



FAYETTEVILLE CITY COUNCIL
AGENDA
MAY 28, 2013
7:00 P.M.
Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 APPROVAL OF AGENDA

5.0 CONSENT

- 5.1 Adoption of resolution advocating for passage of special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board to facilitate its review of police disciplinary cases.
- 5.2 Adoption of a Resolution of the City Council opposing House Bill 773
- 5.3 Airport Commission Ex-officio Membership
- 5.4 Capital Project Ordinance Amendment 2013-29 (Linear Park Project)
- 5.5 Capital Project Ordinance Amendment 2013-30 (Airport Runway and Taxiway Improvements in Federal Project AIP 39)
- 5.6 Capital Project Ordinance Amendment 2013-31 (Transit Capital Grant 469)
- 5.7 Capital Project Ordinance Amendments 2013-32 and 2013-33 (Transit Capital Grant 514); Special Revenue Fund Project Ordinance Amendment 2013-7 (Transit Planning Grant 514) and Associated Resolutions Authorizing NC Department of Transportation (NCDOT) Capital and Planning Grants
- 5.8 P13-13F. City initiated rezoning of property from LI Light Industrial to CC – Community Commercial or to a more restrictive district, located at 4311 Bragg Blvd. containing 2.01 acres more or less and being the property of Bill Claydons Tattoo World Inc.

5.9 P13-16F. Initial zoning of property to LC - Limited Commercial or to a more restrictive district, located on W. Mountain Drive containing 0.77 acres more or less and being the property of Charles Horne.

5.10 Fayetteville Advisory Committee on Transit (FACT) Membership

5.11 Federal Advocacy Partnership of Memorandum of Understanding

5.12 Approve Meeting Minutes:

April 2, 2013 - WKS

April 8, 2013 - Discussion of Agenda Items

April 8, 2013 - Regular Meeting

April 10, 2013 - Special Budget

April 17, 2013 - Agenda Briefing

April 22, 2013 - Discussion of Agenda Items

April 22, 2013 - Regular Meeting

5.13 Bid Recommendation for Installation of Cape Fear Substation

5.14 Request from Cape Fear Botanical Garden

6.0 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.

6.1 P13-17F. Initial zoning of property to SF-6 – Single Family Residential or to a more restrictive district, located on Tammy Street and Holland Street containing 3.2 acres more or less and being the property of Shaw Area Church of God and Cumberland County.

Presenter(s): Craig Harmon, AICP, CZO - Planner II

6.2 Public Hearing to Consider a Petition Requesting Annexation of a Non-Contiguous Area Known as Property of Shaw Area Church of God and Cumberland County (2 Parcels Are Owned by Church and 4 Parcels Are Owned by County)-(Located on the Eastern Side of Holland Street and the Southern Side of Tammy Street in the Shaw Heights Community)

Presenter(s): David Nash, AICP, Planner II

6.3 Public Hearing to Consider a Petition Requesting Annexation of a Contiguous Area Known as the Charles Horne Stormwater Facility Property (Located on the Northern Side of West Mountain Drive)

Presenter(s): David Nash, AICP, Planner II

7.0 OTHER ITEMS OF BUSINESS

7.1 Adoption of the City of Fayetteville FY 2014 Strategic Plan

Presenter(s): Rebecca Rogers-Carter, Strategic Planning Manager

7.2 Community Development - Approval of Update of the Downtown Fayetteville Renaissance Plan

Presenter(s): Jami McLaughlin, Downtown Development Manager and William Grimes, Studio Cascade

7.3 Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

Presenter(s): Robert T. Hurst, Jr., Council Member, District 5

7.4 Presentation of Recommended Fiscal Year 2013-2014 Budget

Presenter(s): Theodore L. Voorhees, City Manager and Steve Blanchard, PWC General Manager

8.0 ADMINISTRATIVE REPORTS

8.1 Monthly Statement of Taxes for April 2013

9.0 ADJOURNMENT

CLOSING REMARKS

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.

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 in the Executive Offices, Second 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 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 non-public hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) 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 28, 2013 - 7:00 p.m.
COMMUNITY CHANNEL 7**

COUNCIL MEETING WILL BE RE-AIRED

**May 29, 2013 - 10:00 p.m.
COMMUNITY 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 Ron McElrath, ADA Coordinator, at rmcelrath@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.*

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Theodore L. Voorhees, City Manager
DATE: May 28, 2013
RE: **Adoption of resolution advocating for passage of special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board to facilitate its review of police disciplinary cases.**

THE QUESTION:

Adoption of resolution advocating for passage of special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board to facilitate its review of police disciplinary cases.

RELATIONSHIP TO STRATEGIC PLAN:

This item supports the City's goal of Greater Community Unity

BACKGROUND:

In an effort to display greater transparency and accountability, the Fayetteville City Council adopted an ordinance establishing a Citizen Review Board to facilitate review of police disciplinary cases, January 14, 2013. Several other municipalities in North Carolina operate successful similar boards.

To establish the Board's membership, scope, jurisdiction and hearing process, the City worked vigorously to develop a Procedures Manual in a collaborative process with members of the Fayetteville Police Department, the City Attorney and the City Manager's Office. City Council adopted the Procedures Manual January 14, 2013.

The 2013-2014 biennium of the North Carolina General Assembly convened on January 30, 2013. Fayetteville's legislative delegation's support and advocacy is instrumental in assisting the City with acquiring authority to establish certain programs. On February 11, 2013 City Council adopted the City of Fayetteville 2013 State Legislative Agenda, which includes a provision to seek special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board to facilitate its review of police disciplinary cases.

House Bill 349, special legislation in support of the City of Fayetteville's Citizen Review Board, was sponsored and supported by members of the Cumberland County Delegation during the 2013 session of the North Carolina General Assembly.

Additionally, in an effort to alleviate concerns about the Citizen Review Board, the City met with members of various advocacy groups and amended House Bill 349 to make clearer the repercussions for board members should they violate confidentiality.

The attached resolution will assist the City to advocate for passage of House Bill 349, special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board.

ISSUES:

N/A

BUDGET IMPACT:

OPTIONS:

1. Adopt the resolution advocating for special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board.
2. Do not adopt the resolution advocating for special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board.

RECOMMENDED ACTION:

Staff recommends Council move to pass the resolution advocating for special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board.

ATTACHMENTS:

Resolution - Supporting HB 349

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO SUPPORT AND ADVOCATE FOR PASSAGE OF SPECIAL LEGISLATION TO ALLOW THE CITY TO CONFIDENTIALLY DISCLOSE LIMITED PERSONNEL INFORMATION TO MEMBERS OF A CITIZEN REVIEW BOARD

WHEREAS, in an effort to display greater transparency and accountability, the Fayetteville City Council adopted an ordinance on January 14, 2013, establishing a Citizen Review Board to facilitate review of Police Department disciplinary cases, and;

WHEREAS, to establish the Board's membership, scope, jurisdiction and hearing process, the City worked vigorously to develop a Procedures Manual in a collaborative process with members of the Fayetteville Police Department, the City Attorney and the City Manager's Office, which City Council has endorsed, and;

WHEREAS, several other municipalities in North Carolina successfully operate similar boards, and;

WHEREAS, on February 11, 2013, City Council adopted the City of Fayetteville 2013 State Legislative Agenda, which includes a provision to seek special legislation allowing the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board to facilitate its review of Police disciplinary cases, and;

WHEREAS, House Bill 349, special legislation in support of the City of Fayetteville's Citizen Review Board, was sponsored and supported by members of the Cumberland County Delegation, and;

WHEREAS, the City has met with members of various advocacy groups in an effort to alleviate concerns about the Citizen Review Board and the City has amended House Bill 349 to make clearer the repercussions for board members should they violate confidentiality, and;

NOW, THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, this Council does hereby resolve that the City of Fayetteville, North Carolina, supports and advocates for passage of special legislation to allow the City of Fayetteville to confidentially disclose limited personnel information to the members of the Citizen Review Board to facilitate its review of police disciplinary cases.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

FAYETTEVILLE, NORTH CAROLINA, on this, the 28th day of May, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Theodore L. Voorhees, City Manager
DATE: May 28, 2013
RE: **Adoption of a Resolution of the City Council opposing House Bill 773**

THE QUESTION:

Adoption of a resolution of the City Council opposing House Bill 773

RELATIONSHIP TO STRATEGIC PLAN:

This item supports the City's goal of Growing City Livable Neighborhoods

BACKGROUND:

Since 2007, the City of Fayetteville has sought to reduce blight and crime through oversight of residential properties. To that end, the City adopted a Probationary Rental Occupancy Permit (PROP) Program on April 26, 2011, to regulate properties with repeated code violations or crimes. However, on June 18, 2011, Senate Bill 683 was ratified by the General Assembly, setting forth narrow criteria regarding the regulation and inspection of rental properties and rendering the PROP Program unenforceable. The City subsequently revised the PROP Program to meet the criteria set forth by SB683, thereby establishing the Rental Action Management Program (RAMP) on February 27, 2012.

Since then, the City has worked to implement RAMP effective July 1, 2012. The City's RAMP program is a successful collaboration between code enforcement officials and the police department. The program is designed to allow the City to more closely monitor rental properties that are the site of repeated or severe code violations or that are the site of certain criminal acts. RAMP is intended to achieve compliance rather than impose punishment and provides property owners with extensive notice and opportunity to remediate violations. The program is important to our community as nearly 50% of inhabited dwellings in Fayetteville are renter-occupied, increasing the potential for neglect or code violations.

Initial data indicate that RAMP has been an effective deterrent to nuisance code and minimum housing code violations, as only 10.6% of properties that received warning notices have been enrolled in the program.

House Bill 773 would render the RAMP program unenforceable and limit the City of Fayetteville's ability to protect the safety and livability of its communities.

This resolution will assist the City in its efforts to oppose HB773 and similar legislation that would limit local authority to ensure a high quality of life for its citizens.

ISSUES:

N/A

BUDGET IMPACT:

OPTIONS:

1. Pass the resolution of the City Council opposing House Bill 773
2. Do not adopt the resolution of the City Council opposing House Bill 773

RECOMMENDED ACTION:

Staff recommend Council move to pass the resolution opposing House Bill 773

ATTACHMENTS:

Resolution - Opposition to HB 773

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE OPPOSING HOUSE BILL 773

WHEREAS, the Mayor and City Council of the City of Fayetteville are committed to sustaining and improving the quality of life for Fayetteville citizens, and;

WHEREAS, nearly 50% of inhabited dwellings in Fayetteville are renter-occupied, increasing the potential for neglect or code violations, and;

WHEREAS, since 2007, the City of Fayetteville has sought to reduce blight and crime through oversight of residential properties, adopting the Probationary Rental Occupancy Permit (PROP) Program on April 26, 2011, to regulate properties with repeated code violations or crimes, and;

WHEREAS, on June 18, 2011, Senate Bill 683 was ratified by the General Assembly, setting forth narrow criteria regarding the regulation and inspection of rental properties and rendering the PROP Program unenforceable, and;

WHEREAS, the City of Fayetteville subsequently revised the PROP Program to meet the criteria set forth by SB683, thereby establishing the Rental Action Management Program (RAMP) on February 27, 2012, and;

WHEREAS, RAMP is intended to achieve compliance rather than impose punishment and provides property owners with extensive notice and opportunity to remediate violations, and;

WHEREAS, initial data indicate that RAMP has been an effective deterrent to nuisance code and minimum housing code violations, as only 10.6% of properties that received warning notices have been enrolled in the program, and;

WHEREAS, House Bill 773 would render the RAMP program unenforceable and limit the City of Fayetteville's ability to protect the safety and livability of its communities, and;

NOW, THEREFORE, BE IT RESOLVED that this Council does hereby register its opposition to HB773 and similar legislation that would limit local authority to ensure a high quality of life for its citizens.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 8th day of October, 2012;

such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Bradley S. Whited, Airport Director
DATE: May 28, 2013
RE: **Airport Commission Ex-officio Membership**

THE QUESTION:

RELATIONSHIP TO STRATEGIC PLAN:

Economic growth.

BACKGROUND:

The Chamber President's schedule frequently conflicts with Airport Commission meetings and he has inquired about sending the Vice President of Economic Development as his representative. After discussions with the Airport Commission and the City Council Boards and Commissions Committee, it was suggested to amend the ordinance and list the Executive Vice President of the Economic Development Alliance of Fayetteville and Cumberland County, NC as the Ex-officio Member.

ISSUES:

This will continue the Airport Commission's relationship for Airport economic development.

BUDGET IMPACT:

No budget impact.

OPTIONS:

Accept or deny the Ordinance Amendment.

RECOMMENDED ACTION:

This action was recommended by City Council Boards and Commission Committee.

ATTACHMENTS:

Ordinance - Airport Commission, Ex-Officio Membership

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 3-51(b)(2) EX OFFICIO, NONVOTING MEMBERS, OF ARTICLE II, AIRPORT COMMISSION, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Paragraph (b)(2), in Section 3-51 is amended by deleting Paragraph (b) (2) ~~The President of the Cumberland County Business Council~~ and replacing with **Executive Vice President of Economic Development, Economic Development Alliance of Fayetteville & Cumberland County, NC**

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

Adopted this ____ day of _____, 2013

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

b) *Ex officio, nonvoting members.* The following shall be ex officio, non voting members of the Fayetteville Airport Commission:

- (1) A member of the state board of transportation residing in the County;
- (2) ~~The President of the Cumberland County Business Council~~ **Executive Vice President of Economic Development, Economic Development Alliance of Fayetteville & Cumberland County, NC**
- (3) The President of the Fayetteville Business and Professional League; and
- (4) The President of the Fayetteville Area Convention and Visitor's Bureau.

None of the appointments specified in this subsection shall be considered as part of the membership of the Fayetteville Airport Commission for purposes of constituting a quorum.

DRAFT

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 28, 2013
RE: **Capital Project Ordinance Amendment 2013-29 (Linear Park Project)**

THE QUESTION:

This project amendment will appropriate an additional \$46,300 for the Linear Park Project, as well as related improvements at the Cross Creek Park.

RELATIONSHIP TO STRATEGIC PLAN:

Vision Principle E: Vibrant Downtown - 5. Downtown linked to river and Fayetteville State University

BACKGROUND:

The Lafayette Society has committed to contribute up to \$45,000 to the Linear Park Corporation to make improvements around the Lafayette Statute in Cross Creek Park. To date, the Lafayette Society has contributed \$35,000 for the project and will provide an additional \$10,000 if required to complete the project. The project will include a concrete walkway and plaza, area lighting, and a brick seat wall with uplighting for the Lafayette Statute.

Also, additional donations totaling \$1,300 will be appropriated in this amendment to make additional improvements within Linear Park.

ISSUES:

None

BUDGET IMPACT:

As noted above.

OPTIONS:

- 1) Adopt Capital Project Ordinance Amendment 2013-29.
- 2) Do not adopt Capital Project Ordinance Amendment 2013-29.

RECOMMENDED ACTION:

Staff recommends adoption of Capital Project Ordinance Amendment 2013-29.

ATTACHMENTS:

CPOA 2013-29 Linear Park Donation Appropriation

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2013-29 (CPO 2004-3)**

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project change authorized is to Capital Project Ordinance 2004-3, adopted November 17, 2003, as amended, for the funding of the Linear Park project, and the related Cross Creek Park project.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	Listed As	Amendment	Revised
Donations	\$ 1,917,273	\$ 46,300	\$ 1,963,573
General Fund Transfer	50,000	-	50,000
Transfer from PWC	79	-	79
Investment Income	45,415		45,415
	\$ 2,012,767	\$ 46,300	\$ 2,059,067

Section 4. The following amounts are appropriated for the project:

Project Expenditures	\$ 2,012,767	\$ 46,300	\$ 2,059,067
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Section 5. Copies of this capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of May, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 28, 2013
RE: **Capital Project Ordinance Amendment 2013-30 (Airport Runway and Taxiway Improvements in Federal Project AIP 39)**

THE QUESTION:

This amendment will appropriate an additional \$45,050 for this grant funded airport capital project.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 1: Greater Tax Base Diversity - Strong Local Economy - Means: Convenient air travel at a reasonable cost.

BACKGROUND:

The airport was awarded a Federal Aviation Administration (FAA) grant referred to as Airport Improvement Project 39 to fund construction of Runway 4 Safety Area improvements and the Taxiway "A" extension, as well as design for Runway 4/22 improvements in 2012. Since that time, the City issued a contract to proceed with the improvements.

A period of heavy rain during construction has compromised the sub-grade surface of the area to be paved. The engineer has recommended installation of sub-drains and a more course sub-base to permit the water to disperse and allow compaction before paving the area. The additional appropriation of \$45,050 will fund this necessary work.

Since the FAA allows up to a 15% contingency for additional project expenses, the City expects 90% of this additional cost (\$40,545) to be funded through the FAA grant and the remaining 10% (\$4,505) will be funded from the Airport Operating Fund.

ISSUES:

None.

BUDGET IMPACT:

See budget impact described above.

OPTIONS:

- 1) Adopt Capital Project Ordinance Amendment 2013-30.
- 2) Do not adopt Capital Project Ordinance Amendment 2013-30.

RECOMMENDED ACTION:

Staff recommends adoption of Capital Project Ordinance Amendment 2013-39.

ATTACHMENTS:

CPOA 2013-30 AIP 39

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2013-30 (CPO 2013-14)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project change authorized is to Capital Project Ordinance 2013-14, adopted August 13, 2012, as amended, for construction of improvements to the Runway Safety Area (RSA) for Runway 4, and Taxiway "A" extension, as well as, design for Runway 4/22 paved shoulders, as authorized in the Federal Aviation Administration Project No. 39.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
Federal Grant - Federal Aviation Administration	\$ 4,009,670	\$ 40,545	\$ 4,050,215
Local Match - Airport Operating Fund Transfer	445,519	4,505	450,024
Sale of Grant Asset - Fire Truck	25,000	-	25,000
	<u>\$ 4,480,189</u>	<u>\$ 45,050</u>	<u>\$ 4,525,239</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 4,480,189</u>	<u>\$ 45,050</u>	<u>\$ 4,525,239</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 28th day of May, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 28, 2013
RE: **Capital Project Ordinance Amendment 2013-31 (Transit Capital Grant 469)**

THE QUESTION:

Capital Project Ordinance Amendment 2013-31 will appropriate an additional \$492,795 for this project. The amendment is funded by \$404,322 in federal grant proceeds and a required local match of \$88,473 from the General Fund.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2: More Efficient City Government - Cost Effective Service Delivery.
Objective 3: Investing in City's future infrastructure, facilities and equipment.

BACKGROUND:

On March 14, 2011, City Council appropriated federal grant NC-90-X469 and matching funds for various transit capital items totaling \$2,856,131. In a subsequent action, City Council appropriated grant funds from the NC Department of Transportation (NCDOT) for this project and reduced the required match from the General Fund.

Recently, the Federal Transit Administration approved the reallocation of a portion of its grant funds, primarily the preventative maintenance portion of the grant, to other capital purposes within the grant. The reallocation of these funds will allow the City to acquire an additional replacement bus; as well as, provide additional resources for the renovation of facilities, purchase of bus shelters, and construction of pedestrian walkways.

To reflect these changes in the grant authorization, City Council is asked to appropriate an additional \$404,322 in federal grant funds for this project as well as the additional required local match of \$88,473 from the General Fund.

ISSUES:

None.

BUDGET IMPACT:

See background information above.

OPTIONS:

- 1) Adopt Capital Project Ordinance Amendment 2013-31
- 2) Do not adopt Capital Project Ordinance Amendment 2013-31

RECOMMENDED ACTION:

Adopt Capital Project Ordinance Amendment 2013-31.

ATTACHMENTS:

Capital Project Ordinance Amendment 2013-31

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2013-31 (CPO 2011-10)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project change authorized is to Capital Project Ordinance 2011-10, adopted March 14, 2011, as amended, for the funding of the Transit Capital Grant 469, which includes funds for the replacement and rehabilitation of buses, technology upgrades, building renovations, bus shelters and pedestrian walkways.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	Listed As	Amendment	Revised
Federal Transit Administration	\$ 2,344,755	\$ 404,322	\$ 2,749,077
North Carolina Department of Transportation	238,369	-	238,369
Local Match - General Fund Transfer	273,007	88,473	361,480
	<u>\$ 2,856,131</u>	<u>\$ 492,795</u>	<u>\$ 3,348,926</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 2,856,131</u>	<u>\$ 492,795</u>	<u>\$ 3,348,926</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 28th day of May, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 28, 2013
RE: **Capital Project Ordinance Amendments 2013-32 and 2013-33 (Transit Capital Grant 514); Special Revenue Fund Project Ordinance Amendment 2013-7 (Transit Planning Grant 514) and Associated Resolutions Authorizing NC Department of Transportation (NCDOT) Capital and Planning Grants**

THE QUESTION:

Capital Project Ordinance Amendment 2013-32 and Special Revenue Fund Project Ordinance Amendment 2013-7 will appropriate \$115,000 in state grant funds and reduce the local match from the General Fund by the same amount for transit projects associated with Federal Grant 514. In addition, the attached resolutions will authorize the City Manager to execute the associated grant agreement with the NCDOT.

Capital Project Ordinance Amendment 2013-33 will increase the transit capital project budget by \$64,441 by appropriating additional Federal Transit Administration (FTA) funds of \$51,553 and a required local match of \$12,888.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2: More Efficient City Government - Cost Effective Service Delivery
Objective 3: Investing in City's future infrastructure, facilities and equipment

BACKGROUND:

Transit received a federal grant (NC-90-X514) for various capital and planning items totaling \$3,213,000 that was appropriated by City Council on August 27, 2012. At that time, the City did not know if the NCDOT would provide a local match for the grant funded projects. To proceed with purchases and activities authorized in the grant, the City provided the full local match, assuming that NCDOT would not approve any funds for the project.

At its May meeting, NCDOT approved a matching grant award of \$115,000 for the transit projects as follows: \$65,000 for engineering and design of the multi-modal transportation facility and \$50,000 for the planning portion of the project. Capital Project Ordinance Amendment 2013-32 and Special Revenue Fund Project Ordinance Amendment 2013-7 will appropriate the state grant funds and reduce the local match from the General Fund by the same amount. To accept the state grants, Council must adopt two resolutions authorizing the City Manager to execute the grant agreement with the NCDOT.

In addition, FTA recently approved the reallocation of \$64,441 in project funding to the pedestrian access/walkways portion of the grant. Capital Project Ordinance Amendment 2013-33 will appropriate the additional \$64,441 for this project. The amendment is funded through FTA funds of \$51,553 and a required local match from the General Fund of \$12,888.

ISSUES:

None.

BUDGET IMPACT:

See background information above.

OPTIONS:

- 1) Adopt Capital Project Ordinance Amendment 2013-32, Capital Project Ordinance Amendment 2013-33, Special Revenue Project Ordinance 2013-7, and the two accompanying state grant resolutions.
- 2) Do not adopt the project amendments and the two resolutions.

RECOMMENDED ACTION:

Adopt Capital Project Ordinance Amendment 2013-32, Special Revenue Project Ordinance 2013-7 and the two accompanying state grant resolutions; and, adopt Capital Project Ordinance Amendment 2013-33.

ATTACHMENTS:

- Capital Project Ordinance Amendment 2013-32
- Capital Project Ordinance Amendment 2013-33
- Special Revenue Fund Project Ordinance Amendment 2013-7
- State Resolution for Grant NC-90-X514 (Capital)
- State Resolution for Grant NC-90-X514 (Planning)

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2013-32 (CPO 2013-16)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project change authorized is to Capital Project Ordinance 2013-16, adopted August 27, 2012, as amended, for the funding of the Transit Capital Grant 514, which includes funds for the replacement and expansion of buses and vans, design/engineering of the Multi Modal Center, bus shelters, equipment & related pedestrian sidewalk construction.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	Listed As	Amendment	Revised
Federal Transit Administration	\$ 2,221,700	\$ -	\$ 2,221,700
North Carolina Department of Transportation	-	65,000	65,000
Local Match - General Fund Transfer	491,300	(65,000)	426,300
	<u>\$ 2,713,000</u>	<u>\$ -</u>	<u>\$ 2,713,000</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 2,713,000</u>	<u>\$ -</u>	<u>\$ 2,713,000</u>
----------------------	---------------------	-------------	---------------------

Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 28th day of May, 2013.

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2013-33 (CPO 2013-16)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project change authorized is to Capital Project Ordinance 2013-16, adopted August 27, 2012, as amended, for the funding of the Transit Capital Grant 514, which includes funds for the replacement and expansion of buses and vans, design/engineering of the Multi Modal Center, bus shelters, equipment & related pedestrian sidewalk construction.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
Federal Transit Administration	\$ 2,221,700	\$ 51,553	\$ 2,273,253
North Carolina Department of Transportation	65,000	-	65,000
Local Match - General Fund Transfer	426,300	12,888	439,188
	<u>\$ 2,713,000</u>	<u>\$ 64,441</u>	<u>\$ 2,777,441</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 2,713,000</u>	<u>\$ 64,441</u>	<u>\$ 2,777,441</u>
----------------------	---------------------	------------------	---------------------

Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 28th day of May, 2013.

SPECIAL REVENUE FUND PROJECT ORDINANCE AMENDMENT
CHANGE 2013-7 (ORD 2013-5)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby amended:

Section 1. The project change authorized is to the Special Revenue Project Ordinance 2013-5, adopted August 27, 2012, as amended, for the FY 2012 Transit Planning Grant 514 awarded by the Federal Transit Administration.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various grant agreements executed with the Federal and State governments and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
Federal Transit Administration	\$ 400,000	\$ -	\$ 400,000
North Carolina Department of Transportation	-	50,000	50,000
Local Match - General Fund Transfer	100,000	(50,000)	50,000
	<u>\$ 500,000</u>	<u>\$ -</u>	<u>\$ 500,000</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	\$ 500,000	\$ -	500,000
	<u>\$ 500,000</u>	<u>\$ -</u>	<u>\$ 500,000</u>

Section 5. Copies of this special revenue project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of May, 2013.

RESOLUTION
AUTHORIZING **CITY OF FAYETTEVILLE**
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____ for adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, the **CITY OF FAYETTEVILLE** has requested the North Carolina Department of Transportation to assist in the funding of the **FY2014 Transit Capital Grant NC-90-X514**; and

WHEREAS, the **CITY OF FAYETTEVILLE** will provide a portion of the cost of the above described project;

NOW THEREFORE, BE IT RESOLVED that the **CITY MANAGER** * is hereby authorized to enter into a contract with the Department of Transportation and execute all agreements and contracts with the North Carolina Department of Transportation, Public Transportation Division.

.....
I, Anthony G. Chavonne * do hereby certify that the above is a true and correct copy of an excerpt for the minutes of a meeting of the **City of Fayetteville City Council** duly held on the 28th day of **May, 2013**.

BY: _____
ANTHONY G. CHAVONNE, Mayor

(Official Seal)

ATTEST:

Pamela J. Megill, City Clerk

* the official authorized to enter onto agreement **SHOULD NOT** sign the resolution.

RESOLUTION
AUTHORIZING **CITY OF FAYETTEVILLE**
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____ for adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, the **CITY OF FAYETTEVILLE** has requested the North Carolina Department of Transportation to assist in the funding of the **FY2014 Transit Planning Grant NC-90-X514**; and

WHEREAS, the **CITY OF FAYETTEVILLE** will provide a portion of the cost of the above described project;

NOW THEREFORE, BE IT RESOLVED that the **CITY MANAGER** * is hereby authorized to enter into a contract with the Department of Transportation and execute all agreements and contracts with the North Carolina Department of Transportation, Public Transportation Division.

.....
I, Anthony G. Chavonne * do hereby certify that the above is a true and correct copy of an excerpt for the minutes of a meeting of the **City of Fayetteville City Council** duly held on the 28th day of **May, 2013**.

BY: _____
ANTHONY G. CHAVONNE, Mayor

(Official Seal)

ATTEST:

Pamela J. Megill, City Clerk

* the official authorized to enter onto agreement **SHOULD NOT** sign the resolution.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: May 28, 2013
RE: **P13-13F. City initiated rezoning of property from LI Light Industrial to CC – Community Commercial or to a more restrictive district, located at 4311 Bragg Blvd. containing 2.01 acres more or less and being the property of Bill Claydons Tattoo World Inc.**

THE QUESTION:

Request to rezone property to CC – Community Commercial

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods Growth and development

BACKGROUND:

Owner: Bill Claydons Tattoo World Inc.
Applicant: City of Fayetteville
Requested Action: Rezoning LI to CC
Property Address: 4311 Bragg Blvd
Council District: 9
Status of Property: Developed commercial buildings
Size: 2.01 acres +/-
Adjoining Land Use & Zoning:
North - CC
South - CC
West - CC
East – CC
Letters Mailed: 14
Land Use Plan: Heavy Commercial
2030 Growth Vision Plan: Policy 1.2: The rehabilitation and reuse of currently unused or UNDERUTILIZED STRUCTURES, SITES AND INFRASTRUCTURE shall be encouraged.
Bragg Boulevard Corridor Plan: Proposed Retail

ISSUES:

This property contains multiple commercial structures with many different uses. During the remapping portion of the Unified Development Ordinance (UDO) adoption, this property was zoned to LI - Limited Commercial. This was done to accommodate an adult oriented business located on the property. While the LI district does allow for adult business, it does not allow for the general retail that is conducted in the other commercial buildings on this site. The applicant is now requesting that this property be rezoned to CC - Community Commercial to match its surrounding zoning and make all of the commercial uses on this property conforming except for the adult oriented one. The adult oriented use would now become grandfathered and would be allowed to stay in business.

The Zoning Commission voted 5-0 to recommend approval. There were no speakers in opposition to this case.

Zoning Commission and staff recommend approval of this rezoning to the Community Commercial based on the following:

1. This property is surrounded by CC zoning.
2. there are several unused or underutilized building on this property that cannot be rented for commercial use due to the LI zoning.
3. the 2030 Growth Vision Plan encourages the rehabilitation and reuse of current commercial

structures, and the zoning is consistent with both the Bragg Boulevard plan and the 2010 Land Use Plan.

BUDGET IMPACT:

This action would result in no increase in public services; this property is already fully developed..

OPTIONS:

- 1) Approval of the rezoning as requested by the applicant (Recommended);
- 2) Approval of the rezoning to a more restrictive district;
- 2) Denial of the rezoning request.

RECOMMENDED ACTION:

Zoning Commission & Staff Recommend: That the City Council move to APPROVE the rezoning to the Community Commercial district, as presented by staff.

ATTACHMENTS:

Zoning Map

Current Land Use

Land Use Plan

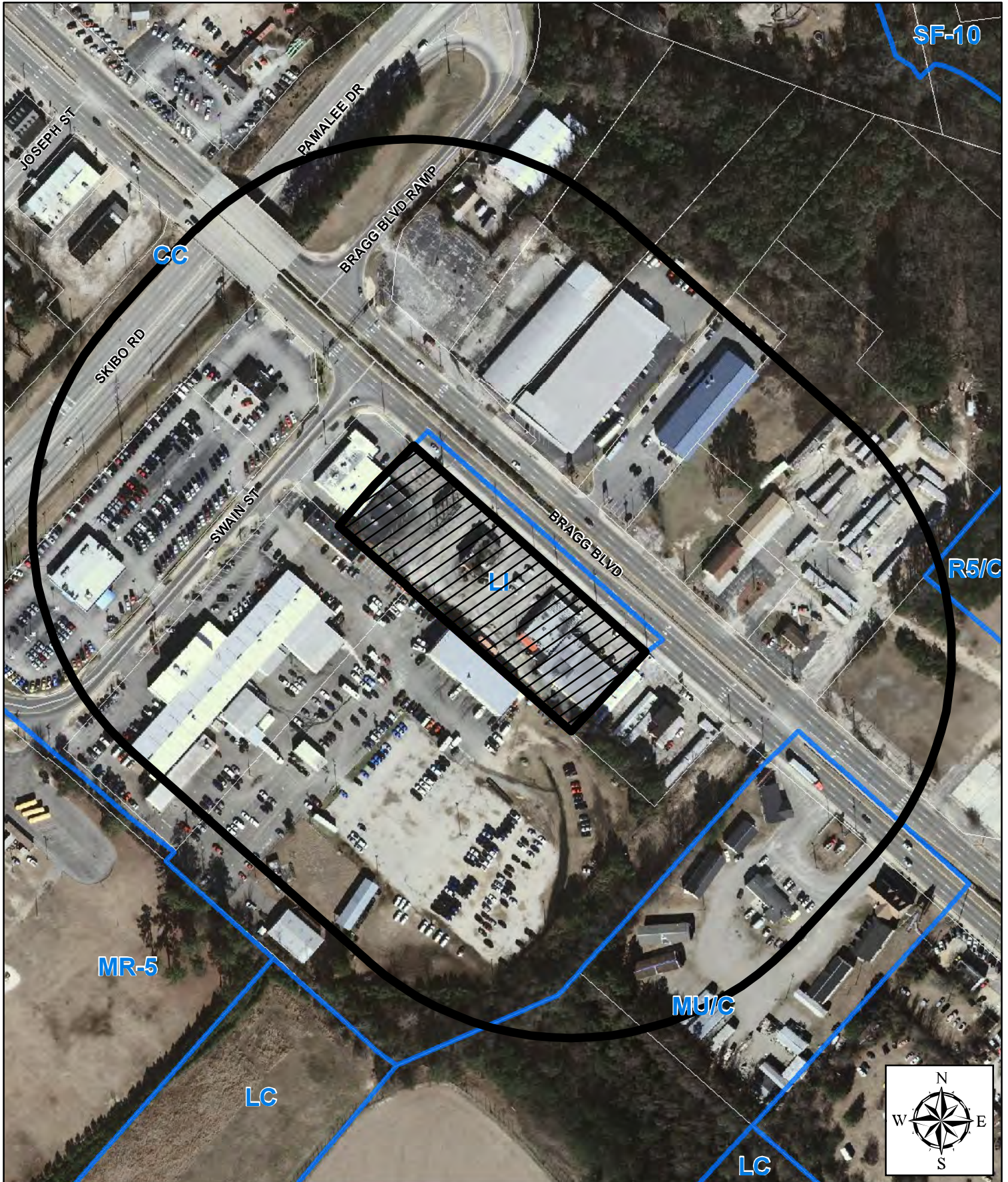
Site Photo 1

Site Photo 2

Site Photo 3

Site Photo 4

**ZONING COMMISSION
CASE NO. P13-13F**

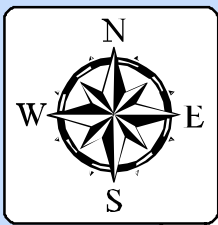
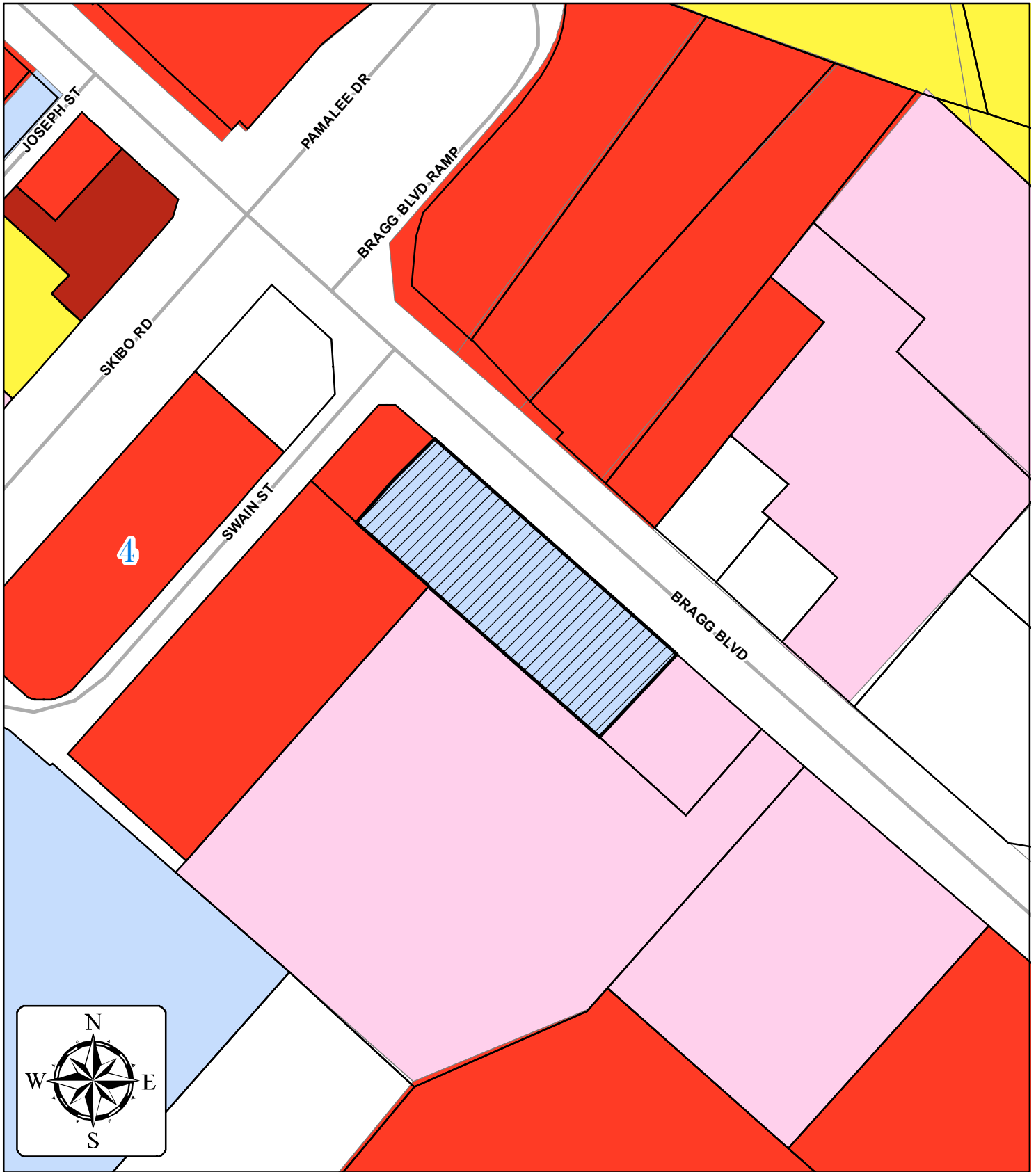


Request: LI to CC
Location: 4311 Bragg Blvd.
Size: 2.01 acres +/-

Zoning Commission: 04/09/2013 **Recommendation: _____**
City Council: _____ **Final Action: _____**
Pin: 9496-98-8904

Current Land Use

P13-13F

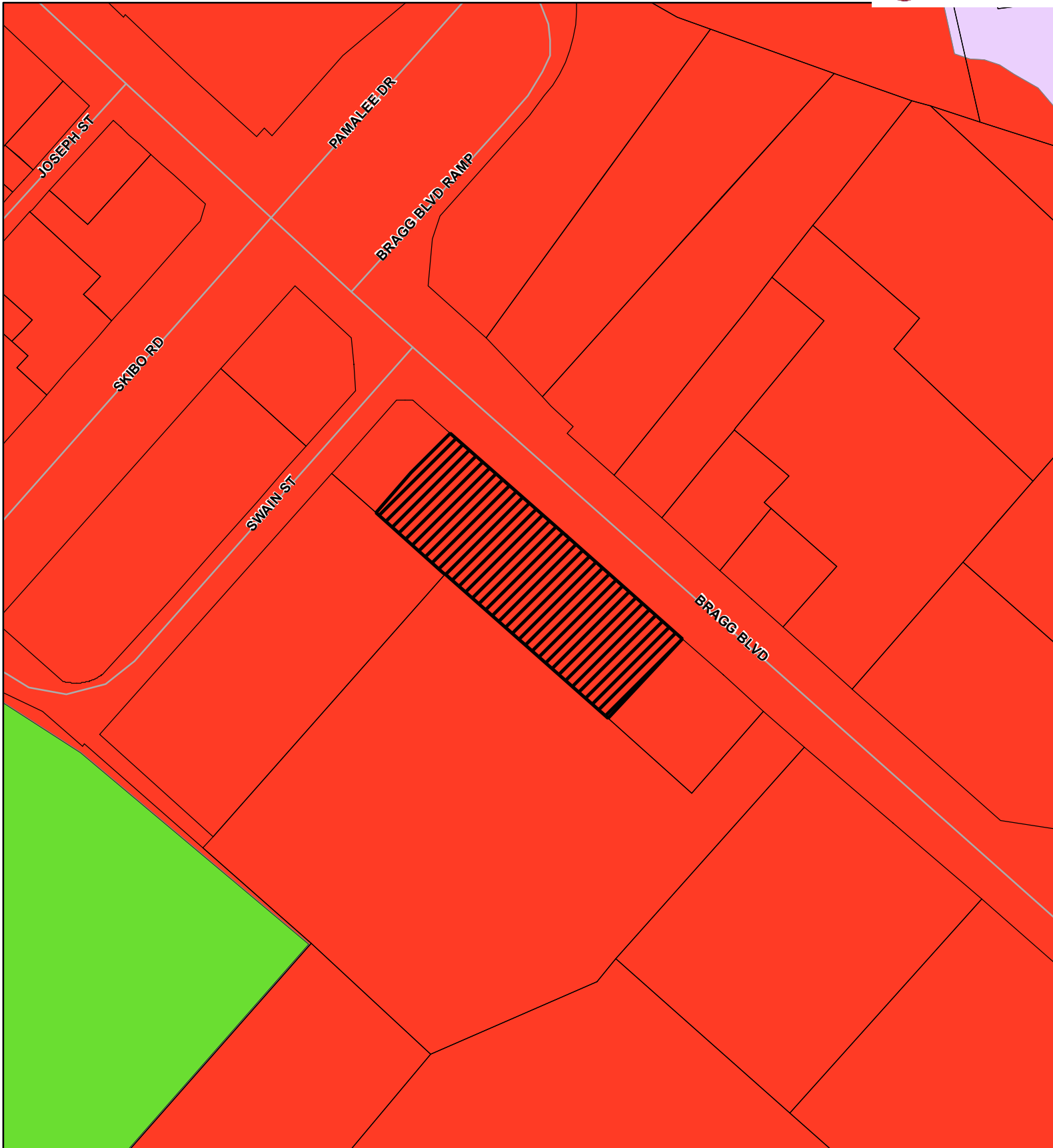


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

2010 Land Use Plan

Case No. P13-13F



Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential

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CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: May 28, 2013
RE: **P13-16F. Initial zoning of property to LC - Limited Commercial or to a more restrictive district, located on W. Mountain Drive containing 0.77 acres more or less and being the property of Charles Horne.**

THE QUESTION:

Request to initially zone property to LC – Limited Commercial

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development

BACKGROUND:

Owner: Charles Horne
Applicant: Charles Horne
Requested Action: Initial zoning to LC
Property Address: W. Mountain Drive
Council District: 2
Status of Property: Property will be used as a detention pond for a previously annexed commercial site.
Size: 0.77 acres +/- to be rezoned
Adjoining Land Use & Zoning:
North - R6 County
South - R10 County
West - C3 & R6 County
East – LC & CC
Letters Mailed: 28
Land Use Plan: Heavy Commercial
2030 Growth Vision Plan: Policy 1.2: The rehabilitation and reuse of currently unused or UNDERUTILIZED STRUCTURES, SITES AND INFRASTRUCTURE shall be encouraged.

ISSUES:

In September of 2012 the City annexed the front portion of this property and zoned it to LC - Limited Commercial. As the developer began to move forward with his plans for this property he realized that he needed an additional area to be annexed to accommodate the required storm water retention facilities. The owner has now petitioned for this new section to be annexed and for his zoning to match that of his previously annexed property, LC.

The Zoning Commission voted 4-0 to recommend approval of the initial zoning. There were no speakers in opposition of this case.

The Zoning Commission and staff recommend Approval of this rezoning to the Limited Commercial based on the following.

1. The property to the east is already within the City limits and is zoned both LC and CC (Community Commercial).
2. LC zoning will match the previously annexed portion of this property and will allow the developer to move forward with his approved plans.

BUDGET IMPACT:

This action should result in no increase in public services if developed.

OPTIONS:

- 1) Approval of the rezoning as requested by the applicant (Recommended);
- 2) Approval of the rezoning to a more restrictive district;
- 2) Denial of the rezoning request.

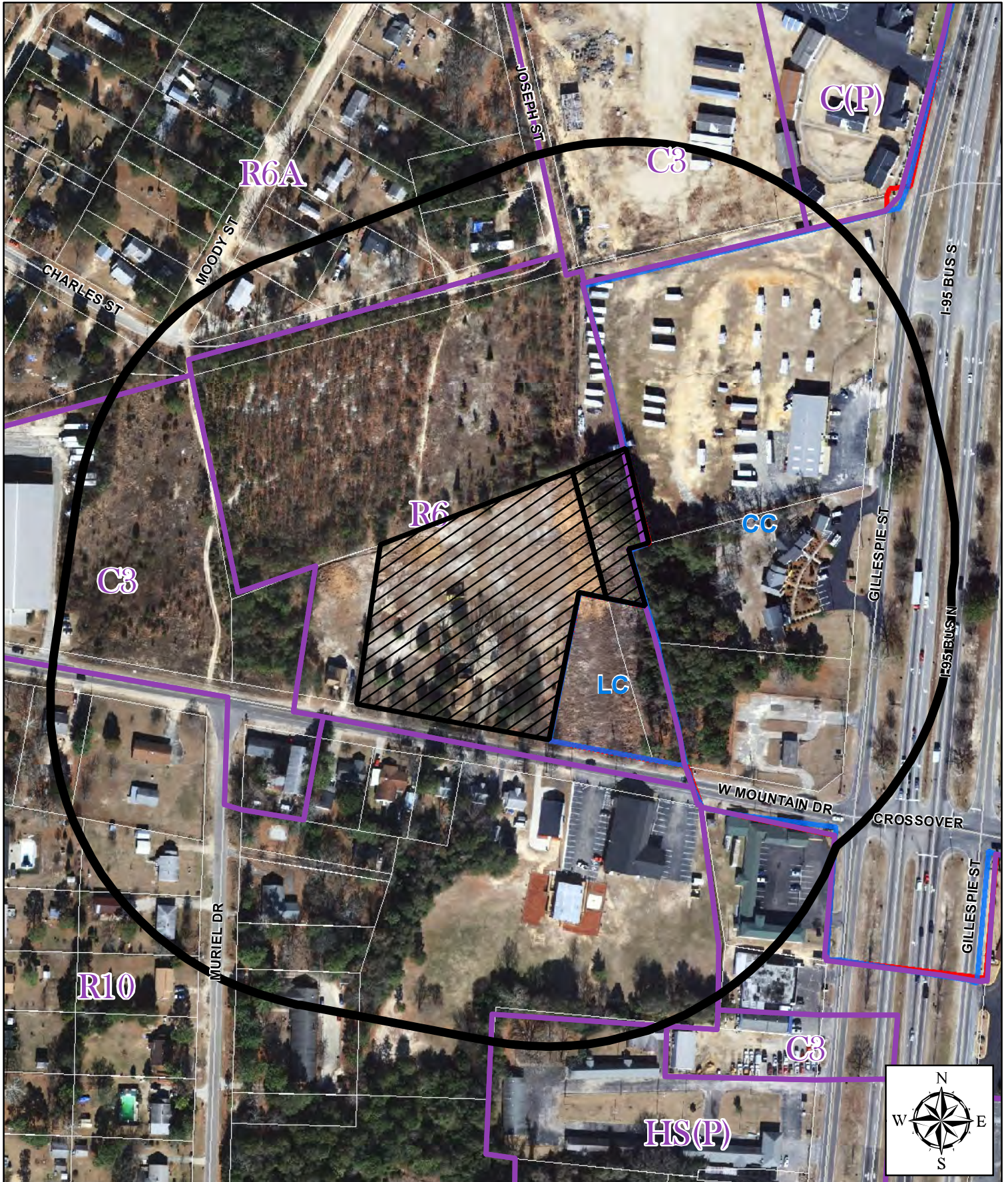
RECOMMENDED ACTION:

Zoning Commission & Staff Recommend: That the City Council move to APPROVE the initial zoning to the Limited Commercial district, as presented by staff, contingent upon approval of the annexation petition.

ATTACHMENTS:

Zoning Map
Current Land Use
Land Use Plan
Site Photo

ZONING COMMISSION
CASE NO. P13-16F

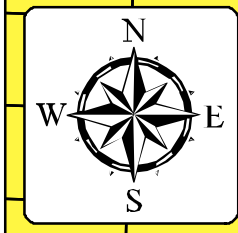
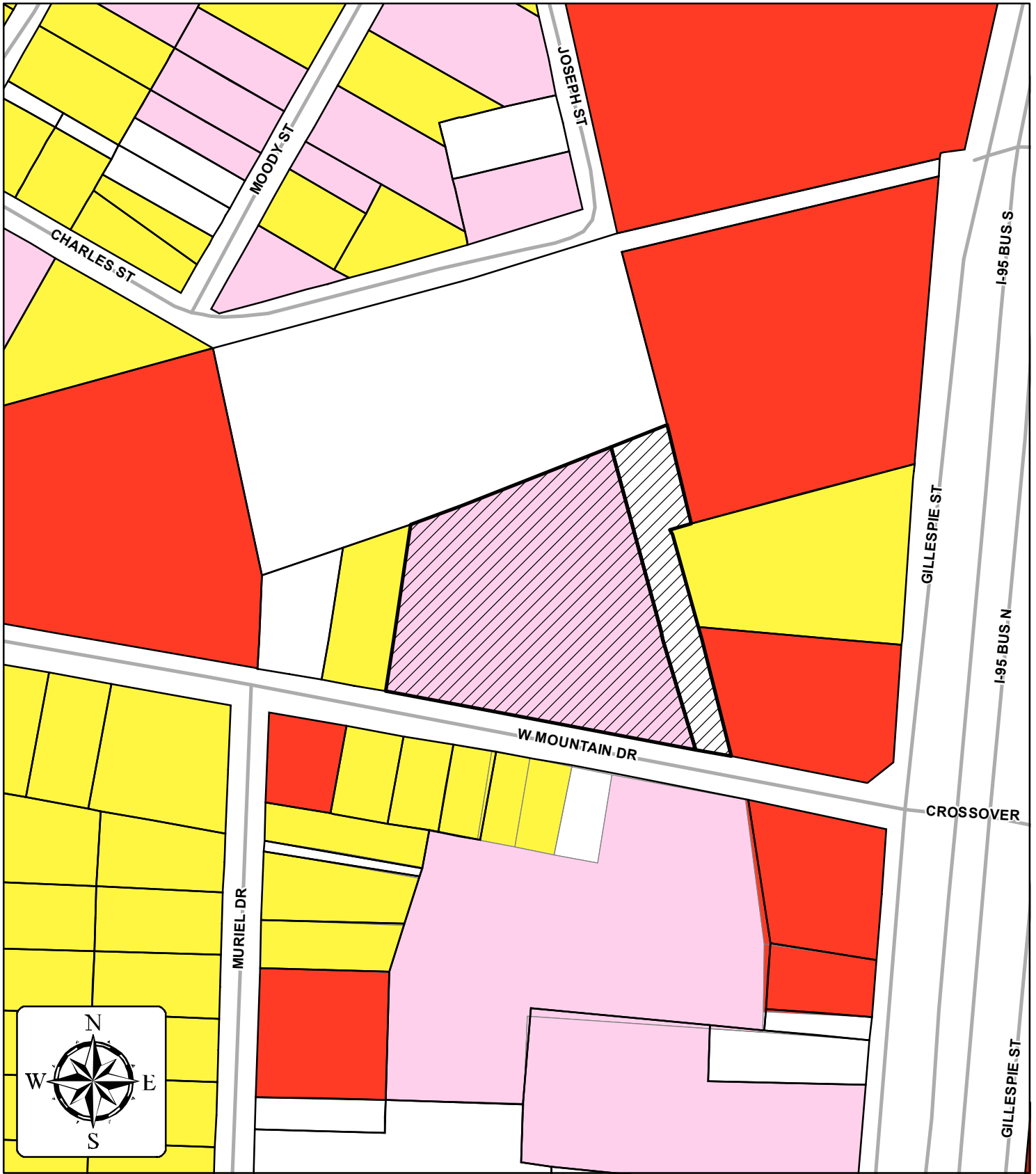


Request: Initial Zoning to LC
Location: W Mountain Dr.
Size: .77 acres +/- of the total parcel

Zoning Commission: 04/09/2013 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0436-00-0086-, 0436-00-3201-

Current Land Use

P13-16F

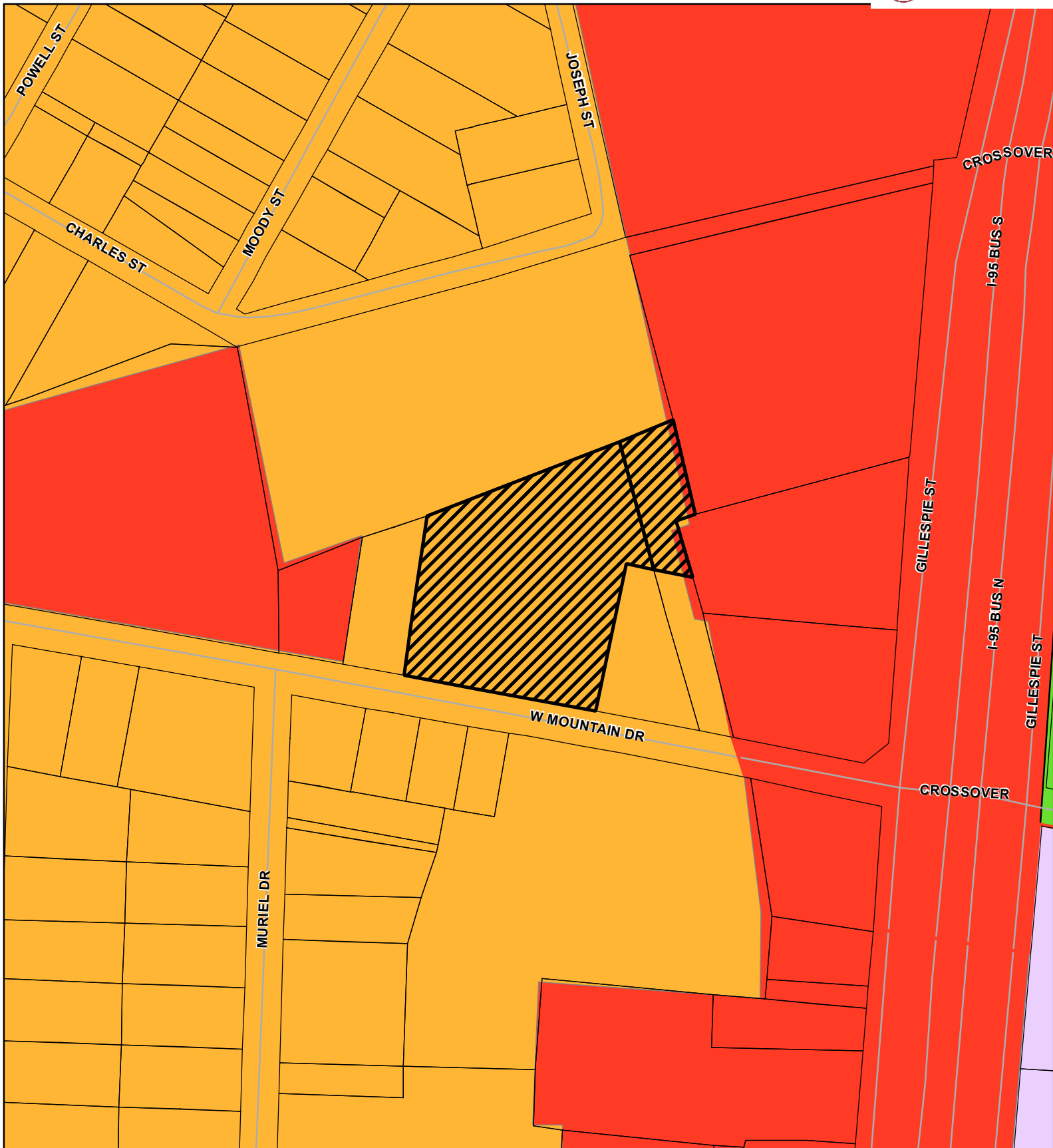


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial	
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified	
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN	

2010 Land Use Plan

Case No. P13-16F



Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential



5-9-4-

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of the City Council
FROM: Randy Hume, Transit Director
DATE: May 28, 2013
RE: **Fayetteville Advisory Committee on Transit (FACT) Membership**

THE QUESTION:

FACT Membership Composition

RELATIONSHIP TO STRATEGIC PLAN:

FAST Improvements

BACKGROUND:

The Fayetteville Advisory Committee on Transit (FACT) was established by City Council on August 23, 2010. That action set forth the mission, functions and composition of the FACT. The committee membership currently includes:

FAMPO Director/Designee
Transportation industry representative
Two (2) ADA rider/representatives
Bus rider
Two (2) City residents who live outside the FAST service area
City resident FAST driver/operator
FAST director (Ex-Officio)
City Manager Office representative (Ex-Officio)

The transportation industry representative position has been vacant for the past nine months and the City has made at least four unsuccessful attempts to fill this position. Further, as the FAST service area expands it is and will become more difficult to fill the positions for residents living outside the FAST service area and that area shrinks. It is recommended the FACT voting membership composition be modified to the following:

FAMPO Director/Designee
Local business community representative
Two (2) ADA rider/representatives
Bus rider
Two (2) City residents
City resident who lives outside the FAST service area
FAST driver/operator.

