and TA20-003; three (3) proposed text amendments to Article 30 of the Unified Development Ordinance.

Attachments:

- [TA20-001 - 003 Text Amendment Summary](#)
[TA20-001 Ordinance, CC 9-28-2020](#)
[TA20-002 Ordinance, CC 9-28-2020](#)
[TA20-003 Ordinance, CC 9-28-2020](#)

- 7.05** [20-1506](#) Phase 5 Annexation Utility Improvement Project Area 22 Public Hearing on Preliminary Assessment Roll

Attachments:

- [ccam.rollpublichearing2.A22](#)
[rollpublichearing2.A22](#)

8.0 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 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.

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 28, 2020

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.