This recommended change was presented and approved by the Appointments Committee on May 16, 2013.

ISSUES:

Lack of qualified committee members

BUDGET IMPACT:

None

OPTIONS:

Approve or reject the proposed membership change.

RECOMMENDED ACTION:

Staff recommends Council move to approve the attached Resolution; FACT composition.

ATTACHMENTS:

Resolution - FACT Membership Change

**RESOLUTION TO REVISE MEMBERSHIP REQUIREMENTS OF THE
FAYETTEVILLE ADVISORY COMMITTEE ON TRANSIT (FACT)**

WHEREAS, the Fayetteville Advisory Committee on Transit (FACT) was established by vote of the City Council on August 23, 2010; and

WHEREAS, FACT has a mission to address the public transportation needs of Fayetteville, North Carolina, in a proactive way by providing recommendations to City Council, management, users, and the general public in an effort to create a comprehensive and cohesive transit system that responds to our community's present and future needs; and

WHEREAS, FACT members include: FAMPO Director/Designee; a Transportation industry representative; Two (2) ADA rider/representatives; a bus rider; a City resident; Two (2) City residents who live outside the FAST service area; and a FAST driver/operator. The FAST director and a City Manager Office representative serve as ex-officio or non-voting members.

WHEREAS, due to changes in the transit service area and an ongoing member vacancy it is necessary to revise the FACT membership.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that the Fayetteville Advisory Committee on Transit members include: FAMPO Director/Designee; a local community business representative; Two (2) ADA rider/representatives; a bus rider; Two (2) City residents; a City resident who lives outside the FAST service area; and a FAST driver/operator. The FAST director and a City Manager Office representative serve as ex-officio or non-voting members

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 28th day of May, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council Members
FROM: Kristoff Bauer, Deputy City Manager
DATE: May 28, 2013
RE: **Federal Advocacy Partnership of Memorandum of Understanding**

THE QUESTION:

Federal Advocacy Partnership Memorandum of Understanding

RELATIONSHIP TO STRATEGIC PLAN:

This item supports the City's goal of More Efficient City Government which seeks to efficiently invest in the City's programs and future infrastructure, facilities and equipment.

BACKGROUND:

The City of Fayetteville, Cumberland County and the Fayetteville Regional Chamber have a federal advocacy partnership that has worked collaboratively through a contracted lobbying firm to pursue federal legislative advocacy and funding assistance for strategic focus areas identified in an annual, collectively established federal agenda.

Federal funding and policy decisions are critical to the growth and strength of our community. In the best interest of their constituents, the partners have prioritized infrastructure, technology and programmatic needs. The combined advocacy efforts protect and preserve essential community assets and resources, allowing Fort Bragg and its surrounding metropolitan and unincorporated areas to thrive.

Recently, the partnership has developed a new Federal Advocacy Partnership Memorandum of Understanding (MOU) to more effectively respond to the new federal funding paradigm, which reflects a change in focus from legislative earmarks to administrative allocation through competitive grants.

During the May 2013 Work Session, Deputy City Manager, Kristoff Bauer presented the draft MOU to City Council and shared additional background information about the community partnership and the shared goals for the federal legislative advocacy program. The City Council consensus was to bring the Federal Advocacy Partnership MOU forward for adoption at the May 28, 2013 Regular City Council Meeting.

ISSUES:

N/A

BUDGET IMPACT:

OPTIONS:

1. Adopt the Federal Advocacy Partnership Memorandum of Understanding
2. Clarify City Council interest and provide feedback to the City Manager's Office

RECOMMENDED ACTION:

Staff recommends Council move to authorize the City Manager to execute the attached Federal Advocacy Partnership Memorandum of Understanding.

ATTACHMENTS:

Federal Grant MOU



City of
Fayetteville
North Carolina



THIS MEMORANDUM OF UNDERSTANDING, entered into this ___ day of _____ 2013, by and between the CITY OF FAYETTEVILLE (“City”), acting by and through its duly elected City Council, the COUNTY OF CUMBERLAND (“County”), acting by and through its duly elected Board of Commissioners and the FAYETTEVILLE REGIONAL CHAMBER (“Chamber”), acting through its Board of Directors, hereinafter “The Partners.”

Whereas, the City, County, and the Chamber have successfully worked collaboratively through a common contractor to pursue federal funding for projects identified each year; and

Whereas, the federal funding system focus has changed from legislative designation to administrative allocation through competitive grants; and

Whereas, due to the importance of military spending to the local economy, federal funding and policy decisions are critical to the growth and strength of the City, County, and Chamber; and

Whereas, The Partners believe that it is in best interest of their respective constituents to collaborate on the pursuit of a federal advocacy agenda and federal designation and grant funding opportunities; and

Whereas, the operating practices and resources of the partnership must be revised to respond effectively to the new federal funding paradigm; and

Whereas, the City, County, and Chamber have partnered to create and support the Economic Development Alliance of Fayetteville and Cumberland County (“Alliance”) for the purpose of serving job creation and development in the region;

NOW THEREFOR; City of Fayetteville, County of Cumberland, and the Fayetteville Regional Chamber agree as follows:

1. Priority areas for advocacy and pursuit of federal grant opportunities include
 - a. Military spending and policy; and
 - b. Transportation and infrastructure spending and policy; and
 - c. Public safety and community quality of life spending and policy; and
 - d. Education and training spending and policy.

2. The Partners will designate representatives for a coordinating committee that will be responsible for
 - a. Developing Partner legislative advocacy agenda; and
 - b. Responding to legislative issues as they arise; and
 - c. Resource allocation and prioritization ; and
 - d. Coordination and collaboration of federal grant opportunities.
3. Federal Advocacy Agenda:
 - a. Annual Priorities: The Partners will meet annually to establish a federal advocacy agenda that will identify up to ten (10) highest priority position statements to be the focus of their combined advocacy efforts.
 - b. Federal Representation Resource: The Alliance will contract for professional services to assist the Partnership with:
 - i. Development and pursuit of the legislative advocacy agenda focused on policy; and
 - ii. Administrative advocacy in pursuit of grant funding; and
 - iii. Identification, pursuit and advocacy of federal designation opportunities that meet the goals of the established legislative advocacy agenda.

The cost of this contract will be divided equally between the Partners.
4. Federal Grant Funding:
 - a. Collaborative Efforts: The Partners will collaborate on seeking and pursuing opportunities for federal grant funding on issues and projects defined in the legislative advocacy agenda. This effort will include developing a unified resource for grant research focused on developing grant opportunities for existing programs and needs of any partner organization, grant writing assistance, and agency advocacy.
 - b. Federal Grant Support Resource: The Alliance will secure resources to research federal grant opportunities which will incorporate support for grant writing and may include contracting, FTE, or a combination thereof. The cost of this resource will be divided between the Partners as agreed by the parties.

THIS MEMORANDUM OF UNDERSTANDING renews automatically on an annual basis until such time that a member of the Partnership provides 60 day advance written notification of cancellation to all parties.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS

CITY OF FAYETTEVILLE

JIMMY KEEFE, Chairman

ANTHONY G. CHAVONNE, Mayor

ATTEST:

ATTEST:

CANDICE WHITE, Clerk to the Board

PAMELA J. MEGILL, City Clerk

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

AMY CANNON, Finance Director

LISA T. SMITH, Chief Financial Officer

APPROVED AS TO FORM:

APPROVED AS TO FORM:

RICK MOREFIELD, County Attorney

KAREN M. MCDONALD, City Attorney

FAYETTEVILLE REGIONAL CHAMBER

DOUGLAS S. PETERS, CEO



Calendar Year 2013 Federal Legislative Agenda

The City of Fayetteville, Cumberland County, and the Fayetteville Regional Chamber of Commerce have formed a strategic partnership to establish a federal advocacy agenda. Federal funding and policy decisions are critical to the growth and strength of our community. In the best interest of their constituents, the partners have prioritized infrastructure, technology and programmatic needs. The combined advocacy efforts will protect and preserve essential community assets and resources, allowing Fort Bragg and its surrounding metropolitan and unincorporated areas to thrive. Therefore, the partners call upon the advocacy of its Congressional delegation to support their highest priorities.

HOMELAND SECURITY, EMERGENCY RESPONSE AND PUBLIC SAFETY Combating gun violence, gangs, domestic violence and human trafficking are top priorities. Our community operates under constant public safety danger based on the national security agenda, proximity to Fort Bragg, and our central location and accessibility to interstate highways. Interoperability improvements are a must for our community, yet there is no funding to do so. The military security component creates unique challenges in communications between first responders and the military. County public safety agencies, the city police and fire departments are in need of updating radio systems to be P-25 compliant. Additionally, radio interoperability between the city, county and Fort Bragg emergency services is very limited.

Position: Invest in our nation’s homeland security, public safety and local first responders.

- PRIORITY INITIATIVES**
- Gun Safety
 - Technology inter-operability
 - Joint Emergency Operations Center
 - Anti-Human Trafficking
 - Innovative Family Justice Center
 - Court programing for domestic violence and sexual assault prevention

- ACTION STEPS**
- Legislative Advocacy:*
- Design language for FY14 Justice Appropriations that gives the Justice Department the flexibility it needs to allow discretionary funding of a competitive grant for public safety technology
 - Assist acquisition of communication systems for P-25 compliance between military, first responders, and public safety officers
 - Incentivize joint emergency & crisis services; support government modernization
 - Fund Homeland Security
 - Support anti-human trafficking infrastructure funding; port, highway, and street development to provide effective police response
- Federal Assistance:*
- Smart Policing Initiative
 - Project Safe Neighborhoods
 - Violence Against Women Act
 - Anti-gang initiatives
 - Byrne Criminal Justice Innovation program



Calendar Year 2013 Federal Legislative Agenda

VETERANS, HEALTH & HUMAN SERVICES	<p>North Carolina has a population of 760,000 veterans. Cumberland County has the third largest population of veterans for any county and ranks first for all categories of disabled veterans, including 100 percent disabled. Fayetteville and Cumberland County are proud to be the home of Fort Bragg, the second largest military installation in the world, and consider it a privilege to serve active-duty military and veterans. Yet the impact on local government, and our health and human services agencies, is significant. Increasingly limited resources are threatening the delivery of health-related and social services for veterans and our military population, who have been at war continuously for 12 years.</p>
<p>Position: Advocate for targeted funding and legislation to assist with veterans support services, mental health resources, homelessness, and military workforce development.</p>	
<p><u>PRIORITY INITIATIVES</u></p> <ul style="list-style-type: none"> • Support court innovation programs with emphasis on veterans and mental health needs • Crisis Intervention Training • Emergency shelter & homeless prevention program support • CDBG & HOME: Affordable Housing 	<p><u>ACTION STEPS</u></p> <p><i>Legislative Advocacy:</i></p> <ul style="list-style-type: none"> • Advocate for veterans support services provided by local governments: transportation, mental health, crisis intervention, medical care, transitional housing and counseling, including creating new legislation where needed • Work with national associations and coalitions to protect and sustain HOME and CDBG funding • Support funding for Institute for Museum and Library Services <p><i>Federal Assistance:</i></p> <ul style="list-style-type: none"> • Veterans Treatment Court, grant application 2013. • Seek capital funding for drop-off center and programmatic support for Crisis Intervention Training • Street Outreach Program • Urban and Non-Urban Homeless Veterans Reintegration • Seek federal funding sources for a dedicated county law enforcement officer to work with homeless



Calendar Year 2013 Federal Legislative Agenda

<p>TRANSPORTATION, ENVIRONMENT & INFRASTRUCTURE</p>	<p>Fayetteville's infrastructure network is vital to our community's safety, connectivity, economic development and growth. As local governments respond to fiscal challenges and existing infrastructure ages and lags behind growth, federal support is critical. Public transit is a Smart Growth environmental priority for the region. Fayetteville's public transit system has experienced an increase in public transit use of 80 percent since 2008. Airport funding must be protected and expanded as our military and business sectors greatly rely on the services provided by Fayetteville Regional Airport and are invested in the future growth of these services. It is imperative that we preserve our natural resources, and green spaces to create beautiful, walkable communities. Fayetteville's parks and recreation facilities lag behind the national standard and struggle to provide quality of life programs for all its citizens, including the military families our community supports.</p>
<p>Position: Advocate for the authorization of a well-funded, long-term, comprehensive surface transportation program. Advocate for enhanced congressional support for urban design, air quality improvement, traffic calming, street widening, and pedestrian safety improvements on roadways and corridor projects that will promote business development and necessary military transit. Advocate for infrastructure funding to accelerate job growth, assist communities with declining infrastructure, including capital projects for Parks and Recreation facilities.</p>	
<p>PRIORITY INITIATIVES</p> <ul style="list-style-type: none"> • Protection of public transit system formula funding • Expanding public transportation programs (rural, startups, etc) • Protection and expansion of airport funding • Expansion of roadways and utilities for business development • I-295 accelerated schedule • Environmental protection • Community gateway and transportation corridor beautification funding • Capital funding for maintenance, upgrades and additional facilities 	<p>ACTION STEPS</p> <p><i>Legislative Advocacy:</i></p> <ul style="list-style-type: none"> • Draft FAST amendments for surface transportation (MAP-21) • Advocate for comprehensive regional master plan development funding • Engage in planning process to prepare for smart communities/smart growth strategies, funding and implementation • Support expanded authority in Water Resources Development Act under Section 219(f) for water and sewer upgrades and remove appropriation restrictions on Corps new starts • Support the Community Parks Revitalization Act and innovative financing of park and recreational infrastructure <p><i>Federal Assistance:</i></p> <ul style="list-style-type: none"> • Seek funding for traffic safety study • Help public transit system maximize federal resources • Help Fayetteville Area Metropolitan Planning Organization maximize federal resources • Seek funding to study I-95 corridor improvements • Explore ways to help NCDOT fund an accelerated construction schedule for the Fayetteville-Cumberland County I-295 Outer Loop • Seek grants to fund parks and recreational facilities



Calendar Year 2013 Federal Legislative Agenda

ECONOMIC & WORKFORCE DEVELOPMENT	Economic and talent development, in light of sequestration, creates an urgent need for industry diversification in Cumberland County. We are seeking ways to support business growth and new industry development to combat the county's high unemployment rate. Additionally, attempts to attract large industry to the area have brought to light an infrastructure deficit. Economic development initiatives would benefit greatly from the purchase and development of a mega site.
Position: Advocate for additional legislative attention to promote small business development, assist the growth of the local food economy, and workforce innovation grant funding for internships/ work-based learning in high growth fields to support veteran employment and skilled workforce for businesses.	
<u>PRIORITY INITIATIVES</u> <ul style="list-style-type: none"> • Foreign Direct Investment attraction • Mega site • Workforce training initiatives and hiring incentives • Farmers markets • Wounded Warrior employment assistance • Murchison Road Corridor Development 	<u>ACTION STEPS</u> <i>Legislative Advocacy:</i> <ul style="list-style-type: none"> • Support funding for U.S. Department of Labor Workforce Innovation Grant programs and High Growth Job Development Initiatives, as well as funding for work-based experiential learning, internships/ externships, apprenticeships, youth work programs and business hiring incentives for veterans and ex-offenders • Support funding for workforce development programs for veterans, military families and wounded warriors • Support Veterans Administration and Small Business Administration programs that provide small business loans <i>Federal Assistance:</i> <ul style="list-style-type: none"> • Seek funding for mega site infrastructure development funding • U.S. Economic Development Administration Public Works and Economic Adjustment Assistance Programs • U.S. Department of Agriculture's Farmers Market Promotion Program • Seek funding and leverage partnerships in an effort to promote economic development along the Murchison Road corridor
LOCAL GOVERNMENT SUSTAINABILITY	Congressional support of fiscal tools that help ensure financial sustainability for local governments.
<u>INITIATIVES</u> <ul style="list-style-type: none"> • Online Sales Tax • Municipal Bonds • Impact Aid 	<u>ACTION STEPS</u> <ul style="list-style-type: none"> • Support legislation that allows local governments to collect sales taxes from online sales • Oppose increasing costs of issuing municipal bonds • Oppose cuts to Impact Aid and support legislation that assists with school construction projects

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Pamela Megill, City Clerk
DATE: May 28, 2013
RE: **Approve Meeting Minutes:**

April 2, 2013 - WKS
April 8, 2013 - Discussion of Agenda Items
April 8, 2013 - Regular Meeting
April 10, 2013 - Special Budget
April 17, 2013 - Agenda Briefing
April 22, 2013 - Discussion of Agenda Items
April 22, 2013 - Regular Meeting

THE QUESTION:

Should the City Council approve the draft minutes as the official record of the proceedings and actions of the associated meetings?

RELATIONSHIP TO STRATEGIC PLAN:

Greater Community Unity - Pride in Fayetteville; Objective 2: Goal 5: Better informed citizenry about the City and City government

BACKGROUND:

The Fayetteville City Council conducted meetings on the referenced dates during which they considered items of business as presented in the draft minutes.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

1. Approve the draft minutes as presented.
2. Revise the draft minutes and approve the draft minutes as revised.
3. Do not approve the draft minutes and provide direction to staff.

RECOMMENDED ACTION:

Approve the draft minutes as presented.

ATTACHMENTS:

040113 WKS
040813 Discussion of Agenda Items
040813
041013 Special Budget
041713 Agenda Briefing
042213 Discussion of Agenda Items
042213

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FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE ROOM
APRIL 2, 2013
5:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7) (arrived at 5:35 p.m.); Wade Fowler (District 8); James W. Arp, Jr. (District 9) (arrived at 5:10 p.m.)

Others Present: Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Karen McDonald, City Attorney
Harold Medlock, Police Chief
Lisa Smith, Chief Financial Officer
Scott Shuford, Development Services Director
Rusty Thompson, Engineering and Infrastructure Director
Lee Jernigan, Traffic Engineer
Jerry Dietzen, Environmental Services Director
Victor Sharpe, Community Development Director
Tracie Davis, Corporate Communications Director
Rebecca Rogers-Carter, Strategic Planning Manager
Nathan Walls, Interim Public Relations Officer
Pamela Megill, City Clerk
Chris Tatham, Executive Vice President of ETC Institute
Warren Miller, Fountainworks
Julie Bremann, Fountainworks
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Haire.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Bates moved to approve the agenda.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (8-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 City of Fayetteville 2013 Resident Survey Draft Report

Ms. Rebecca Rogers-Carter, Strategic Planning Manager, introduced this item and explained the City of Fayetteville conducted a citizen survey to seek citizen input regarding current programs and services, new initiatives, and future policy. She stated the survey was part of the City's ongoing efforts to identify and respond to residents' concerns and gather input about priorities for the community. She introduced Mr. Chris Tatham, Executive Vice President of ETC Institute.

Mr. Tatham stated citizen surveys were an important tool in determining if programs and services were meeting residents' expectations. He reported the last citizen survey conducted by the City of Fayetteville occurred in 2006 and a consulting firm, ETC Institute, administered the survey to residents in the City of

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Fayetteville during January through March of 2013. He further reported a seven-page survey instrument was mailed to approximately 2,400 randomly selected sample of residents. He stated the residents who had not responded to the survey by mail were contacted by phone and given the option of completing the survey by phone. He further stated the consultant obtained 847 survey responses which ensured the survey results had statistical significance with a precision of at least +/- 3.3 percent at the 95 percent level of confidence. He advised the sample was representative of the City's population with regard to the demographic and geographic composition of the sample. He provided a summary of the methodology, major findings, charts showing overall results, important-satisfaction analysis that identified potential opportunities for improvement, tables that showed the results for all questions and a copy of the survey instrument. A copy of the draft City of Fayetteville 2013 Resident Survey report was provided to Council and posted to the City website via the April 2, 2013, agenda packet.

It was noted that the major categories of City services that residents felt were most important for the City to emphasize over the next two years, based on the percentage of residents who selected the item as one of their top three choices, were police protection (44%), maintenance of City streets (40%), and flow of traffic in the City (40%).

4.2 Community Development - Presentation of draft 2013-2014 Annual Action Plan.

Mr. Victor Sharpe, Community Development Director, presented this item and explained the 2013-2014 Annual Action Plan was based on priorities, goals, and objectives of the 2010-2015 Consolidated Plan. He further explained the plan was a comprehensive plan addressing the City's housing, homeless, community development, and economic development needs through 2015. He stated the plan contained goals, objectives, and implementing strategies for each of the plan's elements. He reported in an effort to provide citizens an opportunity to participate in the process of developing the Annual Action Plan, the Community Development Staff held five citizen participation meetings, which were held in various locations throughout the City. He further reported a staff public hearing was held on March 7, 2013, and the Fayetteville Redevelopment Commission would hold the official public hearing on April 11, 2013. He advised a draft copy of the plan would be made available in various locations for review and comments for 30 days from March 28 through April 26, 2013, and a presentation of the proposed activities would be made at the meeting. He further advised a draft of the proposed activities were being provided to City Council for feedback prior to consideration of adoption later in April. He stated adjustments would be made per any recommendations by the Fayetteville Redevelopment Commission at their upcoming public hearing. He concluded by stating they were currently waiting for the announcement of the funding amounts for the Community Development Block Grant and HOME Investment Partnership Grant and it was likely that the funding amounts would be reduced again this year. He further stated they had been advised by HUD officials to use a 10 percent reduction of the two grants for planning purposes. He stated the HOME Investment Partnership Grant would require a match from the City in a projected amount of \$80,804.00.

A brief discussion period ensued. This item was for informational purposes only.

4.3 Update on Sales Tax Interlocal Agreement

Ms. Lisa Smith, Chief Financial Officer, presented this item with the aid of a power point presentation and reported in October 2003, Cumberland County and the local municipalities entered into an interlocal agreement to distribute sales tax revenues on a modified "per capita" basis and would expire on June 30, 2013. She stated in recent months, the Mayors' coalition group had met to discuss the

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future distribution of local sales tax revenue. She further stated at their March meeting, the group endorsed a multi-year agreement to phase out reimbursements over a 20-year period, with the County maintaining "per capita" distributions. She provided the new proposal as follows:

- (1) A four-year agreement that could be renewed for four additional terms (up to a 20-year agreement).
- (2) For past annexations, municipalities would reimburse the same percentage of sales tax as they did in FY 2013 in year one of the agreement (FY 2014). This reimbursement would phase out over the 0-year period. Eastover would no longer be required to reimburse parties for its original population resulting from its incorporation.
- (3) For any new annexations, municipalities would initially reimburse other parties a certain percentage, depending on which year the annexation first impacts sales tax distributions. This initial reimbursement percentage would also phase out over the remaining years in the 20-year period.

Ms. Smith concluded by stating County staff briefed the Commissioners on the proposal at their April 2, 2013, meeting and the sales tax distribution item had been placed on the Commissioner's April 4, 2013, Finance Committee agenda. She advised at this time, staff was recommending adoption of a sales tax interlocal agreement at the April 8, 2013, meeting based on the Mayors' Coalition proposal.

A brief discussion period ensued.

Mayor Chavonne confirmed this item would come before Council for formal action at the April 8, 2013, City Council meeting.

4.4 City of Fayetteville FY 2014 Strategic Plan

Ms. Rebecca Rogers-Carter, Strategic Planning Manager, presented this item and reported the City Council had developed a sustainable strategic planning model that assisted Council, as representatives of the community, to plan for the community's future and lead with vision. She stated as their City was continuing to grow, the City Council was looking to chart a course with a strategic plan which would articulate a vision for their community's future that would ensure vitality and sustainability. She further stated the City's strategic plan was a critical component of a larger system of planning for the organization's success, which included the annual budget process, citizen input, capital and technology prioritization, and financial planning. She noted in February, the Fountainworks Consulting firm met with City Council in a two-day planning retreat and the session included opportunities for participants to build upon ideas and interact in open conversation addressing the following topics:

- Community Vision
- Environmental scan: Staff presentations
- Five-year goals and performance measures
- Preliminary one-year tactical actions
- Decision filter to help determine which actions should be pursued.

The Strategic Plan Retreat meeting summary, the proposed vision, new five-year goals, performances measures, and action items were distributed to City Council.

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Ms. Rogers-Carter introduced Mr. Warren Miller, and Ms. Julie Bremann, Facilitators for Fountainworks. Ms. Bremann gave an overview of the potential action items and reviewed each specific goal and potential performance measure for the goal area. She stated the Council members were asked to vote using an electronic clicker that recorded the votes for each item. She stated the following items received a majority of votes (60% and higher):

The City of Fayetteville will be a safe and secure community

- A. Increase law enforcement community engagement and collaboration
- B. Gang Task Force
- C. Consolidate 911 with Cumberland County and Fort Bragg
- D. Review speed limits in west (Develop traffic safety improvement strategy)

The City of Fayetteville will have a strong, diverse and viable local economy

- A. Local Business initiatives - Maximize local business

The City of Fayetteville will be designed to include vibrant focal points, unique neighborhoods, and high quality, effective infrastructure

- A. Increase street maintenance funding. Funding allocated for road maintenance to meet 20-year plan; shorten time for resurfacing.
- B. Improve gateway - turn gateway mix to private business, identify gateways and develop plans to improve gateways.

The City of Fayetteville will be a highly desirable place to live, work, and recreate with thriving neighborhoods and a high quality of life for all citizens

- A. Funding plan for Parks and Recreation; well designed recreation facilities (NE Fayetteville); Multi-sport complex at Shaw Road, smaller and phased Parks and Recreation package, reduced dollar amount of parks and recreation plan with General Fund funding.
- B. Improve Traffic Flow

The City of Fayetteville will have unity of purpose in its leadership, and sustain capacity within the organization.

- A. City Council recognition of City employees
- B. PWC efficiencies
- C. Increase IT funding; efficiencies through IT savings

The City of Fayetteville will develop and maintain strong and active community connections

- A. Develop and deliver ongoing coordinated information campaign
- B. Develop partnerships

Consensus of Council was to bring this item back for further discussion at a later City Council meeting.

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4.5 Mayor and City Council Protocol and Code of Conduct

Mr. Kristoff Bauer, Deputy City Manager, presented this item and reported that in recent years, the City Council had reviewed the existing City Council protocol document during their strategic planning retreats and reached a strong consensus regarding the protocols. However, he stated the protocols had never been formally adopted. He stated during the January 23, 2013, City Council session, Mr. Carl W. Stenberg, a professor of Public Administration and Government at The University of North Carolina at Chapel Hill School of Government, engaged City Council in a discussion of council-manager relations and reviewed the exiting City Council Protocols. He further stated the discussion included working with Council to clarify short- and long-term objectives. He stated the consensus of Council was to incorporate the feedback provided during the session and bring the item back as a draft for consideration. He stated during the March 4, 2013, work session, City Council was provided a draft Mayor and City Council Protocol and Code of Conduct document covering:

- City Council Requests for Information from Staff
- City Council Service Request from Citizens
- City Council Staff Expectations
- Mayor and City Council Code of Conduct.

Mr. Bauer continued by stating during the March 4, 2013, work session, City Council clarified their interest for agenda item submissions and asked that the document be revised and brought back to the next work session for consideration. He provided the Council with the proposed City Council protocol revisions that incorporated City Council feedback and would replace protocol 10 through 12 of the previous draft. He concluded by stating the adoption of the Mayor and City Council Protocol and Code of Conduct would establish a new City Council Policy 115.15. He stated if the proposed City Council protocol revisions were the will of the Council, it would also be necessary to adopt a City Code amendment to Section 2-3(b) in order to effectuate the change in procedure.

A brief discussion period ensued.

Consensus of Council was to bring this item back for a formal vote of approval on April 8, 2013.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 6:55 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

ANTHONY G. CHAVONNE
Mayor

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FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
ST. AVOLD ROOM
APRIL 8, 2013
6:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2) (arrived at 6:25 p.m.); Robert A. Massey, Jr. (District 3) (arrived at 6:20 p.m.); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Others Present: Ted Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Karen McDonald, City Attorney
Lisa Smith, Chief Financial Officer
Victor Sharpe, Community Development Director
Members of the Press

Mayor Chavonne called the meeting to order at 6:10 p.m. and reviewed the agenda items. The budget guidelines were distributed and it was noted the guidelines were not on the agenda. Council was advised they would need to be added if Council was so inclined.

Mr. Ted Voorhees, City Manager, advised it was not time sensitive but the sooner the guidelines were adopted the sooner the work would be directed.

Council members asked questions about the guidelines. Consensus was to add the guidelines to the agenda.

Mayor Chavonne then distributed supplemental information for agenda Item 7.1, Interlocal Agreement on Sales Tax Distribution. He explained that the County's proposal was to extend the agreement for three more years. He then explained an option was to take action on the item on the agenda packet or in the alternative take action on the proposal sent by the County.

Mr. Voorhees advised Mr. Victor Sharpe, Community Development Director, was here to provide additional information on the Municipal Service District.

Mayor Chavonne advised there were concerns about some of the components but did not appear to be an issue on the district. He suggested maybe those components could be addressed during the budget.

Council members asked questions on other consent agenda items.

Mayor Chavonne quickly reviewed other business items from the agenda.

Mr. Voorhees briefly explained the amended Uniform Street and Thoroughfare lighting. He explained that the amendment was for LED lights, but not for other lighting entities.

Mayor Chavonne reminded Council of the budget session on Wednesday.

There were no other items to review.

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There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

KAREN M. MCDONALD
City Attorney

ANTHONY G. CHAVONNE
Mayor

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FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
APRIL 8, 2013
7:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8) (via telephone); James W. Arp, Jr. (District 9)

Others Present: Ted Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Karen McDonald, City Attorney
Harold Medlock, Police Chief
Rusty Thompson, Engineering and Infrastructure Director
Scott Shuford, Development Services Director
Victor Sharpe, Community Development Director
Lee Jernigan, Traffic Engineer
Patricia Bradley, Police Attorney
Karen Hilton, Planning and Zoning Division Manager
Dwight Miller, PWC Chief Financial Officer
Pamela Megill, City Clerk
Reggie Wallace, PWC Interim Chief Operating Officer
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Superintendent Larry Bellamy, Pastor of Rhema Ministries.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by the Mayor and City Council.

ANNOUNCEMENTS AND RECOGNITIONS

Mayor Chavonne, on behalf of the City Council, presented a proclamation in honor of the Child Advocacy Center's 20th Anniversary to Judge Elizabeth Keever, Chair of the Child Advocacy Center Board of Directors, and Ms. Roberta Humphries, Executive Director.

Council Member Hurst, Chair of the Fayetteville Beautiful Committee, announced the annual City-wide cleanup would be held on April 20, 2013, at 9:00 a.m. and volunteers could sign-up on the City's web site.

4.0 APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Arp moved to approve the agenda with the addition of Item 7.5, adoption of Council Budget Guidelines.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (10-0)

5.0 PUBLIC FORUM

Ms. Barbara White, with Alzheimers North Carolina, Inc., stated the organization was dedicated to providing education, support, and

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services to individuals with dementia, their families, health care professionals, and the general public while raising awareness and funding for research of a cause, treatment, prevention, and cure for Alzheimer's disease and related dementias.

Mr. Richard Hiatt, Communications and Development Director for Alzheimers North Carolina, Inc., announced the 2013 Fayetteville Alzheimer's Walk would be held on May 19, 2013, at 1:30 p.m. and would start at the Reid Ross Classical Middle and High Schools.

Pastor Katherine Washington-Williams, 4542 Raeford Road, Suite C, Fayetteville, NC, stated she was the current Commander of the NAVB (National Association for Black Veterans), an organization that has been in existence since 1969. She requested meetings be set up with Council members to discuss veterans programs and requested assistance from the City for the organization.

Ms. Sharman Tober stated she was homeless and expressed concerns regarding a conversation that took place between herself and a police officer pertaining to her dogs.

Mr. John Malzone, 108 Hay Street, Fayetteville, NC, stated he was in total support of the MSD (Municipal Service District) tax and stated the new parking deck was glorious.

Mr. Bruce Arnold, 1908 Queen Street, Fayetteville, NC, stated he was "for" the MSD tax but not in agreement with monies being used to fund a City employee salary or parking enforcement.

6.0 CONSENT

MOTION: Council Member Bates moved to approve the consent agenda.
SECOND: Council Member Fowler
VOTE: UNANIMOUS (10-0)

6.1 Capital Project Ordinance Amendment 2013-27 (Grove Street Parking Lot Paving) and Budget Ordinance Amendment 2013-12 (General Fund).

Amendment 2013-27 revised the purpose of Capital Project Ordinance 2013-4, originally adopted on June 11, 2012, to fund property acquisition on B Street, to instead fund paving of the Grove Street Environmental Services parking lot. In addition, Amendment 2013-27 also appropriated an additional General Fund transfer of \$256,500.00, bringing the total project budget to \$412,000.00. Amendment 2013-12 appropriated \$256,500.00 from General Fund fund balance to transfer to the project.

6.2 Adoption of the Mayor and City Council Protocol and Code of Conduct and ordinance amending Section 2-3 of the Fayetteville City Code.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 2-3 OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. ORDINANCE NO. S2013-004.

6.3 Approve meeting minutes:

January 28, 2013 - Regular Meeting
February 4, 2013 - Work Session
February 11, 2013 - Discussion of Agenda Items
February 11, 2013 - Regular Meeting
February 22, 2013 - Strategic Planning Retreat
February 23, 2013 - Strategic Planning Retreat
February 25, 2013 - Discussion of Agenda Items
February 25, 2013 - Regular Meeting
March 4, 2013 - Work Session

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6.4 Parks and Recreation - PARTF Resolution.

A RESOLUTION TO MAINTAIN AND SUPPORT THE CURRENT INTEGRITY AND FUNDING FOR THE PARKS AND RECREATION TRUST FUND (PARTF). RESOLUTION NO. R2013-017.

6.5 Proposed five-year lease for property.

The property located in the City of Fayetteville has approximately 3,704 square feet. The lease payment will be \$45,299.92 per year (\$12.23 per annual SF), \$3,774.99 per month for a term of five (5) years; renewable for successive three-year terms at lessor's option.

6.6 Resolution to establish a 2013 Outfall Rehabilitation State Revolving Loan Capital Project Fund and resolution accepting state revolving loan offer for the planning and design portion of the P.O. Hoffer Water Treatment Plant

RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, TO ESTABLISH A 2013 OUTFALL REHABILITATION STATE REVOLVING LOAN CAPITAL PROJECT FUND. RESOLUTION NO. R2013-018.

RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, TO ACCEPT A STATE LOAN OFFER UNDER THE NORTH CAROLINA WATER REVOLVING LOAN AND GRANT ACT OF 1987. RESOLUTION NO. 2013-019.

7.0 OTHER ITEMS OF BUSINESS

7.1 Interlocal Agreement on sales tax distribution.

Mr. Ted Voorhees, City Manager, presented this item and advised he had provided a copy of the revised interlocal agreement on sales tax distribution to the Council. He stated the Cumberland County Board of Commissioners would vote on the method of sales tax distribution to be used in the County at their April 15, 2013, meeting. He further stated the County was offering the option of extending the current agreement, with the exception of the incorporated Eastover population, for three years.

MOTION: Mayor Pro Tem Arp moved to approve the interlocal agreement as presented by County Commissioners (existing sales tax agreement to remain in effect for an additional three fiscal years until June 30, 2016).

SECOND: Council Member Fowler.

VOTE: UNANIMOUS (10-0)

7.2 Reauthorization of the Downtown Municipal Services District to July 1, 2018.

Ms. Karen Hilton, Planning and Zoning Manager, presented this item and provided an overview regarding the creation and purpose of the Municipal Service District (MSD) for the downtown area. She then explained the reauthorization process. She stated each year the City establishes the tax rate for the MSD and identifies the proposed expenditures. She explained the tax rate had remained 10 cents per \$100.00 for several years and the revenues helped to support the downtown parking program and special projects such as bicycle racks, wayfinding, upgraded brick paving, and related streetscape projects. She stated the statutes do not set a time limit on how long a MSD may exist but City Council had chosen to limit the authorization for the Downtown MSD to five years. She further stated the current authorization of the MSD would expire June 30, 2013. She outlined the boundaries for the MSD and advised with very minor changes the boundaries had been the same since the initial creation of the MSD. She further advised that staff was not proposing any change to the existing boundaries. She cautioned that denial of a reauthorization of the MSD for the downtown area would eliminate the special revenue source for support of downtown projects and services. She stated for

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the parking garage alone, at least \$25,000.00 would have to be provided from the General Fund or another source. She stated other projects or services supported by the revenue during FY 2013 were parking enforcement, paver bricks, signage, a portion of the downtown manager's position, promotional materials, security cameras, and holiday decorations including replacement of flags.

Council Member Fowler inquired if the resolution could be made more restrictive to include a condition that would stipulate the tax revenue was to be solely used for capital improvements. Ms. Karen McDonald, City Attorney, responded the legal office would have to research that request.

Council Member Fowler recommended the Council should listen to the citizens that were paying the MSD tax.

Council Member Davy stated that during the budget season such issues could then be addressed.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
CREATING A MUNICIPAL SERVICE DISTRICT PURSUANT TO CHAPTER 160A,
ARTICLE 23, OF THE NORTH CAROLINA GENERAL STATUTES. RESOLUTION
NO. R2013-020.**

MOTION: Council Member Bates moved to adopt the resolution.

SECOND: Council Member Davy.

VOTE: UNANIMOUS (10-0)

7.3 Uninhabitable structures demolition recommendations.

Mr. Scott Shuford, Development Services Director, presented this item with the aid of a power point presentation and multiple photographs of the properties. He stated staff recommended adoption of the ordinances authorizing demolition of the structures. He reviewed the following demolition recommendations:

526 Durham Street

Mr. Shuford stated the structure was a vacant residential home that was inspected and condemned as a blighted structure on August 3, 2012. He further stated the owner had not appeared at the hearing and therefore an order to repair or demolish the structure within 90 days was issued. He noted to date there were no repairs to the structure and the utilities were disconnected in November 2006. He further noted within the past 24 months there had been 3 calls for 911 service and 5 code violations with a pending assessment of \$430.95. He advised the low bid for demolition was \$1,700.00.

111 Kensington Circle

Mr. Shuford stated the structure was a vacant residential home that was inspected and condemned as a blighted structure on July 18, 2012. He further stated the owner had not appeared at the hearing and therefore an order to repair or demolish the structure within 60 days was issued. He noted to date there were no repairs to the structure and the utilities were disconnected in September 2009. He further noted within the past 24 months there had been 7 calls for 911 service and 7 code violations with a pending assessment of \$163.78. He advised the low bid for demolition was \$3,100.00.

880 W. Orange Street

Mr. Shuford stated the structure was a vacant residential home that was inspected and condemned as a blighted structure on September 27, 2012. He further stated the owner appeared at the hearing and an order was issued to repair or demolish the structure within 90 days. He noted to date there were no repairs to the structure and the utilities were disconnected in July 2011. He further noted within the past 24 months there had been no calls for 911 service and 5 code

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violations with a pending assessment of \$372.57. He advised the low bid for demolition was \$3,245.00.

717 Wilma Street

Mr. Shuford stated the structure was a vacant residential home that was inspected and condemned as a blighted structure on October 11, 2012. He further stated the owner had not appeared at the hearing and therefore an order to repair or demolish the structure within 60 days was issued. He noted to date there were no repairs to the structure and the utilities were disconnected in December 2007. He further noted within the past 24 months there had been 2 calls for 911 service and 4 code violations with a pending assessment of \$290.25. He advised the low bid for demolition was \$1,645.00.

Brief discussion ensued.

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 (526 Durham Street, PIN 0437-38-5157). ORDINANCE NO. NS2013-013.

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 (111 Kensington Circle, PIN 0438-53-8323). ORDINANCE NO. NS2013-014.

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 (880 W. Orange Street, PIN 0437-59-3371). ORDINANCE NO. NS2013-015.

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 (717 Wilma Street, PIN 0438-07-1174). ORDINANCE NO. NS2013-016.

MOTION: Council Member Davy moved to adopt the ordinances authorizing demolition of the structures.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

7.4 Amended Uniform Street and Thoroughfare Lighting Ordinance and street lighting information.

Mr. Lee Jernigan, City Traffic Engineer, and Mr. Reggie Wallace, Interim Chief Operating Officer, Electric Systems, PWC, presented this item with the aid of a power point presentation. Mr. Jernigan stated the Uniform Street and Thoroughfare Lighting Ordinance was adopted by Council in February 2010 and covers thoroughfare and residential street lighting in the City. He further stated the current ordinance was adopted when LED lighting was a relatively new technology for street lighting. He explained upon adoption of the amendment, the ordinance would adhere to national standards for new street lighting and provide more technical specifications for LED lighting. He further explained adoption of the ordinance amendment would not have an impact on the budget. He advised the current ordinance would require the City to pay for thoroughfare lighting and the new ordinance would allow for high pressure sodium lights or LED lights. He further advised the additional requirements were necessary for LED lights and to meet national standards as LED lights were becoming the preferred light source.

Mr. Wallace then provided an overview of PWC street lighting projects.

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Mr. Jernigan stated the City would investigate all requests for additional street lights from residents and two of the four providers to the City (South River and Lumbee River EMC) would require neighborhood petitions prior to installing additional lighting. He further stated residents would have to pay for all of the additional installation costs and service costs in their monthly bills.

Mr. Wallace stated there was now in operation a small scale test of City-wide conversion to LED lights. He further stated this was a multi-year project to provide an upgrade to all areas. He explained the life of a LED light is much longer than the existing lights as the LED uses less energy and as a result, the cost of power is reduced.

Council Member Haire inquired how costs would be applied to residents that were outside of the PWC jurisdiction. Mr. Jernigan responded that the energy provider for the area would bill the residents based on the pay model which varies between the three other providers.

Council Member Crisp inquired who would pay for the lighting on the thoroughfares. Mr. Jernigan responded all thoroughfares serviced by PWC would be paid for by all the PWC serviced customers.

Council Member Applewhite inquired if the City could identify the neighborhoods and the providers that do not meet their lighting ordinance requirements. Mr. Jernigan responded the residents or the suppliers would need to notify the City of those shortcomings, as it would be very labor intensive for the City to make that kind of identification.

Mayor Chavonne inquired if residents could call Traffic Services for information on street lighting. Mr. Jernigan responded citizens were welcome to call for information.

Council Member Applewhite inquired if it would be possible to have handouts or fliers for Council members to take to various group meetings and suggested information could be posted to the City website.

Mayor Pro Tem Arp requested clarification on which companies would require a petition. Mr. Jernigan responded that residents would first need to contact the City to request the additional lighting and the City would then contact the provider and make them aware of the request. He further responded that South River and Lumbee River providers both require the petition and Progress Energy and PWC do not require a petition.

Mayor Pro Tem Arp inquired what the petition requirements were. Mr. Jernigan responded he would get that information from South River and Lumber River providers.

Council Member Fowler inquired if the City could get a comparison of the rates that all four providers were charging for monthly service costs per street light. Mr. Jernigan responded the City would ask for that information.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 24, ARTICLE X, UNIFORM STREET AND THOROUGHFARE LIGHTING ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2013-005.

MOTION: Council Member Massey moved to adopt the ordinance.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

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7.5 Adoption of City Council Budget Guidelines for FY 2014.

Mr. Ted Voorhees, City Manager, presented this item and stated the guidelines were earlier provided to the City Council for consideration, and Council was invited to contact the City Manager with specific suggestions. He stated the guidelines were now ready for adoption.

MOTION: Council Member Haire moved to approve the City Council Budget Guidelines for FY 2014.
SECOND: Council Member Fowler
VOTE: UNANIMOUS (10-0)

8.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:03 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

ANTHONY G. CHAVONNE
Mayor

040813

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FAYETTEVILLE CITY COUNCIL
SPECIAL BUDGET MEETING MINUTES
HUMAN RESOURCE DEVELOPMENT TRAINING ROOM
APRIL 10, 2013
5:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2) Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7) (arrived at 5:25 p.m.); James W. Arp, Jr. (District 9)

Absent Council Member Wade Fowler (District 8)

Others Present: Theodore L. Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Karen McDonald, City Attorney
Brad Whited, Airport Director
Lisa Smith, Chief Financial Officer
Tracey Broyles, Budget Manager
Harold Medlock, Chief of Police
Ben Major, Fire Chief
Rusty Thompson, Engineering & Infrastructure Director
Randy Hume, Transit Director
Erica Hoggard, Interim Human Resource Development Director
Dwayne Campbell, Chief Information Officer
Scott Shuford, Development Services Director
Michael Gibson, Parks and Recreation Director
Victor Sharpe, Community Development Director
Jerry Dietzen, Environmental Services Director
Ron McElrath, Community Development Director
Tracie Davis, Corporate Communications Director
Pamela Megill, City Clerk
Members of the Press

Mayor Chavonne called the meeting to order at 5:00 p.m.

Mr. Ted Voorhees, City Manager, provided opening remarks and an overview of the agenda.

City Manager

Mr. Voorhees provided an overview of the City Manager Department requests and provided the following information:

	<u>Proposed Fiscal Year 2014 Budget</u>
Personnel	\$1,222,180.00
Operating	228,916.00
Capital	N/A.
Total	<u>\$1,451,096.00</u>

Department Requested New Initiatives

1. Administrative Support
2. Administrative Support

City Attorney

	<u>Proposed Fiscal Year 2014 Budget</u>
Personnel	\$ 651,461.00
Operating	536,312.00
Capital	N/A.
Total	<u>\$1,187,773.00</u>

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City Clerk

<u>Proposed Fiscal Year 2014 Budget</u>	
Personnel	\$468,837.00
Operating	451,099.00
Capital	N/A.
Total	<u>\$919,936.00</u>

Department Requested New Initiatives

1. Records Technician (OA-1) part-time
2. Records Supplies (shelving storage boxes)

Finance

Ms. Lisa Smith, Chief Financial Officer, provided an overview of the Finance Department requests and provided the following information:

<u>Proposed Fiscal Year 2014 Budget</u>	
Personnel	\$1,439,477.00
Operating	1,389,539.00
Capital	N/A.
Total	<u>\$2,829,016.00</u>

Department Requested New Initiatives

1. Internal audit position

Human Resources/HRD

Ms. Erica Haggard, Interim Human Resource Development Director, provided an overview of the Human Resource Development Department requests and provided the following information:

<u>Proposed Fiscal Year 2014 Budget</u>	
Personnel	\$ 1,015,448.00
Operating	198,048.00
Capital	N/A.
Total	<u>\$1,213,496.00</u>

Department Requested New Initiatives

1. Compensation Software
2. High Density Filing System

Information Technology

Mr. Dwayne Campbell, Chief Information Officer, provided an overview of the Information Technology Department requests and provided the following information:

<u>Proposed Fiscal Year 2013 Budget</u>	
Personnel	\$1,735,535.00
Operating	2,104,906.00
Capital	1,887,219.00
Total	<u>\$5,727,660.00</u>

Department Requested New Initiatives

1. (4) Desk Support Technician
2. (2) GIS Analyst/GIS Database Administrator
3. (2) Network Security/MS Exchange Administrator
4. (1) Web Designer/Developer
5. (1) IT Business Analyst

Corporate Communications

Ms. Tracie Davis, Corporate Communications Director, provided an overview of the Corporate Communications Department requests and provided the following information:

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Proposed Fiscal Year 2014 Budget

Personnel	\$700,003.00
Operating	58,889.00
Capital	5,695.00
Total	<u>\$864,597.00</u>

Department Requested New Initiatives

1. Government Access Channel Coordinator-1FTE
2. Public Relations/Government Access Channel Technician-1FTE
3. Part-time Mailroom Position

The special meeting recessed at 7:25 p.m. in order for Council and staff to take a 10-minute break. At the end of the break, the special meeting reconvened at 7:35 p.m.

Staff continued with providing overviews of departmental budget requests.

Regional Airport

Mr. Brad Whited, Airport Director, provided an overview of the Regional Airport Department requests and provided the following information:

Proposed Fiscal Year 2014 Budget

Personnel	\$1,442,831.00
Operating	2,220,691.00
Capital	1,179,719.00
Total	<u>\$4,843,241.00</u>

Department Requested New Initiatives

1. None

Transit

Mr. Randy Hume, Transit Director, provided an overview of the Transit Department requests and provided the following information:

Proposed Fiscal Year 2014 Budget

Personnel	\$4,714,834.00
Operating	2,177,380.00
Capital	3,000.00
Total	<u>\$6,895,214.00</u>

Department Requested New Initiatives

1. FACT recommended service enhancements
2. Customer Service Representatives (2)
3. Transit Security
4. Civil Rights Compliance Officer (reorganization)

Development Services

Mr. Scott Shuford, Development Services Director, provided an overview of the Development Services Department requests and provided the following information:

Proposed Fiscal Year 2014 Budget

Personnel	\$3,139,519.00
Operating	1,085,068.00
Capital	N/A.
Total	<u>\$4,224,587.00</u>

Department Requested New Initiatives

1. Vehicles for building inspectors
2. Long-Range Planning #1
3. 3 Building Inspector positions
4. Zoning Administrator position
5. Long-Range Planning #2

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Human Relations

Mr. Ron McElrath, Human Relations Director, provided an overview of the Human Relations Department requests and provided the following information:

	<u>Proposed Fiscal Year 2014 Budget</u>
Personnel	\$241,171.00
Operating	32,869.00
Capital	N/A.
Total	<u>\$274,040.00</u>

Department Requested New Initiatives

1. Study Circles

Community Development

Mr. Victor Sharpe, Community Development Director, provided an overview of the Community Development Department requests and provided the following information:

	<u>Proposed Fiscal Year 2014 Budget</u>
Personnel	\$ 222,010.00
Operating	901,145.00
Capital	180,000.00
Total	<u>\$1,303,155.00</u>

Department Requested New Initiatives

1. Community Development Planner-50% grant funded

Environmental Services

Mr. Jerry Dietzen, Environmental Services Director, provided an overview of the Environmental Services Department requests and provided the following information:

	<u>Proposed Fiscal Year 2014 Budget</u>
Personnel	\$ 3,986,269.00
Operating	5,329,549.00
Capital	1,764,000.00
Total	<u>\$11,079,818.00</u>

Department Requested New Initiatives

1. Code Enforcement Administrator \$63,823
2. Energy Efficiency and Sustainability Engineer \$79,177

Parks, Recreation and Maintenance

Mr. Michael Gibson, Environmental Services Director, provided an overview of the Parks, Recreation and Maintenance Department requests and provided the following information:

	<u>Proposed Fiscal Year 2014 Budget</u>
Personnel	\$ 9,770,330.00
Operating	6,040,232.00
Capital	2,894,602.00
Total	<u>\$18,705,134.00</u>

Department Requested New Initiatives

1. Trash Pickup Crews (2)
2. Increased Maintenance at New Century Cir School/Park

Engineering and Infrastructure

Mr. Rusty Thompson, Engineering and Infrastructure Director, provided an overview of the Engineering and Infrastructure Department requests and provided the following information:

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Proposed Fiscal Year 2014 Budget

Personnel	\$ 6,336,784.00
Operating	5,471,658.00
Capital	6,235,161.00
Total	\$18,043,603.00

Department Requested New Initiatives

1. Unfreeze Engineer II, Shared cost with Stormwater funds
2. Unfreeze Stormwater Inspector, Stormwater Funds

Police

Mr. Harold Medlock, Chief of Police, provided an overview of the Police Department requests and provided the following information:

Proposed Fiscal Year 2014 Budget

Personnel	\$37,874,255.00
Operating	6,039,915.00
Capital	1,542,549.00
Total	<u>\$45,456,719.00</u>

Department Requested New Initiatives

1. Diversion Detectives (2)
2. Office of Professional Standards (OPS) Sergeant (1)
3. Emergency Response Team (ERT) Pay Increase
4. Forensic Manager

Fire/Emergency Management

Mr. Ben Major, Fire Chief, provided an overview of the Fire Department requests and provided the following information:

Proposed Fiscal Year 2014 Budget

Personnel	\$20,048,207.00
Operating	2,950,831.00
Capital	1,535,095.00
Total	<u>\$24,534,133.00</u>

Department Requested New Initiatives

1. Lieutenant Position - Asst. P & R Officer
2. Office Assistant 1 - Training Division
3. Honor Guard Program OT

There being no further business, the meeting adjourned at 9:43 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

ANTHONY G. CHAVONNE
Mayor

041013

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FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
LAFAYETTE ROOM
APRIL 17, 2013
4:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Absent: Council Members Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); D. J. Haire (District 4); Bobby Hurst (District 5);

Others Present: Ted Voorhees, City Manager
Rochelle Small-Toney, Deputy City Manager
Karen McDonald, City Attorney
Craig Harmon, Planner II
Pamela Megill, City Clerk
Members of the Press

Mayor Chavonne called the meeting to order at 4:00 p.m.

City staff presented the following items scheduled for the Fayetteville City Council's April 22, 2013, agenda:

CONSENT ITEMS

Case No. P13-09F. Request to rezone property from SF-6 and SF-10 Single Family Residential to CC Community Commercial or to a more restrictive district, located at 4735 Yadkin Road. Containing 0.69 acres more or less and being the property of Daniel and Miyoung Kocaja.

Mr. Craig Harmon, Planner II, presented this item with the aid of a power point presentation. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated this property was located near the All American Expressway overpass on Yadkin Road between Festus Avenue and Castle Hayne Road. He further stated there were three zoning districts on the property--CC Community Commercial fronting Yadkin Road. Behind that is first a small triangular piece of SF-6 (Single Family) zoning with the remaining portion of the property being zoned SF-10 to the right-of-way of the All American Expressway. While all of the property fronting Yadkin in this area is zoned commercially, the backsides for several of the properties beside this one have large residential areas behind the commercial zoning. He advised the Zoning Commission and staff recommended approval of the rezoning to Community Commercial based on (1) the Land Use Plan calling for heavy commercial on the property, (2) the property to the north being completely zoned commercial as were the properties across the road, (3) the property not only fronting Yadkin Road but also backing up to the All American Expressway, and (4) the rezoning would increase the usability of the property.

Case No. P13-10F. Request to rezone property from CC Community Commercial and SF-6 and SF-10 Single Family Residential to CC/CZ Community Commercial Conditional Zoning or to a more restrictive district, located at 5869 Yadkin Road. Containing 9.2 acres more or less and being the property of Sperring Memorial Baptist Church. (OI/CZ Recommended by the Zoning Commission and staff.)

Mr. Craig Harmon, Planner II, presented this item with the aid of a power point presentation. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He briefly reviewed the

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location of the property and noted there was a church and Head Start center on the property. He explained that Sperring Memorial Baptist Church would like to build a Child Daycare Center, which they would lease out to a private operator, on the vacant property behind their current church along Horseshoe Road. He stated the portion of their property was now zoned for residential use and daycare centers would only be allowed in residential districts when they were located along a major or minor thoroughfare. He further stated in keeping with the 2030 Plan, it was staff's opinion that a more restrictive OI Office and Institutional Conditional district would be more appropriate for the property than the requested CC. He noted in February 2013 the church properties were recombined into one property and the County parcel data had not been updated to reflect the recombination. He advised the applicant stated they would have no problem with O&I since it would allow them to do all of the uses they had planned. He reviewed the following conditions offered by the applicant:

1. The property would allow for a Child Care Center and Elderly Care/Assisted Living facility under the OI district.
2. All uses in the existing SF-10 and SF-6 districts would remain.
3. The Daycare hours of operations would be Monday through Friday from 7:00 a.m. to 6:00 p.m.
4. The existing church, Head Start, and other facilities would be allowed to remain as permitted uses.

Mr. Harmon advised the Zoning Commission and staff recommend approval of a more restrictive OI/CZ based on the following:

1. The only uses other than those allowed in the SF-6 or SF-10 districts would be for a child daycare and elderly care/assisted living facilities. All uses would be required to meet all requirements of the City's Development Code, including all use-specific standards.
2. 2030 Plan calls for the OI district to be used as a transitional area between residential and higher intensity uses.
3. Child Care Centers and Elder Care/Assisted Living are both permitted uses within the OI district.

OTHER ITEMS

Mr. Harmon stated Mr. Scott Shuford, Development Services Director, would have an item for the April 22, 2013, City Council agenda pertaining to the "Update on Land Use Plan". He said the presentation would be basically a condensed version of the presentation that was given at the Strategic Planning meeting and staff would be requesting approval of the plan.

Mr. Ted Voorhees, City Manager, stated staff would be working with developers and property owners to try to jump-start development on the City's major corridors.

There being no further business, the meeting adjourned at 4:37 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk
041713

ANTHONY G. CHAVONNE
Mayor

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FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
ST. AVOLD ROOM
APRIL 22, 2013
6:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J.L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8)

Absent: Council Member Robert A. Massey, Jr. (District 3); James W. Arp, Jr. (District 9)

Others Present: Ted Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Karen McDonald, City Attorney
Brian Meyer, Assistant City Attorney
Patricia Bradley, Police Attorney
Members of the Press

Mayor Chavonne called the meeting to order at 6:10 p.m.

MOTION: Council Member Fowler moved to go into closed session with the City Attorney to discuss litigation in the matters of *Tom Price, et al. v. City of Fayetteville, et al.*, and *Darwin Johnson, et al. v. City of Fayetteville, et al.*

SECOND: Council Member Bates

VOTE: UNANIMOUS (8-0)

The regular session recessed at 6:10 p.m. The regular session reconvened at 6:45 p.m.

MOTION: Council Member Bates moved to go into open session.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (8-0)

Council Member Bates advised he would be pulling Item 5.6.

Mr. Kristoff Bauer, Deputy City Manager, advised Item 5.7 needed to be pulled and set as a public hearing.

There being no further business, the meeting adjourned at 6:47 p.m.

Respectfully submitted,

KAREN M. MCDONALD
City Attorney

ANTHONY G. CHAVONNE
Mayor

042213

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FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
APRIL 22, 2013
7:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8)

Absent: Council Member James W. Arp, Jr. (District 9)

Others Present: Ted Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Karen McDonald, City Attorney
Brian Meyer, Assistant City Attorney
Dana Clemons, Assistant City Attorney
Lisa Smith, Chief Financial Officer
Rusty Thompson, Engineering and Infrastructure Director
Victor Sharpe, Community Development Director
Scott Shuford, Development Services Director
Benjamin Major, Fire Chief
Tracie Davis, Corporate Communications Director
Karen Hilton, Planning and Zoning Division Manager
Craig Harmon, Planner II
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Minister Gary Norwood of the New Life Bible Church.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by the Mayor and City Council.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Davy moved to approve the agenda.

SECOND: Council Member Haire

VOTE: UNANIMOUS (9-0)

5.0 CONSENT

Council Member Applewhite requested Item 5.1 be pulled for a separate vote, Council Member Bates requested Item 5.6 be pulled for a separate vote, and Council Member Crisp requested Item 5.7 be pulled for a separate vote.

MOTION: Mayor Chavonne moved to approve the consent agenda with the exception of Items 5.1, 5.6, and 5.7.

SECOND: Council Member Massey

VOTE: UNANIMOUS (9-0)

5.1 Pulled for a separate vote by Council Member Applewhite.

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- 5.2 **Community Development - Approve transfer of City-owned lot located at 1633 Rosebud Drive to Kingdom Community Development Corporation for the construction of affordable housing.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE APPROVING CONVEYANCE OF PROPERTY PURSUANT TO G.S. § 160A-279. RESOLUTION NO. R2013-021.

- 5.3 **Community Development - Approval of transfer of two City-owned vacant lots located at 811 Bedrock Drive and 214 Grady Street to Fayetteville Area Habitat for Humanity for the construction of affordable housing.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE APPROVING CONVEYANCE OF PROPERTY PURSUANT TO G.S. § 160A-279. RESOLUTION NO. R2013-022.

- 5.4 **Case No. P13-09F. Request to rezone property from SF-6 and SF-10 Single-Family Residential to CC Community Commercial or to a more restrictive district, located at 4735 Yadkin Road. Containing 0.69 acres more or less and being the property of Daniel and Miyoung Koceja.**

- 5.5 **Case No. P13-10F. Request to rezone property from CC Community Commercial, SF-6 and SF-10 Single-Family Residential, to CC/CZ Community Commercial Conditional Zoning or to a more restrictive district, located at 5869 Yadkin Road. Containing 9.2 acres more or less and being the property of Sperring Memorial Baptist Church. (OI/CZ Recommended by the Zoning Commission and staff).**

- 5.6 **Pulled for a separate vote by Council Member Bates.**

- 5.7 **Pulled for a separate vote by Council Member Crisp.**

- 5.8 **Award contract for the purchase of three 833KVA, 7.2 KV single phase voltage regulators to HD Power Solutions, c/o Cooper Power, Wake Forest, NC, lowest responsive bidder, in the amount of \$125,241.00.**

Bids were received as follows:

HD Power Solutions, c/o Cooper Power (Wake Forest, NC)....	\$125,241.00
Siemens Energy, Inc. (Richland, MS).....	\$127,032.00
Stuart C. Irby (Rocky Mount, NC).....	\$81,846.00

- 5.9 **Veterans Website and Call Center - Capital Project Ordinance 2013-19 and Special Revenue Fund Project Ordinance 2013-9.**

The ordinances appropriated a total of \$54,460.00 for the development of a Veterans Transportation and Community Living Initiative (VTCLI) multiagency website and call center. Federal grants would provide \$46,680.00 to fund the project and a local match of \$7,780.00 would be required from the General Fund.

- 5.1 **Community Development - Approval of the 2013-2014 Annual Action Plan.**

This item was pulled for a separate vote by Council Member Applewhite.

Mr. Victor Sharpe, Community Development Director, presented this item and explained the 2013-2014 Annual Action Plan was based on priorities, goals, and objectives of the 2010-2015 Consolidated Plan. He further explained the plan was a comprehensive plan addressing the City's housing, homeless, community development, and economic development needs through 2015. He noted the plan was in the fourth year of the 2010-2015 Consolidated Plan. He stated in an effort to provide citizens an opportunity to participate in the process of developing the Annual Action Plan, the Community Development staff

DRAFT

held citizen participation meetings, which were held in various locations throughout the City. He further stated a staff public hearing was held on March 7, 2013, and the Fayetteville Redevelopment Commission held the official public hearing on April 11, 2013. He advised a draft copy of the plan was made available in various locations for review and comments for 30 days from March 28 to April 30, 2013, and no comments had been received to date. He further advised the Fayetteville Redevelopment Commission voted to forward to City Council a recommendation of approval of the Annual Action Plan.

A brief question and answer period ensued.

MOTION: Council Member Applewhite moved to approve the 2013-2014 Annual Action Plan.

SECOND: Council Member Massey

VOTE: UNANIMOUS (9-0)

5.6 Downtown Multi-Modal Transportation Center - Budget Ordinance Amendment 2013-13 and Capital Project Ordinance 2013-18.

This item was pulled for a separate vote by Council Member Bates.

Capital Project Ordinance Amendment 2013-18 appropriated a total of \$10,018,750.00 to fund the first phase of construction of the downtown Multi-Modal Transportation Center. Funding sources included \$8,015,000.00 of federal grant proceeds and \$2,003,750.00 of local match funding to be transferred from the General Fund. The associated budget ordinance amendment appropriated \$1,342,000.00 from General Fund fund balance designated for capital in order to provide the balance of funding needed for the General Fund transfer.

MOTION: Council Member Hurst moved to adopt Budget Ordinance Amendment 2013-13 and Capital Project Ordinance 2013-18.

SECOND: Council Member Massey

VOTE: PASSED by a vote of 6 in favor to 3 in opposition (Council Members Bates, Crisp, and Fowler)

5.7 Consider adoption of revised secondary fire zone.

This item was pulled for a separate vote by Council Member Crisp.

MOTION: Council Member Crisp moved to set a public hearing for May 13, 2013.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (9-0)

6.0 OTHER ITEMS OF BUSINESS

6.1 Results of the Arts and Economic Prosperity IV Study.

Mr. Wick Smith, Trustee, Arts and Economic Development Committee Chair, presented this item with the aid of a power point presentation. He stated the Arts Council of Fayetteville/Cumberland County led the local not-for-profit cultural industry in a year-long national study entitled Arts and Economic Prosperity IV conducted by Americans for the Arts. He further stated all 50 states and the District of Columbia participated in the study and national partners included the United States Conference of Mayors, National Association of Counties, National Conference of State Legislatures, National League of Cities, the National Lieutenant Governors Association, Business Civic Leadership Center, Committee Encouraging Corporate Philanthropy, Grants Makers in the Arts, Destination Marketing Association, and Conference Board. He announced that \$53.7 million were being spent a year in Cumberland County. He stated the Arts support 1,769 full-time equivalent jobs and \$5.4 million was being generated annually in local and state government revenue. He further stated nonprofit cultural arts organizations were spending \$32.2 million annually in Cumberland County and \$21.5 million a year in further spending by audiences. He concluded by stating the study demonstrated that an investment in the

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cultural arts created and supported jobs, generated government revenue, and drives tourism.

Mayor Chavonne and council members thanked Mr. Smith for an excellent presentation of valuable information. Mr. Smith responded that the City and County Cultural Arts still had lots of room for growth and something to aspire to. He advised the full report could be viewed at www.TheArtsCouncil.com/impact.php.

6.2 Future Land Use Policies

Mr. Scott Shuford, Development Services Director, presented this item with the aid of a power point presentation and advised the 2010 Future Land Use Plan adopted in 1996 would require updating. He noted that since the Plan was, in effect, a map, updating it should be driven by specific policies. He further noted staff was suggesting a strategic policy approach that would concentrate on two critical issues--an oversupply of commercially-zoned land and the revitalization of blighted neighborhoods and neighborhoods threatened by blight. He stated the plan would receive input from appointed boards and the community and the Future Land Use Policies would be brought before Council for adoption in early FY 2013-2014. He further stated the follow-up action of updating the Future Land Use Plan map would be scheduled for late FY 2013-2014 or early FY 2014-2015. He continued by stating Fayetteville had sufficient commercially-zoned land to accommodate a population many times its current size. He further stated the "oversupply" situation compromised the City's ability to promote quality development and redevelopment of commercial corridors and nodes and to direct commercial development into areas of greater benefit to the City. He advised staff was suggesting addressing the situation through a comprehensive approach that would provide property owners with more options to develop and market their properties, utilizing existing corridor plans to direct land use decisions, and similar techniques. He noted that Fayetteville had many neighborhoods that were affected by blighting influences and were receiving much attention from the City but most of that attention was reactionary--enhanced crime enforcement and demolition of blighted structures. He advised staff was suggesting policies that bring proactivity to the table to reclaim the neighborhoods in an effective fashion.

Council Member Haire inquired if the amount of tobacco shops could be curtailed in some instances. Mr. Shuford responded if data supported that the tobacco stores (without gas stations) were contributing to crime related issues for the surrounding neighborhood, then the item could become a policy direction from Council.

Council Member Bates inquired if the North Pavilion Hospital overlay would be built into the Land Use Plan map. Mr. Shuford responded staff could add the item to the plan if Council so directed.

Council Member Applewhite stated she was encouraged by the presentation, particularly that of having discussion with property owners of the huge vacant commercial spaces on Raeford Road and other areas of the City.

Mr. Shuford stated staff was working on putting together a list of potential incentives for property owners willing to redevelop.

Council Member Fowler stated he was interested in seeing mixed use and stated the plan sounded like there would be more flexibility.

Council Member Hurst stated an interesting statistic showed that more than half of their commercially-zoned property was vacant and welcomed the open discussions with the builders and developers.

Mr. Shuford stated one of the goals was to increase more flexibility and therein broaden their economic base.

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Council Member Massey stated they needed to keep their citizens involved and as they looked at flexibility they needed to consider "the brain drain" the City was experiencing.

MOTION: Council Member Davy moved to authorize staff to proceed with developing strategic policies to guide future development for Council consideration using staff resources.

SECOND: Council Member Haire

VOTE: UNANIMOUS (9-0)

7.0 ADMINISTRATIVE REPORTS

7.1 Monthly statement of taxes for March 2013.

2012 Taxes	\$593,794.79
2012 Vehicle	374,413.51
2012 Taxes Revit	1,274.98
2012 Vehicle Revit	252.18
2012 FVT	42,776.89
2012 Transit	42,776.89
2012 Storm Water	17,494.54
2012 Fay Storm Water	34,989.12
2012 Fay Recycle Fee	33,190.01
2012 Annex	0.00
2011 Taxes	12,482.67
2011 Vehicle	40,032.23
2011 Taxes Revit	1.13
2011 Vehicle Revit	1.60
2011 FVT	6,438.65
2011 Transit	6,438.37
2011 Storm Water	439.47
2011 Fay Storm Water	878.96
2011 Fay Recycle Fee	876.16
2011 Annex	0.00
2010 Taxes	4,010.08
2010 Vehicle	1,904.70
2010 Taxes Revit	0.00
2010 Vehicle Revit	0.00
2010 FVT	501.82
2010 Transit	501.84
2010 Storm Water	107.82
2010 Fay Storm Water	215.65
2010 Fay Recycle Fee	341.44
2010 Annex	0.00
2009 Taxes	850.02
2009 Vehicle	1,316.05
2009 Taxes Revit	0.00
2009 Vehicle Revit	0.00
2009 FVT	314.31
2009 Transit	314.31
2009 Storm Water	24.00
2009 Fay Storm Water	48.00
2009 Fay Recycle	76.00
2009 Annex	0.00
2008 and Prior Taxes	1,462.41
2008 and Prior Vehicle	3,716.63
2008 and Prior Taxes Revit	4.56
2008 and Prior Vehicle Revit	0.00
2008 and Prior FVT	799.26
2008 and Prior Transit	160.47
2008 and Prior Storm Water	91.65
2008 and Prior Fay Storm Water	63.29
2008 and Prior Fay Recycle Fee	68.76
2008 and Prior Annex	38.06

DRAFT

Interest	39,953.01
Revit Interest	51.10
Storm Water Interest	750.65
Fay Storm Water Interest	1,402.64
Annex Interest	6.56
Fay Recycle Interest	1,374.16
Fay Transit Interest	1,649.13
Total Tax and Interest	\$1,270,670.83

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:27 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

ANTHONY G. CHAVONNE
Mayor

042213

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: May 28, 2013
RE: **Bid Recommendation for Installation of Cape Fear Substation**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests that Council approve bid award for labor, materials and equipment for installation of the Cape Fear 69 to 15x25KV Substation.

RELATIONSHIP TO STRATEGIC PLAN:

Quality Utility Services

BACKGROUND:

The Public Works Commission, during their meeting of May 8, 2013 approved bid recommendation to award bid for labor, materials and equipment for installation of the Cape Fear 69 to 15x25KV Substation to Lee Electrical Construction, Aberdeen, NC in the total amount of \$1,363,150.00 and forward to City Council for approval. This is a budgeted item (Cape Fear Substation Rebuild – FY 2014 CIP EL53 - \$1,400,000 for construction). Bids were received March 28, 2013 as follows:

<u>Bidders</u>	<u>Total Cost</u>
Lee Electrical Construction, Aberdeen, NC	\$1,363,150.00
Pike Electric, Charlotte, NC	\$1,369,761.87
Sumter Utilities, Sumter, SC	\$2,057,714.21

Lee Electrical Construction will use SDBE/MWBE subcontractors for 1.8% of the work on this project. Lee Electrical was required to submit their good faith efforts to solicit SDBE/MWBE participation on this project and, upon review; staff has verified that Lee Electrical did make a good faith effort in accordance with NCGS 143-128.2.

ISSUES:

N/A

BUDGET IMPACT:

PWC Budget

OPTIONS:

N/A

RECOMMENDED ACTION:

The Public Works Commission recommends to the City Council to award bid for labor, materials and equipment for installation of the Cape Fear 69 to 15x25KV Substation to Lee Electrical Construction, Aberdeen, NC in the total amount of \$1,363,150.00.

ATTACHMENTS:

Bid Recommendation
Bid History

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Steve Blanchard, CEO/General Manager **DATE:** May 1, 2013

FROM: Gloria Wrench, Purchasing Manager

.....
ACTION REQUESTED: Award bid for labor, materials and equipment necessary for Cape Fear 69 to 15 x 25KV Substation installation.
.....

BID/PROJECT NAME: Cape Fear 69 to 15 x 25KV Substation Installation

BID DATE: March 28, 2013 **DEPARTMENT:** Electric Substations

BUDGET INFORMATION: Cape Fear Substation Rebuild – FY2014 CIP EL53 - \$1,400,000 for construction
.....

BIDDERS	TOTAL COST
<u>Lee Electrical Construction, Aberdeen, NC</u>	<u>\$1,363,150.00</u>
<u>Pike Electric, Charlotte, NC</u>	<u>\$1,369,761.87</u>
<u>Sumter Utilities, Sumter, SC</u>	<u>\$2,057,714.21</u>

.....
AWARD RECOMMENDED TO: Lee Electrical Construction, Aberdeen, NC

BASIS OF AWARD: Lowest responsive, responsible bidder

AWARD RECOMMENDED BY: Michael Clements, PE, Booth & Associates, Joel Brown, PWC and Gloria Wrench, PWC
.....

COMMENTS: Bids were solicited from seven (7) bidders with three (3) bidders responding. The lowest responsive, responsible bidder is recommended.
.....

ACTION BY COMMISSION

APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ **REJECTED** _____
DATE _____

BID HISTORY

INSTALLATION OF CAPE FEAR 69 TO 15 X 25 KV SUBSTATION BID DATE: MARCH 28, 2013

Consulting Engineer

Booth and Associates, Raleigh, NC

Advertisement

1. PWC Website 02/26/13 through 03/28/13

List of Organizations Notified of Bid

1. NAACP Fayetteville Branch, Fayetteville, NC
2. NAWIC, Fayetteville, NC
3. N.C. Institute of Minority Economic Development (NCIMED), Fayetteville, NC
4. Cumberland Regional Improvement Corporation (CRIC), Fayetteville, NC
5. Fayetteville Business & Professional League (FBPL), Fayetteville, NC
6. Small Business Technology Development Center (SBTDC), Fayetteville, NC
7. FTCC Small Business Center, Fayetteville, NC
9. Fayetteville Regional Chamber of Commerce, Fayetteville, NC
10. iSqFt Planroom, Charlotte, NC (Hispanic Contractor's Association)

List of Prospective Bidders

1. Service Electric Company, Chattanooga, TN
2. New River Electrical, Cloverdale, VA
3. Pike Electric, Inc., Charlotte, NC
4. Lee Electrical Construction, Inc., Aberdeen, NC
5. Davis H. Elliott Co., Roanoke, VA
6. Aubrey Silvey Enterprises, Inc., Carrollton, GA
7. Sumter Utilities, Inc., Sumter, SC

SDBE/MWBE Participation

Lee Electrical Construction will use SDBE/MWBE subcontractors for 1.8% of the work on this project. Lee Electrical was required to submit their good faith efforts to solicit SDBE/MWBE participation on this project and, upon review, staff has verified that Lee Electrical did make a good faith effort in accordance with NCGS 143-128.2.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Brian M. Meyer, Assistant City Attorney
DATE: May 28, 2013
RE: **Request from Cape Fear Botanical Garden**

THE QUESTION:

How to respond to a request from the Cape Fear Botanical Garden regarding refinancing and subordination of the City's interest.

RELATIONSHIP TO STRATEGIC PLAN:

More Efficient City Government – Cost Effective Services Delivery

BACKGROUND:

In 1990, the City of Fayetteville leased a 67-acre tract of land to the Cape Fear Botanical Garden (CFBG). The lease was for a term of 50 years with rent of \$1.00 per year. In 2002, the City of Fayetteville conveyed the same property to CFBG for use as a public park, green space, and natural area for the use and enjoyment of the citizens and residents of the City of Fayetteville. Included in the deed was a restriction that the conveyance would automatically terminate and revert back to the City if the property was used for any purpose except a public park, green space, and natural area.

In 2009, CFBG completed the final phase of its master plan including the construction of a visitor's complex. In order to obtain financing, CFBG requested that the City release all restrictions and reversionary interest in the 10.1 acre tract upon which the visitor's center was being constructed. The release was to be effective during the time CFBG was indebted to the bank and in the event of foreclosure. The City's restrictions and reversionary interest would reattach upon satisfaction of the deed of trust. The City Council approved this request at its August 24, 2009, regular meeting.

CFBG is now seeking to refinance to take advantage of lower interest rates. The original 2009 loan in which the City Council agreed to subordinate the City's interest was in the amount of \$5.5 million. This loan refinance will have a principal amount of \$3.1 million. CFBG is requesting that the City execute an Addendum to the New Deed of Trust (as it did with the original deed of trust) so that CFBG can refinance this loan. The City's restrictions and reversionary interest would again be released in the 10.1 acre tract during the time CFBG is indebted to the bank and in the event of foreclosure and would reattach upon satisfaction of the deed of trust.

ISSUES:

Whether City Council is amenable to revising the deed as it pertains to the 10.1 acres that the visitor's center was constructed upon.

BUDGET IMPACT:

No known impact.

OPTIONS:

1. Agree to the proposed Addendum to the deed and authorize the City Manager to execute the necessary documents.
2. Reject the proposed Addendum to the deed.
3. Provide staff with additional direction regarding the proposed revision to the deed.

RECOMMENDED ACTION:

Staff recommends that Council authorize the City Manager to execute the attached Addendum to the Deed of Trust.

ATTACHMENTS:

2009 Addendum

Deed of Trust and Security Agreement

2013 Addendum

Addendum to Deed of Trust

This Addendum is attached to and made a part of that certain Deed of Trust by and among Cape Fear Botanical Garden, the City of Fayetteville, CB Services Corp. and RBC Bank (USA).

The City joins in the execution of this Deed of Trust to subject and subordinate any interest which it might have in the Land to the Deed of Trust. Without limiting the generality of the foregoing, City agrees that the restrictions and the reversionary interest created by the fee simple determinable under the Deed from the City to Cape Fear Botanical Garden recorded in Book 5907, Page 892, shall be subordinate to the lien of the Deed of Trust, and in the event of a foreclosure of the Deed of Trust or deed in lieu of foreclosure, the party acquiring title to the Land shall acquire it free and clear of such restrictions and reversionary interest.

To facilitate the foregoing, and for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, City has given, granted, bargained, assigned, sold and conveyed, and by these presents does give, grant, bargain, assign, sell and convey unto Trustee, its successors and assigns, with power of sale, for the benefit of Bank, all of the City's right, title and interest in and to the Collateral described in this Deed of Trust.

TO HAVE AND TO HOLD the Collateral, with all rights, privileges and appurtenances thereunto belonging or appertaining to Trustee, its successors and assigns, forever, upon the trusts and for the uses and purposes herein set out.

IN WITNESS WHEREOF, the City has executed this Addendum to Deed of Trust for the purpose provided above.

CITY OF FAYETTEVILLE

By: Anthony G. Chavonne
Mayor

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I certify that the following person personally appeared before me this day, acknowledging to me that he/she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:
Anthony G. Chavonne, Mayor of the City of Fayetteville.

Date: 2nd day of September, 2009.

Official Signature of Notary: Brenda P. Barbour
Notary's Printed or Typed Name: Brenda P. Barbour, Notary Public

My Commission Expires: 1/14/2014
(Official Seal)

(N.P. SEAL)

NORTH CAROLINA DEED OF TRUST AND SECURITY AGREEMENT

(Collateral Includes Fixtures)

SATISFACTION: The debt secured by this Deed of Trust, as evidenced by the note or other document secured thereby, has been satisfied in full. This the _____ day of _____,

Signed: _____

Mail after recording to: _____

This instrument was prepared by: _____

Mortgage broker/individual who acted as a mortgage broker (if applicable): _____

Recording: Time, Book and Page

Brief description for index:

THIS DEED OF TRUST AND SECURITY AGREEMENT (including any exhibits and/or riders attached hereto, and any modifications and amendments hereof, the "Deed of Trust") is made as of this _____ day of _____, by and among:

GRANTOR (Include Address)	TRUSTEE
CAPE FEAR BOTANICAL GARDEN	BB&T Collateral Service Corporation
536 N Eastern Blvd	3817 MORGANTON RD
Fayetteville, NC 28301-0000	FAYETTEVILLE, NC 28314-1501
	BENEFICIARY
	BRANCH BANKING AND TRUST COMPANY, a
	North Carolina banking corporation
	3817 MORGANTON RD
	FAYETTEVILLE, NC 28314-1501

AND the CITY OF FAYETTEVILLE (solely for the purpose of ^{subjecting its interest in the Property to this Deed of Trust as provided in the Addendum})

IF BOX CHECKED, THIS DEED OF TRUST SECURES AN OBLIGATION INCURRED FOR THE CONSTRUCTION OF AN IMPROVEMENT ON LAND

THE FOLLOWING INFORMATION APPLIES TO THIS DEED OF TRUST:

1. The maximum principal amount of the Debt (defined below), including present and future advances and/or present and future obligations secured by this Deed of Trust is:

THREE MILLION ONE HUNDRED THOUSAND DOLLARS & 00/100
(\$ 3,100,000.00) Dollars.

2. The Debt, on the date hereof, is evidenced by a Note or other Document described by name, parties, dollar amount and date as follows: (i) that Promissory Note dated _____, in the amount of \$ 3,100,000.00 executed by CAPE FEAR BOTANICAL GARDEN,

(the "Borrower" if not the Grantor) and all other obligations set forth on Schedule I attached hereto and incorporated herein, all of which may be evidenced by and shall be at all times deemed to include any other Note or other Document now or hereafter evidencing any debt whatsoever incurred by Grantor and/or Borrower and payable to Beneficiary, the terms of which are incorporated herein by reference; and (ii) all indebtedness and obligations of the Grantor or Borrower to Beneficiary (or an affiliate of Beneficiary) under any interest rate swap transactions, interest rate cap and/or floor transactions, interest rate collar transactions, swap agreements (as defined in 11 U.S.C. § 101) or other similar transactions or agreements, including without limitation any ISDA Master Agreement executed by the Grantor or Borrower and all Schedules and Confirmations entered into in connection therewith, hereinafter collectively referred to as a "Hedge Agreement", the terms of which are incorporated herein by reference.

3. Pursuant to the provisions of Sections 45-67 et seq., of the North Carolina General Statutes, this Deed of Trust secures the payment of the Debt, including present and future advances and/or future obligations.

4. No execution of a written instrument or notation shall be necessary to evidence or secure any future advances and/or future obligations made hereunder. The period within which future advances and/or future obligations are to be made shall be the thirty year period beginning on the date of this Deed of Trust.

5. The real property which is the subject of this Deed of Trust is located in or near the City of _____, in the Township of _____, in the County of _____, in the State of North Carolina, and the legal description and the chain of title reference of the real property are set forth as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

STATEMENT OF PURPOSE: In this Deed of Trust reference shall be made simply to the "Note or other Document", and such a reference is deemed to apply to all of the instruments which evidence or describe the Debt, or which secure its payment, and to all renewals, extensions and modifications thereof, whether heretofore or hereafter executed, and includes without limitation all writings described generally and specifically on the first page of this Deed of Trust in numbered paragraph 2 above and on Schedule I attached hereto. This Deed of Trust shall secure the performance of all existing and future obligations of Grantor and of Borrower to Beneficiary which are described in this Deed of Trust, in the Note or other Document, and such performance includes the payment of the Debt. In this Deed of Trust the definition of "Debt" includes: (i) the principal; (ii) all accrued interest including possible fluctuations of the interest rate if so provided in the Note or other Document; (iii) all renewals, extensions and modifications of any obligation under the Note or other Document (even if such renewals or extensions are evidenced by new notes or other documents); (iv) all indebtedness and obligations under a Hedge Agreement; (v) all other obligations of Grantor to Beneficiary which are described in this Deed of Trust, or in the Note or other Document (for example, payment of the attorneys fees of the Beneficiary, insurance premiums, ad valorem taxes, environmental reports and appraisals); and (vi) all future advances and/or future obligations to Grantor or Borrower, whether direct or indirect, including without limitation any advances to pay drawings on any irrevocable standby or commercial letter of credit issued on the account of Grantor or Borrower pursuant to an application therefor.

NOW, THEREFORE, for the purposes and under the conditions described in this Deed of Trust and in consideration of the Debt and the mutual promises of Grantor and Beneficiary, Grantor hereby conveys to Trustee, in trust, with power of sale, the real property described in this Deed of Trust, together with any improvements, equipment and fixtures existing or hereafter placed on or attached to this real property, all proceeds thereof and all other appurtenant rights and privileges. The term "the Property" shall include this real property, any such improvements, fixtures, and also all appurtenant rights and privileges.

TO HAVE AND TO HOLD the Property, to Trustee, its successors and assigns, but upon the trust, and under the terms and conditions of this Deed of Trust and of any Rider attached hereto and incorporated herein, to which Grantor, Trustee and Beneficiary hereby agree;

1. PERFORMANCE BY GRANTOR. Grantor shall fulfill all of Grantor's obligations set forth in this Deed of Trust and the Note or other Document.

2. TAXES, DEEDS OF TRUST, OTHER ENCUMBRANCES. Grantor shall make timely payment of all ad valorem taxes, assessments or other charges or encumbrances which may constitute a lien upon the Property. Grantor shall timely pay and perform any obligation, covenant or warranty contained in any other deed of trust or writing (herein Other Deed of Trust) which gives rise to any or which may constitute a lien upon any of the Property. Grantor shall upon request of Beneficiary promptly furnish satisfactory evidence of such payment or performance. Grantor shall not enter into, terminate, cancel or amend any lease affecting the Property or any part thereof without the prior written consent of Beneficiary. Grantor shall timely pay and perform all terms of any lease or sublease of the Property or any part thereof.

3. INSURANCE. Grantor shall continuously maintain insurance on all improvements which are now existing and which might hereafter become part of the Property against loss by fire, flood and other hazards, casualties and contingencies in such amounts and for such periods as may be required from time to time by Beneficiary, and shall pay promptly, when due, any premiums on the insurance. If it is determined at any time that any of the Property is located in a flood hazard area as defined in the Flood Disaster Protection Act of 1973, Grantor shall obtain and maintain flood insurance on Property at Grantor's expense for as long as this Deed of Trust is in effect. Flood insurance coverage shall be in an amount equal to the lesser of (i) the maximum amount secured as set forth herein or (ii) the maximum limit of coverage made available for the particular type of property under the law. If Grantor shall fail to procure or maintain hazard or flood insurance coverage in the specified amount for the Property within a reasonable time of receiving notice from Beneficiary of either the requirement or of the lapse of an existing policy, Beneficiary may, but is not obligated to, expend for the account of Grantor any sums which may be necessary to purchase the required hazard or flood insurance, which shall be fully secured by this Deed of Trust and which shall accrue interest from the time expended until paid at the rate set forth in the Note or other Document. All insurance shall be carried with companies approved by Beneficiary and shall contain a loss payable clause (New York long form) in favor of and in a form acceptable to Beneficiary. Grantor shall cause all policies and renewals thereof to be delivered to Beneficiary. In the event of loss, Grantor shall give immediate written notice to Beneficiary, and Beneficiary may make proof of loss if such is not made promptly by Grantor. Each insurer is hereby expressly authorized and directed by Grantor to make payment for the loss directly and solely to Beneficiary. Beneficiary may apply the insurance proceeds, or any part thereof, in its sole discretion and at its option, either to the reduction of Debt or to the restoration or repair of any portion of the Property damaged, but Beneficiary shall not be obligated to see to the proper application of any amount paid over to Grantor.

4. **ESCROW DEPOSITS.** Upon demand of Beneficiary, Grantor shall deposit with or add to each payment required under the Note or other Document the amount estimated by Beneficiary to be sufficient to enable Beneficiary to pay as they become due all taxes, charges, assessments, and insurance premiums which Grantor is required to pay. Further, any deficiency occasioned by an insufficiency of such additional payments shall be deposited by Grantor with Beneficiary upon demand.

5. **PRESERVATION AND MAINTENANCE OF THE PROPERTY.** Grantor shall keep the Property in as good order and repair as it now is (reasonable wear and tear excepted) and shall neither commit nor permit any waste or any other occurrence or use which might impair the value of the Property. Grantor shall not initiate or acquiesce in a change in the zoning classification of the Property or make or permit any structural alteration thereof without Beneficiary's prior written consent.

6. **COMPLIANCE WITH LAWS.** Grantor shall regularly and promptly comply with any applicable legal requirements of the United States, the State of North Carolina or other governmental entity, agency or instrumentality relating to the use or condition of the Property.

7. **CONDEMNATION AWARD.** Any award for the taking of, or damages to, all or any part of the Property or any interest therein upon the lawful exercise of the power of eminent domain shall be payable solely to Beneficiary, which may apply the sums so received to payment of the Debt.

8. **PAYMENTS BY BENEFICIARY.** If Grantor or Borrower shall be in default in the timely payment or performance of any of Grantor's or Borrower's obligations, the Note or other Document, under this Deed of Trust or Other Deed of Trust, Beneficiary may, but it is not obligated to, expend for the account of Grantor any sums, expenses and fees which Beneficiary believes appropriate for the protection of the Property and the maintenance and execution of this trust. Any amounts so expended shall be deemed principal advances fully secured by this Deed of Trust, shall bear interest from the time expended until paid at the rate of interest accruing on the Note or other Document, and shall be due and payable on demand.

9. **RENTS AND PROFITS.** Grantor hereby assigns to Beneficiary all future rents and profits from the Property as additional security for the payment of the Debt and for the performance of all obligations secured by this Deed of Trust. Grantor hereby appoints Beneficiary as Grantor's attorney-in-fact to collect any rents and profits, with or without suit, and to apply the same, less expenses of collection, to the Debt or to any obligations secured by this Deed of Trust in any manner as Beneficiary may desire. Such appointment of Beneficiary shall be a power coupled with an interest and shall remain in full force and effect as long as any portion of the Debt remains outstanding. However, until default under the Note or other Document or under this Deed of Trust, Grantor may continue to collect and retain the rents and profits without any accountability to Beneficiary. Beneficiary's election to pursue the collection of the rents or profits shall be in addition to all other remedies which Beneficiary might have and may be put into effect independently of or concurrently with any other remedy.

10. **SECURITY INTEREST.** All the fixtures and equipment which comprise a part of the Property shall, as far as permitted by law, be deemed to be affixed to the aforesaid land and conveyed therewith. As to the balance of the fixtures, this Deed of Trust shall be considered to be a security agreement which creates a security interest in such fixtures for the benefit of Beneficiary. In that regard, Grantor grants to Beneficiary all of the rights and remedies of a secured party under the North Carolina Uniform Commercial Code. Grantor agrees to execute and deliver to Beneficiary, concurrently with the execution of this Deed of Trust and upon the request of Beneficiary from time to time hereafter, all financing statements and other documents reasonably required to perfect and maintain the security interest created hereby. Grantor hereby irrevocably (as long as the Debt remains unpaid) makes, constitutes and appoints Beneficiary as the true and lawful attorney of Borrower to sign the name of Grantor on any financing statement, continuation of financing statement or similar document required to perfect or continue such security interests. However to the extent allowed by law, this Deed of Trust shall be a financing statement sufficient to perfect and maintain any security interest created hereby in the Property and its Proceeds.

11. **GRANTOR'S CONTINUING OBLIGATION.** This Deed of Trust shall remain as security for full payment of the Debt and for performance of any existing and/or future obligation evidenced by the Note or other Document, notwithstanding any of the following: (a) the sale or release of all or any part of the Property; (b) the assumption by another party of Grantor's obligations under this Deed of Trust, the Note or other Document; (c) the forbearance or extension of time for payment of the Debt or for performance of any obligations under this Deed of Trust, the Note or other Document, whether granted to Grantor or to a subsequent owner of the Property; or (d) the release of any party who has assumed payment of the Debt or who assumed any other obligations under this Deed of Trust, the Note or other Document. None of the foregoing shall, in any way, affect the full force and effect of the lien of this Deed of Trust or impair Beneficiary's right to a deficiency judgment in the event of foreclosure against Grantor or any party who had assumed payment of the Debt or who assumed any other obligations the performance of which is secured by this Deed of Trust.

12. **SUBSTITUTION OF TRUSTEE.** Beneficiary shall have the unqualified right to remove the individual designated as Trustee on the first page of this Deed of Trust, and to appoint one or more substitute or successor Trustees by instruments filed for registration in the County Registry where this Deed of Trust is recorded. Any such removal or appointment may be made at any time and from time to time without notice, without specifying any reason therefor and without any court approval. Any such appointee shall become fully vested with title to the Property and with all rights, powers and duties conferred upon the individual originally designated as Trustee, in the same manner and to the same effect as though that party were named herein as the original Trustee.

13. **INDEMNIFICATION IN EVENT OF ADVERSE CLAIMS.** In the event that Beneficiary or Trustee voluntarily or otherwise shall become parties to any suit or legal proceeding involving the Property, they shall be saved harmless and shall be reimbursed by Grantor for any amounts paid, including all costs, charges and attorney's fees incurred in any such suit or proceeding, and the same shall be secured by this Deed of Trust and payable upon demand.

14. **INSPECTION.** Beneficiary may at any reasonable time and from time to time make or cause to be made reasonable entries upon, investigations, and inspections of the Property, including without limitation any inspections or investigations such as sampling and testing which may be necessary or desirable to review compliance with Environmental Laws.

15. **WARRANTIES.** Grantor covenants with Trustee and Beneficiary that Grantor is seized of the Property in fee simple, has the right to convey the same in fee simple, that title to the Property is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, subject only to any declarations, easements, restrictions or encumbrances listed in the title opinion or title insurance policy which Beneficiary obtained in the transaction in which Beneficiary obtained this Deed of Trust.

16. **ATTORNEYS' FEES.** In the event that Grantor or Borrower shall default in its obligations under this Deed of Trust, the Note or other Document, and Beneficiary employs an attorney to assist in the collection of the Debt or to enforce compliance of Grantor with any of the provisions of this Deed of Trust, the Note or other Documents or in the event Beneficiary or Trustee shall become parties to any suit or legal proceeding (including any proceeding conducted before any United States Bankruptcy Court) concerning the Property, concerning the lien of this Deed of Trust, concerning collection of the Debt or concerning compliance by Grantor with any of the provisions of this Deed of Trust, the Note or other Document, Grantor shall pay Beneficiary's reasonable attorneys' fees and all of the costs that may be incurred, and such fees and costs shall be secured by this Deed of Trust and its payment enforced as if it were a part of the Debt. Grantor shall be liable for such attorneys' fees and costs whether or not any suit or proceeding is commenced.

17. ANTI-MARSHALLING PROVISIONS. Beneficiary may grant releases at any time and from time to time of all or any portion of the Property (whether or not such releases are required by agreement among the parties) agreeable to Beneficiary without notice to or the consent, approval or agreement of other parties and interests, including junior lienors and purchasers subject to the lien of this Deed of Trust, and such releases shall not impair in any manner the validity of or priority of this Deed of Trust on that portion of the Property remaining subject to this Deed of Trust, nor release Grantor or Borrower from personal liability for the Debt. Notwithstanding the existence of any other security interests in the Property held by Beneficiary or by any other party, Beneficiary shall have the right to determine the order in which any or all of the Property shall be subjected to the remedies available to Beneficiary, and Beneficiary shall further have the right to determine the order in which any or all portions of the Debt are satisfied from the proceeds realized upon the exercise of any remedy it has. Grantor, Borrower, any party who consents to this, or any party who has actual or constructive notice hereof, hereby waives any and all rights to require the marshalling of assets in connection with the exercise of any of the remedies permitted by applicable law or provided herein.

18. ENVIRONMENTAL WARRANTIES, INDEMNITIES AND AGREEMENTS. Grantor for itself, its successors and assigns represents, warrants and agrees that (a) neither Grantor nor any other person has generated, manufactured, stored, treated, processed, released, discharged or disposed of any Hazardous Materials on the Property or received any notice from any Governmental Authority (hereinafter defined) or other person with regard to a release of Hazardous Materials on, from or otherwise affecting the Property; (b) neither Grantor or any other person has violated any applicable Environmental Laws (hereinafter defined) relating to or affecting the Property; (c) the Property is presently being operated in compliance with all Environmental Laws; there are no circumstances presently existing upon or under the Property, or relating to the Property which may violate any applicable Environmental Laws, and there is not now pending, or threatened, any action, suit, investigation or proceeding against Grantor relating to the Property (or against any other party relating to the Property) seeking to enforce any right or remedy under any of the Environmental Laws; (d) except in strict compliance with Environmental Laws, the Property shall be kept free of Hazardous Materials and shall not be used to generate, manufacture, transport, treat, store, handle, dispose, process or release Hazardous Materials; (e) Grantor shall at all times comply with and ensure compliance by all other parties with all applicable Environmental Laws and shall keep the Property free and clear of any liens imposed pursuant to any applicable Environmental Laws; (f) Grantor has obtained and will at all times continue to obtain and/or maintain all licenses, permits and other directives from any Governmental Authority necessary to comply with Environmental Laws; Grantor is in full compliance with the terms and provisions of the Environmental Requirements (hereinafter defined) and will continue to comply with the terms and provisions of the Environmental Requirements; (g) Grantor shall immediately give Beneficiary oral and written notice in the event that Grantor receives any notice from any Governmental Authority or any other party with regard to any release or storage of Hazardous Materials on, from or affecting the Property and shall conduct and complete all investigations, sampling, and testing, and all remedial, removal, and other actions necessary or required to clean up and remove all Hazardous Materials on, from or affecting the Property in accordance with all applicable Environmental Laws. Grantor hereby agrees to indemnify Beneficiary and hold Beneficiary harmless from and against any and all losses, liabilities, damages, injuries (including, without limitation, reasonable attorneys' fees) and claims of any and every kind whatsoever paid, incurred or suffered by, or asserted against Beneficiary for, with respect to, or as a direct or indirect result of (i) the presence on, or under, or the escape, spillage, emission or release on or from the Property of any Hazardous Material regardless of whether or not caused by or within the control of Grantor, (ii) the violation of any Environmental Laws or Environmental Requirements relating to or affecting the Property, whether or not caused by or within the control of Grantor, (iii) the failure by Grantor to comply fully with the terms and provisions of this paragraph, or (iv) any warranty or representation made by Grantor in this paragraph being false or untrue in any material respect. The obligations and liabilities of Grantor under this paragraph shall survive the foreclosure of the Deed of Trust, the delivery of a deed in lieu of foreclosure, the cancellation of the Note; or if otherwise expressly permitted in writing by the Bank, the sale or alienation of any part of the Property.

In the event that any of the Grantor's representations or warranties shall prove to be materially false or Grantor fails to satisfy any Environmental Requirement, Beneficiary, in its sole discretion, may (i) choose to assume compliance with governmental directives and the Grantor agrees to reimburse Beneficiary for all costs, expenses (including all reasonable attorneys' fees, whether in-house or independent), fines, penalties, judgments, suits, or liabilities whatsoever associated with such compliance; or (ii) seek all legal and equitable remedies available to it including, but not limited to, injunctive relief compelling Grantor to comply with all Environmental Requirements relating to the Property. Beneficiary's rights hereunder shall be in addition to all rights granted under the Note or other Document and payments by Grantor under this provision shall not reduce Grantor's obligations and liabilities thereunder. In the event Beneficiary undertakes compliance with Environmental Requirements which Grantor failed to perform or which Beneficiary determines is necessary to sell all or any part of the Property, Grantor authorizes Beneficiary and/or Beneficiary's agents to prepare and execute on Grantor's behalf, any manifest or other documentation relating to the removal and/or disposal of any Hazardous Materials, from, at or on the Property. Grantor acknowledges that Beneficiary does not own, or have a security interest in, any Hazardous Materials which exist on, originate from or affect the Property. All amounts expended by the Beneficiary in connection with the exercise of its rights hereunder (including reasonable attorneys' fees and the fees of any environmental consultants) shall become part of the indebtedness secured by this Deed of Trust.

For purposes of this Deed of Trust: "Environmental Laws" means the Comprehensive Environmental Response, Compensation and Liability Act, the Hazardous Materials Transportation Act, the Resource Conservation and Recovery Act, and any "Super Fund" or "Super Lien" law, or any other federal, state or local law, regulation or decree regulating, relating to or imposing liability or standards of conduct concerning any Hazardous Materials. "Environmental Requirement" means any administrative orders, directives, judgments, consent orders, permits, licenses, authorizations, consents, settlements, agreements or other formal or informal directions or guidance issued by or entered into with any Governmental Authority or private party, including the provisions of any Environmental Law, which obligate or commit Grantor to investigate, remediate, treat, monitor, dispose or remove Hazardous Materials. "Governmental Authority" means any federal, state or local agency, department, court or other administrative, legislative or regulatory federal, state or local governmental body, or any private individual or entity acting in place of such entities. "Hazardous Materials" means and includes petroleum products, any flammable explosives, radioactive materials, asbestos or any material containing asbestos, and/or any hazardous, toxic or dangerous waste, substance or material defined as such in the Environmental Laws.

19. EVENTS OF DEFAULT. Grantor shall be in default under this Deed of Trust upon the occurrence of any of the following:

- (a) Default in the payment or performance of any of the Debt, or of any covenant or warranty in this Deed of Trust, in the Note or other Document, or in any other note of Grantor or Borrower to Beneficiary or any contract between Grantor and Beneficiary; or in any contract between any third party and Beneficiary made for the benefit of Grantor; or
- (b) Any warranty, representation or statement made or furnished to Beneficiary by or on behalf of Grantor or Borrower in connection with this transaction proving to have been false in any material respect when made or furnished; or
- (c) Loss, theft, substantial damage, destruction to or of the Property, or the assertion or making of any levy, seizure, mechanic's or materialman's lien or attachment thereof or thereon; or
- (d) Death, dissolution, termination of existence, insolvency, business failure, appointment of a Receiver for any part of the property of, assignment for the benefit of creditors by, or the inability to pay debts in the ordinary course of business of the Grantor or Borrower or any co-maker, endorser, guarantor or surety therefor; or
- (e) Failure of a corporate Grantor, Borrower or co-maker, endorser, guarantor or surety for Grantor to maintain its corporate existence in good standing; or
- (f) Upon the entry of any monetary judgment or the assessment of filing of any tax lien against Grantor or Borrower; or upon the issuance of any writ of garnishment or attachment against any property of debts due or rights of Grantor or Borrower; or
- (g) The sale (including sale by land contract upon delivery of possession), transfer or encumbrance of all or any part of the Property or any interest therein, or any change in the ownership or control of any corporate or partnership Grantor or Borrower, without Beneficiary's prior written consent; or
- (h) If Beneficiary should otherwise deem itself, its security interests, the Property or the Debt unsafe or insecure; or should Beneficiary otherwise believe that the prospect of payment or other performance is impaired.

20. REMEDIES OF BENEFICIARY UPON DEFAULT. Upon the occurrence of any event of default, Beneficiary may, at its option, without prior notice to Grantor, declare the Debt to be immediately due and payable in full; and, on application of Beneficiary, Trustee shall foreclose this Deed of Trust in any manner permitted by North Carolina law, including selling the Property or any part thereof at public sale to the last and highest bidder for cash, free of any equity of redemption, homestead, dower, curtesy or other state or federal exemption, all of which are expressly waived by Grantor, after compliance with applicable North Carolina laws relating to foreclosure sales under power of sale; and Trustee shall execute and deliver to the purchaser a Trustee's deed conveying the Property so sold without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. The proceeds of any such sale shall be applied in the manner and in the order prescribed by applicable North Carolina law, it being agreed that the expenses of any such sale shall include a commission of five per cent of the gross sales price to Trustee for holding such sale and for all services performed by him hereunder excluding expenses incurred in making sale. In the event a foreclosure suit or special proceeding is commenced, and no sale is held, then the Grantor shall pay to the Trustee: 1) all expenses incurred by Trustee and 2) a partial commission computed on five per cent of the balance of the unpaid Debt. Beneficiary may bid and become the purchaser at any sale under this Deed of Trust. At any such sale Trustee may at his election require the successful bidder immediately to deposit with Trustee cash in an amount equal to all or any part of the successful bid, and notice of any such requirement need not be included in the advertisement of the notice of such sale. Beneficiary may request the appointment of a Receiver for the Property and the Grantor hereby consents thereto. If foreclosure proceedings are instituted under this Deed of Trust, Trustee is hereby authorized to take possession of the Property and collect any rental, accrued or to accrue; or Trustee may lease the Property or any part thereof, receive the rents and profits therefrom, and hold the proceeds remaining after payment of the expenses of managing and operating the Property subject to the order of the court for the benefit of Beneficiary, pending final disposition of the foreclosure proceedings, and during any period allowed by applicable law for the redemption from any foreclosure sale ordered in such proceedings; and Trustee may act irrespective of the value of the Property or its adequacy or inadequacy to secure or discharge the indebtedness then owing.

21. RELEASE AND CANCELLATION. Upon fulfillment of all of obligations, the performance of which is secured by this Deed of Trust, and upon payment of the Debt, this Deed of Trust and the Note or other Document shall be marked "Satisfied" and returned to Grantor, and this conveyance shall be null and void and may be cancelled of record at the request and cost of Grantor, and title to the Property shall revert as provided by law.

22. MISCELLANEOUS. The captions and headings of the paragraphs of this Deed of Trust are for convenience only and shall not be used to interpret or define any provisions. All remedies provided herein are distinct and cumulative to any other right or remedy under this Deed of Trust or afforded by law or equity, and may be exercised concurrently, independently or successively. All covenants contained herein shall bind, and the benefits and advantages shall inure to, the respective heirs, executors, administrators, successors or assigns of the parties to this Deed of Trust, and the designations "Grantor", "Trustee" and "Beneficiary" include the parties, their heirs, executors, administrators, successors and assigns. The designations "Corporate", "Corporation", and "Partnership" include limited liability companies and limited liability partnerships. Whenever used, the singular number shall include the plural, and the plural the singular, and the use of any gender shall be applicable to all genders. This Deed of Trust shall be governed by and construed under North Carolina law. Any forbearance by Beneficiary in exercising any right or remedy hereunder, or otherwise afforded by applicable law, shall not be a waiver of or preclude the exercise of any such right or remedy. The procurement of insurance or the payment of taxes or other liens or charges by Beneficiary shall not be a waiver of Beneficiary's right to accelerate the maturity of the Debt. Time is of the essence in the payment or performance of any of the obligations, or of any covenant or warranty contained in this Deed of Trust or in the Note, or other Document.

IN TESTIMONY WHEREOF, each individual Grantor has hereunto set his hand and adopted as his seal the word "SEAL" appearing beside or near his signature, this sealed instrument being executed and delivered on the date first above written.

Grantor: _____ (SEAL)

Grantor: _____ (SEAL)

Grantor: _____ (SEAL)

Grantor: _____ (SEAL)

IN TESTIMONY WHEREOF, the above corporate Grantor has caused this instrument to be executed under seal in its corporate name by its duly authorized _____, with this sealed instrument being delivered on the date first above written.

Cape Fear Botanical Garden
NAME OF CORPORATION

By: _____ (SEAL)

Lynne Nimocks

Title: President

By: _____ (SEAL)

Thomas Bell

Title: Treasurer

IN TESTIMONY WHEREOF, the above partnership Grantor, Limited Liability Company, Limited Liability Partnership or Limited Liability Limited Partnership has caused this instrument to be executed in the appropriate company or partnership name by its duly authorized general partner(s), manager(s) or managing member(s), and has adopted as its seal the word "SEAL" appearing beside its name, this sealed instrument being executed and delivered on the date first above written.

NAME OF PARTNERSHIP, LLC, LLP, OR LLLP

By: _____ (SEAL)

Title: _____

By: _____ (SEAL)

Title: _____

By: _____ (SEAL)

Title: _____

For Individual:

STATE OF NORTH CAROLINA, COUNTY OF _____

I, _____, a Notary Public, do hereby certify that _____, an individual, Grantor, personally appeared before me this day and acknowledged that (s)he voluntarily signed this Deed of Trust for the purposes stated therein.

Witness my hand and official stamp or notarial seal, this ____ day of _____, 20__.

[SEAL]

(SEAL)
Notary Public
My Commission Expires: _____

For Individual:

STATE OF NORTH CAROLINA, COUNTY OF _____

I, _____, a Notary Public, do hereby certify that _____, an individual, Grantor, personally appeared before me this day and acknowledged that (s)he voluntarily signed this Deed of Trust for the purposes stated therein.

Witness my hand and official stamp or notarial seal, this ____ day of _____, 20__.

[SEAL]

(SEAL)
Notary Public
My Commission Expires: _____

For a Corporation:

STATE OF NORTH CAROLINA, COUNTY OF _____

I, _____, a Notary Public, do hereby certify that _____, personally came before me this day and acknowledged that (s)he is the _____ of _____, a _____^(state of formation) corporation, Grantor, and that (s)he in such representative capacity voluntarily signed this Deed of Trust for the purposes stated therein.

Witness my hand and official stamp or notarial seal this ____ day of _____, 20__.

[SEAL]

(SEAL)
Notary Public
My Commission Expires: _____

For a Partnership/LLC/LLP:

STATE OF NORTH CAROLINA, COUNTY OF _____

I, _____, a Notary Public, do hereby certify that _____, personally came before me this day and acknowledged that (s)he is the _____ (indicate whether general partner, manager or managing member) of _____, a _____, Grantor, and that (s)he in such representative capacity voluntarily signed this Deed of Trust for the purposes stated therein. Witness my hand and official stamp or notarial seal this ____ day of _____, 20____.

[SEAL]

Notary Public
My Commission Expires: _____

The foregoing or annexed certificate(s) of _____, Notary(ies) Public, has(have) been verified to have the signature, commission expiration date, and official seal, if required. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR _____ COUNTY

By: _____ Deputy/Assistant - Register of Deeds.

Schedule I
to
North Carolina Deed of Trust
and Security Agreement

The Debt, as of date hereof, includes all indebtedness and obligations set forth in the North Carolina Deed of Trust and Security Agreement and in this Schedule I attached thereto and incorporated therein, and is evidenced by a Note or other Document described by name, parties, dollar amount and date as follows:

- None other than the indebtedness and obligations as described on Page 1 of the North Carolina Deed of Trust and Security Agreement.

- That Promissory Note dated _____, _____, in the amount of \$ _____ executed by _____ (Borrower or Grantor).

- That Promissory Note dated _____, _____, in the amount of \$ _____ executed by _____ (Borrower or Grantor).

- That Application and Agreement for Irrevocable Standby/Commercial Letter of Credit dated _____, _____, executed by _____ (Borrower or Grantor) for the issuance of Letter of Credit Number _____ for the benefit of _____ in the amount of \$ _____.

- That ISDA Master Agreement, including all Schedules and Confirmations entered into in connection therewith, dated _____, _____, executed by _____ (Borrower or Grantor).

Exhibit "A"

Cross Creek Township
Cumberland County
North Carolina

Tract One

72.0 acres; Cumberland County PIN 0447-24-4738

BEGINNING at the intersection of the western margin of the Cape Fear River with the southern right-of-way margin U.S. Highway 301/Intersection 95 business; thence southward along the western shoreline of the Cape Fear River to junction with Cross Creek; thence along the centerline of Cross Creek as it meanders northwesterly to the southern right-of-way margin of the aforementioned U.S. Highway 301/Intersection 95 Business; thence with said highway margin northeasterly 150.00 feet; thence southeasterly at right angles to the highway margin 172.1 feet to an existing iron rod; thence northeasterly 266.60 feet to an existing iron rod; thence northwesterly 174.55 feet to the aforementioned U.S. Highway 301 southern right-of-way margin; thence northeasterly with said road margin 372.38 feet; thence continuing with the highway margin on a curve to the right on a radius of 1,755 feet an arc distance of 737.85 feet to a point having North Carolina Grid Coordinates (NAD83) of North 475,838.08, East 2,042,343.22; thence leaving the highway margin and running on a curve to the right with a radius of 275.00 feet on a chord bearing South 01 degree 53 minutes 13 seconds East 293.3 feet; thence South 82 degrees 27 minutes 50 seconds East 269.88 feet; thence North 07 degrees 32 minutes 10 seconds East 74.0 feet; thence South 82 degrees 27 minutes 50 seconds East 180.0 feet; thence North 07 degrees 32 minutes 10 seconds East 440.90 feet to the southern right-of-way margin of U.S. Highway 301; thence easterly with said highway margin 436.39 feet to the **BEGINNING**.....containing 72 acres, more or less.

Back Deed Reference: 5907-892.

Tract Two

0.92 acres; Cumberland County PIN 0447-14-5917

Beginning at the northwest corner of that property described in Deed Book 5907, Page 892 of the Cumberland County Registry, said corner also being the Northeast corner of the tract described in Deed Book 5169, Page 70 of the Cumberland County Registry, thence North 40 degrees 06 minutes 27 seconds East 159.52 feet to a set rebar which is the TRUE POINT AND PLACE OF BEGINNING, thence North 40 degrees 06 minutes 27 seconds East 236.35 feet to an iron rebar, thence South 46 degrees 01 minutes 51 seconds East 174.55 feet to a calculated corner, thence South 40 degrees 37 minutes 29 seconds West 226.60 feet to a calculated corner, thence North 49 degrees 13 minutes 40 seconds West 172.12 feet to the TRUE POINT AND PLACE OF BEGINNING, and containing 0.92 acres as shown on a survey entitled Cape Fear Botanical Garden performed by Mike Tate, Professional Land Surveyor dated August 18, 2009.

Back Deed Reference: 8952-900.

Tract Three

4.75 acres; Cumberland County PIN 0447-14-6132; consisting of Tracts 3-A and 3-B.

Tract 3-A

BEGINNING at an iron pipe located in the northeastern right of way of Grove Street and at the southeast corner of the McNeill Poultry Co., Inc. property as described in Deed Book 1082, Page 310; and running thence with the northern right of way of Grove Street South 64 degrees 01 minute East 401.07 feet to an existing iron pipe; thence North 10 degrees 44 minutes 28 seconds East 93.89 feet to an iron pipe on the south bank of Cross Creek as it meanders in a generally westerly direction to an iron pipe on the southern bank of Cross Creek, said iron pipe being located North 12 degrees 25 minutes East 309.53 feet from the northwestern corner of the McNeill Poultry Co., Inc. property as described in Deed Book 698, Page 308 and running thence South 12 degrees 25 minutes West 309.53 feet to an iron pipe at the northwestern corner of the McNeill Poultry Co., Inc. property; thence with the northern line of said property South 64 degrees 01 minute East 193.73 feet to an iron pipe, the northeastern line of the McNeill Poultry Co., Inc. property; thence with the eastern line of said property South 25 degrees 59 minutes West 250.57 feet to the point of beginning, containing 141,800 square feet, more or less. For further identification see the map of Rose and Purcell, Inc. dated April 1985 entitled "Property of the Huske Estate". For history of title, see Book 1082, Page 310; Book 740, Page 432 second tract; Book 675, Page 534; Book 299, Page 502 and Book 121, Page 367, Cumberland County Registry.

Tract 3-B

BEING all of the land owned by Huske Properties, Inc. on December 9, 1991 bounded on the South by Grove Street, on the West by King Street, on the North by Pope Park and on the East by the Cape Fear River. For partial history of title, see Book 97, Page 575, Cumberland County Registry.

Back Deed Reference (both 3-A and 3-B): 3732-643.

Tract Four

1.9 acres; Cumberland County PIN 0447-23-5551

All of that real property as described by deed recorded in Book 2570 at Page 597, Cumberland County, North Carolina Registry, lying North of the right-of-way of Grove Street as such right-of-way exists at the date of this deed, and consisting of 1.9 acres, more or less, bounded on the East by the Cape Fear River, on the South by said right-of-way, on the North by Cross Creek and lands owned by Cape Fear Botanical Garden, and on the West by property belonging to the City of Fayetteville.

Back Deed Reference: 4019-885.

Addendum to Deed of Trust

This Addendum is attached to and made a part of that certain Deed of Trust by and among Cape Fear Botanical Garden, the City of Fayetteville, BB&T Collateral Service Corporation and Branch Banking and Trust Company.

The City joins in the execution of this Deed of Trust to subject and subordinate any interest which it might have in the Land to the Deed of Trust. Without limiting the generality of the foregoing, City agrees that the restrictions and the reversionary interest created by the fee simple determinable under the Deed from the City to Cape Fear Botanical Garden recorded in Book 5907, Page 892, and the restrictions and the right of re-entry created by the fee simple subject to the condition subsequent under the Deed from the City to Cape Fear Botanical Garden recorded in Book 8952, Page 900 shall be subordinate to the lien of the Deed of Trust, and in the event of a foreclosure of the Deed of Trust or deed in lieu of foreclosure, the party acquiring title to the Land shall acquire it free and clear of such restrictions, reversionary interest and right of re-entry.

To facilitate the foregoing, and for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, City has given, granted, bargained, assigned, sold and conveyed, and by these presents does give, grant, bargain, assign, sell and convey unto Trustee, its successors and assigns, with power of sale, for the benefit of Bank, all of the City's right, title and interest in the Collateral described in this Deed of Trust.

TO HAVE AND TO HOLD the Collateral, with all rights, privileges and appurtenances thereunto belonging or appertaining to Trustee, its successor and assigns, forever, upon the trust and for the uses and purposes herein set out.

IN WITNESS WHEREOF, the City has executed this Addendum to Deed of Trust for the purposes provided above.

CITY OF FAYETTEVILLE

By: _____
City Manager

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I certify that the following person personally appeared before me this day, acknowledging to me that he/she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: _____, City Manager of the City of Fayetteville.

Date: ___ day of _____, 2013.

Official Signature of Notary: _____
Notary's Printed or Typed Name: _____
My Commission Expires: _____
(Official Seal)

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CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: May 28, 2013
RE: **P13-17F. Initial zoning of property to SF-6 – Single Family Residential or to a more restrictive district, located on Tammy Street and Holland Street containing 3.2 acres more or less and being the property of Shaw Area Church of God and Cumberland County.**

THE QUESTION:

Request to initially zone property to SF-6 - Single Family Residential

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods Growth and development

BACKGROUND:

Owner: Shaw Area Church of God and Cumberland County
Applicant: Shaw Area Church of God and Cumberland County
Requested Action: Initial zoning to SF-6
Property Address: Intersection of Tammy Street and Holland Street
Council District: 3
Status of Property: Property currently has a church and several vacant lots owned by Cumberland County.
Size: 3.2 acres +/- to be rezoned
Adjoining Land Use & Zoning:
North - R6 County
South - R6 County
West - R6 County
East – R6 County
Letters Mailed: 39
Land Use Plan: Low Density Residential

2030 Growth Vision Plan: Policy 8.4: Area AFFORDABLE HOUSING needs shall be met through an array of rental and home ownership options including apartments, townhouses, granny flats, carriage houses (garage apartments), single family site built homes, accessory living units, and manufactured homes.

Traffic Improvements: a realignment of Shaw Road is planned for the future, however this is not a funded DOT project. Please see the attached preliminary road realignment.

ISSUES:

Shaw Area Church of God petitioned the City for annexation so that it may hook in to PWC's utilities (water service). Once their petition was received the City's staff noticed that the church property was part of a previous residential subdivision involving the four adjacent lots now owned by the County. The City staff then contacted the County to see if they were interested in having their properties annexed at the same time, thus enabling the church to meet state requirements and continue with its annexation petition. Currently the County's properties are all vacant. If developed in the future they would need to be annexed as well to hook in to PWC utilities. The County has agreed to have their properties annexed at the same time as the church. Both the church and County have requested that they come into the City under the closest zoning district as they have now. The City's most comparable district would be the SF-6 Single Family District. Attached is a statement from David Nash, the City's annexation expert, regarding how this petition could affect future annexations in the Shaw Heights area.

The Zoning Commission voted 4-0 to initially zone these properties to SF-6. There was one speaker in opposition to this request. He was opposed to the City annexing only a portion of the Shaw Heights area. This speaker stated that the church should not be annexed since it already has a well on its site. An appeal to the Zoning Commission's recommendation also was filed by this person. That appeal causes this case to be heard as a public hearing by the City Council. Without that appeal this case would have been a consent item since both the Commission and staff agreed on the requested action.

Zoning Commission and Staff recommend Approval of this rezoning to the SF-6 Single Family Residential based on the following.

1. SF-6 is the closest equivalent zoning district in the City.
2. R6 County zoning surrounds these properties.

BUDGET IMPACT:

This action should result in no significant increase in public services if developed.

OPTIONS:

- 1) Approval of the initial zoning as requested by the applicant (Recommended);
- 2) Approval of the initial zoning to a more restrictive district;
- 2) Denial of the rezoning request.

RECOMMENDED ACTION:

Zoning Commission & Staff Recommend: That the City Council move to APPROVE the initial zoning to the SF-6 Single Family Residential district, as presented by staff.

ATTACHMENTS:

Zoning Map

Current Land Use

Land Use Plan

Site Photo 1

Site Photo 2

Site Photo 3

Site Photo 4

Shaw Road Alt. Plan

Effect on future annexation petitions

ZONING COMMISSION
CASE NO. P13-17F



Request: Initial Zoning to SF-6
Location: Holland St & Tammy St.
Size: 1.31 acres +/-

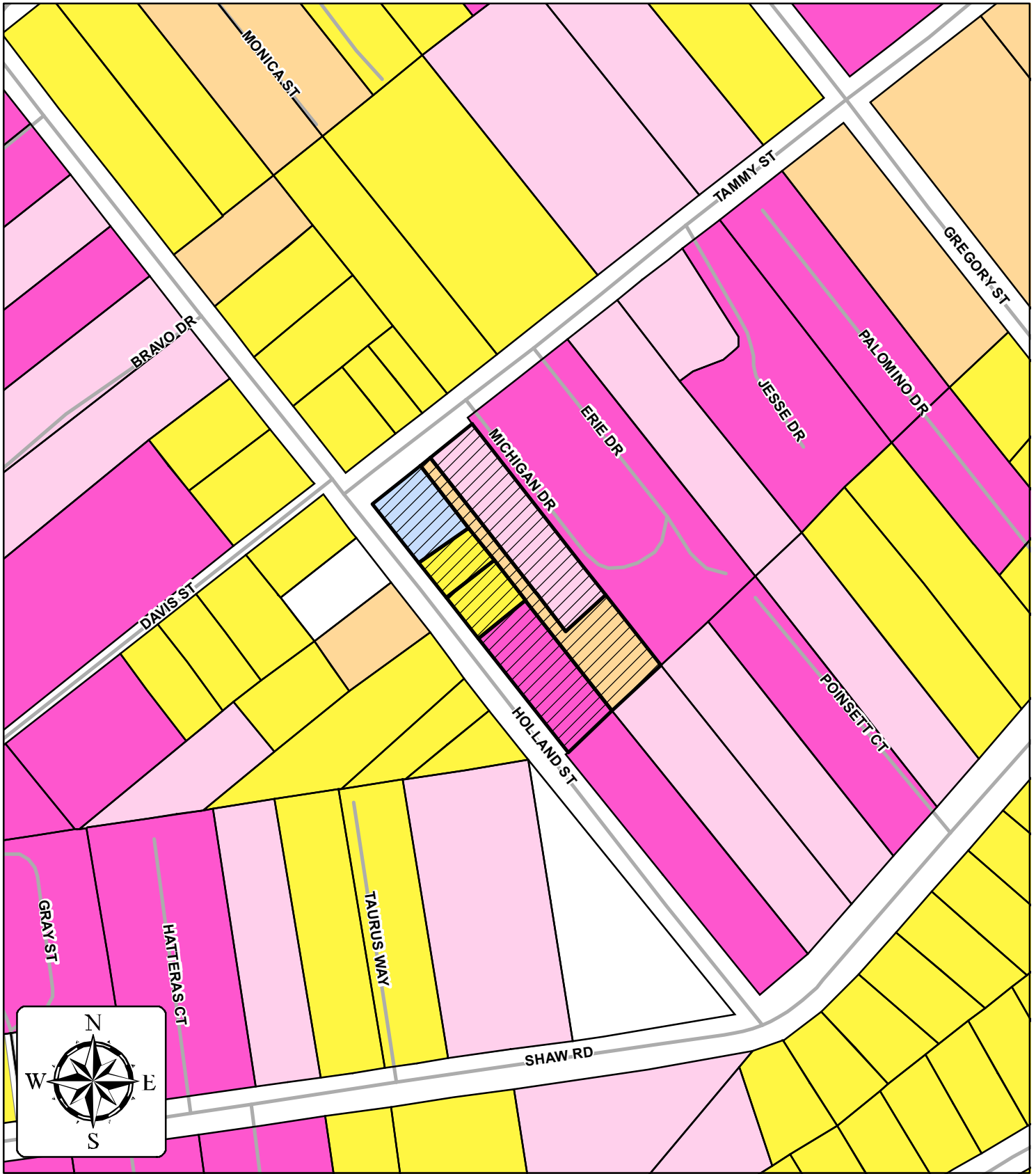
Zoning Commission: 04/09/2013 **Recommendation:** _____
City Council: _____ **Final Action:** _____
Pin: 0419-85-3131-, 0419-85-3075-, 0419-84-4963-, 0419-85-5040-,
 0419-85-2178-, 0419-85-4126-

6-1-1-1

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use

P13-17F

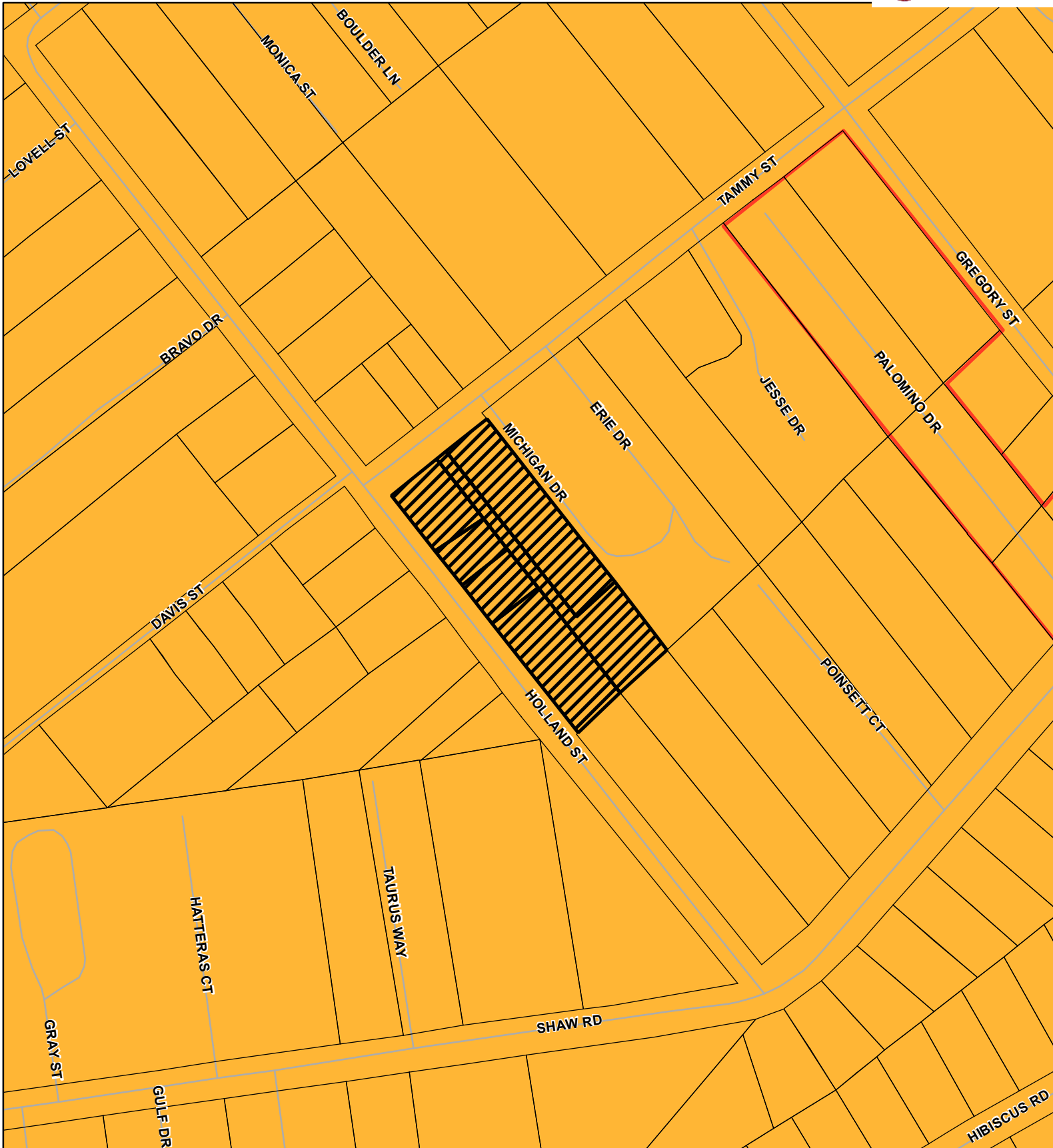


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial	
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified	
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN	

2010 Land Use Plan

Case No. P13-17F



Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential



STATE OF MISSISSIPPI
DEPARTMENT OF REVENUE
OFFICE OF THE COMMISSIONER
1000 BAYVIEW DRIVE
TULSA, MISSISSIPPI 39208
PHONE: (601) 533-2200
FAX: (601) 533-2201
WWW.DOR.MISSISSIPPI.GOV

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6-1-5-



6-1-6-

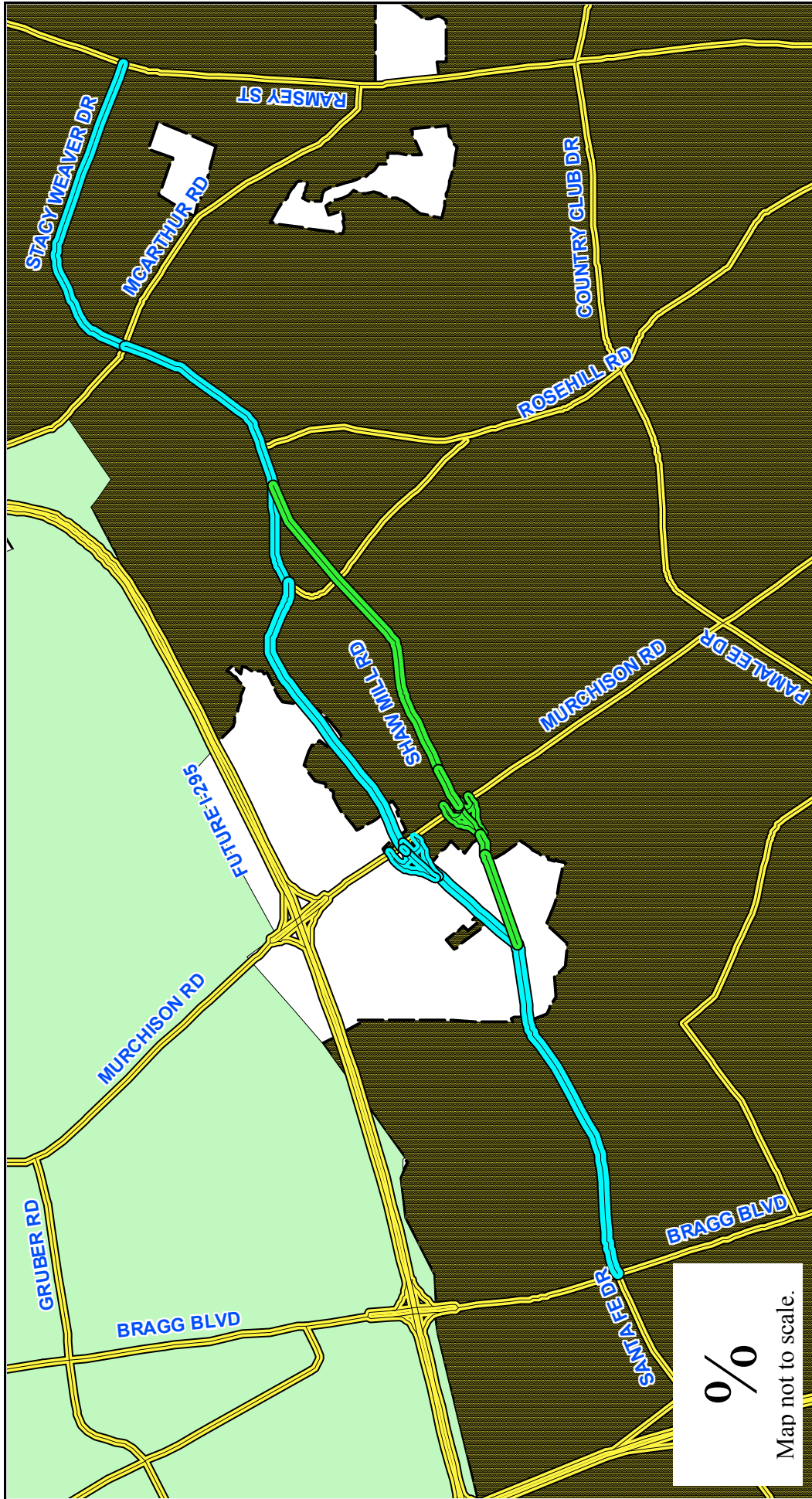


6-1-7-

Project U-5101: Shaw Rd-Shaw Mill Rd-Rosehill Rd-Stacy Weaver Dr

Interconnect and Widen to Multi-Lanes (5.2 miles)

NOT A FUNDED PROJECT



%
Map not to scale.

FAMPO 1/28/2008 M.C.

One basic question of this case is whether the annexation of this area would improve the odds for other nearby property owners who might want to submit an annexation petition to the City.

In addressing this question, the satellite annexation law needs to be considered. The satellite annexation law allows the City to annex a property that is not contiguous to the City if five satellite standards are met. The standard that is most relevant here is the subdivision standard, which says that “if the area proposed for annexation, or any portion thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included.”

Let’s assume that the Church-County satellite area (consisting of 2 lots owned by the church and 4 lots owned by the County) is annexed as a satellite. Here are four situations that can be imagined:

Situation 1-Let’s assume that the owner of a property adjacent to the Church-County satellite area then asks the City to annex his property. Would that owner be able to ask the City to annex his property as a contiguous area, or as a satellite area? According to Volume 2 of Lawrence, (pages 2-3 thru 2-5), the City would have to consider the owner’s request as a satellite request, rather than as a contiguous request. The reason is that in order to be processed as a contiguous annexation request, the property has to be contiguous to the primary corporate limits. The corporate limits of the new Church-County satellite annexation area would be considered satellite corporate limits rather than primary corporate limits. Because the owner’s request would have to be processed as a satellite, the property would have to meet the five satellite standards. The subdivision standard might present a problem. In this situation, I do not believe that the odds of being able to submit an annexation petition would be increased by the annexation of the Church-County area.

Situation 2-Let’s assume that the owners of numerous nearby properties work together and submit an annexation request that is made up of all parcels separating the Church-County satellite area from the primary corporate limits. In that situation, the City would be able to consider the request as a contiguous request. A contiguous area does not have to meet any of the satellite standards, such as the subdivision standard. In this situation, I do not believe that the odds of being able to submit an annexation petition would be increased by the annexation of the Church-County area. Property owners could work together at any time to submit a petition that is made up of contiguous properties; this would not have anything to do with the annexation of the Church-County area.

Situation 3-One interesting outcome of Situation 2 above is that the Church-County satellite area would convert to a contiguous part of the City. Then, any property owner abutting the Church-County area would be able to submit a contiguous annexation petition to the City. In this situation, the odds of being able to submit an annexation petition would be increased by the annexation of the Church-County area.

Situation 4-This situation is regarding the City-initiated annexation of Shaw Heights, rather than the voluntary annexation of properties in response to petitions. Let’s assume that the Church-County area is annexed as a satellite. Then, let’s assume that the City decides to initiate an involuntary annexation of the entire Shaw Heights area. In that case, the City would have to show that the area meets the statutory standard of being “developed for urban purposes.” There are several ways that the City can show that an area is “developed for urban purposes.”

The simplest way is to show that it has a population density of 2.3 persons per acre. If the Church-County area is already inside the City, then the City will not have to include the acreage of the area in calculating the total number of acres in Shaw Heights. This should result in the density of the Shaw Heights area being a little higher than it otherwise would be. So, in this situation, the odds of the City being able to annex the Shaw Heights area would be increased by the annexation of the Church-County area.

There might be some additional situations that could be imagined; these might relate to the provision of water and sewer. However, I need to leave now for a dental appointment. If you want me to do anything else on this, please let me know.

David Nash

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: David Nash, AICP, Planner II
DATE: May 28, 2013
RE: **Public Hearing to Consider a Petition Requesting Annexation of a Non-Contiguous Area Known as Property of Shaw Area Church of God and Cumberland County (2 Parcels Are Owned by Church and 4 Parcels Are Owned by County)-(Located on the Eastern Side of Holland Street and the Southern Side of Tammy Street in the Shaw Heights Community)**

THE QUESTION:

Request to annex (as a satellite area) two parcels owned by Shaw Area Church of God and four parcels owned by Cumberland County.

RELATIONSHIP TO STRATEGIC PLAN:

Strong local economy

BACKGROUND:

This request originated on November 16, 2012, when officials from the Shaw Area Church of God submitted an annexation petition for two parcels owned by the church. The church officials were required to submit an annexation petition pursuant to City Council Policy 150.2. (They would like to connect the sanctuary building to an existing PWC water line which is in the street adjacent to the building. The church property is in the Fayetteville MIA. Policy 150.2 requires that the church's property be annexed before PWC services can be provided.)

The church's property is not contiguous to the City, but it can be annexed as a satellite. There is an existing satellite area of the City located nearby; this area was annexed on October 24, 1977. (See attached Vicinity Map.)

The church's request for a satellite annexation can be approved if the satellite standards specified in state law are met. One standard says that if the area proposed for annexation is a subdivision, all of the subdivision must be included. The church's two parcels are part of a six-parcel subdivision for residential development. The other four parcels are owned by Cumberland County. In order for any of these parcels to be annexed as a satellite, all six parcels need to be part of the proposed annexation area.

On March 18, 2013, the Cumberland County Board of Commissioners adopted a resolution waiving any objection to the inclusion of the four county-owned parcels in the proposed annexation area (attached). This made it possible for the annexation petition to be processed by the City.

The City staff has scheduled public hearings for this area based on the City's annexation petition policy/initial zoning policy (as revised by City Council on February 13, 2012). The Zoning Commission held its initial zoning public hearing on April 9, 2013. The City Council will hold its initial zoning public hearing on May 28, immediately before the annexation public hearing.

ISSUES:

Sufficiency: The City's Real Estate staff has verified that the Trustees of the Shaw Area Church of God is the owner of the two parcels that the church has requested be annexed. (See attached Sufficiency memo.)

Services: City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property.

City Services-Even though this area would be a satellite, City operating departments reported that the impact of annexing the area would be minimal. The Fire Department reports that the area is within the adopted baseline travel time established in the City's Fire/Emergency management Standard of Cover document. The area is 3.2 miles from the first due City Engine Company (which is located at Station 3 at 3225 Rosehill Road). Effective Response Force (ERF) units needed to complete incident critical tasks have estimated travel times of 7 to 10 minutes, as measured from Station 9 (at 5091 Santa Fe Drive), from Station 7 (at 301 Stacy Weaver Drive), and Station 4 (at 406 Stamper Road). The Environmental Services Department reports that since the two church buildings in the area are non-residential, the department would not be responsible for providing garbage pick-up services; the department only provides services to residential buildings. The Police Department reports that it would not have any increased costs for serving the area.

PWC Services-PWC water is adjacent to the area (in Holland Street and Tammy Street). PWC sewer is about 800 feet from the area (along Shaw Road). A sewer extension would be required to serve the area. (However, the petitioner is not requesting sewer.) The area is already served by PWC electrical service.

Compliance with Satellite Annexation Standards: There are five standards that a satellite annexation must meet in order to be annexed. This area meets the five standards, as shown in the attached ordinance. Originally, this area would not have met the "do not split a subdivision" standard. However, the Cumberland County Board of Commissioners adopted a resolution on March 18, waiving any objection to the inclusion of the four County-owned parcels in the area.

Zoning Issues: The Zoning Commission approved the initial zoning of this area as SF-6 on April 9; this was consistent with the previous County zoning of R6. One person from the neighborhood did speak in opposition. This person has since filed an appeal, requesting that when the initial zoning is processed at a City Council meeting, that a public hearing be held.

Effective Date: Recent changes in the state annexation law regarding effective dates did not apply to satellite areas. The law remains the same: a satellite annexation may be made effective immediately, or on any specified date within six months from the date of passage.

BUDGET IMPACT:

Fiscal impact analysis involves a comparison of projected revenues with projected costs.

Projected Revenues: For this area, there will be no ad valorem revenues because the parcels in the area are exempt from real property taxes, since they are owned by either the church or the County. There will be no population-based revenues, because the area has no population.

Projected Costs: No City operating departments have expressed concerns or unusual increases in costs to serve this area, if it is annexed.

Fiscal Impact: No impact, because no revenues or costs are projected.

OPTIONS:

1. Adopt the Annexation Ordinance with an effective date of May 28, 2013 and include approval of the final initial zoning action consistent with the prior action on the zoning.
2. Adopt the Annexation Ordinance with an effective date within six months of the date of passage of the ordinance, and include approval of the final initial zoning action consistent with the prior action on the zoning.
3. Do not adopt the Annexation Ordinance. This option means the property would remain outside the City and the initial zoning would not occur.

RECOMMENDED ACTION:

City staff recommends that the City Council follow Option 1 and adopt the proposed ordinance annexing the area effective May 28, 2013, and establish the initial zoning consistent with the prior action on the zoning case.

ATTACHMENTS:

Vicinity Map

Legal Description Map

Basic Information Sheet About the Area

Sufficiency Memo

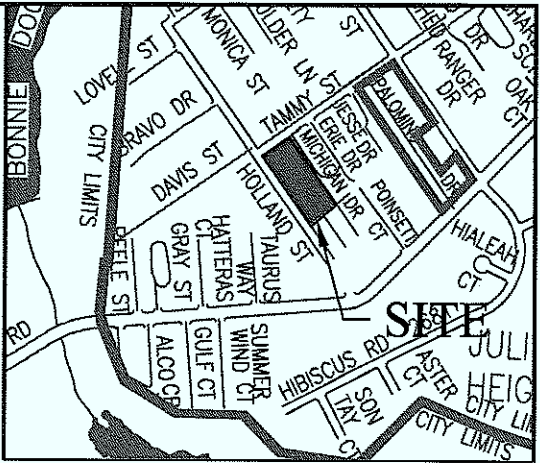
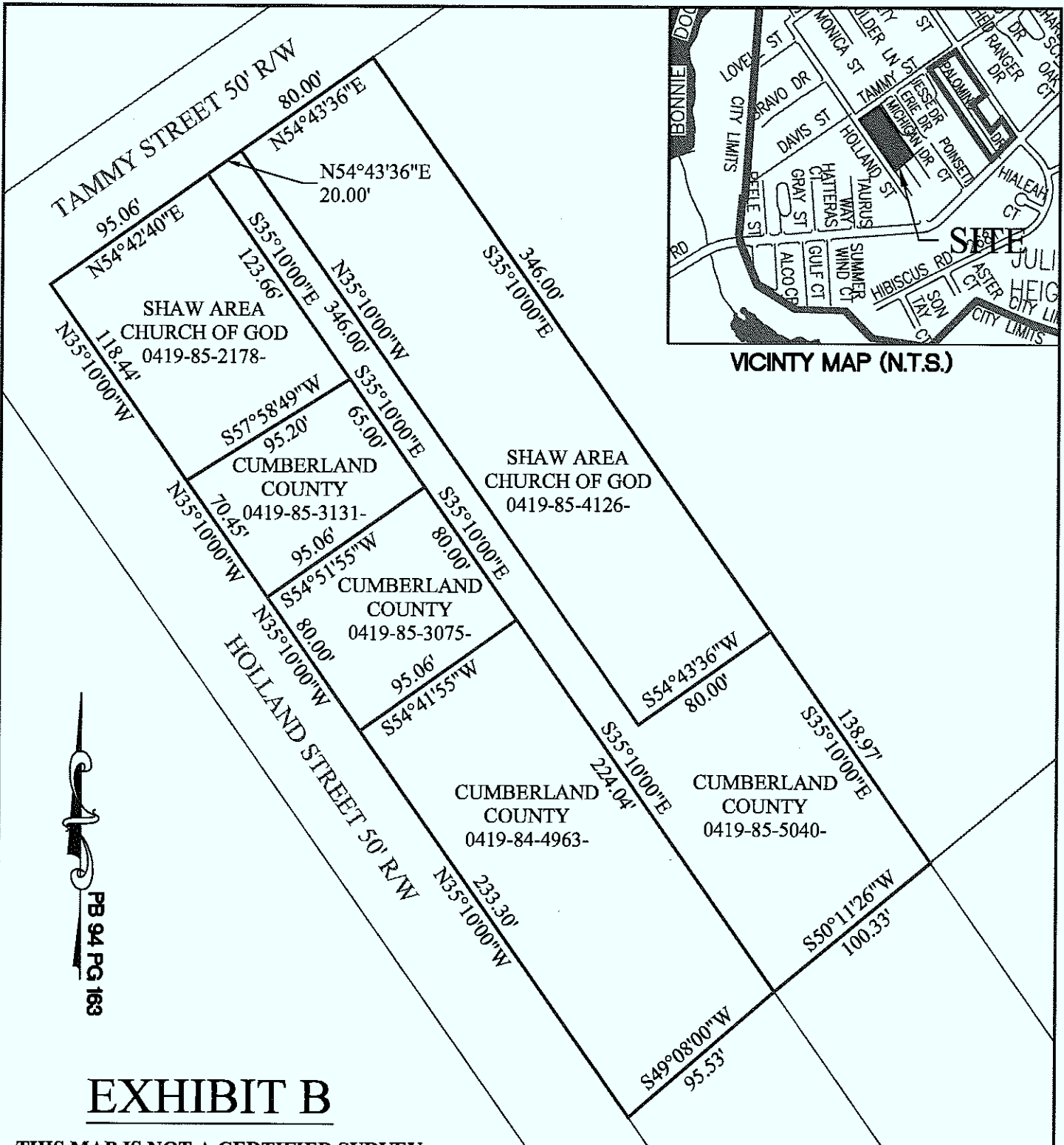
Memo for the Agenda of the March 18 2013 Meeting of the County Board of Commissioners

Proposed Ordinance

Possible Satellite Annexation Petition Area
 Two Parcels Are Owned by Shaw Area Church of God and
 Four Parcels Are Owned by Cumberland County
 (All Six Parcels Are Part of a Subdivision -Recorded at Plat Book 0094, Page 0163)



Prepared 5/3/13 by City of Fayetteville Planning & Zoning Division




VICINITY MAP (N.T.S.)



PB 94 PG 163

EXHIBIT B

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

 ANNEXATION AREA

ANNEXATION DATE:
EFFECTIVE DATE:

Fayetteville ENGINEERING & INFRASTRUCTURE DEPT.
CIVIL ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

ANNEXATION PROPOSAL
SHAW AREA CHURCH OF GOD &
CUMBERLAND COUNTY
± 2.21 ACRES

DATE 11/28/2012 DRAWN BY CSA
SCALE 1" = 70' CK'D BY CSA

BASIC INFORMATION ABOUT THE AREA

Information Updated as of: May 17, 2013

Date Petition Received: 11/16/12

Ordinance Adoption Date: / Effective Date:

1. Name of Area:	Property of Shaw Area Church of God and Cumberland County (2 Parcels are Owned by Church and 4 Parcels Are Owned by Cumberland County)
2. Names of Petitioner:	Nathaniel Brown (Pastor), Jennifer Alford (Trustee), Anthony Brown (Trustee) (Trustees of Shaw Area Church of God)
3. Location/Address/Directions to Property:	<u>General Location:</u> In the Shaw Heights community; southeastern corner of intersection of Tammy St and Holland St. <u>Address:</u> Sanctuary building of Church is at 5722 Holland St. A 2 nd church building is at 1255 Tammy St. <u>Directions:</u> From Pamalee Drive, turn north on Murchison Road. Turn west on Tammy Street. The 6 parcels are located at the intersection of Tammy St and Holland St.
4. Tax Identification Number (PIN):	PIN's for 2 parcels owned by church: 0419-85-2178 and 0419-85-4126. PIN's for 4 parcels owned by Cumberland County: 0419-85-3131, 0419-85-3075, 0419-85-5040, and 0419-84-4963.
5. Fire Department Affected by Annexation:	Fayetteville (Formerly Westarea)
6. Is the Area Contiguous?	No
7. Is Area in Fayetteville MIA (Municipal Influence Area)?	Yes
8. Type of Annexation:	Petition-initiated non-contiguous area (ie, satellite area) [Note: There is an existing satellite area of the City nearby (at Tammy & Gregory St).]
9. Background:	The church would like to connect its sanctuary building to an existing PWC water line which is in the street adjacent to the building. The church's property is in the Fayetteville MIA. Policy 150.2 requires that the church's property be annexed before PWC services can be provided. This property is not contiguous to the City, but it can be annexed as a satellite, if the satellite standards are met. One standard says that if the area proposed for annexation is a subdivision, all of the subdivision must be included. The church's 2 lots are part of a 6-lot subdivision. The other 4 lots are owned by Cumberland County. In order for the area to be annexed as a satellite, all 6 lots need to be part of the proposed annex area. The County has said that it does not object if its 4 lots are annexed.
10. Reason the Annexation was Proposed:	The church would like to connect to an existing PWC water line. The property is in the Fayetteville MIA. Policy 150.2 requires annexation.
11. Number of Acres in Area:	2.21 acres +/-
12. Type of Development in Area:	Church's property-developed; County's property-vacant.
13. Present Conditions:	a. <u>Present Land Use:</u> Church & vacant lots b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> Total Pop=0 d. <u>Present Streets:</u> None e. <u>Water and Sewer Service:</u> PWC water is available; PWC sewer is not available. f. <u>Electrical:</u> Served by PWC.
14. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> The owner plans to continue using the 2 church buildings for religious purposes. b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan</u> -Medium Density Residential b. <u>Shaw Heights Land Use Plan</u> -Multi-Family Resid 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> R6 b. <u>Likely Zoning After Annexation:</u> SF-6 3. <u>In Airport Impact Zone?</u> -Near Simmons; not in Imp Zone. 4. <u>In Airport Overlay District?</u> -No
15. Expected Future Conditions:	a. <u>Future Land Use</u> -Continuation of church use; assume vacant parcels remain vacant. b. <u>Future Number of Housing Units:</u> Total=0 (0 HU x 90% occupancy rate*=0 occupied HU) * Based on 2010 Census for Fayetteville c. <u>Future Demographics:</u> Total Pop=0 (0 occupied HU x 2.45 avg household size*=0) *Based on 2010 Census for Fayetteville d. <u>Future Streets:</u> Future realignment of Shaw Rd? e. <u>Water and Sewer Service:</u> PWC water will continue to be available; PWC sewer service will require extensions. f. <u>Electric Service:</u> PWC service will continue to be available.
16. Tax Value of Land and Buildings:	Since the proposed annex area is made up of parcels owned by a church and by the County, their property class is Exempt. Therefore, their tax value is zero.

MEMO

To: David Nash, Planning Department

From: Brandy R. Bishop, Senior Paralegal

CC: To the file

Date: November 30, 2012/**March 27, 2013**

Re: Sufficiency of Annexation Petition

SIGNERS OF THE PETITION: Nathaniel Brown (**Title Unknown**); Jennifer Alford, Trustee; Anthony Brown, Trustee
Trustees of Shaw Area Church of God

Trustees of Shaw Area Church of God per recorded Deeds 4678, Page 270, and 4689, Page 751 is the record owner of Lots 17 and 19, Block "A", as shown on a plat entitled, "DIVISION OF LOTS 17 & 18, BLOCK "A" OF SHAWS HEIGHTS," duly recorded in Book of Plats 94, Page 163, Cumberland County Registry.

- 1: 0419-85-4126- Lot 17, Block "A" Division of Shaws Heights (0.64 Acres)
- 2: 0419-85-2178- Lot 19, Block "A" Division of Shaws Heights (0.26 Acres)

My search ended November 28, 2012 at 8:00 a.m. **Updated to 3/25/2013 @ 8:00**

Please note that I do not think it is defective for Nathaniel Brown to sign the petition; but, if he is not a trustee his signature is unnecessary. His title is not stated on the petition. In addition, this is an organization's petition not an individual's so they did not sign in the appropriate place.

Petition is now sufficient!

RICKEY L. MOOREFIELD
County Attorney



ITEM NO. 5

PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

5th Floor, New Courthouse • P.O. Box 1829 • Suite 551 • Fayetteville, North Carolina 28302-1829
(910) 678-7762

**MEMO FOR THE AGENDA OF THE MARCH 18, 2013
MEETING OF THE BOARD OF COMMISSIONERS**

TO: Board of Commissioners; Co. Manager; Cecil Combs
FROM: Co. Atty. *R. Moorefield*
DATE: March 9, 2013
SUBJECT: Request of Shaw Area Church of God for Assistance with Annexation

Attachments:

Letter from Pastor Nathaniel Brown, Shaw Area Church of God;
Map of Annexation Proposal of Shaw Area Church of God;
Email from David Nash to Cecil Combs dated January 25, 2013

BACKGROUND:

The Shaw Area Church of God wishes to connect to PWC water adjacent to its property. The church is located at the corner of Tammy and Holland Streets just outside the city limits. The church has been informed by the city that in order to connect to the water line, the church must petition for the annexation of its two lots as well as the four adjoining vacant lots owned by the county. The city is not requiring the county to file an annexation petition. It simply requires a written statement from the county that the county does not object to the annexation of its four vacant lots.

RECOMMENDATION/PROPOSED ACTION:

The county attorney recommends that the county assist the church with its request by adopting the following resolution:

Whereas, the Shaw Area Church of God has requested the county's assistance with its annexation petition to the City of Fayetteville for the purpose of obtaining public water.

Be it resolved that the Board of Commissioners hereby waives any objection to the inclusion of the county-owned parcels identified as PIN #s 0419-85-3131, 0419-85-3075, 0419-84-4963 and 0419-85-5040 in the annexation petition of the church to the City of Fayetteville.

received
2/21/13

ct

February 21, 2013

Shaw Area Church of God
5772 Holland Street
Fayetteville, NC 28311

Mr. James E. Martin
County Manager
P.O. Box 1829
Fayetteville, NC 28302

Dear Mr. Martin:

I am the pastor of the Shaw Area Church of God, located at 5772 Holland Street in the Shaw Heights area. We would like to connect to a PWC water line that is adjacent to our property. PWC has informed me that the church will need to submit an annexation petition to the City of Fayetteville in order to get the water connection.

On November 16, we submitted an annexation petition to the City. We requested annexation for our two lots. We requested annexation as a satellite, because our two lots do not abut the city limits. The City staff told us that our annexation request would need to include four lots owned by Cumberland County that are in the same subdivision. (See attached map of the annexation proposal, which was drawn by the City of Fayetteville.)

Mr. David Nash, who works for the City of Fayetteville Planning Division, sent an email on January 25 to the County concerning all of this. Mr. Nash sent the email to Mr. Cecil Combs of the County Planning Department, who forwarded it to the County Attorney, Mr. Rick Moorefield. (See attached copy of Mr. Nash's email of January 25, 2013.)

According to Mr. Moorefield, the church will need to send a letter to the County Manager. By this letter to you, we are asking that the County assist us in our desire to be annexed.

If you have any questions, or if you need any additional information, please feel free to call me at 910-551-7872.

Thank you very much for your assistance in this matter.

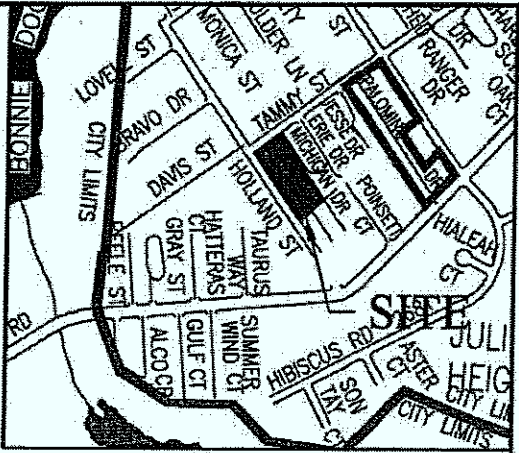
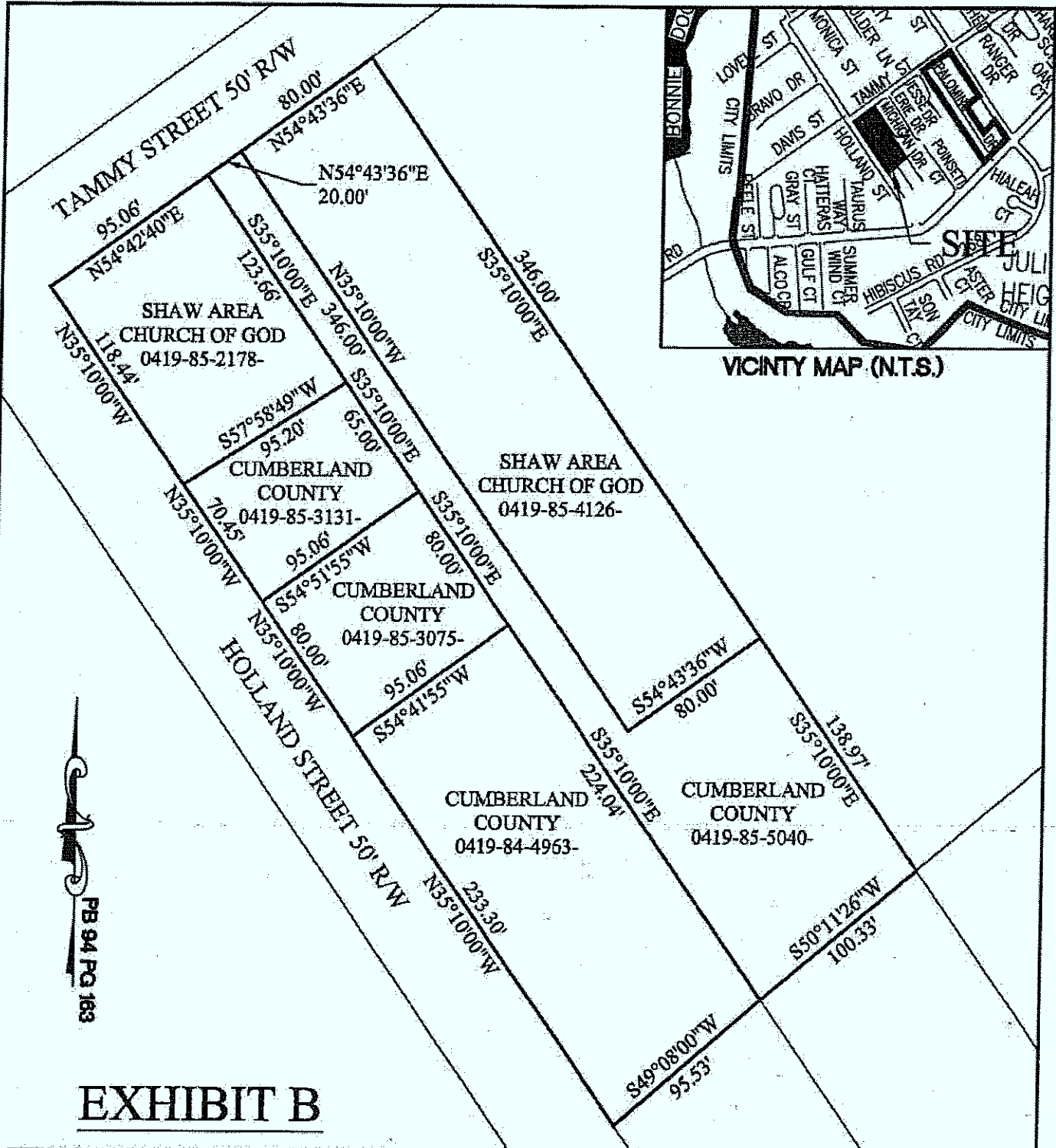
Sincerely,

Nathaniel Brown

Pastor, Shaw Area Church of God

Attachments:

Map of Annexation Proposal (Drawn by City of Fayetteville)
Copy of Email Dated January 25, 2013 (David Nash to Cecil Combs)



VICINITY MAP (N.T.S.)

PB 94 PG 163

EXHIBIT B

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

ANNEXATION AREA

Fayetteville ENGINEERING & INFRASTRUCTURE DEPT.
McIntosh CIVIL ENGINEERING DIVISION
 433 HAY ST. 28301
 (910) 433-1656

**ANNEXATION PROPOSAL
 SHAW AREA CHURCH OF GOD &
 CUMBERLAND COUNTY
 ± 2.21 ACRES**

DATE 11/28/2012 DRAWN BY CSA
 SCALE 1" = 70' CK'D BY CSA

SHEET 1 OF 1

ANNEXATION DATE:
 EFFECTIVE DATE:

David Nash

From: David Nash
Sent: Friday, January 25, 2013 4:03 PM
To: 'Cecil Combs'
Cc: 'Tom Lloyd'; 'Matt Rooney'
Subject: FW: Shaw Area Church of God-Possible Satellite Annexation Petition Area-Information On Why County Lots Need To Be Added
Attachments: Petition Submitted by Shaw Area Church of God_With Attachments_Scanned.pdf; DocumentViewPDF-(Plat Book 94-Page 163).pdf; Policy 150-2_Effective 021312.pdf; Shaw Area Church of God_Annex Map_Corrected 012513.pdf
Importance: High

Cecil,

This is in response to your email of January 24, in which you asked for some information about the Shaw Area Church of God's petition for annexation and why County parcels need to be added in order for this annexation to proceed.

On November 16, Mr. Nathaniel Brown, Pastor of the Shaw Area Church of God, submitted a satellite annexation petition. (See copy, attached.) The petition requested annexation of two parcels owned by the church in the Shaw Heights area. The petition was signed by Mr. Brown and by two trustees of the church.

The church's property is located on the southeastern corner of the intersection of Tammy Street and Holland Street.

The property requested for annexation consists of two tax parcels. (The PIN numbers are: 0419-85-2178 and 0419-85-4126.) There is one building on each parcel. The sanctuary building is at the corner of Holland Street and Tammy Street; its address is 5772 Holland Street. The second building is at 1255 Tammy Street; an alternative address for this building is 1261 Tammy Street.

The church would like to connect its sanctuary building to an existing PWC water line which is in the street adjacent to the building. The building is currently served by a well, but the well water has been deteriorating.

PWC informed the church that it would need to submit an annexation petition, prior to requesting service, because the property is in the Fayetteville MIA.

This requirement to submit an annexation petition is based on City Policy 150.2, which says that all property within the Fayetteville MIA must be annexed before water or sewer service will be provided or expanded. (See copy of policy, attached.)

The basic question is: Would the County object if four County-owned parcels in the same subdivision were added to the proposed annexation area? (The PIN numbers of the County-owned parcels are: 0419-85-3131, 0419-85-3075, 0419-85-5040, and 0419-84-4963.)

The City needs an answer to this question before proceeding with the annexation request. I have told Mr. Brown that we have been in contact with County staff, and that hopefully the County staff will provide an answer soon.

Here is some background:

A satellite annexation area must meet five standards, as set out in the state satellite annexation law. One of those standards says that if the area proposed for annexation, or any portion thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included.

According to the County tax records and the deed provided with the annexation petition, the church's property consists of Lots 17 and 19 of a subdivision plat recorded at Plat Book 94, Page 163. (See copy of Plat Book 94-Page 163, attached.)

However, there are four other lots that are part of this subdivision, and these four lots are now owned by Cumberland County. So, in order for the area to be annexed as a satellite, all six lots need to be made a part of the proposed annexation area.

The satellite annexation law says that the petition need not be signed by the owners of real property that is wholly exempt from property taxation under the Constitution and laws of North Carolina, nor by railroad companies, public utilities as defined in G.S. 62-3(23), or electric or telephone membership corporations.

Prior to 2011, the City would have been able to simply add the four parcels owned by the County to the two lots owned by the church, since the four parcels owned by the County are exempt from taxation.

However, legislation enacted in 2011 (Session Law 2011-57, House Bill 171), added language saying that a petition is not valid if it is for the annexation of property for which a signature is not required and the property owner objects to the annexation.

So, in order for the City to add the four lots owned by the County to this proposed annexation area, the City needs to know if the County objects or not.

I assume that all the City staff needs from the County is a written statement as to whether the County objects or not. We do not need for the County to fill out a separate satellite annexation petition form. However, if the County would prefer to fill out a form, we will be glad to provide the form.

The City staff has already prepared a map of the proposed satellite annexation area. (A corrected copy of this map is attached.) The map shows the PIN number and the owner name for each of the six parcels.

Please note that there used to be buildings on the County-owned parcels, but these buildings have been removed. The only buildings remaining in the proposed annexation area are those owned by the church.

In closing, thank you for your consideration of this request. If you have any questions, or if you need any additional information, please feel free to get in touch.

David Nash, AICP
Planning and Zoning Division
Development Services Department
City of Fayetteville
910-433-1995

From: Cecil Combs [mailto:ccombs@co.cumberland.nc.us]
Sent: Thursday, January 24, 2013 8:08 AM
To: David Nash
Cc: Thomas Lloyd; Matthew Rooney
Subject: FW: Shaw Area Church of God-Possible Satellite Annexation Petition Area (See attached map)
Importance: High

Annexation Ordinance No: _____

**Property of Shaw Area Church of
God and Cumberland County
Tammy Street at Holland Street
Area Includes 6 Tax Parcels-
(2 parcels owned by church:
0419-85-2178, 0419-85-4126)
(4 parcels owned by County:
0419-85-3131, 0419-85-3075,
0419-85-5040, 0419-84-4963)**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF FAYETTEVILLE, NORTH CAROLINA**

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the City of Fayetteville has investigated the sufficiency of the petition; and

WHEREAS, the City of Fayetteville has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall Council Chambers at 7:00 p.m. on May 28, 2013, after due notice by publication on May 17, 2013; and

WHEREAS, the City Council further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the primary corporate limits of the City of Fayetteville;
- b. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another municipality than to the primary corporate limits of the City of Fayetteville;
- c. The area described is so situated that the City of Fayetteville will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Fayetteville;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Fayetteville of North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous property owned by the Trustees of the Shaw Area Church of God (2 parcels) and Cumberland County (4 parcels) is hereby annexed and made part of the City of Fayetteville, North Carolina as of May 28, 2013:

BEGINNING at a point in the Eastern right-of-way margin of Holland Street, said point also being the northwest corner of Lot 19, Block "A", as shown on a plat entitled, "DIVISION OF LOTS 17 & 18, BLOCK "A" OF SHAWS HEIGHTS," duly recorded in Book of Plats 94, Page 163, Cumberland County Registry, and continuing thence North 54 degrees 42 minutes 40 seconds East 95.06 feet to a point; thence North 54 degrees 43 minutes 36 seconds East 20.00 feet to a point; thence North 54 degrees 43 minutes 36 seconds East 80.00 feet to a point; thence South 35 degrees 10 minutes 00 seconds East 484.987 feet to a point; thence South 50 degrees 11 minutes 26 seconds West 100.33 feet to a point; thence South 49 degrees 08 minutes 00 seconds 95.53 feet to a point; thence North 35 degrees 10 minutes 00 seconds West 502.19 feet to the **POINT AND PLACE OF BEGINNING**, and containing 2.21 Acres more or less.

Section 2. Upon and after May 28, 2013, the above-described area and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Fayetteville of North Carolina and shall be entitled to the same privileges and benefits as other parts of the City of Fayetteville of North Carolina. Said area shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Fayetteville shall cause to be recorded in the office of the Register of Deeds of Cumberland County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed area, described in Section 1, together with a certified copy of this ordinance. Such a map shall also be delivered to the Cumberland County Board of Elections as required by G.S. 163-288.1.

Adopted this ___ day of _____, 20__.

Anthony G. Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: David Nash, AICP, Planner II
DATE: May 28, 2013
RE: **Public Hearing to Consider a Petition Requesting Annexation of a Contiguous Area Known as the Charles Horne Stormwater Facility Property (Located on the Northern Side of West Mountain Drive)**

THE QUESTION:

Request to annex (as a contiguous area) land located on the northern side of West Mountain Drive. (Land is proposed to be used as a stormwater facility. Stormwater facility will serve a new building for the Orkin Pest Control Company.)

RELATIONSHIP TO STRATEGIC PLAN:

Strong local economy

BACKGROUND:

On September 24, 2012, the City Council annexed an area known as the Charles E. Horne Property along the northern side of West Mountain Drive (Annexation # 2012-09-540). At that time, the petitioner, Mr. Charles Horne, was planning to construct a building for the Orkin Pest Control Company. As of mid-May 2013, grading has been done on the site for the Orkin building, but no building permit has been issued.

The area annexed on September 24, 2012 did not include adjacent land to the north where Mr. Horne was planning to construct a future stormwater facility (which would serve the Orkin building).

In order for the City staff to be able to inspect the entire Orkin Pest Control Company development site (building site and stormwater facility), the entire development site needs to be inside the City.

In response to this, Mr. Charles Horne has requested annexation of the land where he proposes to build the stormwater facility. The land is contiguous to the City. (See Vicinity Map.)

The City staff received the petition on March 14, 2013. The petition was delivered by Mr. Billy Horne, father of Charles Horne. Mr. Charles Horne updated the petition on May 13, 2013. The updated petition showed different parcel numbers and it clarified that one of the parcels in the area is owned by Carolina Sun Investments, LLC; Mr. Charles Horne is Managing Member of this LLC.

The City staff has scheduled public hearings for this area based on the City's annexation petition policy/initial zoning policy (as revised by City Council on February 13, 2012). The Zoning Commission held its initial zoning public hearing on April 9, 2013. The City Council will hold its initial zoning public hearing on May 28, immediately before the annexation public hearing.

ISSUES:

Sufficiency: The City's Real Estate staff has verified the ownership of the land requested for annexation. (See Sufficiency Memo.)

Services: City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property.

City Services-City operating departments have reported that the impact of annexing the area would be minimal. The Fire Department reports that the area is within the adopted baseline travel time established in the City's Fire/Emergency Management Standard of Cover document. The area is 2.6 miles from the first due City Engine Company (which is located at Station 5 at 3040 Boone

Trail). The area is 1.5 miles from County Station #3 (Pearces Mill-located near the intersection of Black and Decker Road and Gillespie Street).

PWC Services-PWC water and sewer are available to the area (in West Mountain Drive and Gillespie Street). PWC electrical service is also available to the area.

New Law Regarding the Use of Stormwater Ponds-In August 2012, a new law went into effect regarding the use of stormwater ponds. This law says that development projects located within five miles from the farthest edge of an airport "air operations area" shall not be required to use stormwater retention ponds, stormwater detention ponds, or any other stormwater control measure that promotes standing water. The purpose was to reduce the impacts and attraction of birds and other wildlife that pose a hazard to aircraft.

The City staff has made Mr. Billy Horne (father of Charles Horne) aware of this law. The City staff has also made the engineer for the project, Mr. Chris Pusey of 4D Site Solutions, aware of this law. The City Engineer reports that the developer will need to submit plans to the City before they develop.

City staff visited the site in early April and on May 16. These visits found that a fairly significant amount of grading and excavation has already been done in both the area annexed in September 2012 and in the area now being considered for annexation.

Effective Date: Recent changes in the state law governing contiguous petition annexations require that a contiguous area be annexed either immediately, or on the June 30 after date of passage of the ordinance, or on the June 30 of the following year after the date of passage of the ordinance.

BUDGET IMPACT:

Fiscal impact analysis involves a comparison of projected revenues with projected costs.

Projected Revenues: If annexed, this area will generate revenue from the ad valorem property tax. Based on the current land value in the area, it is projected that property tax revenue for this stormwater area will be \$46 per year. There might also be one-time revenue from inspection fees.

Projected Costs: No City operating departments have expressed concerns or unusual increases in costs to serve this area, if it is annexed.

Fiscal Impact: Revenues should exceed costs for this proposed annexation.

OPTIONS:

1. Adopt the Annexation Ordinance with an effective date of May 28, 2013, and include approval of the final initial zoning action consistent with the prior action on the zoning.
2. Adopt the Annexation Ordinance with an effective date of June 30, 2013, and include approval of the final initial zoning action consistent with the prior action on the zoning.
3. Adopt the Annexation Ordinance with an effective date of June 30, 2014, and include approval of the final initial zoning action consistent with the prior action on the zoning.
4. Do not adopt the Annexation Ordinance. This option means the property would remain outside the City and the initial zoning would not occur.

RECOMMENDED ACTION:

Staff recommends that the City Council follow Option 1 and adopt the proposed ordinance annexing the property effective May 28, 2013, and establish the initial zoning consistent with the prior action on the zoning case.

ATTACHMENTS:

Vicinity Map

Legal Description Map

Basic Information Sheet About the Area

Sufficiency Memo
Proposed Ordinance

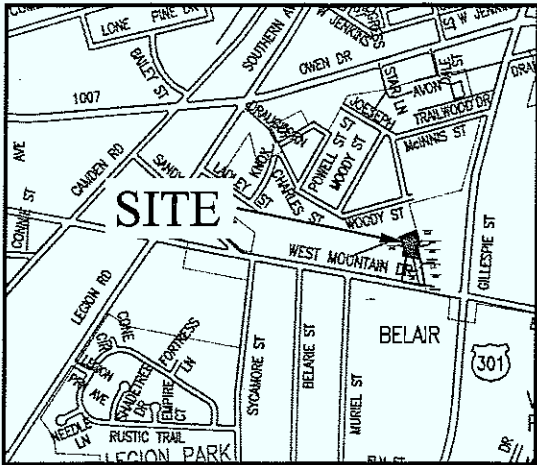
Vicinity Map
 Charles Horne Stormwater Facility Property
 (Contiguous Annexation Petition Area)



Prepared 5/1/13 by Planning & Zoning Division, Development Services Dept, City of Fayetteville
 Updated:

THIS MAP IS NOT A CERTIFIED SURVEY
AND HAS NOT BEEN REVIEWED BY A
LOCAL GOVERNMENT AGENCY FOR
COMPLIANCE WITH ANY APPLICABLE
LAND DEVELOPMENT REGULATIONS.

PB 9 PG 28



VICINITY MAP (N.T.S.)

BCC OF EDENTON, LLC
DB 9071 PG 588
PB131, PG 154
0436-00-5425-

CAROLINA SUN INVESTMENTS, LLC
DB 9030 PG 176
0436-00-3201-

CHARLES E. HORNE
DB 5247 PG 51
PB 9, PG 28
0436-00-0086-*

CAROLINA MODEL HOME CORP
DB 9154 PG 54
0436-00-5131-

ANNEXATION 76-12-187
ANNEXED 12/13/1976

CHARLES E. HORNE
DB 5247 PG 51
PB 9, PG 28
0436-00-0086-*

CAROLINA SUN INVESTMENTS, LLC
DB 9030 PG 176
PB 9, PG 28
0435-09-3955-

ANNEXATION 2012-09-540
ANNEXED 09/24/2012

CHARLES E. HORNE
DB 5247 PG 51
PB 9, PG 28
0435-09-2974-

CHAD BROWN & WIFE
DB 8523 PG 488
0435-09-5930-

ANNEXATION 93-09-373
ANNEXED 09/21/1993

CITY LIMIT LINE

R/W LINE

R/W LINE

WEST MOUNTAIN DRIVE

NOTES

* ONLY PART OF THIS PARCEL WAS ANNEXED.

ANNEXATION AREA

CITY LIMIT LINE

EXHIBIT B

Fayetteville ENGINEERING & INFRASTRUCTURE DEPT.
CIVIL ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

CHARLES E. HORNE
STORMWATER FACILITY PROPERTY
0436-00-0086* & 0436-00-3201
± 0.77 ACRES

DATE 5/8/2013 DRAWN BY TCF
SCALE 1" = 100' CK'D BY TCF

BASIC INFORMATION ABOUT THE AREA

Information Updated as of: May 16, 2013

Date Petition Received: 3/14/13

Ordinance Adoption Date: / Effective Date:

1. Name of Area:	Charles Horne Stormwater Facility Property-West Mountain Dr
2. Names of Petitioner:	Charles E. Horne & Carolina Sun Investments, LLC
3. Location/Address/Directions to Property:	<u>General Location:</u> On the southern side of Fayetteville, near the Crown Coliseum. <u>Address:</u> 100 block of West Mountain Drive. <u>Directions:</u> From US 301 (Gillespie St), turn west on West Mountain Dr. Property is on the northern side of West Mountain Dr., about 400 feet west of US 301 (Gillespie St).
4. Tax Identification Number (PIN):	0436-00-3201 (all) and 0436-00-0086 (part of)
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous?	Yes
7. Is the Area in the Fayetteville MIA (Municipal Influence Area)?	Yes
8. Type of Annexation:	Petition-initiated contiguous area
9. Background:	On 9/24/12, the City annexed an area known as the Charles E. Horne Property along the northern side of West Mountain Drive (Annex #2012-09-540). At that time, the petitioner was planning to construct a building for the Orkin Pest Control Company. The annex area did not include adjacent land where a future stormwater facility was proposed.
10. Reason the Annexation was Proposed:	In order for City staff to be able to inspect the entire Orkin Pest Control Company development site (building site and stormwater facility), the entire site needs to be inside the City.
11. Number of Acres in Area:	.77 acres (Owner's engineer-4D Site Solutions-reports .774)
12. Type of Development in Area:	Clearing and grading on the site has started.
13. Present Conditions:	a. <u>Present Land Use:</u> Land has been cleared and graded. b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> Total Pop=0 d. <u>Present Streets:</u> None e. <u>Water and Sewer Service:</u> Available from PWC f. <u>Electrical:</u> Surrounding properties are served by PWC electrical service.
14. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> The owner plans to construct a building for the Orkin Pest Control Company on land annexed on 9/24/12. (Site Plan documents have been submitted to the City-Case 12-46F.) Owner plans to build a stormwater facility on the land currently being considered for annexation. b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan</u> -Low Density Residential 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> R6 and C(P) b. <u>Likely Zoning After Annexation:</u> LC 3. <u>In Airport Impact Zone?</u> -No 4. <u>In Airport Overlay District?</u> -Yes
15. Expected Future Conditions:	a. <u>Future Land Use</u> –Stormwater facility for Orkin Pest Control Company building. b. <u>Future Number of Housing Units:</u> Total=0 (0 HU x 90% occupancy rate*=0 occupied HU) * Based on 2010 Census for Fayetteville c. <u>Future Demographics:</u> Total Pop=0 (0 occupied HU x 2.45 avg household size*=0) *Based on 2010 Census for Fayetteville d. <u>Future Streets:</u> none expected e. <u>Water and Sewer Service:</u> Will be provided by PWC f. <u>Electric Service</u> -Will be provided by PWC.
16. Tax Value of Land and Buildings:	Since the proposed annex area is made up of parts of two existing parcels, it has been necessary to estimate the current tax value. The land value of Parcel 0436-00-3021 has been used. That parcel has a land value of \$5,070, and it is made up of .39 acres. Dividing land value by acres gives an estimated land value of \$13,000 per acre. Multiplying \$13,000 times .77 acres in the petition area gives an estimated land value of \$10,010 in the petition area.

BASIC INFORMATION ABOUT THE AREA

Information Updated as of: May 16, 2013

Date Petition Received: 3/14/13

Ordinance Adoption Date: / Effective Date:

MEMO

To: David Nash, Planning Department

From: Brandy R. Bishop, Senior Paralegal

CC: To the file

Date: May 10, 2013

Re: Sufficiency of Annexation Petition

SIGNERS OF THE PETITION: Charles E. Horne and Carolina Sun Investments,
LLC

Charles E. Horne per recorded Deeds 9030, Page 176 and Book 5247, Page 51, is the record owner for the 0.77 acre tract.

Portions of 0436-00-3201- & 0436-00-0086- 0.77 acre tract M&B

My search ended May 8, 2013 at 8:00 a.m.

Petition is now sufficient!

Annexation Ordinance No: _____

**Charles Horne Stormwater Facility Property
West Mountain Drive (Northern Side of)
Area Includes Two Tax Parcels:
PIN 0436-00-3201 (all)
and PIN 0436-00-0086 (part of)**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF FAYETTEVILLE, NORTH CAROLINA**

WHEREAS, the City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the City of Fayetteville has investigated the sufficiency of the petition; and

WHEREAS, the City of Fayetteville has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall Council Chambers at 7:00 p.m. on May 28, 2013, after due notice by publication on May 17, 2013; and

WHEREAS, the City Council further finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described contiguous property owned by Charles E. Horne and Carolina Sun Investments, LLC, is hereby annexed and made part of the City of Fayetteville, North Carolina as of May 28, 2013:

BEGINNING at an existing iron pipe in the northern right-of-way margin of West Mountain Drive, said point also being the southeastern most corner of the property Annexed by the City of Fayetteville September 24, 2012 also being the southeastern most corner of the tract of land conveyed to Carolina Sun Investments, LLC, in Deed Book 9030, Page 176, Cumberland County Registry and running thence North 10 degrees 31 minutes 23 seconds West 257.83 feet to the **TRUE POINT AND PLACE**

OF BEGINNING, thence North 79 degrees 58 minutes 13 seconds West 166.71 feet to a point; thence North 10 degrees 01 minutes 47 seconds East 61.48 feet to a point; thence North 14 degrees 47 minutes 24 seconds West 120.96 feet to a point; thence North 68 degrees 30 minutes 18 seconds East 65.39 feet to a point; thence North 68 degrees 47 minutes 52 seconds East 91.67 feet to a point; thence South 14 degrees 11 minutes 43 seconds East 155.96 feet to a point; thence South 74 degrees 10 minutes 30 seconds West 29.84 feet to a point; thence South 15 degrees 11 minutes 41 seconds East 108.44 feet to the **POINT OF BEGINNING**...containing 0.77 acres more or less and being a portion of the property conveyed to Charles E. Horne in Deed Book 5247, Page 51, and a portion of the property conveyed to Carolina Sun Investments, LLC, in Deed Book 9030, Page 176, Cumberland County Registry.

Section 2. Upon and after May 28, 2013, the effective date of this ordinance, the above-described area and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Fayetteville and shall be entitled to the same privileges and benefits as other parts of the City of Fayetteville. Said area shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Fayetteville shall cause to be recorded in the office of the Register of Deeds of Cumberland County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed area, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Cumberland County Board of Elections, as required by G.S. 163-288.1.

Adopted this ___ day of _____, 20__.

ATTEST:

Anthony G. Chavonne, Mayor

Pamela Megill, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of the City Council
FROM: Rebecca Rogers-Carter, Strategic Planning Manager
DATE: May 28, 2013
RE: **Adoption of the City of Fayetteville FY 2014 Strategic Plan**

THE QUESTION:

City of Fayetteville FY 2014 Strategic Plan

RELATIONSHIP TO STRATEGIC PLAN:

City Council has developed a sustainable strategic planning model that assists Council, as representatives of the community, to plan for our community's future and to lead with vision.

BACKGROUND:

As the City of Fayetteville continues to grow and thrive, the City Council looks to chart a course with a strategic plan that articulates a vision for our community's future to help ensure vitality and sustainability. The City of Fayetteville is guided by a comprehensive strategic planning process. City Council meets annually to refine the items that comprise the City's strategic plan and to ensure that it is reflective of the changing needs of our growing community. The strategic plan has five main areas that represent a commitment to serving the community. The plan is comprised of the following components: the Vision for the community; the organizational Mission and Core Values; 5-Year Goals that support the long-term vision for the City; and annual Targets for Action (TFA) to advance progress toward the goals. This model aligns City programs and spending with long-term goals, brings critical needs into focus and provides an organizational roadmap for success. The City's strategic plan is a critical component of a larger system of planning for our organization's success, which includes the annual budget process, citizen input, capital and technology prioritization and financial planning. The City's strategic planning process is designed to build upon past successes, yet also accommodate proactive response to changing environments. This year we incorporated more input from staff and citizens to shape the priorities of the plan, and to focus on areas of unity and common interests among the City Council, staff and citizens.

ISSUES:

N/A

BUDGET IMPACT:

OPTIONS:

1. Adopt the City of Fayetteville FY 2014 Strategic Plan
2. Do not adopt the City of Fayetteville FY 2014 Strategic Plan and provide feedback on City Council interest.

RECOMMENDED ACTION:

Staff recommends Council move to adopt the City of Fayetteville FY 2014 Strategic Plan.

ATTACHMENTS:

City of Fayetteville FY 2014 Strategic Plan

City of Fayetteville North Carolina

Strategic Plan

FY 2013-14

May 2013



OUTFRONT

Contents

1. Letter from Mayor.....	2
2. Executive Summary	3
3. Creating the Strategic Plan.....	4
4. Vision, Mission, Core Values	9
5. Goals, Performance Measures and Targets for Action	11
6. City Council, Senior Management Team and City Profile.....	15



OUTFRONT

Development of the City of Fayetteville's Strategic Plan was managed by Fountainworks in concert with the City's staff.



PO Box 28142, Raleigh, NC 27611
www.fountainworks.com

1. Letter From the Mayor

May 2013

Dear Fayetteville Residents,

As the City of Fayetteville continues its day-to-day operations to provide effective services to our residents, the City Council has been working to create a vision for the next 10 years to focus our efforts and ensure our ability to achieve our mission. The City of Fayetteville has a long history of strategic planning and this plan builds on past successes. Our goal this year has been to incorporate more input from staff and citizens to shape the priorities of our plan, and to focus on areas of unity and common interests among the City Council, staff and citizens. The City Council has wisely sought to solidify its position as setting policy and strategy for the City and delegate the responsibility of tactics to carry out the policies to the staff. The Council has also purposefully reduced the number of priorities included in the plan to a manageable number, so staff will be able to better focus its efforts.

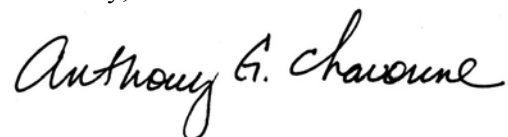
In this strategic plan, we have identified six goals for the next **five** years, which will help us achieve our vision.

1. The City of Fayetteville will be a safe and secure community.
2. The City of Fayetteville will have a strong, diverse and viable local economy.
3. The City of Fayetteville will be designed to include vibrant focal points, unique neighborhoods and high quality, effective infrastructure.
4. The City of Fayetteville will be a highly desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all citizens.
5. The City of Fayetteville will have unity of purpose in its leadership, and sustainable capacity within the organization.
6. The City of Fayetteville will develop and maintain strong and active community connections.

The City Council has also prioritized 13 specific targets for action for staff to enact this year to achieve these goals. We have incorporated performance measures for each of the goals into our plan, so that we can measure the impact we are having on the goals. Our day-to-day operations will be pursued with these strategic issues to guide them. We will work hard to implement this strategic plan and ensure our organizational activities are aligned at every level.

I want to thank all the participants in this process for their time and input. These contributions have and will continue to be invaluable as the City of Fayetteville continues to work to achieve our vision and provide high quality, effective services to our residents.

Sincerely,



Anthony G. Chavonne
Mayor



2. Executive Summary

The City of Fayetteville is guided by a comprehensive strategic planning process. City Council meets annually to refine the items that comprise the City’s Strategic Plan and to ensure that it is reflective of the changing needs of our growing community. The Strategic Plan has five main areas that represent a commitment to serving the community. The plan is comprised of the following components. The Vision for the community, the organizational Mission and Core Values, 5-Year Goals that support the long-term vision for the City and annual Targets for Action (TFA) to advance progress toward the goals.

This model aligns City programs and spending with long-term goals, brings critical needs into focus and provides an organizational roadmap for success. The Strategic Plan is a blueprint which guides decision making and resource allocation. The City is a result-focused organization and as such, evaluates and reports on the advancement of the Strategic Plan to ensure accountability.

FY 2024 Vision

The City of Fayetteville is a great place to live with a choice of desirable, safe neighborhoods, leisure opportunities for all and beauty by design.

Our City has a vibrant downtown and major corridors, the Cape Fear River to enjoy, a strong local economy, diverse culture and rich heritage.

Our City is a partnership with engaged citizens who have confidence in their local government.

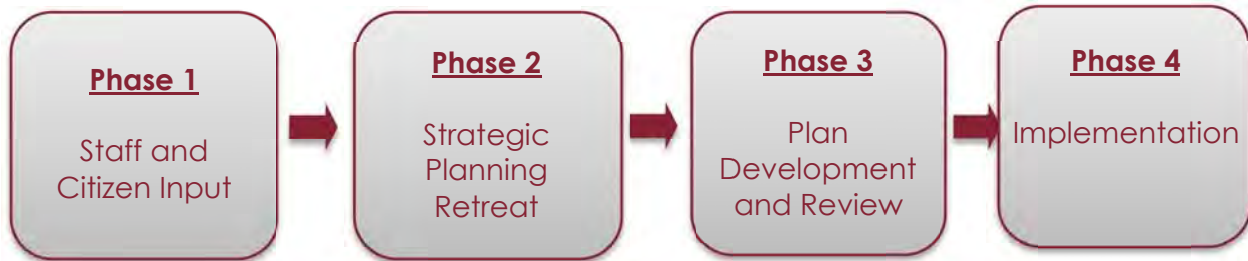
This creates a sustainable community with opportunities for individuals and families to thrive.

FY 2019 Goals and FY 2014 Targets for Action

The City of Fayetteville will be a safe and secure community.	The City of Fayetteville will have a strong, diverse and viable local economy.	The City of Fayetteville will be designed to include vibrant focal points, unique neighborhoods and high quality, effective infrastructure.	The City of Fayetteville will be a highly desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all citizens.	The City of Fayetteville will have unity of purpose in its leadership and sustainable capacity within the organization.	The City of Fayetteville will develop and maintain strong and active community connections.
<ul style="list-style-type: none"> ➤ Increase law enforcement community engagement and collaboration ➤ Create gang task force ➤ Develop traffic safety improvement strategy. 	<ul style="list-style-type: none"> ➤ Implement local business initiatives. 	<ul style="list-style-type: none"> ➤ Increase street maintenance funding; shorten time for resurfacing ➤ Improve gateways. 	<ul style="list-style-type: none"> ➤ Revisit funding plan for Parks and Recreation; smaller or phased package ➤ Develop traffic flow improvement strategy. 	<ul style="list-style-type: none"> ➤ City Council recognition of employees ➤ Study PWC efficiencies/ consolidation opportunities ➤ Identify efficiencies through IT to increase effectiveness. 	<ul style="list-style-type: none"> ➤ Develop and deliver ongoing coordinated information campaign ➤ Develop partnerships.

3. Creating the Strategic Plan

The City of Fayetteville’s strategic planning process consists of four key phases, starting with gathering input from the Senior Management Team and citizens, followed by a City Council retreat. The input from these first two phases was used in the development of the strategic plan itself. The final phase of the plan is implementation.



Phase 1: Staff and Citizen Input

The first phase of developing this strategic plan consisted of soliciting input from staff and citizens. During late 2012, the City conducted an organizational climate survey of all its employees and during early 2013, a citizen satisfaction survey of a randomly selected sample of its residents. These two efforts were used to help identify the priorities of staff and employees.

Employee Input

The North Carolina Department of Commerce conducted the organizational climate survey. Key findings from the survey are:

- Overall positive employee climate
- 90%+ Employees feel job satisfaction
- 90%+ Employees feel they provide good customer service
- Fair pay is a concern
- Lack of appreciation from City Council
- Communication with employees needs improvement.

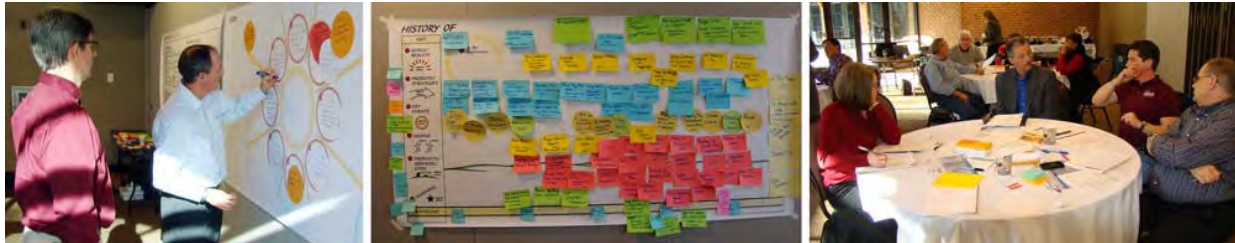
Citizen Input

ETC Institute conducted the citizen satisfaction survey. Key findings from the survey are:

1. Residents have a positive perception of the City
2. Areas with highest satisfaction include:
 - a. Fire services, recycling and solid waste collection
 - b. Customer service from City employees
3. Areas with the lowest satisfaction ratings include:
 - a. Code enforcement issues
 - b. Transportation concerns and infrastructure needs
4. Combining importance and satisfaction rating, top citizen priorities include:
 - a. Police services
 - b. Traffic flow concerns
 - c. Improvements in City street maintenance
 - d. Greater access to public pools.

Senior Management Team Input

Finally, the Senior Management Team held a retreat in January 2013 to identify priorities and goals for the City of Fayetteville. The input from the Senior Management Team was used to inform the City Council in their planning retreat. The goal of this phase was to gather input that would allow the City to assess the current internal and external environments, including its strengths, weaknesses, opportunities and challenges.



Phase 2: Strategic Planning Retreat

In February 2013, the City Council held a strategic planning retreat to review the input gathered during the staff and citizen input phase and begin charting a course for the future. Prior to the retreat, City Council was interviewed to ascertain their individual desires for the success of the strategic planning process. Below is an outline of the major sessions held during this retreat along with a brief review of the outcomes.

Reviewing the City of Fayetteville History

Based on the input gathered from the Senior Management Team, the City Council reviewed a graphic depiction of key events in Fayetteville's History from 2003-2013. Council members orally added additional key events. The history review allowed for the Council to reflect on the progress the City has made in the past 10 years and how the environment impacted the City.



Building a Context Map to Understand External Trends

To understand the context in which the City of Fayetteville was operating, the group heard a series of presentations and created a context map detailing the current environment to provide participants with an understanding of the current issues, trends and factors that have an impact on the City of Fayetteville today.

- Citizen satisfaction survey
- Budget outlook
- Capital Improvement Plan
- Information Technology Plan
- Placemaking and the built environment
- Employee opinion survey
- Staff capacity.

Conducting an Internal Assessment (SWOC Analysis)

To better understand the current status of the City of Fayetteville, the retreat participants performed a SWOC (Strengths, Weaknesses, Opportunities, Challenges) analysis to both identify the most important strengths and weaknesses internally, as well as the key external opportunities and challenges. This session drew heavily on the information gathered in Phase 1 of the strategic planning process. Specifically, results of the employee opinion survey and the citizen satisfaction survey were of primary importance to the City Council in conducting the SWOC analysis.

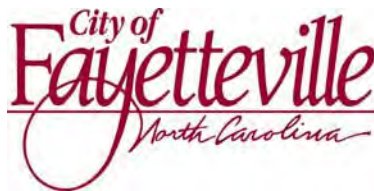
Visioning Exercise

This activity enabled participants to turn their attention and imaginations toward their desired future and to add specificity to the City's current vision to show what is unique about the vision for Fayetteville.

The common vision themes identified are as follows:

- Quality of life
- Employed population
- Shopping
- Recreation
- Safe neighborhoods
- Appearance
- Engaged citizenry
- Celebrate diversity
- Stable economy
- Confidence in local government
- Family-friendly.

The themes the City Council identified were incorporated into the revised vision statement for the City of Fayetteville.



Developing Decision Filters

Staff sought guidance from Council in developing “decision filters” for use in evaluating tactics to support the strategic plan. Council rated the importance of the various criteria on a scale of 1-7. Items with a higher ranking will be more important in the decision-making. The results were as follows:

- 6.6 Alignment with City’s vision, mission and goals
- 5.9 Impact on City (how many impacted; how big an impact)
- 5.8 Impact on Measures of Success (positive impact on measures has priority)
- 5.6 What we do – uniquely (core service)
- 5.3 Staff time required (existing staff capacity)
- 5.0 Additional staffing requirements
- 4.9 Cost to implement (no cost has priority)
- 4.7 Speed to implement (fast).



Developing FY 2019 Goals, Measures of Success and FY 2014 Targets for Action

The staff had prepared six draft goals for the City Council to review based on the work done in Phase 1. The Council provided feedback on the goals, which were revised and are outlined in the following section of the strategic plan.

Staff also prepared draft performance measures for the Council’s consideration. Measures articulate what Council members wish to highlight to the community or what they want to monitor to make sure things continue to go in the right direction. The revised performance measures are included in the following section of the plan.



The City Council brainstormed a large number of tactical activities that would have a positive impact on achieving the goals and improving the performance measures. These activities were relayed to staff, who reviewed them using the Council’s decision filters. The staff recommended actions were shared with Council in early April 2013. Council members were asked to narrow the list down further to the key actions that were most important to carry out in fiscal year 2013-14. The Targets for Action receiving the highest support are included in the next section of the strategic plan.

Phase 3: Plan Development and Review

City of Fayetteville staff, along with Fountainworks, led the process to finalize the development of the strategic plan. The information developed in Phase 1 and Phase 2 shaped the core of the strategic plan. The original drafts of the vision and goals statements, as well as the performance measures developed at the retreat, have since been revised and updated and can be seen in the previous and following sections of this document. The draft goals and targets for action developed at the retreat were revised and categorized and can be seen in their finalized form in the following section. The City Council will vote to adopt the plan in May 2013.



Phase 4: Implementation

The City Manager's Office has the overall responsibility of ensuring the strategic plan is implemented. The staff will continue the current practice of providing semi-annual updates to the City Council on the status of implementation of the Targets for Action. Additionally, a system will be created to monitor and report on the performance measures for each goal area. While the strategic plan already notes the department responsible for each Target for Action, specific timelines and persons responsible will be assigned to each action. In August, the City Manager's Office will share the reporting framework with the City Council. Mid-year and end-of-year reports with status updates will be presented in January and July, respectively.

4. Vision, Mission, Core Values

The City Council revisited its vision statement and affirmed its support of the current mission and values. The vision statement articulates a long-term view of the ideal future for the City of Fayetteville. The mission statement describes why the City of Fayetteville exists and what it will do to help achieve its vision. The updated vision and mission statements will guide the work of the City, ensuring that all activities the City undertakes will help achieve the vision. The vision and mission are then rounded out with the City's core values, which represent the beliefs that are shared among the stakeholders of the organization and in turn drive the organization's culture and priorities by providing a framework in which decisions are made. The Action Agenda, Performance Measures and Goals that are developed in the strategic plan support the vision and mission.



FY 2024 Vision Statement

The City of Fayetteville is a great place to live with a choice of desirable, safe neighborhoods, leisure opportunities for all and beauty by design.

Our City has a vibrant downtown and major corridors, the Cape Fear River to enjoy, a strong local economy, diverse culture and rich heritage.

Our City is a partnership with engaged citizens who have confidence in their local government.

This creates a sustainable community with opportunities for individuals and families to thrive.

Mission Statement

The City government provides service that makes Fayetteville a better place for all.

The City Government is financially sound and provides a full range of quality municipal services that are valued by our customers and delivered by a dedicated workforce in a cost-effective manner.

The City has well designed and well maintained infrastructure and facilities.

The City engages its citizens and is recognized as a state and regional leader.

Core Values

We, the Mayor, City Council, Managers, Supervisors and Employees serve with

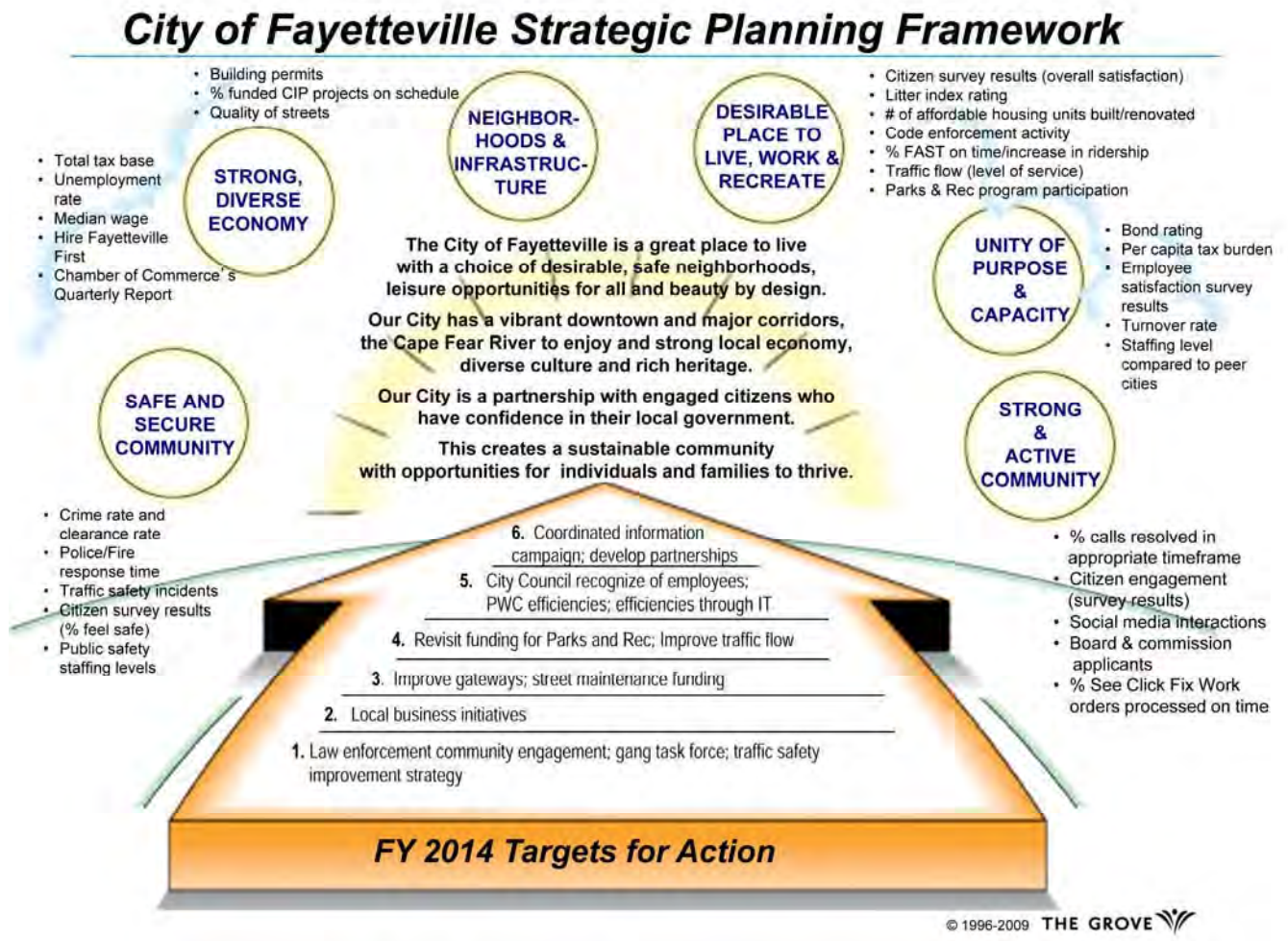
- **R**esponsibility
- **E**thics
- **S**tewardship
- **P**rofessionalism
- **E**ntrepreneurial Spirit
- **C**ommitment
- **T**eamwork

to safeguard and enhance the public trust in City Government.



5. Goals, Performance Measures and Targets for Action

Drawing from the SWOC analysis (Strengths, Weaknesses, Opportunities and Challenges), which identified the gaps between the City of Fayetteville’s current state and desired future state, and informed by the History and Context Maps, six goals emerged that must be addressed to successfully achieve the vision. These goals provide the framework for the Targets for Action that should be addressed in the coming fiscal year. The City of Fayetteville’s goals, the performance measures to monitor the success at achieving them and the FY 2014 Targets for Action are graphically summarized below and described in more detail on the following pages.



GOAL 1: The City of Fayetteville will be a safe and secure community.

Performance Measures		Lead Department
	<ol style="list-style-type: none"> 1. Crime rate and clearance rate 2. Police/Fire response time 3. Traffic safety incidents 4. Citizen Survey results (% feel safe) 5. Public Safety staffing levels. 	
1	Increase law enforcement community engagement and collaboration	Police
2	Create gang task force	Police
3	Develop traffic safety improvement strategy	Police

GOAL 2: The City of Fayetteville will have a strong, diverse and viable local economy.

Performance Measures		Lead Department
	<ol style="list-style-type: none"> 1. Total tax base 2. Unemployment rate 3. Median wage 4. Hire Fayetteville First – <i>Not currently measurable, but will set the stage for measuring participation in the future if resources provided</i> 5. Chamber of Commerce’s Quarterly Report – <i>Will partner with Chamber to monitor other economic indicators.</i> 	
1	Implement local business initiatives	Community Development

GOAL 3: The City of Fayetteville will be designed to include vibrant focal points, unique neighborhoods and high quality, effective infrastructure.

<i>Performance Measures</i>		Lead Department
	<ol style="list-style-type: none"> 1. Building permits 2. % funded CIP projects completed on schedule 3. Quality of streets. 	
1	Increase street maintenance funding; shorten time for resurfacing	Engineering & Infrastructure
2	Improve gateways	Community Development, Parks & Recreation

GOAL 4: The City of Fayetteville will be a highly desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all citizens.

<i>Performance Measures</i>		Lead Department
	<ol style="list-style-type: none"> 1. Citizen satisfaction survey results (overall satisfaction) 2. Litter Index rating (Keep Fayetteville Beautiful) 3. # Affordable housing units built/renovated 4. Code Enforcement activity 5. % FAST on time or increase in ridership 6. Traffic flow (level of service) 7. Parks & Recreation program participation. 	
1	Revisit funding plan for Parks and Recreation; smaller or phased approach	Parks & Recreation
2	Develop traffic flow improvement strategy	Engineering & Infrastructure

GOAL 5: The City of Fayetteville will have unity of purpose in its leadership and sustainable capacity within the organization.

Performance Measures		Lead Department
	<ol style="list-style-type: none"> 1. Bond rating 2. Per capita tax burden 3. Employee opinion survey results 4. Turnover rate 5. Staffing level compared to peer cities. 	
1	City Council recognition of employees	Human Resource Development
2	Study PWC efficiencies/consolidation opportunities	City Manager's Office
3	Identify efficiencies through IT to increase effectiveness	Information Technology

GOAL 6: The City of Fayetteville will develop and maintain strong and active community connections.

Performance Measures		Lead Department
	<ol style="list-style-type: none"> 1. % calls resolved in appropriate timeframe (1-Fay) 2. Citizen engagement (survey results) 3. Social media interactions 4. Board and commission applicants 5. % See Click Fix work orders processed on time – <i>will begin tracking when implemented.</i> 	
1	Develop and deliver ongoing coordinated information campaign	Corporate Communications
2	Develop partnerships	City Manager's Office

City Council, Senior Management Team and City Profile

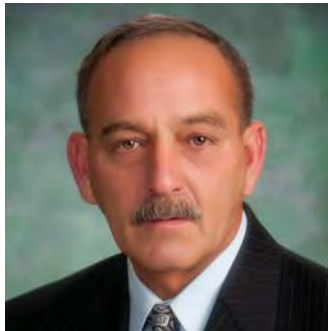
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About the City Council

The Fayetteville City Council is an elected body representing the citizens of Fayetteville. Under the current electoral system, the City Council consists of nine Council members and a mayor. All nine Council members are elected from their individual districts and the mayor is elected as an at-large representative. Only citizens within each district may vote for their member's seat on the Council, while all citizens residing within the city limits may vote for the mayor.

Under the Council-Manager form of government for municipalities, the City Council is responsible for the legislative functions of the municipality, such as establishing policy, passing local ordinances, voting on appropriations, and developing an overall vision. Council appoints a city manager to oversee operations, implement policy, and advise the Council. The city manager position in this form of municipal government is similar to that of corporate chief executive officer (CEO).

Senior Management Team



Theodore L. Voorhees, City Manager

Karen McDonald, City Attorney

Kristoff Bauer, Deputy City Manager

Rochelle Small-Toney, Deputy City Manager

Dele Lowman Smith, Assistant City Manager

Dwayne Campbell, Chief Information Officer

Tracie Davis, Corporate Communications Director

Jerry Dietzen, Environmental Services Director

Michael Gibson, Parks & Recreation Director

Craig Hampton, Special Projects Director

Randy Hume, Transit Director

Erica Hoggard, Interim Human Resource Development Director

Benjamin Major, Fire/Emergency Management Chief

Harold Medlock, Police Chief

Pamela Megill, City Clerk

Ron McElrath, Human Relations Director

Rebecca Rogers Carter, Strategic Initiatives Manager

Victor Sharpe, Community Development Director

Scott Shuford, Development Services Director

Lisa Smith, Chief Financial Officer

Rusty Thompson, Engineering & Infrastructure Director

Brad Whited, Regional Airport Director

City Profile

One of the most diverse cities in the United States of America, Fayetteville has many awards to its credit and activities for citizens. Fayetteville has won three All-America City awards and honors for the City song "My Hometown Fayetteville" and City television show "Kaleidoscope."

Fayetteville also has numerous historic sites, seven museums, three colleges and universities, multiple entertainment venues, a historic downtown, and award-winning golf courses. Proximity to Fort Bragg and Pope Army Airfield contributes greatly to the City's economy and diversity. Immaculate parks and lively recreation centers offer citizens the chance to experience the outdoors or work on their jump shot. Plus, if you're looking to travel, Fayetteville Regional Airport and Interstate-95 give city residents many destination options, allowing you to drive or fly to the largest cities on the east coast in a matter of hours.

Fayetteville is conveniently located within a two-hour drive from the beach and is only a four-hour drive to the mountains. Its central location affords citizens opportunities for daytrips to the coast and weekend getaways to the Blue Ridge mountains.



City of
Fayetteville
North Carolina

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CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Victor Sharpe, Community Development Director
DATE: May 28, 2013
RE: **Community Development - Approval of Update of the Downtown Fayetteville Renaissance Plan**

THE QUESTION:

Does the update of the Downtown Renaissance Plan provide the framework to continue the revitalization of the downtown?

RELATIONSHIP TO STRATEGIC PLAN:

Revitalized Downtown - A Community Focal Point and Growing City, Livable Neighborhoods - A Great Place to Live

BACKGROUND:

The Downtown Development Plan was a Strategic Plan Target Action Item in FY2011 as part of the City Council strategic planning process and reported on quarterly. The end result was that funding was approved in FY2012 for a consultant to develop a new plan of work for the next ten years. The City of Fayetteville through the Community Development department contracted a team of consultants led by Studio Cascade, Inc. to update the 2002 Downtown Fayetteville Renaissance Plan and to provide strategic visioning services for Downtown Fayetteville.

The goals of the plan were:

- To engage stakeholders in the creation of an inspiring vision for the future of Downtown Fayetteville, creating a framework for the role the City of Fayetteville and partnering agencies will play in realizing that vision;
- To create shared goals for the City of Fayetteville that enable all stakeholders to align programs and services to meet these goals;
- To provide strategic and tactical planning resulting in a specific set of short and long-term strategies and action items over a ten year period; and
- To assure the plan addresses Downtown Fayetteville issues and provides real value to our stakeholders by creating measurable results for the City of Fayetteville.

Community outreach efforts since September 2012 have included stakeholder interviews, a week-long "storefront studio," online surveys and social media, marketing/advertising in print and broadcast media, presentations and workshops with the Fayetteville Planning Commission and multiple public workshops.

The major push in this plan is to emphasize the relationship between FSU, the central core and the Cape Fear River, targeting public and private investment to enhance the crescent that links all three. Improvements to Murchison Road, new development projects in the core, a reimagined Russell Street and a redeveloped Campbelton townsite form the backbone of this strategy. Later phases in the downtown strategy look to build upon the crescent, stimulating reinvestment in neighborhoods around Old Wilmington Road, Grove Street, the Orange Street School and the industrial district in the southwestern portion of the planning area.

Elements that will transform the downtown in the early phases of this plan and demonstrate how the downtown will evolve are:

- The new Campbelton master plan, with a mix of residential, retail and employment uses

taking advantage of the Cape Fear River frontage

- A Russell Street that serves as the primary linkage to the new Campbeltown from the central core, with mixed housing and retail uses and an enhanced streetscape, potentially including a streetcar in its median.
- Individual development projects in the central core, including a permanent Farmers Market, a visual performing arts center and a variety of housing projects to help sustain retail demand downtown
- Development of “Catalyst Site 1” on Murchison Road as an indicator of the increasing ties between FSU and the central core, enhancing pedestrian linkages between the university and the central core and elevating economic activity in that portion of downtown.

The Planning Commission held a public hearing on April 23, 2013 and voted unanimously to recommend to City Council to approve the adoption of the plan. The plan was also presented at the City Council May 6, 2013 work session.

ISSUES:

Implementation should occur over the next ten years. Recommended strategies sustain the improvement already made and both extend and expand initiatives to continue momentum, support existing private investment and encourage new, more diverse investment. Since 2002, over 76 million has been invested in construction including over 21 million in public investment and 55 million in private investment.

BUDGET IMPACT:

None noted. Implementation will require public and/or private investment, and utilize City resources to facilitate and encourage private (re)investment.

OPTIONS:

- Approve proposed plan.
- Modify proposed plan.
- Provide additional direction to staff.

RECOMMENDED ACTION:

Staff recommends Council move to approve the update of the Fayetteville Downtown Renaissance Plan.

ATTACHMENTS:

Downtown Renaissance Plan Update
Renaissance Plan Presentation

2013

City of Fayetteville

Downtown Renaissance Plan Update





Acknowledgements

Mayor

Anthony G. Chavonne

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James William Arp, Jr., Mayor Pro Tem

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Kady-Ann Davy

Robert A. Massey, Jr.

D.J. Haire

Robert Thomas Hurst, Jr.

William Joseph Leon Crisp

Valencia A. Applewhite

Wade R. Fowler, Jr.

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Dr. William J. Fiden, Vice Chair

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Bruce Daws, Historic Properties Manager

Michelle Haire, Economic Development

Administrator

Eloise Salstrom, Urban Planner

Rusty Thompson, Director of Engineering and Infrastructure

Michael Gibson, Director of Parks and Recreation

Other Partners/Organizations Involved

The Arts Council of Fayetteville/Cumberland County

Fayetteville Downtown Alliance

Fayetteville Regional Chamber and Economic Development Alliance

Fayetteville State University

Historic Resources Commission

Fayetteville Association of Realtors

Fayetteville Area Convention and Visitor's Bureau

Fayetteville Redevelopment Commission

Fayetteville Dogwood Festival

Cumberland County Planning Department

Airborne and Special Operations Museum

NC Department of Transportation

Media

Fayetteville Observer

Up & Coming Weekly

WIDU 1600 AM

WFNC 640 AM

NBC 17

Consultants

Studio Cascade, Inc.

ECONorthwest

We are grateful for the efforts of the more than 300 Fayetteville community members who participated in this process, guiding the direction of the plan and reaffirming community commitment to downtown success.

Contents

Executive Summary

Introduction	E•1
Plan Topics	E•2
Planning Area	E•3
Workshops & Hearings	E•3
Strategic concepts	E•5
Using this Plan	E•8

Chapter 1 - Downtown Vision

Introduction	1•1
In the year 2030:	1•1
Downtown Vision Components	1•2
Culture and the arts	
Gateways	
Cape Fear River	
Neighborhoods	
Institutions	
Connectedness	
Industry	
Relationships	
Policy	

Chapter 2 - Update Process

Introduction	2•1
Process Activities	2•1
Stakeholder Interviews	
Online Tools / Social Media	
Mass Media	
"Storefront Studio"	
Questionnaires	
Planning Framework Workshop	
Planning Commission	
City Council	
Public Hearings	

Chapter 3 - Plan Background

Introduction	3•1
2002 Renaissance Plan	3•1
Plan Successes	
Additional Plans	3•3
A Complete Fayetteville: Once & For All	
Cumberland County 2030 Growth Vision Plan	
Downtown Marketing Research	
Murchison Road Corridor Study (+ <i>subsequent work</i>)	
Bragg Boulevard Corridor Redevelopment Plan	
Market-Based Redevelopment Plan for HOPE VI Business Park (2013)	
Fayetteville Strategic Plan 2013	
Ramsey Street Corridor Study (<i>ongoing</i>)	
Cape Fear River Corridor Study (<i>ongoing</i>)	

Chapter 4 - Existing Conditions

Introduction	4•1
Planning Environment	4•1
Demographics	
Economics	
Housing	
Land Use	
Institutions	
Environment	
Transport	
Buildings	

Chapter 5 - Strategic Framework

Introduction	5•1
The Future of Downtown	5•2
Culture & The Arts	
Gateways	
Cape Fear River	
Neighborhoods	
Institutions	
Connectedness	
Industry	
Relationships	
Policy	

Chapter 6 - Implementation

Introduction	6•1
Projects & Phasing	6•2
Step One	
Step Two	
Step Three	
Step Four	

Executive Summary

Introduction

Downtowns prosper for scores of reasons. Some are external and beyond local control, but many others are well within the powers of municipalities to shape and leverage strategically, serving the long-range health, safety and welfare of the community.

The origins of Fayetteville illustrate the power and importance of such strategies. Once largely a place that provided access to the navigable waters of the Cape Fear River, the community grew through the vision and actions of town leaders. Over time, downtown Fayetteville evolved from a center of commerce and merchant housing to what it is today. Times have changed downtown, and the investments the community has made in it over the past 20 years have restored it to a place of interest, beauty and activity.

This downtown planning project updates the 2002 Renaissance Plan, a document setting out priorities to stimulate reinvestment and the reshaping of downtown Fayetteville. That plan, in turn, was prepared in response to the earlier "Fayetteville: Once and for All" plan, a visionary exploration into the development and design potential of downtown.



Figure E.01 – The 2002 Renaissance Plan produced a vision for downtown that emphasized plentiful, lush green space, celebration of natural resources and continued investment in the historic core. Many of these concepts continue into this update. (Image source: City of Fayetteville)

Now more than ten years old, many of the recommendations in the Renaissance Plan have either been implemented or have become less relevant. Downtown is developing a life and character of its own, and events shaping opportunities downtown are different today than they were in 2002. It is time to update the Renaissance Plan, building on those components that still make sense and suggesting new priorities and new directions to respect today's environment.

The plan emerging from this process lays out steps for the community to take, led by the City perhaps, but reliant on partnerships with individuals and organizations. Though the City has done well for the last decade



Figure E.02 – Thirty-two hours of stakeholder interviews kicked off the process, with four full days of meetings and a comprehensive field tour with staff. Findings from those meetings shaped early strategic alternatives for public consideration. (Image source: Studio Cascade, Inc.)

leading by its own investment, it is time to build and nurture collaborative relationships to ensure reinvestment in downtown is sustainable and serves as broad a set of interests as possible. This is a necessary step to ensure downtown has a dynamic and prosperous future.

Plan Topics

The 2002 Renaissance Plan divided its recommendations into several categories, each based on public participation and the most relevant priorities of the community. Continued in this plan update, these are:

- *Central Arts – Underscoring the public desire for an increased arts presence downtown, the Renaissance*

Plan proposed a performing arts center and other arts-related facilities and activities downtown.

- *Gateways – Creating a district identity for downtown was important in 2002, establishing a ring of gateway monuments alerting travelers of their entry to downtown. The monuments were divided into different categories, based on their location and the audiences they were likely to serve.*
- *Cape Fear River – The 2002 plan identified the river as an under-used asset, promising increased opportunities for public access, historic ties and new development.*
- *Neighborhood Districts – Then and now, the downtown planning area is vast, encompassing more than 3,000 acres. The 2002 plan recognized that “downtown” is much larger than the historic center, and it placed emphasis on improving neighborhood character around the core to help support the overall prosperity of downtown.*
- *Parks/Community Centers – Improving quality of life through increased access to recreation and community activity also underscored the recommendations of the 2002 plan.*

A crucial component in this plan is its implementation. And implementation means more than just building things. The success of Downtown, particularly as determined in this process, relies on relationships, policy adjustments and partners in investment. Implementation will rely on more than the City of Fayetteville making unilateral decisions – it will rely on collective decisions, achieving mutual objectives, collaboration, and taking advantage of opportunities as they appear.

Planning Area

At more than 3,000 acres, the planning area extends for slightly more than a mile in every direction from the Market House. It reaches northward to Fayetteville State University, eastward to the Cape Fear River and is bounded on the west and south by the Martin Luther King Jr. Freeway. The downtown core is only a small part of the entire planning area, though it represents the historic heart and commercial focus of central Fayetteville.

Workshops & Hearings

From the outset, Fayetteville committed to consult and involve the community, asking them to lead development and formation of the plan. Outreach efforts were extensive, and included a week-long “storefront studio” and multiple public workshops. Major portions of that effort included:

“Vision: Relevance & Preferences Workshop”

Kicking off the storefront studio week, this workshop, held December 5, 2012, asked participants to review the City-adopted visions and policies to ensure their relevance and applicability to the future of downtown. Participants also rated the various policy directives, estimating the importance of each to this planning process.

“Scenarios & Strategies Workshop”

This workshop, held December 5, 2012, presented three alternative spatial strategies for downtown Fayetteville: “Destination Downtown,” “Hometown Downtown” and “Diversity Downtown.” Each strategy implied different sets of priorities, along with different land use, transportation, community design and economic development directions. Participants generally agreed that “Hometown

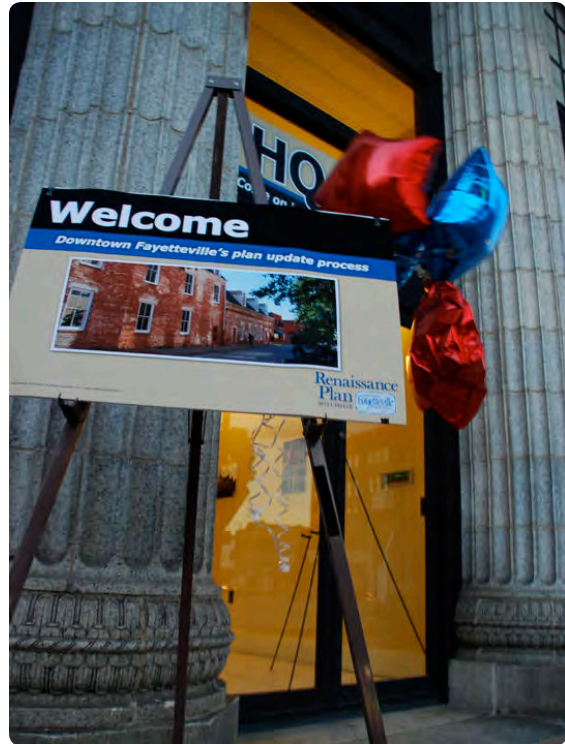


Figure E.03 – The storefront studio during the first week of December featured four days of public engagement and multiple workshops. Participants refined spatial strategies into a single preferred direction. (Image source: Studio Cascade, Inc.)

Downtown” was the preferred concept, and they added specific recommendations in how the concept could be refined.

“Programs and Projects Workshop”

Based on results from the previous two workshops, participants at this workshop, held December 6, 2012, identified specific implementing programs and projects to advance the preferred spatial strategy. They rated each of the implementation items in terms of their relative urgency and relative importance, helping to create a prioritized list of implementation actions.

“Spatial Initiatives Workshop”

After considering specific implementation actions, participants at this December 6, 2012 workshop turned to the project area



Figure E.04 – The February 18 public workshop asked participants to stroll around the planning area – represented by a scale map stretched out across the dance floor at SkyView on Hay. Participants weighed in on project priority and timing, confirming the overall strategy in the process. (Image source: Studio Cascade, Inc.)

map, examining the new fourth alternative: “Dynamic Downtown.” This alternative built on the “Hometown Downtown” theme, adjusted to reflect direction and suggestions from the second workshop. Participants reviewed Dynamic Downtown to confirm that its strategies were consistent with the process’ recommendations to this point, and that it reflected their assessment of priority actions.

“Planning Framework Workshop”

This workshop, held February 18, 2013, presented a more refined spatial framework, asking participants to allocate resources to and to assign phases for a representative selection of the plan recommendations. In an exercise set on the floor, participants were asked to consider specific program and project recommendations and place poker chips to represent both financial commitment and preferred timing. Results from this workshop informed the ordering and shape of the recommended implementation actions in the plan.

Planning Commission Workshop

On February 19, 2013, the Fayetteville Planning Commission considered the results from the February 18 public workshop, interpreting the apparent priorities of the community, and adding their own thoughts into the process.

Planning Commission Public Hearing

The Fayetteville Planning Commission opened its March 19, 2013 public hearing on the Renaissance Plan Update and reviewed the proposed implementation recommendations for the plan. The public hearing was continued to April 25 to permit public review of the draft plan incorporating Planning Commission direction on the implementation chapter.

Planning Commission Public Hearing

The Planning Commission concluded its public hearing on April 25, 2013, suggesting minor changes to the document and forwarding its recommendation for approval to the City Council.

City Council Work Session

On May 6, 2013, the draft plan and Planning Commission recommendations were presented to the City Council at one of its monthly workshops, allowing the Council to review the process, plan recommendations and any public comments related to the development of the plan. City Council recommendations and direction helped finalize the plan and prepared it for a proposal for adoption on May 28.

City Council Public Hearing

On May 28, 2013, the Fayetteville City Council conducted its public hearing on the Renaissance Plan Update. After hearing testimony, asking questions of the public, staff and consultant, and deliberating on the plan and its recommendations, the Council approved the plan by a vote of XX to XX.

Strategic concepts

This plan update revolves around five basic strategic concepts, derived through public input and guidance:

- *"Fayetteville Crescent" – This spatial concept emphasizes the essential connection between Fayetteville State University, the central core and the historic Campbelton settlement on the Cape Fear River. Participants in the final community workshop underscored this important relationship and commented on the significance of its scale and importance to the success of downtown. Linking the university, the central core and the river has the potential to unite downtown in a way that is unique to Fayetteville, stimulating reinvestment along some of the most important corridors in downtown, attracting new residents into the planning area and providing a multi-faceted range of opportunities for downtown residents, business owners and visitors. There may be future*



Figure E.05 – Fayetteville is taking advantage of its natural landscape, and that will be an important consideration as development increases in the "Fayetteville Crescent." (Image source: Studio Cascade, Inc.)

branding opportunities in marketing the "Fayetteville Crescent," establishing an identity and an investment pattern that support high quality, high intensity and high value uses for this swath of downtown. Strengthening the integrity and appeal of this crescent is the highest priority of this plan.

- *Housing – This concept provides for variety and intensity in housing development to sustain retail in the core, and provides institutional fabric / support for development of distinct and unique neighborhood identities for residential districts within the planning area. Population in downtown has to increase if downtown is to succeed. This plan is based on a future downtown*

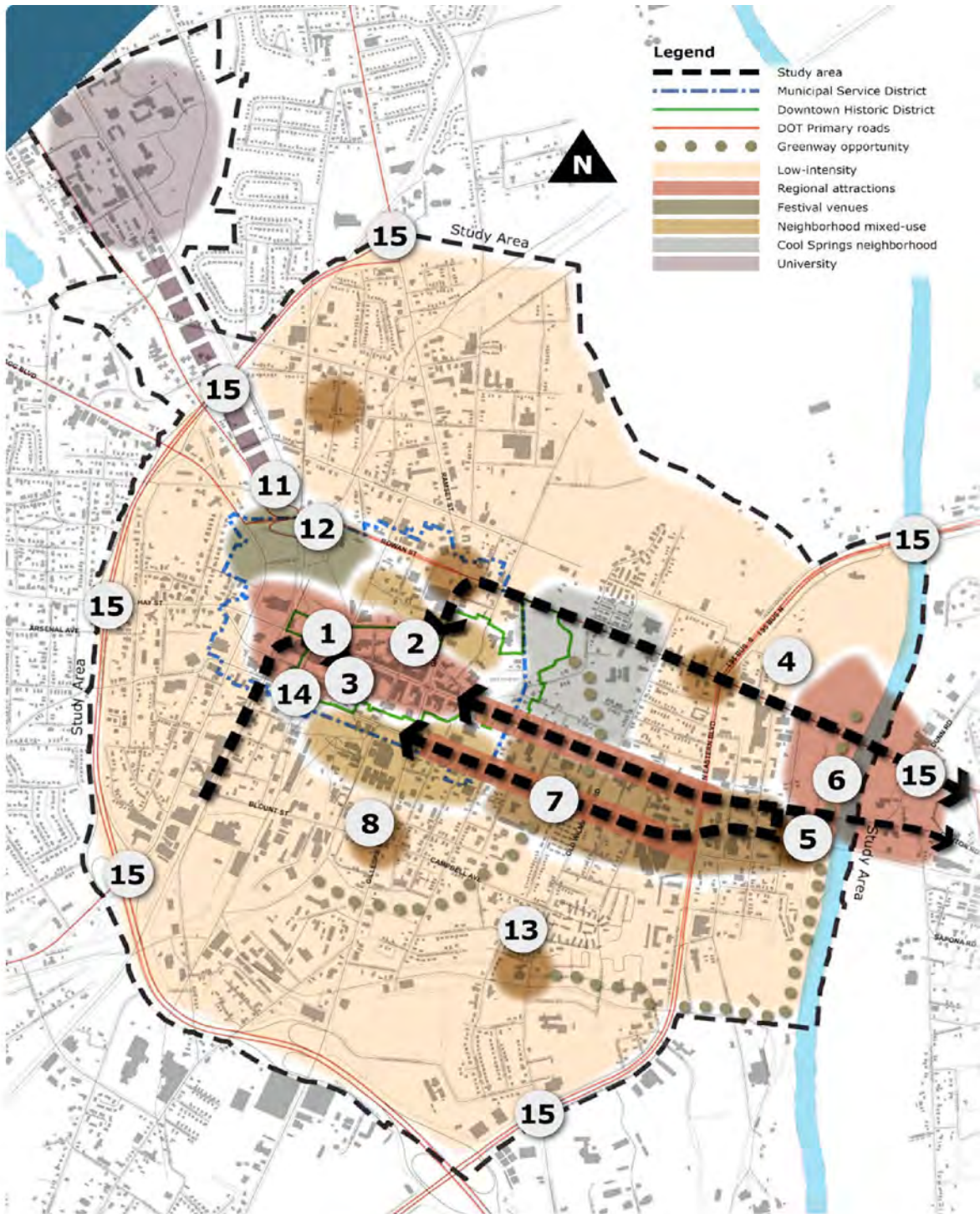


Figure E.06 – Heavily focused on implementation, this plan presents several key projects and initiatives in a series of four steps, or phases. Each project or initiative is keyed to the overall spatial strategy map, as above for Step One. (Image source: Studio Cascade, Inc.)

population of 10,000 residents, more than twice the number of those who live downtown now. More residents in more varied housing types will mean more people walking and riding bikes on the streets, more shoppers in downtown retail storefronts, more lively use of City parks and trails, the rehabilitation and reuse of older, derelict buildings, increased levels of property maintenance and an increased property tax base. New residents are to be housed within the Fayetteville Crescent (in the downtown core, along Russell and Person streets and in Campbelton), in emerging neighborhood centers (the Old Wilmington Road neighborhood and the Orange Street School neighborhood) and in the incremental evolution of the industrial district in southwest downtown into a district of mixed lofts and industrial uses.

- **Safety** – This concept continues City efforts to increase safety, perceptions of safety and safety in movement – whether by car, on foot, by bus or by bike. Generating new investment in downtown will rely on how safe downtown is perceived to be. Investors need to minimize risk, and a safe downtown environment will help assure them that their investments are sound and the environment is a stable one. Fayetteville has taken steps to increase safety downtown, and investment patterns reflect where the efforts of the City have made their greatest impact. As development is sought to extend along the Fayetteville Crescent and work its way into nearby neighborhoods, the City must lead with its efforts to ensure safety and demonstrate it.
- **Fayetteville State University** – This concept supports developing and enhancing relationships with this major downtown institution to

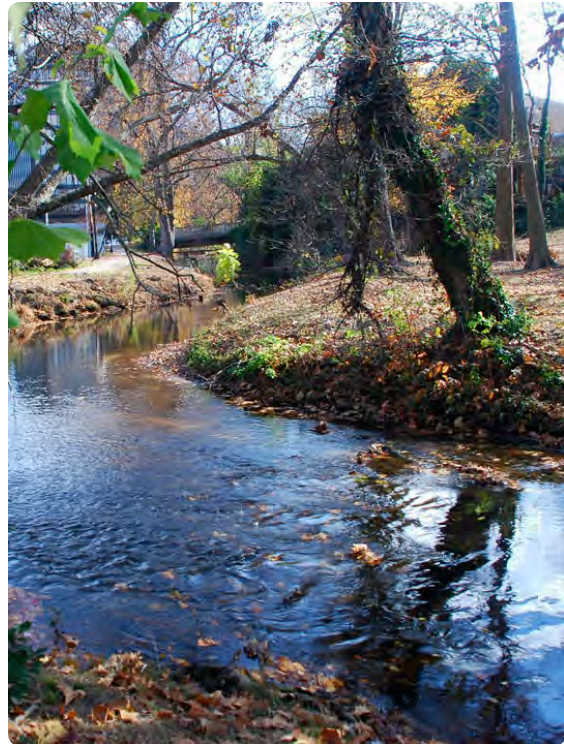


Figure E.07 – Stream corridors, the Cape Fear River and other natural elements will feature largely in the future of Downtown Fayetteville. The success of the Linear Park along Cross Creek helps illustrate why. (Image source: Studio Cascade, Inc.)

enrich the economic, cultural and educational dimensions of downtown. Having a four-year university within walking distance of the core of the city is a tremendous asset. Participants in this process have identified multiple opportunities that this presents, ranging from cooperative parking downtown for university events to direct university involvement in downtown arts and culture programming. Fayetteville State University anchors the northern end of the Fayetteville Crescent, and its presence downtown shapes and influences the future downtown will experience. Enhancing Murchison Road connections are a critical early step in this strategy, encouraging increased auto,



Figure E.08 – *The Cape Fear River is a powerful natural and aesthetic resource, and the City is participating in a river corridor plan to explore opportunities the river provides. (Image source: Studio Cascade, Inc.)*

pedestrian, bike and transit travel to and from the university. This plan seeks to intertwine Fayetteville State University with everyday events and programs downtown, actively contributing to the identity of downtown and enriching the overall area experience.

- ***Open spaces** – This concept supports connecting natural resources in the planning area into an accessible recreational and ecological network for trails, storm water management and urban habitat. Community participants noted how important the streams, river and open spaces are to defining downtown Fayetteville, and to creating an environment that is livable. The Linear Park system along Cross Creek has demonstrated to the community how*

effective a stream-side trail can be to enriching an urban landscape, and the community wants more. This strategy accommodates that by calling for more community spaces and, specifically, stream-side trails, in the hope that a more livable downtown will spur new investment and attract new residents.

Using this Plan

Cities generally employ two types of instruments to guide and enact legislation – policy documents, such as this downtown plan, and regulatory documents, such as zoning or development regulations. Each serve different purposes, but they must be well-coordinated and complementary.

In using the plan, it is important to understand that its intended role is as:

- *An internal guide, providing City staff with goals, policies and programs to direct actions and budgeting activities.*
- *A guide for elected and appointed leaders, providing direction on decision-making and in establishing regulations.*
- *A type of contract between residents and leadership, articulating and establishing expectations regarding key issues and community characteristics.*
- *A working guide to partnerships with other agencies, individuals, and organizations, recognizing the need for cooperation in the success of downtown.*

This plan is based on broad community and agency participation. It captures community vision and goals in terms of actionable policy and programs. It is heavily focused on implementation, providing a lengthy and specific implementation guide with benchmarks and sequencing to guide

and measure the progress of the City. And it identifies and paces programs to ensure that City of Fayetteville investment attracts partners in the improvement of downtown and generates significant private investment, as well, ensuring fiscal sustainability in the long haul.



Downtown Vision

Introduction

This vision chapter presents a “big picture” of the downtown in the year 2030, rooting the Renaissance Plan update in solid assertions about the future of the area. The vision has been developed in response to a great many factors, including community comments during stakeholder interviews, the questionnaire and various workshops – presenting downtown Fayetteville as seen through the eyes of those who live, work, go to school and shop there.

This chapter is to be used to set the overall direction for downtown. It suggests, in general terms, the condition of downtown’s future – a guide to help with decision-making in the years ahead. Because plans are unlikely to foresee every opportunity that will arise, the vision that follows will help the community sort through future opportunities in a way that honors the ideals of Fayetteville.

In the year 2030:

Downtown Fayetteville may be generally characterized by a bold crescent, connecting Fayetteville State University through the downtown core to the Cape Fear River. This crescent defines a two-mile long curve of activity, tracing its arc through the educational, civic and historic heart of the community.



Figure 1.01 – There are several keys to the success of downtown Fayetteville. One is rooted in its historic core, retaining the magic of the colonial-era streetscape and scale. Another is in the connections that tie that central core to the surrounding neighborhoods and open spaces, taking full advantage of the diversity downtown offers. (Image source: Studio Cascade, Inc.)

Surrounding neighborhoods, each with distinct identity and character, connect directly to this crescent through a series of walkable streets and trails. The industrial district of downtown is envisioned to gradually transition from today’s condition of pure industry and derelict buildings to a budding artists’ community, with disused buildings converted to house lofts, studios and galleries.

Beyond this generalized description, a number of more specific factors are included in the Downtown Vision. These “Downtown Components” match those provided in the 2002 Renaissance Plan, and are included in the remaining pages of this chapter. In keeping with their intent, all are expressed as a “snapshot” of Fayetteville in 2030.

Downtown Vision Components

Culture and the arts



Downtown Fayetteville is the regional center for culture and the arts. A large, central facility provides an arts and entertainment venue downtown, and there are multiple smaller venues, museums and galleries, too. Access to the arts is an important principle in Fayetteville, and smaller venues are busy. The larger facility enables Fayetteville to host touring performers, dance groups, orchestras and large exhibitions. This central facility is not intended to compete with the Crown Coliseum. Rather, it helps to enrich the cultural and artistic offerings of Fayetteville, integrating the arts into the economic development strategy of the community.

Gateways



The approach and entry into downtown Fayetteville is dramatic from Haymount and from the river crossings on Person and Grove. The elevation of Haymount provides drama as the view of the downtown skyline appears at the crest of the hill. The newly resurrected Campbelton at the Cape Fear River identifies the eastern entry of downtown, with riverfront development and street-level activity making a grand entry statement. Another important gateway is the connection between downtown and Fayetteville State University on Murchison Road. The City and university collaborate to reinvest in the corridor and to draw the two activity centers closer together. New development, potentially including a baseball stadium, enlivens

Murchison Road and marks the entry into downtown. Other gateway locations are more subdued. Unlike the vision in the 2002 Renaissance Plan, gateway monumentation in the form of signs and landscaping are less important. What is important are the statements made by development along the edges of downtown and within its neighborhoods.

Cape Fear River



Once an under-utilized asset, the Cape Fear River is more of a community focus. It is the heart of the new Campbelton, providing interesting development and redevelopment opportunities in the historic settlement. It is a key link in local, regional and statewide trail systems, featuring urban riverfront walks and forested nature hikes. It provides opportunities for recreational boating and entertainment, appreciation for the history of Fayetteville and an increased understanding of local ecosystems.

Neighborhoods



The downtown neighborhoods in Fayetteville are key to the overall success of downtown. Gradual reinvestment in streets and open spaces make each neighborhood more attractive to private investment and increased home ownership. The leadership of the City in the HOPE VI project near Walker Spivey has spurred investment elsewhere, where historic neighborhoods have built up around their historic core elements. Neighborhoods near Fayetteville State University have centered their activities and first waves of reinvestment around the university and the historic Orange Street School. In the Blount Street area, neighborhoods have revitalized the industrial district with loft housing and recreated a

neighborhood center around what was the old Aquarius Club. Campbellton rebuilds along the river. Neighborhoods enjoy new life, churches in the community thrive, and all are connected by a system of attractive and safe streets, accommodating cars but catering to pedestrians and bicyclists. Together, downtown neighborhoods swell to house more than 10,000 people, more than twice the number of people living downtown in 2013.

Institutions



Schools, museums, civic offices, community centers, churches and public parks and open spaces knit together the social and civic fabric of the community. These are the places where the people of Fayetteville gather, meet and mingle, sharing their common experiences, building relationships and getting to know each other.

Connectedness



While downtown is vast and its neighborhoods diverse, its system of streets and trails tie it together. Pedestrian-friendly streets make the historic core accessible by all who live and work downtown. Creekside trails provide natural, pleasant landscapes for recreational foot travel, augmenting the street system and providing walkers and bicyclists with an alternative to sharing streets with cars and trucks. Pedestrian crossings at major thoroughfares – like Bragg, Robeson, Grove and Eastern – are re-worked to be more safe and inviting. This integrated surface transportation network helps draw the 3000-acre planning area together, encouraging downtown residents to walk, ride bikes and to become more closely connected to the

areas that surround their immediate neighborhoods.

Industry



While some industries in downtown have phased out or become obsolete, other industrial uses have adapted or been born here. Downtown provides employment, and the rail, street and utility systems in the area have been built and maintained to support industrial uses, particularly along Robeson and Ramsey. While the character of the industrial area immediately around Robeson and Blount may change, industrial uses there and in the areas south and east are seen as likely to remain. Though the Orange Street School neighborhood is seeing new residential development and reinvestment, the industrial district along Ramsey has also remained. Downtown provides the opportunity to locate housing near employment, and the

changing character of the neighborhoods and the evolutionary cycle of regional economics will allow the two to exist in proximity.

Relationships



Fayetteville has a history of getting things done, often through the unilateral actions of individuals or agencies. But Fayetteville in 2030 is built on collaborative planning and cooperative action. The City can no longer afford to invest as it has before and must use its capital to leverage private and institutional investment. Creating and nurturing partnerships is critical, and it is a process founded on the ability of the City to work with NCDOT on transportation opportunities, Fayetteville State University on student housing, private investors on site reclamation, Fort Bragg on economic development, the federal government on community development, church groups on neighborhood improvement, and scores of other partners on

scores of other topics. Relationships make things happen in Fayetteville now, and the growing complexity and diversity of the community demand that approach.

Policy



Fayetteville keeps its policy responsive to local needs, and it ensures that its policies are consistent with the overall economic development and revitalization strategy of the community. Its land use, transportation and capital facilities policies are consistent, ensuring that the decision-making and monetary investment in the City achieve and advance community goals. Outward expansion is curtailed in favor of improving utilities and services within municipal boundaries. Population increase and reinvestment downtown are a priority, and the policies of the City reinforce it, ensuring neighborhood safety and overall quality of life combine to make downtown active and prosperous.



Update Process

Introduction

Fayetteville committed to full and comprehensive citizen involvement in this Renaissance Plan update, recognizing that downtown Fayetteville is more than just another neighborhood. Downtown is a regional center for commerce, governance, arts, culture, institutions, and industry. It is where Fayetteville was born, and it is where its identity is maintained. Downtown represents Fayetteville, and every Fayetteville resident has a stake in its prosperity.

Consultants on the plan update team worked directly with the Community Development Director, Victor Sharpe, with Downtown Development Manager Jami McLaughlin and with the steering committee for the Renaissance Plan Update, comprised of the City of Fayetteville Planning Commission. All were instrumental in establishing the direction of the plan, developing alternative scenarios and refining goals and directives.

Following City and consultant discussions on process and expectations, the Renaissance Plan update was configured to include a set of interviews with community leaders, agency staff and other residents; public meetings, workshops and committee presentations; on-line engagement; event



Figure 2.01 – The first priority of the City was to involve the community every step of the way, ensuring this plan update could benefit from public consideration, conversation and debate. (Image source: Studio Cascade, Inc.)

flyers and advertisements; print media and other means of communicating with the citizens of Fayetteville.

Process Activities

Detailed descriptions of the various meetings and engagement activities are provided below:

Stakeholder Interviews

Over the course of four consecutive days beginning Tuesday, September 11, consultants and City staff interviewed nearly three-dozen individuals, beginning work on the Downtown Fayetteville Renaissance Plan update. These “stakeholder interviews” were conducted to



Figure 2.02 – Four full days of stakeholder interviews provided an initial take on the issues downtown faces. More than 40 individuals participated in these focused discussions, providing insight and then staying involved in the process. (Image source: Studio Cascade, Inc.)

gain an initial understanding of the many opportunities associated with the 3,000-acre study area, and to seek opportunities maximizing cross-benefits between downtown and the rest of the city.

Interviewees were selected and scheduled by staff to approximate a cross-section of the various needs and activities associated with downtown, including individuals representing the development community, the arts, downtown community events, education, City and County staff, business people, elected leadership, historic preservation interests, museum representatives, downtown residents and others. All but one of the interviews took place in City Hall, with respondents interviewed individually, in pairs, or in one case, as a group of three.

A draft set of questions was prepared in advance and included in many of the

interviews, but discussions were generally informal and free ranging according to the interests and background of each respondent. To encourage a more candid exchange, interviews were not recorded electronically. Instead, interviewers took notes, later summarizing responses for internal use as well as to mark the first stage of the plan update process.

On Friday September 14, consultants met with Community Development leadership and staff to debrief on findings and to establish a path forward. In addition to a verbal summary, consultants also presented a set of drawings, depicting three thematic approaches for plan policy and reflecting input from interviewees. Various approaches to community outreach were also discussed, as well as ideas for a multi-day set of community meetings to gain input from residents on design and policy options most suitable for the updated renaissance plan.

Interviewees tended to touch on many similar areas, expressing what seemed to be near-universal sentiment relating to eight key topics. These required further investigation at community meetings and as the plan evolved, but remained critical topics for the plan update to address:

Fayetteville State University connection

Fayetteville State University, located to the northwest of the downtown core, is a historically African-American four-year university and has been an important part of Fayetteville since 1874. More recently, FSU has opened its doors to foreign exchange students, building a multi-racial, multi-cultural and multi-lingual student body. Fayetteville State University is within the downtown study area and is within one mile of the commercial core, but it is difficult to access from the center of town. The City is acting to improve access with its Murchison Road corridor plan and through design improvements to plans for the Rowan Street Bridge, but poor existing ties and prevailing use patterns have caused downtown

Fayetteville and FSU to seem further apart than they are, with little student traffic downtown.

Many interviewees expressed hope that the university will become a more active part of the downtown landscape, with students visiting downtown, and with downtown associations and activities embracing Fayetteville State University participation – including the diversity it brings. Economic benefits of a tighter relationship with FSU were often cited, including the potential for adaptive reuse of downtown buildings, curricula-related startup opportunities, enhanced transportation ties and use of passenger rail, and better retention of graduates through downtown live/work environments.

River connection

Fayetteville, and the towns established before it once took full advantage of the Cape Fear River as a shipping channel. In fact, the location of the city is generally tied to the limits of navigation along the river, which leads to Wilmington and the Atlantic Ocean. Since the development of rail, however, ties between the city and the river have been far less pronounced.

Interviewees believed there is strong potential in the river and in developing better connections between it and downtown. A variety of uses were mentioned as possibilities, including mixed-use housing, improved docking and recreational facilities, outdoor event spaces and entertainment venues. Respondents noted the potential to associate such features with the historic role the river played in the development of Fayetteville and its 18th Century prominence. One respondent detailed an earlier river-oriented development – called Campbeltown Landing – that appeared to be a success in the making, but the financial downturn resulted in its closing in 2008.

The Person Street corridor, paralleled by Russell Street to the south, present opportunities to improve ties between the river and to downtown, but development along these two streets was noted to be spotty and generally in decline. Other



Figure 2.03 – *The open spaces in downtown were identified as important assets – many of which are developed with trails, historic monuments and other amenities. Others, such as this segment along Blounts Creek, are brimming with potential. (Image source: Studio Cascade, Inc.)*

issues, such as difficulties for boat access and general impressions of the area as unsafe, were also cited. The Cape Fear River Botanical Gardens and plans to acquire parkland along the river and Grove Street were mentioned as strong assets.

Parks and trails

Public open spaces are seen as critical to the success of downtown. Respondents noted Festival Park, North Carolina Veterans’ Park, the Cape Fear River Botanical Gardens, and the Linear Park as key facilities within and near the central core. The fact that the City is pursuing a parks bond to construct a riverfront park along the river between Person and Grove streets was also noted. Interviewees were excited about the potential of the riverfront park; with the promise of an extended trail network



Figure 2.04 – Downtown Fayetteville hosts a multitude of institutions and civic uses, including public spaces and historic and interpretive elements throughout. (Image source: Studio Cascade, Inc.)

extending upstream along the Cape Fear River; and with the sustained festival uses of parks facilities downtown.

Interviewees expressed a desire to see parks become more prominent, particularly with small-scale designs and facilities accommodating spontaneous use by folks downtown. Festival Park was identified as an important place, but given that its space has generally been designed for programmed use, respondents hoped for better access to pocket-parks and close-by features benefitting downtown employees, children and families living nearby, and helping bridge downtown to Fayetteville State University.

Institutional/civic uses

The Airborne and Special Operations Museum, Fayetteville State University, City Hall, the County Courthouse and numerous churches are located within and

near the central core. City Hall offices and the presence of the Airborne and Special Operations Museum, Festival Park and the vacant Prince Charles Hotel now define the western pole of the central business district. The hospital is also located nearby (the west side of Robeson Street), contributing to the institutional character at the base of Haymount. While some interviewees bemoaned the lack of retail in this area, the presence of a busy, daytime employment center and visitor attraction was generally appreciated.

The downtown planning area represents an amazing diversity of land uses, income levels, racial mix and activities – and the institutional framework seems consistently distributed throughout. But some of these were noted to be in decline or at-risk. The Washington Street School, between Bragg Boulevard and Murchison Road, is now being torn down. The Orange Street School, in the northern portion of the planning area (once purposed as an exhibit space) is now vacant. Historic cemeteries near Cool Springs now seem out of place, adjacent to the busy Grove Street and generally less capable of the type of calm and reverence they used to provide.

Despite these issues, interviewees appreciate that a strong framework exists with neighborhoods focused on the central places that institutions provide or used to provide. The Walker-Spivey school was frequently mentioned, and provides a contemporary example of how frameworks can be resuscitated, building bonds between new housing (including the HOPE VI project), the school, and the nearby community gardens facility.

Safety

Fayetteville is a far safer place than it used to be, according to interviewees. But many also noted spots of trouble in the downtown planning area, and perhaps even more significantly, indicated that prevailing views still associate downtown with its rough-and-tumble past. The success of downtown will likely pivot around improved safety and increased perceptions of safety. The issue

– whether embedded in conversations on income, race, unemployment, addiction, traffic, industrial land uses or derelict buildings – is one that will need to be addressed, protecting existing investment and stimulating new.

Preservation

The commercial core of Fayetteville is a colonial-era gem. Conceived and developed in the mid 18th Century, it has survived 250 years of adaptation, finding new uses, new identities and new directions. With very few exceptions, it is what people thought of when asked to identify “downtown.” The City has identified four separate historic districts in the planning area, including downtown, Liberty Point, Haymount, and the Market House Square National Register District. The Fayetteville Historic Resources Commission, equipped with a set of historic design guidelines, reviews development projects to ensure compatibility with the historic district designation. The downtown historic district is on the National Registry of Historic Places, which, as some reminded us, offers substantial tax benefits in exchange for adherence to strict design principles that preserve the historic character of the district.

Others noted that strict design principles may have trade-offs, potentially dictating treatments or materials that make projects more expensive than markets can support. District status was also seen as part of why rents downtown seem especially high, perhaps due to added material and design costs but, as was more frequently suggested, due to owners’ desire to maximize benefits from the “chic” reputation of downtown Fayetteville. This latter issue was of great concern to many interviewees who indicated frustration that owners awaiting “home run” profit margins were holding prime buildings and properties otherwise ready for redevelopment.

Housing

Housing was seen as integral to the long-term success of downtown. People must live in and near the commercial core, and those people must have enough buying



Figure 2.05 – Interviewees believe that providing housing units in and around downtown will be key to the success of downtown. Some of the upper floors of downtown buildings are being used for housing now. (Image source: Studio Cascade, Inc.)

power to contribute to the success of downtown retailers. Interviewees mentioned this relationship repeatedly, all looking to find ways to increase the number of downtown-area residents and to introduce market-rate housing into the mix. The 300 Hay project was often mentioned, though many noted that unit prices were higher than most could afford. Most interviewees believed that strong demand existed for mid-priced, market-rate housing in and around downtown, including younger families stationed at Fort Bragg, faculty and students at Fayetteville State University, older “empty nest” couples, and others attracted to the compact, walkable environment of downtown.

Lodging & Services

There is no active, business-class hotel in the downtown planning area. The Prince Charles Hotel, opened originally in 1920,



Figure 2.06 – Radio and television interviews and the City’s Facebook page helped publicize the process, and the conversations advanced community discussions on what is important to the future of downtown. (Image source: City of Fayetteville, Studio Cascade, Inc.)

has been closed for several years. Several owners have tried to reopen the hotel – most recently as a Clarion – but the facility has yet to succeed.

The history of the Prince Charles Hotel suggests that the ability of downtown Fayetteville to support a hotel is marginal. Though the Convention and Visitor Bureau estimates a need for additional hotel rooms in Fayetteville, land and building costs downtown push nightly rates higher than the local market can afford. According to the Convention and Visitors Bureau, nightly rates for a renovated Prince Charles would need to hit \$179 for the project to pencil, or about twice what US Government per diem (the local hotel benchmark) would cover.

Nearly all interviewees expressed strong opinions about resolving the fate of the building, some ready to raze the structure

and others passionate about restoring it. Regardless, the Prince Charles occupies a site so critical to downtown that its future disposition demands very careful consideration.

These interview results clarified the issues and priorities this plan would address and shaped conceptual strategic approaches that were tested throughout the rest of the process.

Online Tools / Social Media

Fayetteville maintains a web site, and the City also sponsors a Downtown Fayetteville Facebook™ page, both of which were used aggressively, alerting the public to the progress of plan, inviting participation and making available workshop materials and results. Frequent social media posts updated the community on plan progress and alerted potential participants to public events, such as the storefront studio, community workshop and Planning Commission and City Council meetings. The Downtown Development Director also posted a short video describing the project, soliciting community participation and identifying the top issues the plan will address.

The online outreach also included access to a questionnaire (described here later) and the ability to comment on site posts.

Mass Media

Print and broadcast media followed this project since its inception, and they ran special articles and featured dedicated airtime to publicize and present important downtown issues.

These media releases and appearances kept pace with the process, beginning with a generalized introduction of the issues early on and then discussing the trade-offs and strategic alternatives the plan had to consider. These media efforts raised awareness of the plan, and – just as important – presented and discussed the tough questions the plan needed to answer.

Both the Fayetteville Observer and Up & Coming Weekly featured prominent articles on the plan and the process, promoting public

involvement and summarizing results of public events. Radio stations WIDU 1600 AM and WFNC 640 AM and television station NBC 17 also featured interviews with the consultant team and city staff at various times in the process.

“Storefront Studio”

Fayetteville ran a week-long “storefront studio” during the first week of December 2012, hosting the community for two evening workshops and providing open-door hours for daytime visitors. Members of the public were able to speak directly with the consultant team and influence the downtown planning process, reviewing planning materials and discussing potential planning strategies. Studio results shaped recommendations in the plan and informed the final community workshop.

Policy Guidance

The first wave of activities in the studio asked participants to review and refine the adopted vision statements, goals and policies of Fayetteville, ensuring that they are still relevant and should be relied upon to guide this plan. Participants were asked to review and rate the adopted long-range planning policy of the City, and other goals and policies adopted in relevant documents. The 2002 Renaissance Plan, the 2013 Strategic Plan, the Bragg Boulevard Corridor Plan and the Murchison Road Corridor Plan contributed to this array, identifying specific policy positions relevant to downtown.

Workshop participants generally believed that policies adopted still apply to downtown and should be followed. Those policy directives that received particular support included keeping downtown as the cultural center of the community, honoring its historic character, reinvesting in surrounding neighborhoods, improving safety and strengthening its retail base.

Strategic Spatial Response

Considering existing policies, participants then reviewed three alternative downtown strategies. These strategies included:

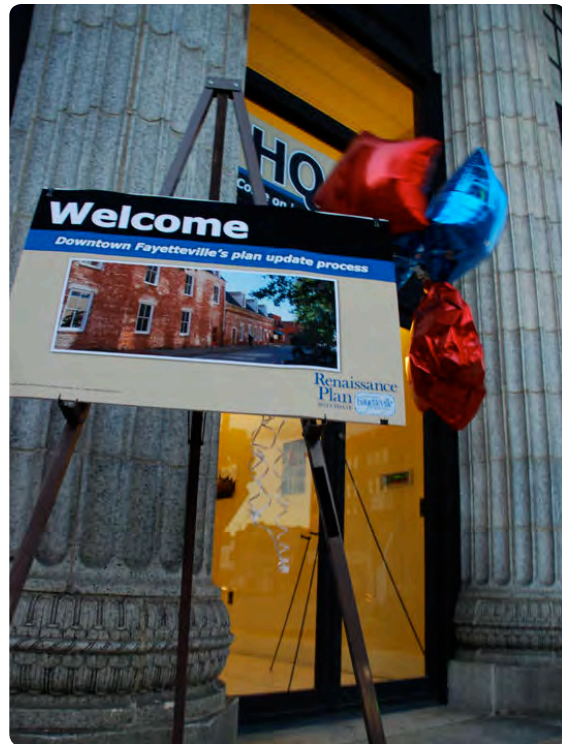


Figure 2.07 – The storefront studio produced alternative strategies and vetted them with the community, developing a preferred concept that underpins this plan. (Image source: Studio Cascade, Inc.)

- **“Destination Downtown”** – this strategy set a primary focus on making downtown Fayetteville a place for regional visitation. Efforts to create an events-oriented downtown would take center stage, including the development of a hotel and convention center tied to Festival Park. The historic core would be identified as a place full of attractions, focused on fine dining, theaters, unique shopping opportunities and historic atmosphere. Areas surrounding the downtown core would be developed with commercial services and easy parking as a focus, and a separate, river-oriented district would be encouraged to take advantage of scenic and recreational opportunities available there. Other features, such as an arena for the Fire Antz, or a

stadium for the Swampdogs, would receive strong consideration. Though benefits to the larger community would improve in this sketch, areas outside the core would receive lesser focus and experience more far more gradual rates of change. Fayetteville State University would retain a focus, with policies developed to encourage and capitalize on the creative capacity of the institution, as applied to downtown events and attractions.

- **“Hometown Downtown”** – this strategy promoted policies and strategies to establish downtown as a self-contained, full-featured neighborhood. Use patterns and urban form would retain the historic core as the center of it all, with grocery, commercial uses and market-rate housing options featured along Russell and Person streets. A secondary focus area would include a mixed-use neighborhood near the river, tied to downtown via along newly-revived, walkable portions of Russell and Person streets. Ties to areas outside these features would be encouraged, though in the short to mid-term, change would likely be limited. In this strategy, the relationship of Fayetteville State University to downtown was cast as an “Alma Mater,” indicating a high degree of work to develop an environment conducive to students seeing downtown as a place to live and work – even after graduation. This downtown model would at least double the population of the planning area, accommodating more than 10,000 residents.
- **“Diversity Downtown”** – this strategy blended and capitalized on the many cultures, incomes, historic features and building feature types of the study area. As with the “hometown” sketch, the historic core would serve as the center, with commercial uses and diverse housing options featured along Russell and Person streets extending to the river. Three existing areas outside the core



Figure 2.08 – Storefront studio participants reviewed and refined spatial strategies for downtown, providing recommendations on what projects and initiatives should be tackled first. (Image source: Studio Cascade, Inc.)

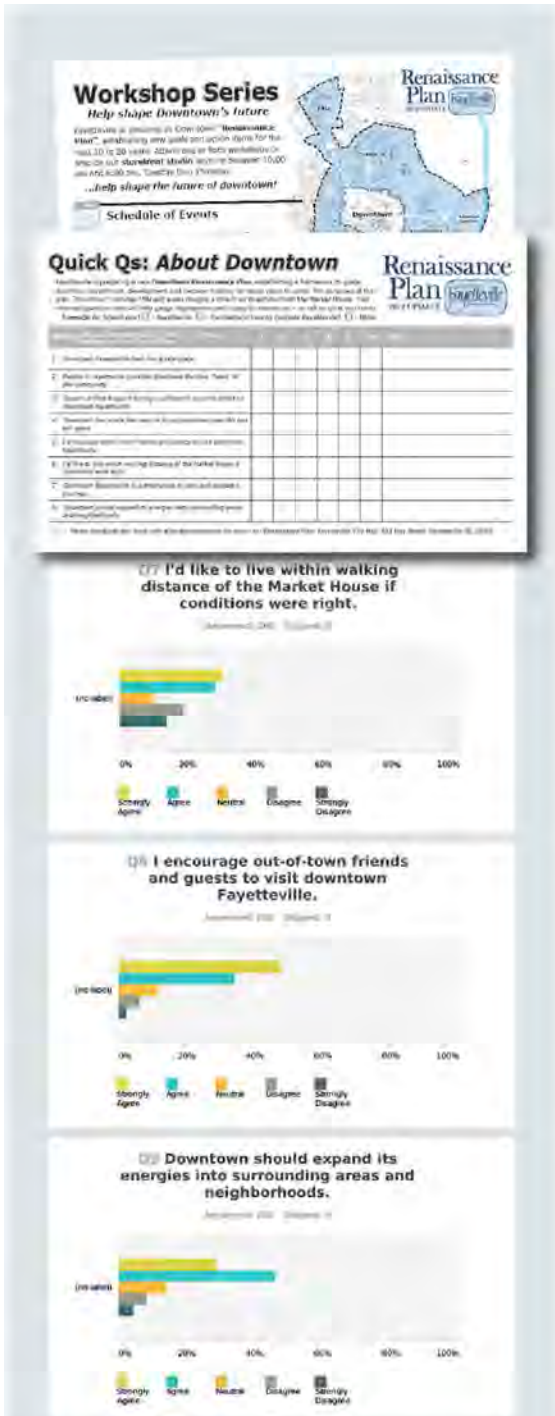


Figure 2.09 – A “Quick Q” survey asked the community – both in person and via the Web – what they think about downtown and what they would do to make it better. (Image source: Studio Cascade, Inc.)

would receive greater attention than the “hometown” model, including development of a loft-style mixed-use neighborhood along the western edge of the study area; a neighborhood center focused near the former Orange Street School; and stronger efforts to establish walkable ties between the Russell corridor and the Old Wilmington Road neighborhood. The relationship of Fayetteville State University to downtown would be cast as a touchstone, involving curricula, special programs and the student population in efforts to help blend what are today relatively disparate sections of the study area. The level of development intensity in this scenario would accommodate up to 15,000 downtown residents, enough to entertain inclusion of a downtown trolley system linking the downtown core to new development on the Cape Fear River.

Of the three scenarios presented, participants generally favored “Hometown Downtown,” with a longer-view look to eventually achieving something like the “Diversity Downtown” model.

Priority Implementation

The concluding storefront studio exercises asked participants to identify and prioritize what types of projects should be included in the plan, considering them in terms of relative importance and relative urgency. Projects and initiatives were drawn from the original Renaissance Plan and from the results of the earlier storefront studio exercises. Participants considered more than two dozen projects, placing each on a specially designed graph to denote how important each project is and how quickly it needs to be implemented. Participants were also encouraged to suggest projects and initiatives on their own, adding to the list of potential implementation actions to be included in this plan update.

Implementation actions that won the highest levels of support in this phase of the process included the farmers market, investment in a performing arts center, completion of

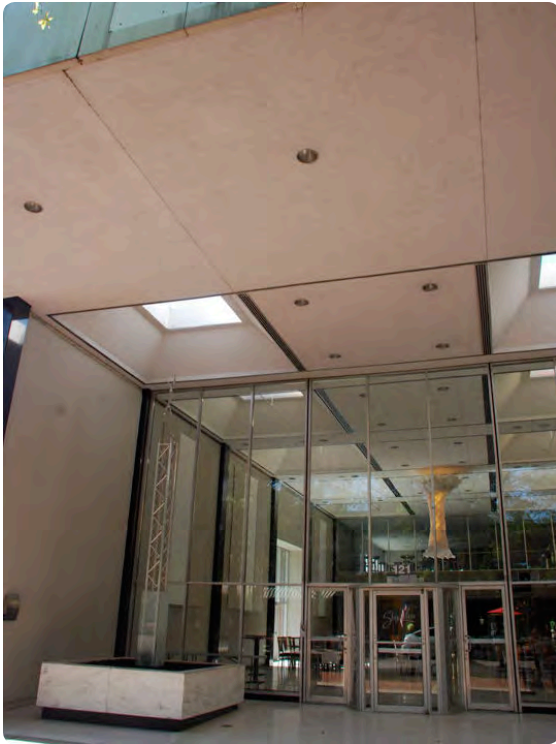


Figure 2.10 – Skyview on Hay hosted the final community workshop, where participants reviewed the preferred planning strategy and considered which projects are best suited to implement it. (Image source: Studio Cascade, Inc.)

local trail networks and reinvestment in neighborhoods surrounding the downtown core.

Refined Spatial Strategy

Finally, participants mapped their suggested improvements and actions. They were asked to identify how the spatial strategy for “Hometown Downtown” should change to reflect their thoughts on implementation priority. Specific refinements included thoughts on the redevelopment of Campbelton, treatment of Russell Street, potential for new trail connections – particularly linking Haymount to the Cross Creek Trail/Linear Park system, ideas for loft-style redevelopment in the aging industrial district downtown, and overall desires for increased connectivity between

neighborhoods and the core. The resulting plan, dubbed “Dynamic Downtown,” became the preferred strategic alternative.

Participant input on project priority and spatial strategy set the stage for the subsequent community workshop in February and laid the groundwork for this plan.

Questionnaires

The City of Fayetteville hosted an on-line questionnaire presenting the community with a short series of questions. More than 200 residents and business people responded to the questionnaire, providing additional guidance to the planning team.

The questionnaire was available on-line from November through January, asking eight fundamental questions about perceptions of downtown, the importance of downtown to the overall community and respondent thoughts about the evolution of downtown over time. Questionnaire responses reinforced the results from the stakeholder interview series, but they also offered a few surprises. Like the stakeholders, questionnaire respondents believed that downtown is the “heart” of Fayetteville. But questionnaire respondents also indicated a desire to live downtown – an idea that appears to be growing in popularity as downtown becomes recognized as “hip” and increasingly safe.

Planning Framework Workshop

The final community workshop held on February 18, 2013 asked participants to stroll across the planning area – configured to cover a dance floor – and prioritize a sampling of the various recommendations in the plan. More than 60 participated, weighing options and considering the new development strategy for downtown.

This workshop tested the storefront studio results, presenting the conceptual “dynamic downtown” strategy. Participants refined the concept, identifying specific projects and when they should occur. They indicated how



Figure 2.11 – Participants at the final workshop experienced the full planning area on the dance floor of the facility, identifying potential projects and indicating which ones should be tackled first. (Image source: Studio Cascade, Inc.)

important and how urgent the projects are by placing colored poker chips on the various choices. Many of the results confirmed what storefront studio participants indicated, reinforcing connections to surrounding neighborhoods and investing in the crescent linking Fayetteville State University to the Cape Fear River. Results were intensely focused on the downtown core, favoring renovation of the Prince Charles Hotel, construction of an arts center, and finding a permanent home for the farmers market. Still, participants also seemed to favor moves to enhance the connections of the core to surrounding neighborhoods, particularly in the case of the redevelopment of Campbelton, an enhanced Russell Street and more convenient access to and from the Old Wilmington Road neighborhood.

Participant recommendations from that workshop are included in this plan, suggesting a phased, strategic approach to getting things done over time. One particularly interesting recommendation was to ensure that the City invest in specific areas to the point of developing a “critical mass,” avoiding a dilution of energy. It suggests that “spreading the wealth” may not be as effective at spawning the degree and type of transformation this plan envisions – one neighborhood at a time.

Planning Commission

The Fayetteville Planning Commission served as the advisory committee for this project, meeting several times during the course of the project to consider overall direction; review the vision concepts applicable to downtown; review project progress; consider citizen input; advise the planning team on important priorities and trade-offs, and formulate recommendations to the City Council.

Several planning commissioners attended the storefront studio and community workshop, and they also helped to distribute project questionnaires. The Planning Commission met every month from the beginning of the project to discuss progress and to make recommendations on its direction. The commission was more than a reviewing body in this effort – it participated actively during the development of the plan.

The Planning Commission held a meeting February 19 – the day after the final community workshop – to review workshop results and provide additional direction on development of the draft plan.

City Council

The Fayetteville City Council was also frequently updated on the process, hearing consultant reports on the strategic alternatives being considered and confirming that the project was headed in the right direction.

Public Hearings

The Planning Commission met again on March 19, opening its public hearing to discuss the implementation recommendations of the plan. Commissioners reviewed a “critical path” style chart to determine project sequencing and pace through its four-step implementation. At the conclusion of its public hearing on April 23, 2013, the Planning Commission recommended City Council approval of the plan.

The City Council conducted a workshop on the plan on May 6, 2013, hearing a presentation on the planning process and its outcomes. Council members asked multiple questions about the plan’s response to public input, how the plan serves the needs of the overall Fayetteville community, how the strategic approach of the plan will help build partnerships and what the City will need to do next to implement plan recommendations.

The City Council opened its public hearing on the plan at its May 28 meeting, soliciting public testimony on the plan and considering the plan for adoption.



Plan Background

Introduction

This chapter provides a broad-based introduction to previous planning efforts, including those directly focused on the downtown as well as others relevant to downtown policies and programs. Comprehensive understanding of previous planning work helped set the parameters for this update, clarifying the over-arching policy framework within which this plan must function. Other related plans were of help, too, identifying points of intersection where common issues might be addressed with a single action.

This update builds on the 2002 Renaissance Plan – a document prepared by an American Institute of Architects (AIA) Urban Design Action Team (UDAT) to solidify a vision for downtown Fayetteville and create a list of implementation actions for the community to follow. Many of the recommendations in the 2002 plan are still relevant, and many have been realized in the decade since its preparation. This update includes new recommendations which have been aligned with the structure of the 2002 plan and with recommendations that still make sense. This update also includes related 2002 Renaissance Plan imagery, advancing visual concepts that are still on-target today.



Figure 3.01 – Planning for the next 20 years builds on a course of policy and investment established throughout the history of Fayetteville. The 2002 Renaissance Plan and other policy work help set this update on track. (Image source: Studio Cascade, Inc.)

2002 Renaissance Plan

The 2002 Renaissance Plan summarizes the historical development pattern of Fayetteville, tracing its roots to Campbelton and Cross Creek, and describing the various events that helped shape contemporary Fayetteville. It also presents an analysis of the physical context of downtown Fayetteville, describing landforms, development patterns, transportation systems, community institutions, and parks.

Like this plan, the 2002 plan was based on comprehensive outreach, ultimately reflecting the comments and desires of Fayetteville residents and business owners. The 2002 plan explored the urban design



Figure 3.02 – The 2002 Renaissance Plan produced a vision for downtown that emphasized plentiful, lush green space, celebration of natural resources and continued investment in the historic core. Many of these elements continue into this update. (Image source: City of Fayetteville, Studio Cascade, Inc.)

context of downtown, seeking out ways the physical fabric of the area could be managed to attain community goals.

The 2002 Renaissance Plan also analyzed the downtown area by element, producing a list of issues for the community to address. Elements included:

- *The downtown core*
- *The industrial zone*
- *The government center*
- *Nearby neighborhoods*
- *Fayetteville State University*
- *The Campbelton/Cape Fear River area*
- *Area parks*

- *The transportation system*
- *The built environment*
- *Topography*

By examining these elements in depth, the plan categorized issues into a range of topics covering the arts, neighborhoods, industry and infrastructure, as well as the various relationships that underpin activity downtown.

The Renaissance Plan sought to enhance what was working in the downtown, building on the existing commercial core, “monumenting” gateways into downtown, enhancing identity and investment in surrounding neighborhoods, and reconnecting the commercial core to the Cape Fear River. Specifically, the plan divided its recommendations into the following five categories for action:

- 1) *Central Arts*
- 2) *Gateways*
- 3) *Cape Fear River*
- 4) *Neighborhood districts*
- 5) *Parks/recreation/community centers*

Plan Successes

The 2002 plan has been widely viewed as a success, with many of its various projects and programs now completed. More than \$76 million has been invested, resulting in more than 314 building projects. Some of these are listed here:

- *300 Hay is a mixed-use retail/residential development located in the heart of downtown. The City purchased and cleaned up an environmentally compromised property, marketing it later for a development partner. The resulting project has been successful, reaching near-complete occupancy within two years.*

- *The HOPE VI program from the Department of Housing and Urban Development underwrote the large-scale land acquisition and redevelopment of the area north and west of the Walker-Spivey School along Old Wilmington Road. It also has helped to acquire and develop property in other areas of south downtown, including the new community garden and a proposed business park on Gillespie.*
- *Person Street is revitalizing, driven by private investment on a building-by-building basis. New retail tenants are renovating and taking over old, vacant storefronts. Residents are moving into upstairs units. Person Street is much different today than it was even a decade ago. Similar reinvestment has been occurring along Hay, Franklin, Green and Donaldson streets, too, with new businesses and residences filling spaces and revitalizing buildings.*
- *The City built the Franklin Street parking deck on Franklin Street at Donaldson Street, facilitating increased development downtown by establishing a consistent and accessible parking supply.*
- *The new transit center is taking shape, with site preparation underway at Robeson and Franklin streets. The new center is adjacent to the police station and will feature transit facilities, as well as convenience retail for transit users.*
- *The Linear Park system has become a popular recreation destination, running along Cross Creek and featuring a number of public open spaces, historical monuments and interpretive signs.*
- *North Carolina Veterans Park, located near the Airborne and Special*

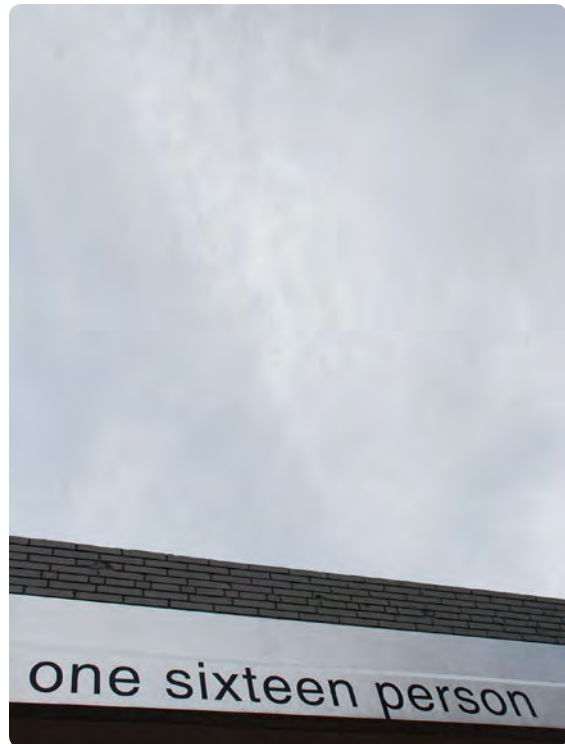


Figure 3.03 – *The past decade has seen significant turnaround on Person Street, with new tenants retrofitting old buildings. Some of the best restaurants in the City have chosen Person Street – something that would have been difficult to imagine not long ago. (Image source: Studio Cascade, Inc.)*

Operations Museum, has become a nationwide attraction, honoring those who served and sacrificed.

- *Festival Park is operational, hosting events that draw attendees from the surrounding region.*
- *The transportation museum, located in the old railroad station on Ray and Franklin streets, celebrates the transportation history of the community and hosts the Fayetteville Farmer’s Market.*

Additional Plans

Other planning efforts and studies conducted before and since the first

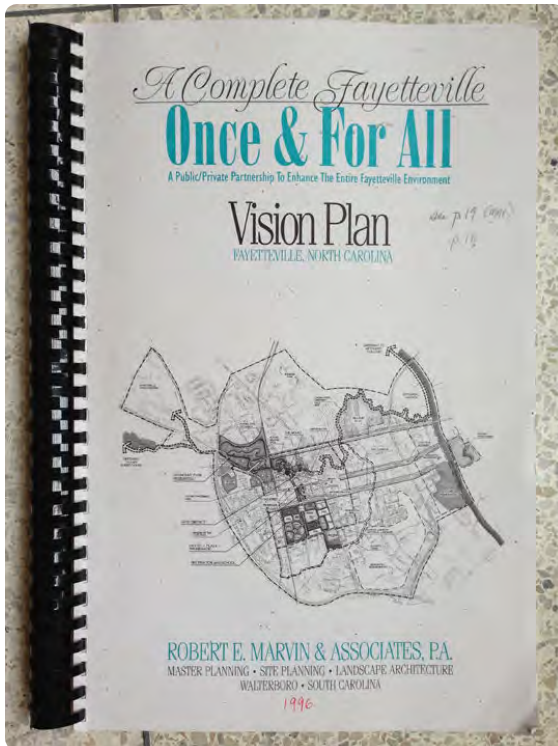


Figure 3.04 – The 1996 Fayetteville “Once and for All” plan established the 3,000-acre downtown planning area that this plan and the 2002 Renaissance Plan carried forward. This makes for a vast study area, incorporating entire neighborhoods that may not at first glance appear to be part of downtown. (Image source: Studio Cascade, Inc.)

Renaissance Plan was prepared are also recognized and incorporated in this document, as follows:

A Complete Fayetteville: Once & For All

This plan, commonly referred to as the “Marvin Plan” after its author, was prepared in 1996 as a vision for downtown. It foresaw significant transformation of the landscape, injecting recreational and naturalized areas into the heart of downtown.

Some of its more notable recommendations included:

- A large recreational complex to be located in the rectangle formed by Robeson, Gillespie, Campbell and Russell streets.
- A new retail promenade perpendicular to Hay Street at Ray Avenue.
- A major arts district extending from Green Street to Bragg Boulevard south of Rowan Street.
- A Haymount Park district.
- New residential development along the Cape Fear River.
- An emphasis on improving the Person Street and Russell Street corridors.

While it may seem a fanciful plan by most standards today, recommendations in the Marvin Plan influenced significant progress, including the development of Festival Park and the Airborne and Special Operations Museum (ASOM), a new housing project proposed west of Bragg Boulevard, the Rowan Street overpass and the trail system along Blounts Creek and Cross Creek. It also brought into the downtown planning process scores of residents, merchants, community volunteers, local officials and employers, soliciting their comments and joining their voices together into a comprehensive set of goals for downtown.

Cumberland County 2030 Growth Vision Plan

Cumberland County and its incorporated jurisdictions prepared a long-range growth vision plan, resulting in the articulation of goals and policies to direct growth at a regional level. Its outreach efforts and the resulting plan represent a good deal of work performed by multiple agencies. The information generated during the Vision 2030 process – as well as the goal and policy direction reinforcing the importance of downtown as a regional resource – were helpful in this plan update.

Downtown Marketing Research

Activating the downtown commercial core was the fundamental directive of the 2009

Marketing Report, a.k.a. "SMITH Study." The key component of the study was a market survey and analysis, offering insight into why people come to the commercial core and how the business owners perceive the environment they inhabit. The overall results were somewhat surprising, in that there was a slight disconnect between what existing businesses provide and what most visitors said they want. For instance, businesses tend to focus on specialty retail – with operating hours generally confined to the daytime. According to the Smith study, visitors tend to see downtown more as an evening destination, looking for dining and entertainment opportunities.

The complexion of the retail core has changed somewhat since the release of the study, with an increasing amount of Hay Street space dedicated to after-hours activities. Development along Person Street has increased greatly too, with storefronts and housing units adding dimension to the mix of uses in the core.

While the SMITH study sought to propose an overall marketing strategy, its primary recommendation was to prepare a master plan for downtown promotion. This recommendation, however, contained a caveat that the plan and its branding concept should be prepared only after the downtown businesses and property owners could settle on a targeted and suitable vision.

Other recommendations from the marketing plan include:

- *Increasing the number and variety of eating establishments downtown.*
- *Effectively promoting downtown in popularly-accessed media, including the Internet.*
- *Targeting growing or under-served market segments, like the military, the younger crowd and conventions.*
- *Refining and polishing the image of downtown.*
- *Training businesses to improve the overall customer experience downtown.*



Figure 3.05 – *Keeping the retail core alive and prosperous is what motivated the downtown marketing research. One of its major findings identified evening activities as a primary reason for coming downtown, something that surprised many retail merchants. (Image source: Studio Cascade, Inc.)*

Murchison Road Corridor Study (+ subsequent work)

In December 2007, the City commissioned a land use and economic development plan for the Murchison Road corridor and study area. The entire study area covered approximately 4,071 acres, extending from downtown and Martin Luther King Jr. Freeway (US 401) to Fort Bragg and the future I-295 Fayetteville Outer Loop corridor extension. The primary goals for the plan were to:

- *Assemble an action plan that enhances community quality of life.*
- *Establish a hierarchy for investment, identifying opportunities designed to lead to rapid, near-term results while establishing the foundation for long-term corridor transformation and success.*

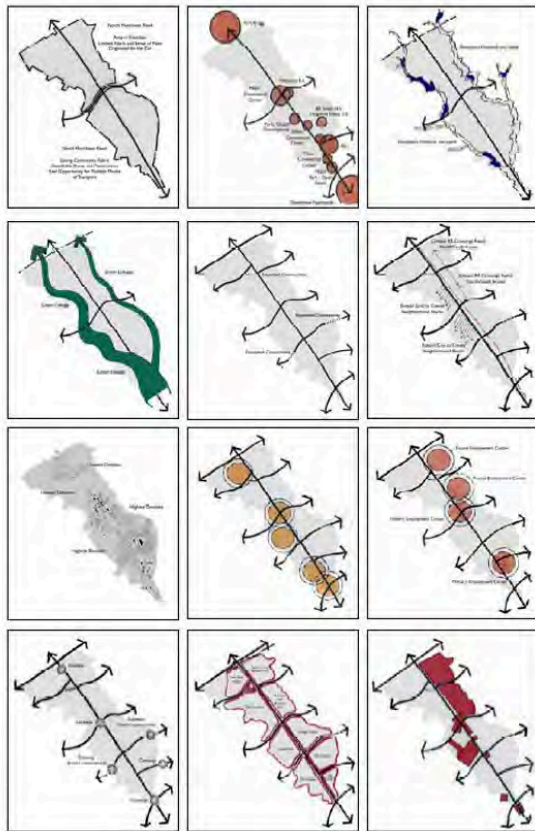


Figure 3.06 – Murchison Road is seen as an important connector, but it is not improved to its full potential. The City aims to fix that through its Murchison Road corridor study and targeted investment in a selection of “Catalyst Sites.” (Image source: City of Fayetteville)

- Review community mobility and transportation issues, balancing creative with cost-feasible approaches.
- Enhance the Murchison Road Corridor and City of Fayetteville image and attractiveness for investment.
- Provide realistic, workable, thoughtful approaches to corridor development within a compressed assessment and implementation timeframe.
- The Murchison plan identified nine “catalyst sites” along the corridor, producing an overall development plan hinging on the type and intensity of reinvestment in those particular areas.

Fayetteville then commissioned a feasibility study in 2009 to evaluate three of the catalyst

sites (#1, #3 and #6) along the corridor and to identify the conditions necessary for their success. Catalyst Site #1 at Murchison and Rowan is within the downtown planning area. The study found that the market may be able to support modest commercial and residential development along this southern stretch of Murchison Road. Current economics, however, would require significant public subsidy through property acquisition and assembly and guaranteed loans to generate enough profit for projects to make sense.

Building on that work and supporting its own long-range plans, Fayetteville State University commissioned a study to investigate development potential along the Murchison Road Corridor near Catalyst Site 1. That project also involved the City of Fayetteville as a partner – a partner who helped acquire land for the University to use and develop. The City purchased and demolished the Washington Street School, paving the way for future Fayetteville State University development. That project is now on hold pending resolution of State funding and more detailed architectural design.

Bragg Boulevard Corridor Redevelopment Plan

While much of the study area for the Bragg Boulevard plan lies beyond the Fayetteville downtown, some of its recommendations apply to work here. The plan envisions the development of Bragg Boulevard into a corridor that is more accessible for bicycles and pedestrians, with land uses that are more consistent with a mixed-use corridor. It envisions a transformation of Bragg Boulevard, creating an active gateway into downtown that celebrates its sense of entry and enhances the impact of the Airborne and Special Operations Museum, Festival Park and the North Carolina Veterans Park.

Market-Based Redevelopment Plan for HOPE VI Business Park (2013)

The City of Fayetteville has spent the last decade investing in the Old Wilmington Road neighborhood as part of its work under the HOPE VI program. Property acquisition, abatement of hazardous structures, site cleanup, property development and housing construction have all been part of this work. The City and its community housing partners have provided more than 740 residential units of varying types, transforming the Old Wilmington Road neighborhood in the process. The business park fulfills another HOPE VI objective, providing for local employment of residents of nearby housing.

While this plan does not provide policy guidance, it is important to this plan update because of its commitment to develop and construct a jobs-oriented project at Gillespie and Blount streets. This plan update builds on that commitment, emphasizing the importance of a fully-featured neighborhood center in the Old Wilmington Road neighborhood.

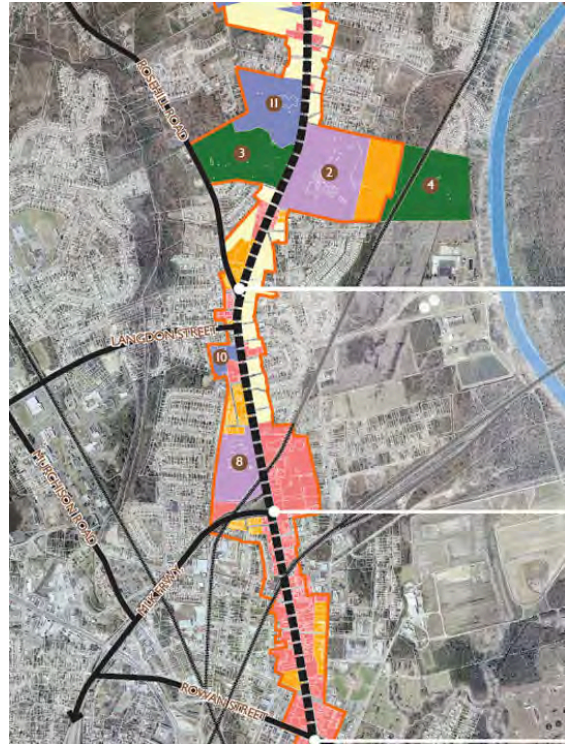


Figure 3.07 – Ramsey Street approaches downtown from due north, cutting its way through agricultural and industrial landscapes. Current City corridor planning suggests ways to make the road a nicer entry into town and proposes a new land use strategy to adapt to changing conditions. (Image source: City of Fayetteville)

Fayetteville Strategic Plan 2013

The Fayetteville City Council revises its strategic plan every spring. The strategic plan prepared in the spring of 2012 outlines ten principles in its Fayetteville vision. These principles include one targeted to downtown, specifying that downtown will be “vibrant.” According to that plan, the vibrant downtown will include:

- *People living downtown.*
- *High quality hotels with space for conferences and community events.*
- *Easy access and convenient parking.*
- *Festival Park and green spaces throughout downtown.*
- *Downtown linked to river and Fayetteville State University.*
- *Connected downtown assets.*

- *Well-planned residential and commercial mixed-use developments.*
- *A variety of quality restaurants.*
- *Attractive buildings occupied by successful businesses.*

The 2012 strategic plan identifies several projects that are classified as “top” and “high” priority, with the following dealing with aspects of the downtown:

Top Priority

- *Bragg Boulevard corridor development*
- *Hay Street to I-295 corridor plan*
- *“Reclaiming Neighborhoods Next” project*
- *HOPE VI business park development*



Figure 3.08 – *The Cape Fear River is a powerful natural and aesthetic resource, and the City is participating in a river corridor plan to explore opportunities the river provides. (Image source: Studio Cascade, Inc.)*

High Priority

- *Old Days Inn site development*
- *Multi-modal center – land assembly and design*
- *Prince Charles Hotel – City options and direction*
- *Residential Rental Program (PROP) – direction and funding*
- *North Carolina Veterans Park*
- *Festival Park Plaza building – direction*
- *Murchison Road corridor development*

Ramsey Street Corridor Study (ongoing)

Ramsey Street is a major arterial leading straight into the heart of downtown Fayetteville. It runs north-south, becoming

Green Street at Grove and then, at the Market House, becoming Gillespie as it continues south through town.

As a primary north-south arterial, Ramsey Street carries freight and automotive traffic north from Fayetteville into the surrounding countryside. It links Fayetteville to the agricultural areas and small towns of Cumberland County, historically serving as a farm-to-market road. Ramsey now provides access to a range of industrial and commercial uses along its length in downtown, with property ripe for redevelopment as the economies favoring the type of industry there fade.

The City is preparing a corridor study to establish an aesthetic and strategic course for Ramsey, identifying redevelopment opportunities and enhancing the appearance of the corridor as an entry to downtown.

Cape Fear River Corridor Study (ongoing)

The Cape Fear River is navigable from Fayetteville to Wilmington, and this particular feature provided the community its position in history. River-borne commerce landed at Fayetteville in colonial times, establishing the Campbelton settlement and, later, central Fayetteville.

Though its transportation function has diminished, the Cape Fear River is still an important natural, aesthetic, cultural and recreational asset. Fayetteville is rediscovering the potential of the river and is participating in regional and statewide efforts to celebrate the waterway.

The river corridor study is investigating ways to improve public access to the river, exploring approaches for trails, put-ins, boat launches and other access-related improvements along the course of the Cape Fear River. It also complements some of the visions for riverside improvement and development identified in earlier Fayetteville planning work. The resulting plan will present a comprehensive inventory of

Cape Fear River frontage in Fayetteville, with recommendations on how the community can take advantage of this powerful resource.

Exhibits of the Cape Fear River Corridor Study appeared at the storefront studio in December, and participants referenced the work in comments related to the downtown plan. Their comments, and the ensuing strategic direction, underscore the importance of the river to the success of downtown. The two planning processes are interwoven, and recommendations from each will influence implementation of the other.

Programs, objectives and initiatives proposed in each of these projects are drawn upon to inform and enrich this plan. Hopefully, implementation of this plan will further implementation of the others, as well, resulting in consistency and cooperation between the various planning efforts and continuing the City's pattern of effective public investment.

These documents and projects lay the policy and development foundation for this update, setting downtown Fayetteville in its context, illustrating how important downtown is to furthering overall city and regional objectives, and proving that investment is flowing downtown.



Existing Conditions

Introduction

This chapter describes downtown Fayetteville as it exists today, presenting demographic, economic, housing, land use and other components that form the baseline of this plan update.

Downtown Fayetteville is somewhat unique both in its social composition and its mix of land uses. The population is generally 1.5 persons per acre, which is extremely sparse for a “downtown” but not surprising given the scale of industry and warehousing and the number of vacant housing units in many of the neighborhoods.

Planning Environment

The following sections present some of the more important findings related to downtown Fayetteville in terms of demographics, economics, housing and other categories.

Demographics

The population of Fayetteville grew over the last 20 years, adding about 87,000 people between 2000 and 2011. The majority of this growth was the result of annexations, which added 75,000 people to the City, including annexation of 25,000 people on Fort Bragg.

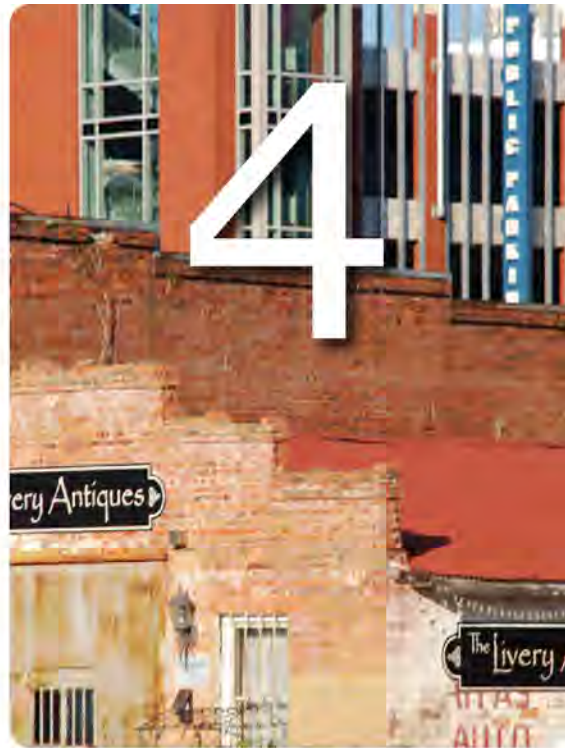


Figure 4.01 – Increasing land use intensity requires increased levels of service, including structured parking for the central downtown core. The new parking structure in downtown predicts more intensity to come. (Image source: Studio Cascade, Inc.)

Excluding annexations, Fayetteville resident counts grew about 0.9% since 2000, slightly higher than the 0.7% average annual growth rate of Cumberland County.

Fayetteville is younger than average, with a younger population (median age of 30.2 years) compared to the state (median age of 37.7 years). The age distribution of Fort Bragg, where 60% of the population is between 20 and 39 years old, is accountable for the relative youth of Fayetteville.

The population of Cumberland County is aging. The age group that grew the most between 2000 and 2011 was people 45 to 64 years old, while people 25 to 44 years old shrank in the County. This aging trend is consistent with the national trend of aging baby boomers. The age distribution of Cumberland County is



Figure 4.02 – Development at the HOPE VI project north of the Walker-Spivey School has set the bar for quality and intensity. The popularity of HOPE VI demonstrates that mixed-income, mixed-needs housing can revitalize neighborhoods. (Image source: Studio Cascade, Inc.)

representative of the population of Fayetteville too, were Fort Bragg to be excluded from City counts.

Fayetteville is more racially diverse than the State average. Less than half of city population was white and 41% was African-American in 2011. In comparison, 70% of the population in North Carolina was white and 22% was African-American.

Fayetteville has a similar level of ethnic diversity as the State. In 2011, 10% of the population was Hispanic, compared to the State average of 9%.

Cumberland County is expected to grow very slowly. The State forecasts that Cumberland County will add about 12,000 residents over the next 20 years, an average annual growth rate of 0.2%.

The characteristics of the downtown population are different than the City averages. The Downtown study area has about 4,600 people (2% of city population).¹ The population of downtown is more racially diverse than the City average, with about three-quarters of the population being African-American. The population of downtown is less ethnically diverse, with 3% of the population being Hispanic.

Economics

Incomes in Fayetteville are lower than State averages. The median household income among residents (\$43,400) is slightly lower than the State average (\$46,291). Fayetteville has a lower per capita income (\$21,800) than the State average (\$24,100).

Employment in Cumberland County grew faster than its population between 1990 and 2011, adding nearly 34,000 jobs at an average annual growth rate of 1.6%.

Service industries accounted for the majority of employment growth, adding 23,000 jobs at an average annual rate of 3.2%. Retail employment added 2,260 jobs and government added 6,300 jobs, both at an average annual growth rate of nearly 1%. Industrial employment decreased by 4,000 jobs, predominantly through decreases in manufacturing.

Fayetteville has good access to the regional labor pool. The labor force participation rate in Fayetteville (66%) is higher than the State average (61%). The majority of workers in Fayetteville travel less than 30 minutes for work. About 60% of residents of Fayetteville work in Cumberland County, with about half working at jobs located in Fayetteville.

A large share of the workers at businesses in Fayetteville live in Fayetteville. More than one-third of workers at businesses in Fayetteville live in Fayetteville. About one-third of the non-military workers at Fort Bragg live in Fayetteville.

¹ Estimate by ECONorthwest combining 2010 Census Tracts 003800 and 000200; estimate by City of Fayetteville Planning Department combining 314 Census Blocks indicated 5,155 persons.



Figure 4.03 – The mixed-use housing project at 300 Hay Street represents a new housing formula for Fayetteville. This project – made possible by the City’s acquisition and remediation of a contaminated site – provides a variety of attached housing types for a variety of income levels. (Image source: Studio Cascade, Inc.)

The economy of Cumberland County is forecast to grow slowly. The State forecasts that employment in Cumberland County will grow at 0.7% over the 2008 to 2018 period, adding 9,200 jobs. The sectors that are forecast to grow the most are Education and Health Services (adding 4,360 jobs) and Professional and Business Services (adding 1,600 jobs). Manufacturing is forecast to decrease by 400 jobs.

Housing

The majority of Fayetteville housing is single-family housing. Single-family housing types (including manufactured homes) accounted for 68% of the housing stock in Fayetteville in 2011, with attached multifamily housing accounting for 32% of city housing stock.

Fayetteville has a less owner-occupied housing than the State average. Half of the housing stock in Fayetteville is owner-occupied, compared with the State average of 67% owner-occupied housing. In 2000, about 53% of housing in Fayetteville was owner-occupied.

Home ownership is less common in the downtown study area. About one-third of housing in the downtown study area was owner-occupied in 2011.

Housing vacancy rates in Fayetteville are comparable to the State average. Vacancy rates in Fayetteville were 15% in 2011, compared to the State average of 16%. In most

housing markets, vacancy rates are generally below 10%, except in areas with a large amount of seasonal or recreational housing.

Housing is relatively affordable in Fayetteville. The cost of housing value increased by about \$43,000 between 2000 and 2011 in Fayetteville, similar to State trends. The ratio of housing value to household income increased from 2.5 to 3.0 over the 11-year period, similar to State trends. In many similar housing markets, this ratio increased from 2.5 to 4.0 or more. While housing costs grew faster than income, they did so at a slower rate in Fayetteville than in many housing markets in the U.S.

Land Use

In recent years, the core area of downtown has reinforced its position as the heart of the city. Hay Street and Person Street near the Market House have enjoyed consistent reinvestment over the past decade, nurturing a viable retail and housing district. Investment by the City in key projects, like 300 Hay and the parking deck, have stimulated a new type of downtown core, making it pleasing, safe and inviting. Building renovation, housing occupancy and retail tenancy are up, while the core has also been able to retain its historic character.

A large industrial area, served by a complex network of rail lines, dominates the southwestern quadrant of downtown.



Figure 4.04 – Much of the downtown landscape is dominated by industrial uses that provide a wide range of services. Rail spurs serve the southwestern portion of downtown, consistent with its existing warehouse and manufacturing character. (Image source: Studio Cascade, Inc.)

A significant portion of the historic residential neighborhoods in downtown are now struggling with blight and vacant buildings. The urban area between Haymount and the Cape Fear river includes several neighborhoods of historical significance. With some exceptions, residential neighborhoods dominate land use between the river and Gillespie and from Grove Street to Eastern Boulevard. Residential communities along Cool Springs, Campbell Avenue and Old Wilmington road are dotted with historic structures in various states of repair, including some magnificent churches. Residential development is low, except in the area now being developed near the Walker-Spivey School as part of the HOPE VI project. In other areas, however, vacant dwellings and large lots result in wide dispersion of residents. The overall impact diminishes the liveliness of downtown.

Historically significant structures and sites are scattered across the 3,000-acre downtown. Cross Creek, the Campbellton site, and other landmarks unite Fayetteville in a common heritage and may be a foundation upon which to revitalize neighborhoods.

Haymount remains a successful neighborhood. It is situated on a hillside to the west, overlooking the downtown. It is separated from the Hay Street retail core by busy Robeson Street, but an increasing number of Haymount residents are beginning to value its potential for accessibility by foot.

Institutions

City and County offices and operations have a significant presence downtown. The County courthouse and jail, city hall and police department and the Convention and Visitors Bureau are prominent government facilities. Despite the large governmental presence downtown, there are no significant public green spaces associated with these facilities – no plazas or “quads” for people to relax or enjoy while in the course of their daily business. The development patterns of these facilities also is land consumptive, limiting the extent to which the retail core can be connected to several downtown neighborhoods.

Fayetteville State University is much closer to downtown than it feels. The development pattern and street design typical of Murchison Road provide a poor connection between FSU and the downtown core, contributing to this perception. Development patterns along the corridor are generally blighted, causing an unpleasant and unattractive pedestrian environment. Nearer downtown, the arrangement and site design of the Airborne & Special Operations Museum and North Carolina Veterans Park add little to the pedestrian experience. FSU students and programs have much to offer the rest of downtown, but the separation between FSU and downtown has been difficult to overcome. The City has prepared a Murchison Road corridor study and is looking to find ways to improve the Murchison driving, development, and pedestrian experience.

Environment

The Cape Fear River corridor has not developed as rapidly as many other river corridors in similar communities. Limited road crossings, potential flooding and poor soils have constrained residential and commercial development in favor of manufacturing and limited both visual and physical access to the river. Lack of suitable building sites, poor public right of way maintenance, and the perception of crime have further constrained development in the study area. The result is a dramatically under-utilized resource, though viewed by many as the critical piece of the puzzle to revitalize Fayetteville.

Old Campbelton can provide opportunities for both river access and redevelopment. The Cape Fear River south of Grove Street is adjacent to historic Campbelton, but the developed condition of that neighborhood is one of derelict structures, garbage accumulation, transient camps and light industrial activity. Much of the land is vacant, though there are several occupied residential structures located on the historic plat, providing some neighborhood context that may prove helpful in defining the character of redevelopment.

River access is provided by a boat ramp on the east side of the river downstream of the Person Street Bridge. A development integrated that boat ramp into a performance venue, restaurant and tackle shop, but the economy of 2008 caused it to lose its financing and fail.

Transport

An aerial view of the city roadways reveals the framework of an urban grid pattern typical of a city with few topographic barriers. The grid pattern originates at the river and then turns slightly along the primary axis of Person Street, providing a potentially dramatic view of the Market House. The grid is relatively consistent, aligned with the major east-west arteries of Person, Grove and Russell streets, except where interrupted by the meanderings of the major creeks. Only Person Street and Russell Street break the downtown grid boundaries to extend east across the river and west to the suburbs. Robeson Street, Gillespie Street,



Figure 4.05 – *If left to nature, the downtown study area would become even more lush. As it is, a system of creeks and the Cape Fear River provide naturalized riparian corridors that break up the otherwise urban landscape. (Image source: Studio Cascade, Inc.)*

Green Street, Old Wilmington Road and Eastern Avenue carry the primary north-south traffic, with Green Street intersecting with Person Street and Hay Street at the Market House.

Fayetteville was also an important terminus of the Fayetteville and Western Plank Road, linking Fayetteville to North Carolina's Piedmont region in the 1850's. The plank roads were paved alternatives to the dirt cart paths, linking Fayetteville to other North Carolina destinations for a toll. Though the plank road was relatively short lived, its existence helped solidify the position of Fayetteville as a center of trade.

Martin Luther King Jr. Freeway (US Highway 401) bounds the study area to the west, with interchanges at Robeson Street, Bragg Boulevard, Gillespie Street and Eastern Avenue, and is a convenient north-south bypass around the downtown. The most obvious circulation failures occur on the surface streets along MLK



Figure 4.06 – *The church community in Fayetteville is a strong one, and downtown boasts dozens of houses of worship scattered across the planning area. Some congregations are small, serving their immediate neighborhoods. But others are regional magnets, drawing members to downtown Fayetteville from far away. (Image source: Studio Cascade, Inc.)*

near its intersections with Bragg Boulevard and Murchison Road. This current state of improvements presents a poor entry gateway into the downtown, and it is the subject of a current redesign and reconstruction project. The new design is intended to ease connection between Fayetteville State University and downtown and to facilitate development along Murchison Road.

The Fayetteville Area System of Transit (FAST) operates bus service throughout the city, including routes within the study area. FAST is constructing a new transit center on Robeson just south and west of the Fayetteville police station, consolidating its local routes at that location.

Freight and passenger rail lines run throughout the planning area. Main passenger service links Fayetteville to major urban destinations north and south. Freight lines include main service corridors and local spurs into the central industrial district in Fayetteville. Many of the spurs are inactive and abandoned, but the rights of way still exist. The City is leading an effort to realign some of the local freight switching to eliminate congestion at rail crossings, all of which are at-grade and hinder street circulation.



Figure 4.07 – Rail service, once a boon to the Fayetteville economy, frequently interrupts surface roadway travel. All of the rail crossings in downtown are at-grade. The City is working to resolve conflicts by relocating train switching stations, though there are no plans for grade separations. (Image source: Studio Cascade, Inc.)

Buildings

The study area contains a large number of derelict structures and blighted residential, retail, and industrial properties. These conditions contribute to the general unsightliness of the inner city and are a deterrent to investment interest. The “demolition by neglect” ordinance in Fayetteville is helping to improve the conditions of established historic districts, but it must be strengthened to protect historic structures and properties. Other code programs to consider are renovation by neglect and maintenance by neglect ordinances, allowing the City to stabilize or maintain structures throughout the central business district through liens.



Strategic Framework

Introduction

This chapter integrates the existing guidance and policy environment of Fayetteville into an overall downtown strategic framework consistent with the “Dynamic Downtown” alternative developed in the storefront studio and vetted at the community workshop. It is intended to suggest ways in which Fayetteville can take advantage of the resources at its disposal. Where Chapter 6 presents specific actions, this chapter takes a step back, describing the critical relationships and motives underlying each strategy.

The context of downtown presents opportunities for reinvestment and vitality, provided investment is targeted strategically, and that the agencies, private developers and community are ready to act when the time is right. This plan identifies actions and initiatives that will be needed to get revitalization underway, achieving the type of diverse, active, prosperous and exciting downtown the community envisions. This section builds on the overall vision for downtown, including the component elements that tie this update back to the 2002 Renaissance Plan. Where appropriate, illustrations from the Renaissance Plan are carried forward, reinforcing the relevance of the 2002 vision where it still applies today.



Figure 5.01 – Expanding the vitality of the core into surrounding neighborhoods is key. Increased housing within walking distance of the Market House will rely on transforming streets like Old Wilmington and Russell (above). (Image source: City of Fayetteville)

The structure of this section may look familiar, too, since it mirrors the framework of recommendations presented in the 2002 plan. As such, all recommendations reflect their connection to the arts, gateways, the Cape Fear River/nature focus, neighborhood districts, and parks and recreation.



Figure 5.02 – Continuing to promote an active and increasingly diverse street environment on Hay Street is still a focus of the updated plan, much like it was in the original. (Image source: City of Fayetteville)

The Future of Downtown

Downtown Fayetteville is destined to once again be the thriving center of the Sandhills region, infusing its neighborhoods, retail districts and employment areas with new and continued investment, tightly knit communities, a wealth of civic activities, and a close association with the natural resources that make downtown a unique place.

The priority in this plan is to spawn a neighborhood-by-neighborhood transformation, creating attractive places within easy reach of the commercial core for housing to develop. An increased housing supply will help sustain an active central

commercial district, creating resilient and long-term demand for the products and services offered in the district.

The directives of this plan are coordinated to stimulate the transformation of downtown by investing in “quality of life” factors that make downtown attractive. Safe, character-rich and close-knit neighborhoods have proven to weather well. Many neighborhoods in Fayetteville have a suitable structure, but they have suffered from prolonged vacancy, disappearance of local jobs, and poor maintenance. There is a subtle shift in strategy here, where the emphasis is on making downtown a more livable place. Where the first Renaissance Plan may have attempted to carry forward the Marvin plan goals for a “destination” downtown, this one strives for one more like a “hometown” downtown.

A strategy of this plan, therefore, targets public investment to reduce the exposure of the development community to risk – particularly in the realm of housing development. That exposure is not proposed to be reduced by direct subsidy. Rather, it is to be reduced by sustained and consistent public investment in projects and policies that support an attractive and safe living environment for downtown residents.

There are several key components in this strategy:

- *“Fayetteville Crescent” – Emphasizing the essential connection between Fayetteville State University, the central core and the historic Campbelton settlement on the Cape Fear River. Participants in the final community workshop underscored this important relationship and commented on the significance of its scale and importance to the success of downtown. Linking the university, the central core and the river has the potential to unite downtown in a way that is unique to*



Figure 5.03 – Workshop participants considered which types of projects would best activate the strategies of this plan, weighing neighborhood revitalization and opportunities in Campbellton, Orange Street and Old Wilmington Road neighborhood. (Image source: Studio Cascade, Inc.)

Fayetteville, stimulating reinvestment along some of the most important corridors in downtown, attracting new residents into the planning area and providing a multi-faceted range of opportunities for downtown residents, business owners and visitors. There may be future branding opportunities in marketing the "Fayetteville Crescent," establishing an identity and an investment pattern that support high quality, high intensity and high value uses to this swath of downtown. Strengthening the integrity and appeal of this crescent is the highest priority of this plan.

- **Housing** – Providing for variety and intensity in housing development to sustain retail in the core, and institutional fabric / support for development of distinct and unique neighborhood identities for those residential districts within the planning area. Population in downtown has to increase if

downtown is to succeed. This plan is based on a future downtown population of 10,000 residents, more than twice the number of those who live downtown now. More residents, in more varied housing types, will mean more people walking and riding bikes on the streets, more shoppers in downtown retail storefronts, more lively use of City parks and trails, rehabilitation and reuse of older, derelict buildings, increased levels of property maintenance and an increased property tax base. New residents are to be housed within the Fayetteville Crescent (in the downtown core, along Russell and Person streets and in Campbellton), in emerging neighborhood centers (the Old Wilmington Road neighborhood and the Orange Street School neighborhood) and in the incremental evolution of the industrial district in southwest downtown into a district of mixed lofts and industrial uses.



Figure 5.04 – Projects also included possibilities associated with the central downtown core, such as revitalizing the Prince Charles, constructing an arts center and finding a permanent home for the farmers market. (Image source: Studio Cascade, Inc.)

- **Safety** – Continuing City efforts to increase safety, perceptions of safety and safety in movement – whether by car, on foot, by bus or by bike. Generating new investment in downtown will rely on how safe downtown is perceived to be. Investors need to minimize risk, and a safe downtown environment will help assure them that their investments are sound and the environment is a stable one. Fayetteville has taken steps to increase safety downtown, and investment patterns reflect where the efforts of the City have made their greatest impact. As development is sought to extend along the Fayetteville Crescent and work its way into nearby neighborhoods, the City must lead with its efforts to ensure safety and demonstrate it.
- **Fayetteville State University** – Developing and enhancing relationships with this major downtown institution to enrich the economic, cultural and educational dimensions of downtown. Having a four-year university within walking distance of the city core is a tremendous asset. Participants in this process have identified multiple opportunities that this presents, ranging from cooperative parking downtown for university events to direct university involvement in downtown arts and culture programming. Fayetteville State University anchors the northern end of the Fayetteville Crescent, and its presence downtown shapes and influences the future downtown will experience. Enhancing the Murchison Road connections are a critical early step in this strategy, encouraging increased auto, pedestrian, bike and transit travel to and from the university. This plan seeks to intertwine Fayetteville State University with everyday events and programs downtown, actively



Figure 5.05 – This plan calls for transformation, too, including hopes for Blount Street artists lofts, the injection of mixed-use development along the Russell Street corridor and the increased involvement of Fayetteville State University on the downtown scene. (Image source: Studio Cascade, Inc.)

contributing to downtown identity and enriching the overall downtown experience.

- ***Open spaces*** – Connecting natural resources in the planning area into an accessible recreational and ecological network for trails, storm water management and urban habitat. Community participants noted how important the streams, river and open spaces are to defining downtown Fayetteville and to creating an environment that is livable. The Linear Park system along Cross Creek has demonstrated to the community how effective a stream-side trail can be to enriching an urban landscape, and the community wants more. This strategy accommodates that by calling for more community spaces and, specifically, stream-side trails, in the hope that a more livable downtown will spur new investment and attract new residents.

These components permeate every element of the strategic framework.

The spatial element of the crescent, the social dimension of housing and safety, the cultural aspect of Fayetteville State University and the natural benefit of an interconnected system of open spaces inform and guide the strategic framework of this update.

Culture & The Arts

Stakeholders and workshop participants agree that downtown is the likely and preferred center for arts and culture in Fayetteville. The Fascinate-U Children’s Museum, the Airborne and Special Operations Museum, the Fayetteville Independent Light Infantry Museum, the Fayetteville area Transportation and Local History Museum, the Arts Council of Fayetteville/Cumberland County and other facilities have a natural place in downtown. The Renaissance Plan called for the downtown environment to become even more welcoming to these types of uses, offering a robust and diverse collection of active and tribute-oriented arts and culture facilities. This plan update



Figure 5.06 – The 2002 plan included images like these to depict the scale and type of neighborhood transformation. The same images still apply today. (Image source: City of Fayetteville)

carries forward those recommendations, guiding downtown arts and culture expansion and enhancement in the years ahead.

This update continues recommendations in the 2002 plan for a central cultural arts facility to serve as a catalyst for economic and physical redevelopment of the downtown core. Fayetteville arts programs have a history of success and community support, and a central location in the urban core will influence future private sector investment. If located and designed appropriately, the facility will enhance pedestrian activity in the core, making streets more lively, supporting retail storefronts and creating an improved housing environment for downtown residents.

Gateways

The Renaissance plan emphasized the importance of gateways at two different scales.

The first was intended to celebrate entries into downtown, arranged at key points along the planning area circumference. The second was intended to introduce travelers to individual, distinct neighborhoods, recognizing historic or cultural identities. While participants in this update process believe gateways are still important, there also seems to be support for reducing the overall number of gateway statements in favor of other methods of enhancing downtown and the identity of associated neighborhoods.

Some gateway recognition remains appropriate, particularly where construction of gateway monuments has begun and where traffic flowing into downtown is concentrated.

Cape Fear River

Few cities have as significant a resource as the Cape Fear River. It was a major component of the Renaissance Plan, and it remains one in this update. Consistent with their appreciation for the river, participants in this process also appreciate the value of other natural assets in the planning area, including Blounts Creek, Cross Creek, Cool Springs, and the slopes of Haymount. The 2002 Renaissance Plan encouraged the enhancement of these natural features, as did the “Marvin Plan” before it. Community recognition for the Cross Creek Trail and its potential to link to the Cape Fear River via the Cape Fear Botanical Garden underscore the importance of the natural landscape, both as an aesthetic element and as a recreational resource. Some also see the potential for economic development and for incorporating the creeks and open spaces in flood control strategy.

Recommendations in this update carry forward those from the Renaissance Plan in many ways, adding to them to reflect community progress over the past decade and on how these natural attributes may be put to best use.

Neighborhoods

The planning area for downtown encompasses more than 3,000 acres, made even larger as a result of this plan update process. The commercial core neighborhood, identified as

the Municipal Services District, occupies only 65 acres, leaving more than 2,950 acres to be associated with other neighborhood identities.

The spatial strategy discussed in the storefront studio and underpinning all of the recommendations in this plan recognizes the different characteristics of the neighborhoods that lie within downtown. Some, like the Orange Street neighborhood or Walker-Spivey, are centered around a historic or active school. Others, like the proposed southwest loft district, suggest an area of transformation. What they have in common is a unifying identity that this plan can use to stimulate reinvestment and appreciation, honoring the diversity of the planning area and branding downtown Fayetteville as something much more than just an amazing historic district.

The 2002 Renaissance Plan set out a system of principles and guidelines to help shape downtown neighborhoods. Many of these promoted the concept of new, centralized open spaces to encourage and stimulate public gathering, a sense of commonality and make outdoor recreation more accessible. But this recommendation would also have required the acquisition and improvement of property for park purposes, fundamentally restructuring the residential neighborhoods peripheral to the core. While the concept reflects a time-honored tradition of the neighborhood park and public commons, it would present a major change to the fabric of downtown. The recommendations in this update refresh applicable Renaissance Plan recommendations and add new ones. The new recommendations offer another twist on defining and reinforcing neighborhood identity and vitality, based on the structures and relationships that exist in many cases, or suggesting new ones where transformation is likely:

- *Fayetteville State University* – Once Murchison Road and its connections to downtown are improved, the neighborhoods immediately adjacent to Fayetteville State University may see opportunities for reinvestment. Direct orientation to the university will be a fundamental design component, but the area may also transform to become more of a regional attraction. A "university



Figure 5.07 – Disused and vacant homes like this one speak to a wealthier time, but gradual reinvestment can help turn neighborhoods in to lively, family-friendly places. (Image source: Studio Cascade, Inc.)

district” style main street, opportunities for development of an athletics center or venue, or future university expansion may define Murchison Road as a place much different than it is today.

- *Orange Street* – Many of the homes around the Orange Street School are now vacant or in disrepair. The old school building is still in use, however, remaining a neighborhood institution though no longer as a school. It presents an opportunity to become a rallying point for neighborhood revitalization, and is only a ten-minute walk from the city center. Hillsboro Street provides a direct connection to the core, and its abundant right of way – complete with a set of tracks down the middle – presents opportunities for enhancement and character building. The neighborhood



Figure 5.08 – Institutions are the backbone of community development. Fayetteville is blessed with a plentiful and dispersed institutional presence, and some have become even more prominent as neighborhood reinvestment occurs. (Image source: Studio Cascade, Inc.)

can thrive, provided reinvestment occurs strategically and takes advantage of the resources present.

- **Blount Street** – This plan update envisions a blended district here, with industry and artist lofts sharing the landscape. Many of the older industrial buildings and warehouses are obsolete and derelict, ready for new uses that do not demand state of the art loading docks, high interior ceilings, or precision climate control. These buildings give the district character, and they are located close enough to the core to be attractive as a base for a growing Fayetteville arts community. Rail spurs and main lines still traverse the district, so those industrial uses that are able to adapt to changing economic conditions may still remain. This mix will help make Blount Street unique among transitional artists

communities, and it should ensure that artists and other live-work arrangements can remain, free of the fears of being priced out as their areas grow in value.

- **Cool Springs** – There have been a handful of development scenarios considered for the Cool Springs neighborhood. Located along Cross Creek in the heart of the historic Upland Settlement, a development project here can set the tone for what new residential living can be like in downtown Fayetteville. It must overcome the noise and bustle of Grove Street, and it would need to blend in with existing residential areas to the east, but it has the potential to provide new, close-in housing for a range of incomes. Its setting along the Cross Creek Trail will also enhance its development opportunity and character, allowing residents from this neighborhood to easily access everything the central core has to offer.
- **Campbelton** – Located along the Cape Fear River and still with streets aligned along the historic Campbelton plat, this neighborhood is bubbling with opportunity. It is the eastern end of the Fayetteville crescent, and it is only sparsely developed. It possesses immediate visual access to the Cape Fear River, and it is conveniently connected to the central core by Russell and Person streets. Whether this area redevelops along a theme of a riverfront colonial village or as something a little more conventional, it can set the tone for the eastern gateway of downtown and provide a catalyst for new residential living within a walk of the center.

Institutions

The institutional context in downtown is diverse, and it serves a wide range of users from throughout the region. Churches, museums, civic buildings, schools, and Fayetteville State University constitute the built context. Parks, trails, steep slopes, the creeks, and the river constitute the open spaces and recreational context. Participants in this process repeatedly identified downtown

Fayetteville institutions as crucial to the success of the area as a center for commerce, activity and living.

The Renaissance Plan suggested essentially the same thing, making recommendations intended to strengthen community institutions, expand recreational opportunities and make even more visible the open spaces and parks that help tie a community together.

Much has been accomplished in the past decade, and this update builds upon the suggestions made in the 2002 plan, adding to the list of things to be done in the name of strengthening community institutions. Some examples:

- *Parks* – Creating new, large parks is no longer the priority. Instead, participants want to see parks – large and small – located strategically, acquired and developed opportunistically, and interconnected with a system of trails and attractive streets. Building on the example of the Linear Park, the downtown park system can take advantage of the creeks running through the planning area to provide a recreational open space network.
- *Fayetteville State University* – The university anchors the northern end of the Fayetteville Crescent, providing a top-notch, four-year higher learning experience for students from the region and beyond. The student body at FSU has the potential to enrich the downtown experience by becoming more involved in the downtown scene, participating in arts and culture activities and establishing long term commitments to the community. Part of the synergy this plan hopes for is the progression from Fayetteville State University student to Fayetteville community member, resident, job holder and business owner. Students graduating from Fayetteville State University may help drive the economy of Fayetteville, and reinforcing their association to the community during their college years can have multiple benefits.



Figure 5.09 – The City of Fayetteville is improving the Ray Avenue extension, increasing connectedness downtown. (Image source: Studio Cascade, Inc.)

Connectedness

The downtown Fayetteville planning area is vast, encompassing multiple individual neighborhoods within a mile radius of the Market House. The outer limits of downtown are theoretically walkable from the center, but the distance seems even greater because of the street pattern, absence of sidewalks, proliferation of abandoned structures, vegetation, and terrain. Neighborhoods are distinct, feeling separated from other areas within the downtown. For instance, Fayetteville State University is only a 10-minute walk from the Airborne and Special Operations Museum, but few take that walk. Similarly, the Cape Fear River is only a 10-minute walk from Fayetteville City Hall.

As noted in the original Renaissance Plan, the street network in downtown is actually laid out to effectively access all of the planning area. But the street environment in many places is unpleasant, forcing pedestrians to share travel



Figure 5.10 – *Obsolete industrial buildings and warehouses may give way to new and creative uses – such as artists’ lofts and live-work arrangements. (Image source: Studio Cascade, Inc.)*

lanes with autos and trucks and providing inadequate lighting. Derelict buildings are common, so pedestrians also must cross a deserted and threatening-looking landscape, isolated from others and set apart from downtown activity centers. Though streets may be in the right place, their design, level of improvement and surrounding environment prevent their full use and value from being realized.

Some downtown streets belong to the City of Fayetteville, and others belong to the North Carolina Department of Transportation.

Some examples:

- *Blount Street is the only through east-west connection south of Russell Street, linking Robeson Street to Old Wilmington Road. While this plan envisions a revitalized industrial/live-work environment in this district, poor sidewalk*

conditions and general dereliction in the area hinders the type of connectedness this neighborhood will need.

- *Old Wilmington Road suffers from much of the same neglect. Though the neighborhood around Walker-Spivey is developing, the pedestrian and bicycle journey from there to the central core is hazardous. New residents in the area are separated from the central core and other neighborhoods because of the condition of the streets in the area.*
- *Murchison Road links Fayetteville State University to the downtown core, but it caters only to vehicles. Pedestrians and cyclists are rare on this street. The development frontage varies between being uninteresting and threatening, and the high vehicular speeds make bicycling hazardous. It may be a straight, short shot from campus to downtown, but it is seldom used.*

Industry

It is important to have jobs downtown, and Fayetteville has an abundant industrial landscape that can accommodate it, provided the city continues to enjoy the transportation and infrastructure services to keep it vital and competitive. But the economies that generated the types of industrial, manufacturing and distribution uses in central Fayetteville have changed. Many buildings, once employing hundreds, have gone into disuse. Others have been re-purposed, modified, for instance, to house a skate park and a climbing gym. Industrial land is plentiful, and the opportunities to use it to generate employment downtown depends only on the initiative, creativity and entrepreneurship of the businesspeople willing to accept the challenge.

This plan envisions a subtle and important shift in some of the industrial lands downtown. The area near Robeson Street, already finding some adaptive uses going into disused structures, is sought to transform over time into artists’ lofts and live-work units. The transformation is not envisioned to be a complete one. Rather, it will infill and intermix with continued industrial uses in the area, turning it into an “edgy” and diverse community.

Industrial areas along Ramsey Road will see an increase in reinvestment as the City implements its Ramsey Road corridor plan, improving the aesthetics and mobility on the roadway and making more attractive the disused industrial properties alongside it. It will adjoin the Orange Street neighborhood, however, and – unless the process is carefully managed – increased industrial activity may put at risk the reinvestment proposals in that residential district. If managed correctly, the proximity of industrial use to an enlivened neighborhood center can provide great benefit. Employees could walk or bike to work, be near educational facilities and still be within easy reach of the central core. A new wave of industrial and manufacturing uses along Ramsey could be an important key to employment development downtown...and to the complexity and success of a revitalizing Orange Street neighborhood.

Relationships

The City of Fayetteville has invested millions of dollars to stimulate private investment downtown. The strategy has worked, but now it is time to leverage public investment to greater advantage. The past ten years have required an increased level of public investment to generate development interest, ensure public safety and turn around the image of downtown Fayetteville. Over the next decade, every dollar of City money must result in eight to ten dollars of investment from other institutional or private sources. That rate will set downtown on a self-sustaining path, where private investment to make a profit responds to public investment to minimize developer risk.

This requires the effective identification, building and nurturing of partnerships and relationships. Here are a few examples:

- *Russell Street is a critical link between Campbellton and the central core, but it is in no condition now to attract the types of uses this plan envisions. Any work to redesign and improve Russell Street will require the active cooperation and participation of the North Carolina Department of Transportation. Partnerships with the State – and with any users of the rail line now in the*

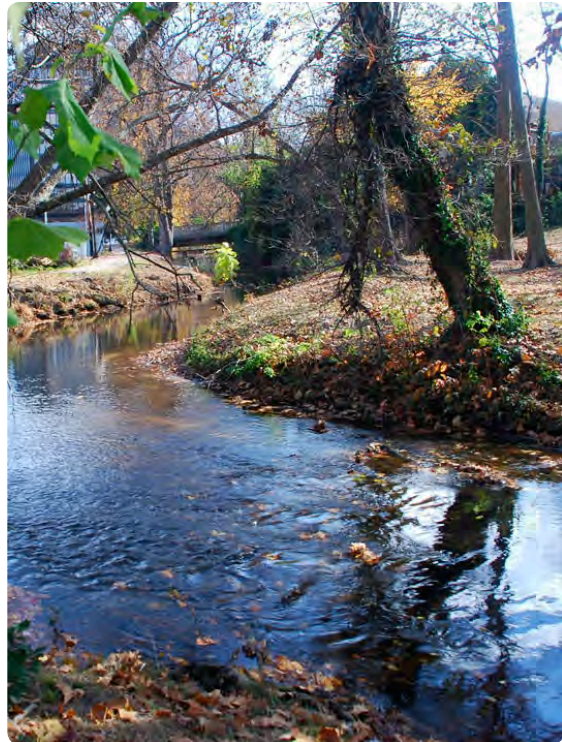


Figure 5.11 – *What might be considered surplus or worthless property to a road-builder or developer may become a valuable addition to a community open space network. Cooperation can result in mutual benefit. (Image source: Studio Cascade, Inc.)*

middle of Russell – will be essential to developing mixed uses on Russell and to realizing the best possible outcome in a Campbellton redevelopment plan.

- *The Fayetteville Farmer’s Market is a popular downtown attraction, and participants in this update overwhelmingly supported its continued existence at a permanent location near the central core. But finding a site and developing it for the market requires capital investment and a reliable, unified market partner. While it might be relatively simple to acquire and develop a market site, resolving the complexities for a long-term partnership with the market operators is ultimately just as important.*
- *Assembling and developing the type of linked open spaces this plan envisions relies on opportunism. Properties that qualify for park or open space use may*

come available as development occurs or as roadways are built. The City of Fayetteville has to maintain its readiness to act on these opportunities, and it may even have to seek them out. Having an ongoing relationship with North Carolina Department of Transportation and others will help the City spot these opportunities and take advantage of them.

Policy

The adopted policy of Fayetteville reinforces the importance of downtown to the community and the greater region. There is little need to suggest amendments in the realm of policy, but it is important to ensure that City growth policies and zoning continue to support and accommodate population growth downtown. In addition, it may be necessary to revisit the boundaries of the current municipal services district (MSD) to ensure that the mechanisms are in place to facilitate the type of development and connectedness between the central core and nearby neighborhoods that this plan advocates.



Implementation

Introduction

This chapter forms the foundation for progress over the next ten years or more, specifying projects and actions – basically, a “to-do” list to keep the downtown area thriving. The project list in this plan is derived from many sources, including process participants, the 2002 Renaissance Plan and thematic concepts from earlier plans. In all cases, projects were vetted, refined and prioritized by the community, guiding development of the action and timeline list provided here.

This chapter lists projects and initiatives – describing individual projects, the type of work they involve and the downtown areas they target. Each of these may involve design, construction, the way the City does business, or all three. Each phasing step also includes a summary table, categorizing actions in each step based on their focus on the central core, neighborhoods, transport, institutions or policy and administration. This categorizing will help the City of Fayetteville identify partners in implementation.



Figure 6.01 – The Cape Fear River represents a treasure of opportunity. It is the birthplace of Fayetteville, a critical link in a regional trail system, and a source of inspiration for those who love nature and history. (Image source: Studio Cascade, Inc.)

Projects & Phasing

The projects listed here update the original Renaissance Plan and are designed to achieve the downtown vision as has been defined in this process. They are projects and actions that will implement the plan and continue to enhance the competitive position of downtown Fayetteville as a retail, civic, residential and event center for the Sandhills region. Implementation actions are also presented considering the economic importance of downtown to the entirety of Fayetteville. This project list also identifies which vision elements are addressed by each proposal, demonstrating that a single action can help achieve multiple objectives.

Recommendations in this update flow from the original Renaissance Plan (2002) and the Fayetteville Renaissance Plan Implementation Projects study (2004), as well as from more recent work the City of Fayetteville has commissioned since. Information from the Murchison Road Corridor Study and its subsequent studies and reports, as well as from the Ramsey Street corridor study, the Cape Fear River corridor study and individual design projects in the Renaissance Plan area have also contributed to these recommendations, advancing work already begun, repeating those items that continue to be on the to-do list and suggesting new items that modify previous recommendations based on current community priorities and needs.

Project or action items are presented as part of a four-step phasing plan, ordered according to community input on priorities, an assessment of the institutional capacity of the City, and the availability and willingness of necessary partners. Each phasing step takes into account the variety of dimensions that will advance the plan, identifying projects that are focused on the core, on neighborhoods, on the transportation system, on community institutions and on policy or administrative changes that need to be considered. Each step is anticipated to be completed within five years, and represents a measured set of actions grouped together to maximize effect, avoid dilution of efforts and obtain a "critical mass" to begin and sustain the type of transformation this plan foresees. If taken together, this list of projects would be overwhelming. The four-step phasing approach helps break it down into achievable, strategic components.

Though the phasing outline presented here is a reasoned one, it must also be understood as flexible, adapting to changes based on funding availability, public safety or other considerations. The four phasing steps anticipate that the City will need to stage its actions over time, with the most time-sensitive or critical actions included in Step One. But it still may be necessary to exercise flexibility on when projects are initiated. Rather than identifying specific times when certain project must be begun, this implementation chapter suggests "first tier," "second tier" and "third tier" actions within each phasing step, allowing the City to vary start times based on available funding, available staff, willing partners or other factors.

This chapter also includes a critical path chart to indicate sequencing and interdependence between projects. For instance, it is important to develop a design for the Russell Street corridor plan (Project 7) before embarking on a mixed-use pilot project there (Project 21).

Four maps are included to show where individual projects and initiatives are proposed to occur in each step.

Step One

This step aims to do two things simultaneously: diversify activities in the downtown core and establish a critical mass for the revitalization of the Campbelton neighborhood. By taking this course, Step one builds on the success of downtown as a regional attraction and begins to inject housing supply in a neighborhood with uniquely attractive characteristics. Activities in the central core include the early work to begin realizing the arts center and to find a permanent home for the Fayetteville Farmer's Market. A mile to the west, Campbelton has the ability to lure downtown housing pioneers, using the river and proximity to the historic core as primary assets. This step also sets in motion the policy adjustments to help the plan succeed and makes the third and final connection to the Cape Fear Botanical Garden on Cross Creek Trail. In summary, this step solidifies commitment to the eastern end of the Fayetteville Crescent - linking the central core to the Cape Fear River.

This phasing step also includes some suggested steps in the process to initiate and complete the identified actions. The experience of the City in implementing Step One projects and actions will almost certainly inform the steps the City will take when implementing projects and actions in later phases.

1. Prince Charles Hotel Project



A deal is in the works, and the Prince Charles Hotel may see new life. Its renovation may lay the groundwork for future reinvestment in properties right next to it, stimulating thought about the potential for a conference center, new offices, new housing or other. There is strong need, and plenty of opportunities. This project will boost the potential of the Prince Charles block. This first project, however, promises opportunity to create residential and office condominiums in the upper floors, with dining and retail on the ground level. It puts the historic structure back in use, creating an activity generator at the west end of Hay Street

and saving a structure that has been suffering from years of neglect. The role of the City in this project is to ensure efficient processing of necessary development entitlements, as well as investigating and making available appropriate incentive programs to assist the developer with rehabilitation and occupancy. Tax increment financing, historic structure tax credits, the EB-5 program and new market tax credits may be applicable.

Steps in the process will likely include:

- *A development agreement – to ensure City and developer identify and agree to commitments and responsibilities; potentially including expedited permit processing, property tax deferrals, historic building tax credits and subsidized utility development costs.*
- *Entitlements – to permit housing, retail and professional offices on the property, including residential and office condominium-style subdivision.*
- *Project design – to ready the project for construction, determining phasing and establishing marketing and administrative plans.*
- *Project construction – to renovate the building for occupancy.*

Timeline: First Tier; entitlements processed within four months of application.

Core Partnerships: Developer, City of Fayetteville, Fayetteville Regional Chamber, Cumberland County, State of North Carolina.

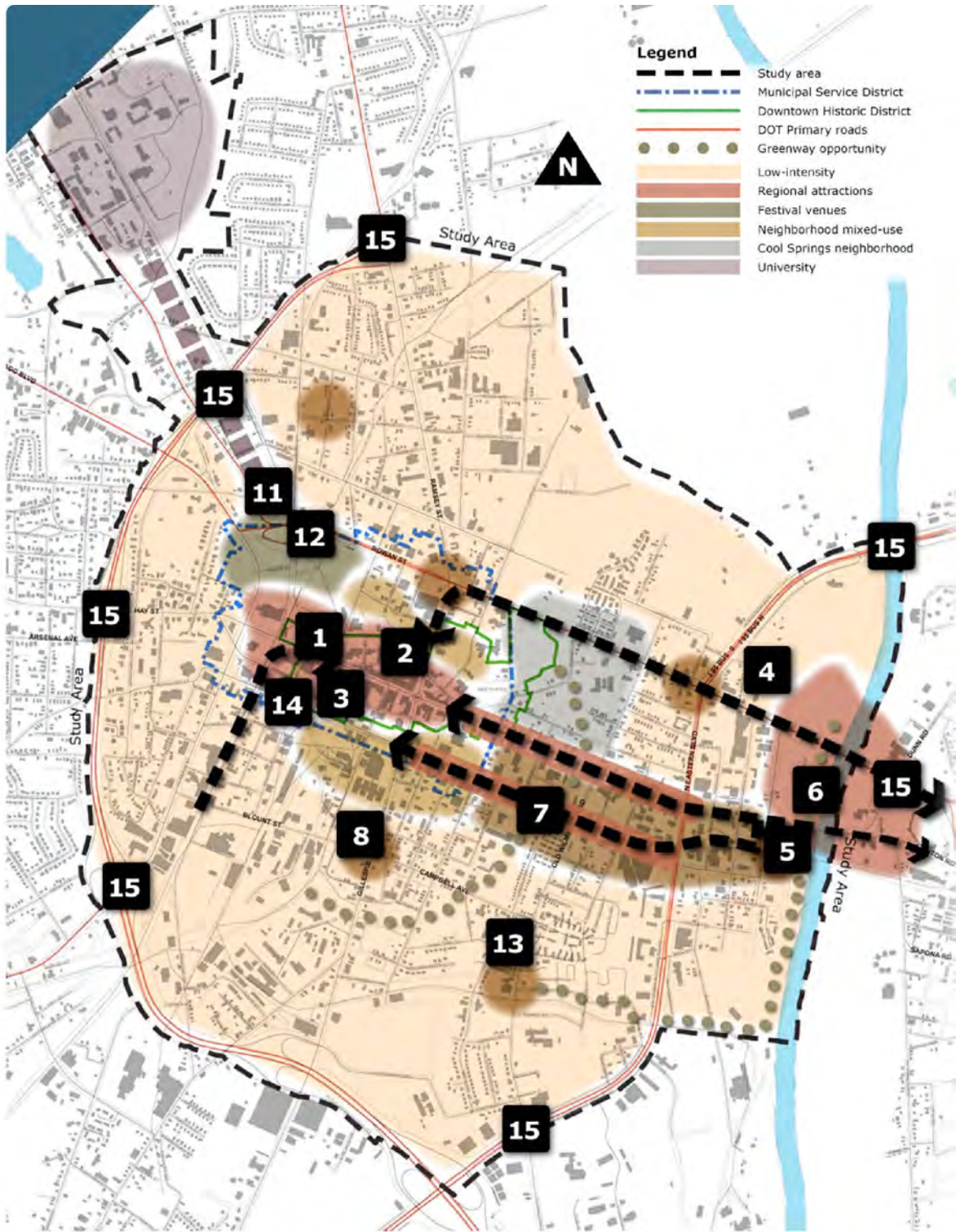


Figure 6.02 – Numbered items correspond to projects listed within Step 1, indicating those projects that should be addressed within four years of the adoption of this plan. (Image source: Studio Cascade)

2. Visual and Performing Arts Center



The idea of a full-fledged downtown visual and performing arts center was a big part of the previous Renaissance Plan, but it has yet to be realized. There is much to recommend such a feature in downtown Fayetteville. If it is to become reality, it needs to remain a priority, helping activate community energies. A visual and performing arts center is a team project, requiring some degree of City of Fayetteville leadership and significant participation from the Arts Council of Fayetteville/Cumberland County and other community groups and individuals. The project would begin with a memorandum of understanding between responsible parties, conceptual design and programming, fund-raising, site selection, property acquisition and development. City involvement will focus primarily on facilitation, with little additional burden to be placed on the City's financial resources – unless the Arts Council and the City agree that City purchase of target property is the course to pursue.

Steps in the process will likely include:

- *Memorandum of understanding* - to ensure formation and sustained operation of arts center administrative entity and to identify and clarify roles of that entity, the City and other partners.
- *Feasibility study* – to test the general concept for financial viability, prepare development pro-forma and identify responsible implementation partners.
- *Fund-raising* – to establish capital construction resources and create an operations endowment, including sourcing and obtaining available grants.
- *Site selection* – to identify potential development properties, vet opportunities, commit to a single site and acquire/lease property for the visual and performing arts center.
- *Concept development/programming* – to characterize and the development of the project, readying it for entitlement and building permit approvals.
- *Entitlements* – to permit the visual and performing arts center and its proposed uses.
- *Project design* – to complete project design and ready the project for construction.
- *Project construction* – to build the visual and performing arts center and its appurtenant facilities.

Timeline: First Tier; memorandum of understanding executed within six months and feasibility study completed within a year.

Core Partnerships: The Arts Council of Fayetteville/Cumberland County, Visual Arts Alliance of Fayetteville, other art organizations and professionals throughout Fayetteville and Cumberland County.

3. Farmers Market



Though an institution in downtown Fayetteville, the farmers market needs a permanent home. From storefront studio participants, to meeting attendees, to survey participants, residents stressed this as an important element to keep in downtown. The Fayetteville Farmer's Market Association consists of two user groups, and they must work together with the City of Fayetteville and Cumberland County to locate and run the permanent market. This project will need to begin with a memorandum of understanding between the parties involved to lay the groundwork for their collective effort and identify respective responsibilities. Then the project can move on into site selection, fund-raising, design, property acquisition and operations. The market may remain in its current location or it may move, but solidifying relationships and respective commitments is key to market survival and prosperity.

Steps in the process will likely include:

- Memorandum of understanding – to ensure formation and sustained operation of The Fayetteville Farmer’s Market Association as an administrative entity, and to identify and clarify roles of that entity, the City and other partners.
- Site selection – to identify potential development properties, vet opportunities, commit to a single site and acquire/lease property for the farmers market.
- Fund-raising – to establish capital construction resources and create an operations endowment, including sourcing and obtaining available grants.
- Concept development/programming – to characterize and initiate the development of the project and prepare it for entitlement and building permit approvals.
- Entitlements – to permit the farmers market and its proposed uses.
- Project design – to complete project design and ready the project for construction.
- Project construction – to build the farmers market and its appurtenant facilities.

Timeline: First Tier; memorandum of understanding and site selection completed within six months.

Core Partnerships: Market vendor groups, City of Fayetteville, Cumberland County.

4. Cross Creek Trail (Linear Park), Final Segment



This trail connection finishes the alignment along Cross Creek, taking it all the way from the existing Festival Park to the Cape Fear River. Those portions of the Cross Creek Trail that are developed are well-used and highly appreciated by the Fayetteville community. This project is to be led by the City, with design costs, property acquisition and construction funded by the City. The costs associated with implementing this section of the park may range from a low of \$1.6 million to \$2.5 million, depending on the complexity of the trail and the ease of property acquisition.

Steps in the process will likely include:

- Concept development – prepare and refine a trail alignment and development concept to join the current trail end to the Cape Fear Botanical Gardens and the planned trail alignment along the Cape Fear River.
- Property acquisition – to identify and purchase necessary property to complete the trail link, provide access as appropriate and incorporate desired trail amenities.
- Trail design – to complete engineering and landscape architectural design of the trail segment through the downtown planning area, preparing bid specifications and readying the project for construction.
- Project construction – to build the final trail segment.

Timeline: First Tier; final design produced within six months of adoption of this plan.

Core Partnerships: City of Fayetteville Linear Park Corporation, Fayetteville-Cumberland Parks & Recreation, Cape Fear Botanical Gardens.

5. Campbelton Master Plan



This idea goes as far back as the origin of Fayetteville, but the time may soon be ripe for a river-side community, providing better access to the Cape Fear River for all of Fayetteville. This project will create a master plan for the Renaissance Plan, helping spur interest and potential for new development in the Campbelton area. The process would be led by the City of Fayetteville and involve concept development, land acquisition, land use, utilities and transportation planning and an early and active partnership with development interests to ensure that the concepts created are marketable and realistic. The community overwhelmingly supports expanding the activity of the downtown core into adjoining neighborhoods, and this project will provide the opportunity to do it, using an established and historic part of Fayetteville as its inspiration. Preparation of a master plan would cost from \$125,000 to \$250,000, depending on the size of the area studied and the depth of economic analysis performed.

Steps in the process will likely include:

- Concept development/programming – to characterize the development of the project, test it with the larger community, invite potential partners into project discussions and ready it for entitlement and building permit approvals.
- Land acquisition – to purchase available land, abate nuisance properties, assemble parcels consistent with the development concept and ready the project for active City/developer participation.
- Partner identification – to solicit potential development partners and make preliminary commitments for involvement in the redevelopment of Campbelton.
- Transportation plan – to study the transportation system in Campbelton and ensure conceptual project designs allow for appropriate mobility and access; potentially incorporating a future trolley stop.
- Utilities master plan – to study the water, wastewater and storm drainage systems in Campbelton and ensure conceptual project designs allow for appropriate service at anticipated development intensities.
- Land use plan – to prepare a land use concept, including modifications to land use designations and zoning as appropriate to implement the overall development concept.
- Development agreement – to ensure the City and development partners identify and agree to commitments and responsibilities; potentially including expedited permit review, property tax deferrals, historic building tax credits and subsidized utility development costs.
- Entitlements – to permit the Campbelton master plan, subdivisions, phasing, and its proposed uses.
- Utilities and street improvements – to identify, design and construct necessary improvements to utility and street systems, including those streets owned by NCDOT.

Timeline: Second Tier; conceptual land use plan complete within two years.

Core Partnerships: City of Fayetteville, PWC, Campbelton property owners, developers, at-large community.

6. Cape Fear River Trail



The portion of the Cape Fear River within the City of Fayetteville potentially contains an important piece of the North Carolina statewide trail system. This project would put that trail link in place, enabling Fayetteville residents to enjoy a riverfront walk today and to participate in regional trail networks tomorrow. As with the final segment of the Linear Park, costs for construction of this trail could approach \$2.5 million.

Steps in the process will likely include:

- **Concept development** – prepare and refine a trail alignment and development concept to join the Cross Creek Trail (Linear Park) to the planned trail alignment along the Cape Fear River.
- **Property acquisition** – to identify and purchase necessary property to begin the trail along the river, provide access as appropriate to the proposed Campbelton project and incorporate desired trail amenities.
- **Trail design** – to complete engineering and landscape architectural design of the trail segment through the downtown planning area, preparing bid specifications and readying the project for construction of its early, northern phases.
- **Project construction** – to build the first trail segments, including appurtenant facilities and amenities.

Timeline: Second Tier; begin upon completion of Cape Fear River corridor study and after substantial completion of final Cross Creek design.

Core Partnerships: City of Fayetteville, NCDOT, Fayetteville/Cumberland Parks and Recreation.

7. Russell Street Design



Improving the appearance and pedestrian attractiveness of roadways can be a potent force in supporting residential and mixed-use development, and work to support these elements along Russell Street is already underway, with businesses from Robeson Street to around Ray Avenue enjoying new brick sidewalks. But since Russell Street is a major opportunity site, this project would envision and help create a wide range of corridor improvements – further spurring the revitalization of Russell Street – at a cost of approximately \$450,000.

Steps in the process will likely include:

- **Concept development** – to identify streetscape and adjoining land use configurations to encourage a desired corridor transformation, accommodating mixed uses and an increasingly friendly environment for residential conversion.
- **Land use plan** – to review and revise, as appropriate, land use designations and zoning along Russell Street to implement the overall concept and strategy.
- **Transportation plan** – to study the transportation system along Russell and ensure conceptual street designs allow for appropriate mobility and access.
- **Street design** – to identify and design street improvements in conjunction with NCDOT.
- **Construction phasing** – to identify strategic phasing and determine schedules for the engineering design and construction of Russell Street.

Timeline: Third Tier; begin upon completion of Campbelton master plan.

Core Partnerships: City of Fayetteville, PWC, FAMPO, NCDOT.

8. Hope VI Business Park



This project relates directly to the other HOPE VI work the City of Fayetteville has been leading. Providing employment for HOPE VI residents and others in the planning area has always been a primary goal for this project. Conceptual development plans have been prepared, and the project is ready for implementation.

Steps in the process will likely include:

- *Partner identification* – to solicit, vet and commit development partners.
- *Engineering design* – to prepare engineering-level site designs and bid specifications (if necessary) readying the project for construction.
- *Site development* – to construct site utility systems and all other site features to ready the project for end users.

Timeline: First Tier to begin immediately upon completion of development master plan.

Core Partnerships: City of Fayetteville, PWC, Fayetteville Regional Chamber.

9. Growth Policy/Land Use Plan Update



The Fayetteville Strategic Plan, comprehensive plan and 2002 Renaissance Plan call for increased emphasis on reinvesting in downtown. This project will ask the City to consider this in the larger, long-range planning context, ensuring that the overall growth policy of the City favors infrastructure investment in areas already within municipal boundaries, emphasizing its commitment to a diverse and prosperous city center. Much of this work can be prepared by in-house staff, requiring dedication of approximately 2,200 staff hours and the possible supplementing of their work by a consultant for an additional \$70,000.

Steps in this process will likely include:

- *Analysis* – to determine the most appropriate citywide strategies to encourage proposed intensity of residential development, conversion of industrial space and intensification of neighborhood centers as proposed in this downtown plan update.
- *Draft amendments* – to draft proposed policy amendments and land use designations as indicated in the analysis phase, including a public participation process as appropriate.
- *Adoption* – to run a public hearing process, including public hearings before the planning commission and City Council.

Timeline: First Tier; conceptual land use plan complete within one year.

Core Partnerships: City of Fayetteville, Downtown property owners and other groups with interest in citywide policy.

10. Zoning Amendments



This plan update calls for a tripling of the population in downtown, targeting a resident population of almost 15,000 within the planning area. This project would review and revise the City zoning ordinance and development standards to accommodate and appropriately manage the desired growth. As with the land use policy update, much of this work can be prepared by in-house staff, requiring dedication of approximately 2,200 staff hours and the possible supplementing of their work by a consultant for an additional \$70,000.

Steps in this process will likely include:

- **Analysis** – to determine the extent of necessary zoning and regulatory changes to permit and encourage the proposed intensity of residential development, conversion of industrial space and intensification of neighborhood centers as proposed in this downtown plan update.
- **Draft amendments** – to draft proposed zoning and regulatory changes as indicated in the analysis phase, addressing land use, development standards and potential incentives, including a public participation process as appropriate.
- **Adoption** – to run a public hearing process, including public hearings before the planning commission and City Council.

Timeline: Second Tier, to begin immediately upon substantial completion of the growth policy and land use plan update.

Core Partnerships: Fayetteville Planning Commission, Fayetteville Regional Chamber/ Economic Development Alliance.

11. Murchison Improvements



College campuses and downtowns can be great for each other, and work to enhance the physical and activity ties between downtown and Fayetteville State University has been in process for years. This project would focus work on improving the pedestrian experience along Murchison, helping boost student visitation to downtown – and boost resident visitation to FSU. Costs to design and construct Murchison Road street improvements would range from a low of \$2.4 million to a high of \$3.6 million, depending on the complexity of the design and the need to acquire additional rights of way.

Steps in this process will likely include:

- **"Catalyst Site 1" development** – to identify potential development partners to acquire and assemble properties and develop them as identified in the Murchison corridor plan and subsequent related studies.
- **Streetscape improvements** – to define the proposed character for Murchison Road and invest in new sidewalks, furniture, lighting and other elements to create a more welcoming and effective pedestrian and bicycling link to the downtown core.
- **Expanded university presence** – to encourage continued Fayetteville State University expansion into the properties adjoining Murchison, closing the gap between school and downtown core.

Timeline: First Tier.

Core Partnerships: City of Fayetteville, Fayetteville State University, PWC, FAMPO, NCDOT, Murchison Road property owners.

12. Rowan Street Bridge



This project is almost completely designed and ready for construction. When complete, it will restructure the way people enter downtown from the northwest. This intersection has a place in multiple downtown plans, and it is finally going to happen.

Steps in this process will likely include:

- *Construction design – to provide fully engineered construction drawings and specifications and to continue investigations for enhanced non-motorized connections between the core of downtown and the residential neighborhoods north of Rowan Street.*
- *Construction – to build the bridge and its related improvements.*

Timeline: First Tier.

Core Partnerships: City of Fayetteville, FAMPO, NCDOT.

13. Old Wilmington Road Neighborhood



The City got the ball rolling – with help from HUD grants and willing community partners – to redevelop more than 50 acres in this neighborhood. Plans now are to develop a business park to provide local jobs, enhance Gillespie Street and add diversity to the neighborhood. This project will identify next steps, like improving connections to the downtown core and attracting a varied mix of new residents. And the role of the Fayetteville Metropolitan Housing Authority in the project will be complete at the end of 2013, leaving the balance of implementation responsibility to the City.

Steps in this process will likely include:

- *Housing Authority involvement – to complete the construction of housing units in partnership with the Housing Authority, transferring development responsibility to the City.*
- *Transit center redevelopment – to identify an appropriate reuse strategy for the site used temporarily by Fayetteville Area System Transit, potentially as a mixed-use pilot project suitable to stimulate new development along Russell Street.*

Timeline: First Tier, Ongoing.

Core Partnerships: City of Fayetteville, Fayetteville Metropolitan Housing Authority, Cumberland County, community housing organizations, property owners, developers.

14. Ray Avenue Extension



The City is extending Ray Avenue and improving it to link up with Russell Street, improving access to Russell from neighborhoods to the south.

Timeline: First Tier.

Core Partnerships: City of Fayetteville, NCDOT.

15. Gateway Monuments



The first Renaissance Plan called for gateway monuments as an important way to establish the identity of downtown and encourage reinvestment. But storefront studio participants tended to believe that money should be spent elsewhere first, even though building gateways is something the City can do on its own and relatively quickly. Gateway monument costs, including design and construction, could range from \$60,000 to \$125,000 each.

Steps in this process will likely include:

- *Conceptual design* – to establish and adopt a gateway monument strategy, locating and designing primary and secondary monuments for entries into the downtown and associated neighborhoods.
- *Construction design* – to provide fully engineered construction drawings and specifications, readying individual gateway monument projects for bid, award and construction.
- *Construction* – to build the gateway monuments, either individually, collectively or in groups.

Timeline: Third Tier; begin when funds are available to prepare a feasibility study and concept design.

Core Partnerships: City of Fayetteville, NCDOT.

16. Conference Center/Hotel Study



While the Prince Charles Hotel project may soon begin, it is not envisioned to be a hotel. The need for lodging downtown persists, and so does the need for a conference facility. This task calls for an updated conference center and hotel study to be conducted after construction begins on the Prince Charles and after the City and its partners make substantial progress on the Visual and Performing Arts Center. It is likely that the market for a conference center and downtown hotel will be influenced by these two other projects, and it is possible that a development site may become available that is connected to either or both of these two projects. This study will probably cost approximately \$150,000 to complete, including an economic analysis, conceptual pro forma and a schematic design program.

Steps in this process will likely include:

- *Partnership and scope assembly* – to identify local and regional partners who may help fund and otherwise support the feasibility study, using these relationships to develop and refine the scope of the study.

- Budget allocation – to make funds available for the City’s share of the project, drafting memoranda of understanding as appropriate to confirm partners in the task.
- Request for Qualifications - to solicit qualified consultants to prepare the feasibility study, written and distributed through the City of Fayetteville or a partner in the task.
- Selection - to choose a qualified consultant to perform the work, approve a contract and empanel client representatives to guide the process.
- Study - to run the study process, completing the actual report within six months of contract award.

Timeline: Second Tier; begin when funds are available to prepare a feasibility study and after work begins on the Prince Charles Hotel project and Visual and Performing Arts Center.

Core Partnerships: City of Fayetteville, Fayetteville Regional Chamber, Visitors and Convention Bureau, Prince Charles block property owners.

Table 6.01 – Step One Implementation

Core	Neighborhoods	Transport	Institutions	Policy/Admin.
<ul style="list-style-type: none"> ▪ Prince Charles Hotel project ▪ Visual & Performing Arts Center ▪ Farmers market ▪ Conference Center/ Hotel study 	<ul style="list-style-type: none"> ▪ Campbelton master plan ▪ HOPE VI Business Park ▪ Old Wilmington Road neighborhood 	<ul style="list-style-type: none"> ▪ Russell Street plan, design ▪ Murchison Road improvements ▪ Rowan Street Bridge ▪ Ray Avenue extension 	<ul style="list-style-type: none"> ▪ Cross Creek Trail (Linear Park) ▪ Cape Fear River Trail ▪ Gateway monuments 	<ul style="list-style-type: none"> ▪ Zoning amendments ▪ Growth policy/land use update

Step Two

Step 2 builds on the foundations laid in the Renaissance Plan and solidifies the Fayetteville “crescent,” improving and strengthening connections to Fayetteville State University and continuing work to improve conditions along Russell Street. It carries on the momentum established in Campbelton, testing opportunities for mixed-use development along Russell as the primary connection between Campbelton and the historic core. It also takes a cue from the Step 1 work on the Cross Creek Trail, implementing a housing project in the Cool Springs neighborhood and calming traffic on Grove Street. Work continues on the HOPE VI project with the development of the HOPE VI business park and continued build out of the area around the Old Wilmington Road neighborhood.

17. Cool Springs Housing



The Cool Springs area is an amazing environment – and as close as it is to downtown, it has tremendous potential. This project would explore ways to spur compatible development in the Cool Springs area, making the district even more prominent and vital than it is today.

Timeline: First Tier; begin immediately upon development application for entitlements.

Core Partnerships: City of Fayetteville, developers, PWC, community housing organizations, FAMPO, NCDOT.

18. Grove Street Traffic Calming



Grove Street is a busy place, carrying thousands of daily trips on their way east and west through downtown. It bisects the downtown planning area, creating a barrier between areas south and areas north. Though there are signalized intersections where pedestrians may cross, they are widely spaced and do not necessarily coincide with the locations where pedestrians would prefer to cross. This project would retain the efficiency of the roadway in carrying traffic, but it would employ strategies to slow it and to improve pedestrian safety.

Timeline: Second Tier; begin immediately upon application for Cool Springs housing project, with calming designs approved and construction begun within one year of application submittal.

Core Partnerships: City of Fayetteville, PWC, FAMPO, NCDOT.

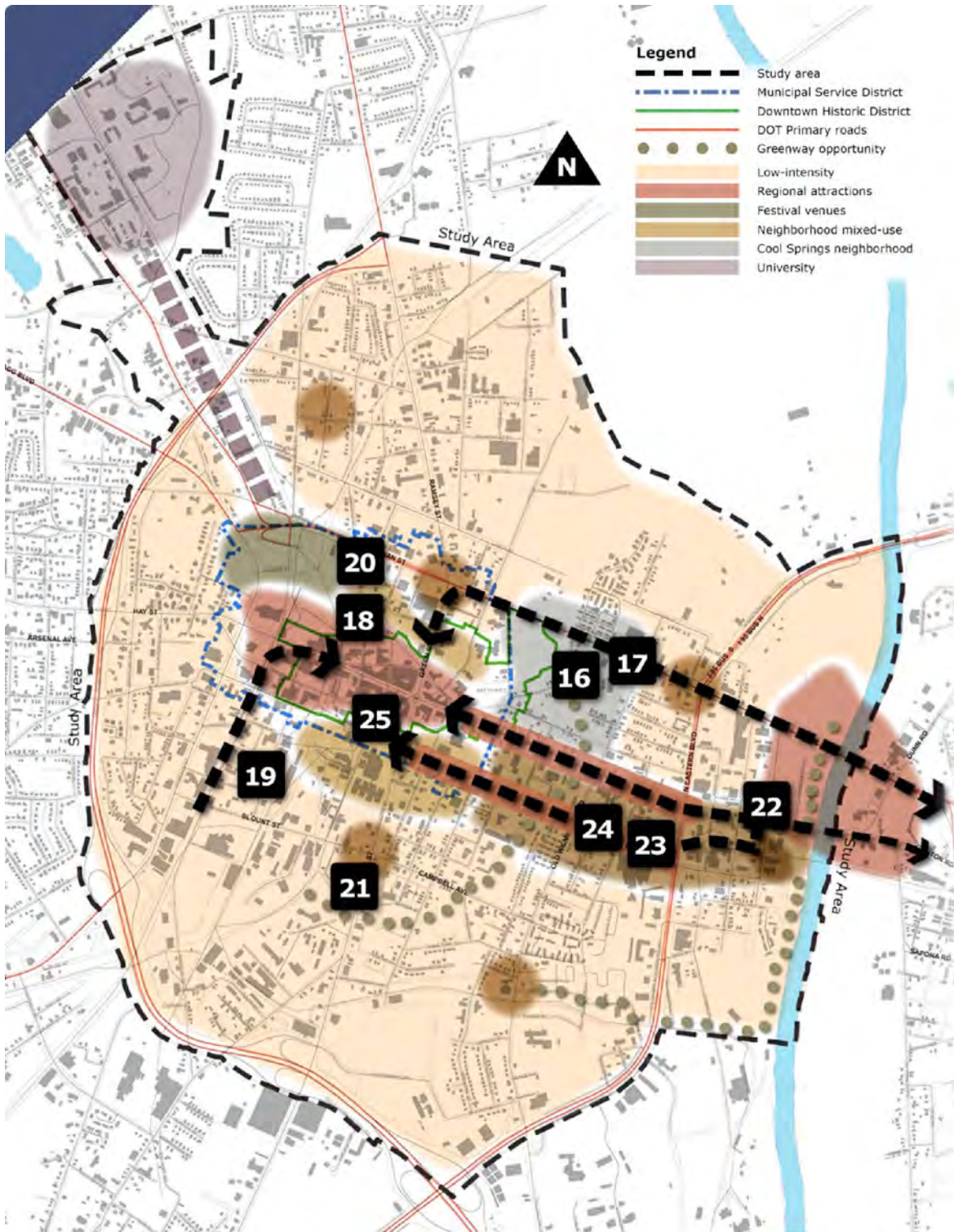


Figure 6.03 – Numbered items correspond to those projects listed within the Step 2 phase, indicating those that should be addressed between four and eight years from plan adoption. (Image source: Studio Cascade)

19. Blount Street Artists Lofts



Many sites in the Blount Street area seem ripe for new enterprises and energy. This project will establish policy directives and possible incentives helping re-purpose some area buildings into artist live/work lofts – bringing new life and economic activity to the entire downtown area.

Timeline: Second Tier; begin four years after plan adoption, soon after completion of zoning amendments and the visual and performing arts center.

Core Partnerships: City of Fayetteville, community housing organizations, property owners, Arts Council of Fayetteville/Cumberland County.

20. Parks, Trails, Open Space



The terrain and natural features of Fayetteville present many recreational opportunities. This project strives to expand and connect open space resources. The Cross Creek Trail is already showing benefit, but there is more work to be done – including tying it to the Cape Fear Botanical Gardens and the river shoreline. This project will concentrate on the northwestern portion of the planning area, tying into the Rowan Street bridge project and enhancing open space connections to Murchison Road and the base of Haymount.

Timeline: First Tier; begin immediately upon completion of the final leg of the Cross Creek Trail.

Core Partnerships: City of Fayetteville, Fayetteville-Cumberland Parks & Recreation, property owners, developers.

21. Hope VI Business Park



This project continues the development work begun in Step 1, constructing buildings and selling property as appropriate for the development mission of the project.

Timeline: First Tier; begin immediately upon completion of the business park street and utility system improvements.

Core Partnerships: City of Fayetteville.

22. Campbelton Development



This project begins to turn the master plan into reality, improving utility systems, streets and acquiring and subdividing land. Few units will be constructed during this phase, but the groundwork will be established to enable construction of retail space, public space and residential units as laid out in the master plan.

Timeline: Second Tier; begin immediately upon completion of the Campbelton master plan.

Core Partnerships: City of Fayetteville, PWC, property owners, developers.

23. Russell Street Improvements



Improving the appearance and pedestrian attractiveness of roadways can be a potent force in supporting residential and mixed-use development. Since Russell Street is a target for future housing, this project would envision and help create a wide range of corridor improvements – setting the stage for reinvestment along Russell Street.

Timeline: Second Tier; begin immediately upon completion and approval of street designs and land use plans.

Core Partnerships: City of Fayetteville, PWC, FAMPO, NCDOT.

24. Russell Street Mixed-Use Pilot Project



Russell was historically an important residential and business corridor, and it is time for it to become so again. This project will set policies in place to encourage and begin to develop a mixed-use “pilot project” – offering ground-floor shops and services with folks living above, spurring similar growth along the corridor and helping tie downtown to the river.

Timeline: Second Tier, to begin policy work upon completion of the land use plan update and begin project development upon completion of Russell Street designs.

Core Partnerships: City of Fayetteville, community housing organizations, property owners, developers.

25. MSD Expansion



Identifying and acting on partnership opportunities require the Municipal Services District (MSD) to have a broader resource base and an increased geographic spread. The downtown planning area is much larger than the existing MSD, and the improvements necessary to assure the success of the historic core will require coordination beyond the limits of the MSD. This project proposes expanding the MSD to reach into those neighborhoods that will be most closely connected to the core, facilitating the connections and relationships this plan requires.

Timeline: First Tier; begin within four years of plan adoption, readying discussion in advance of next five-year district renewal.

Core Partnerships: City of Fayetteville.

Table 6.02 – Step Two Implementation

Core	Neighborhoods	Transport	Institutions	Policy/Admin.
<ul style="list-style-type: none"> Cool Springs housing 	<ul style="list-style-type: none"> HOPE VI business park Blount Street Artists Lofts Russell Street mixed-use pilot plan Old Wilmington Road neighborhood Campelton development Russell Street Mixed-Use Pilot Project 	<ul style="list-style-type: none"> Russell Street improvements Grove Street traffic calming 	<ul style="list-style-type: none"> Parks, trails and open space 	<ul style="list-style-type: none"> MSD expansion

Step Three

The increasing complexity of downtown becomes an asset as the Blount Street artists lofts blend with the industrial uses already present in the area. This places more emphasis on the need for general traffic calming, particularly in the southern portions of downtown, and increases local demand for an interconnected parks and trails system. Based on the successes at Campbelton and around the Old Wilmington Road neighborhood, investment begins in the Orange Street School neighborhood, increasing development density and creating a small neighborhood center there.

26. Cool Springs Housing



This project continues Cool Springs development initiated in Step 2, constructing housing units as outlined in the development master plan.

Timeline: First Tier, to begin immediately upon adoption of entitlements and subdivision and improvement of land.

Core Partnerships: Developers, property owners, City of Fayetteville.

27. General Traffic Calming



Connections throughout the downtown are important, and it is also important that these connections serve pedestrians, cyclists, autos, public transportation and trucks. The transportation system should be rethought to consider where and how calmed streets can be accommodated in the landscape. This project concentrates on making connections by extending and improving rights of way and on making streets safe for all travel modes.

Timeline: Second Tier, to begin upon completion of Grove Street traffic calming or in response to market-rate housing development in the Old Wilmington Road neighborhood.

Core Partnerships: City of Fayetteville, FAMPO, NCDOT.

28. Blount Street Artists Lofts



This project continues the transformation of the southwestern industrial area begun in Step 2, mixing residential and artist shops within the industrial fabric of the area.

Timeline: First Tier; continuing from Step Two.

Core Partnerships: City of Fayetteville, community housing organizations, property owners, Arts Council of Fayetteville/Cumberland County, Visual Arts Alliance of Fayetteville, other art organizations and professionals throughout Fayetteville and Cumberland County.

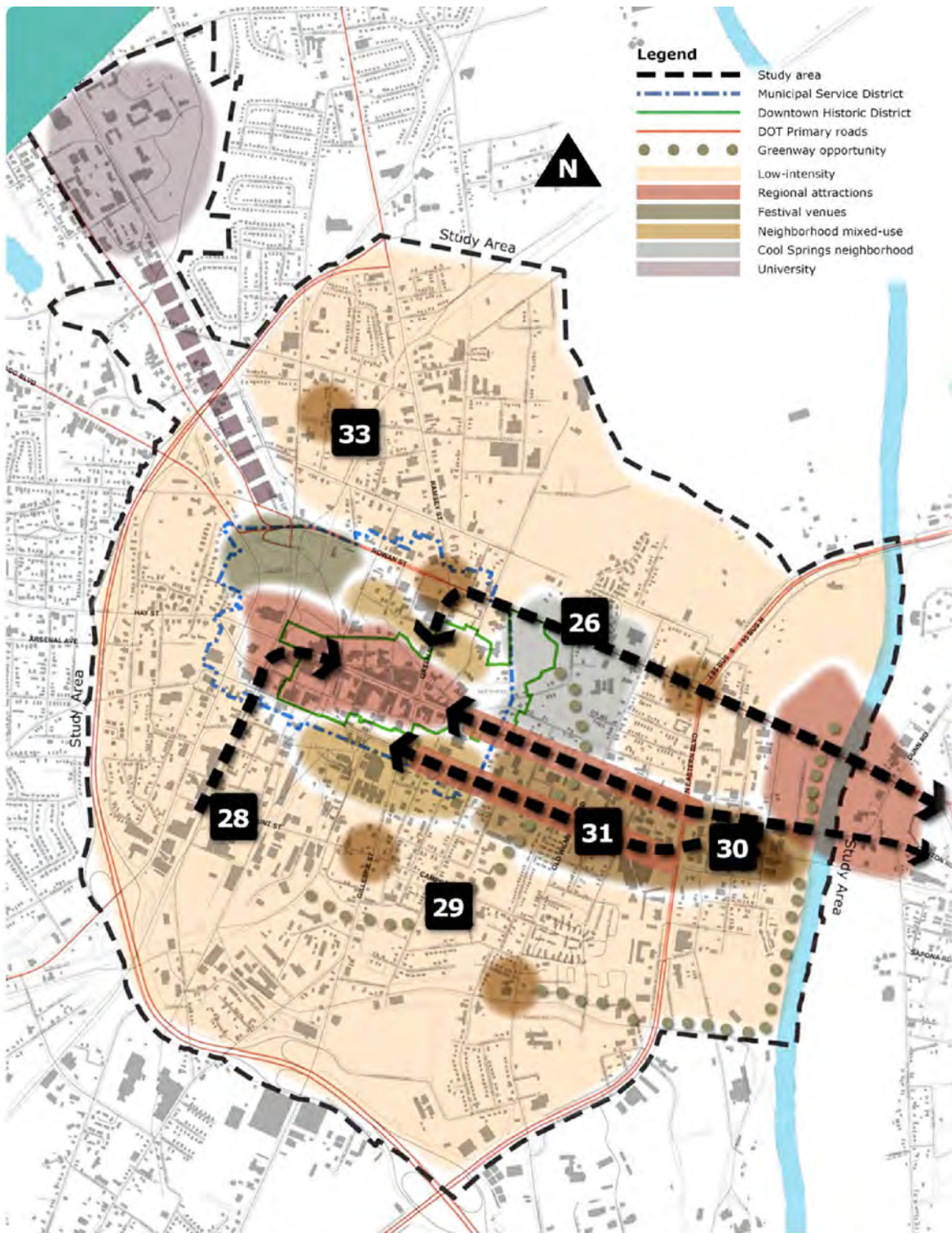


Figure 6.04 – Projects indicated here correspond with Step 3, showing those that should be addressed from year 8 through 12 after the adoption of this plan. (Image source: Studio Cascade)

29. Parks, Trails, Open Space



The terrain and natural features of Fayetteville present many recreational opportunities. This project strives to expand and connect open space resources. The Cross Creek Trail is already showing benefit, but there is more work to be done – including tying it to the Cape Fear Botanical Gardens and the river shoreline. This project will concentrate on the southern portion of the planning area, completing the Blounts Creek Trail and tying trail opportunities into the expanded street network constructed in the Old Wilmington Road neighborhood.

Timeline: First Tier; continuing from Step 2.

Core Partnerships: City of Fayetteville, property owners, developers.

30. Campbelton Development



This continues developing the master plan, constructing retail space, public space and residential units as laid out in the master plan.

Timeline: Second Tier, to begin immediately upon completion of Campbelton site development.

Core Partnerships: City of Fayetteville, PWC, property owners, developers.

31. Russell Street Mixed-Use Pilot Project



This project continues the build-out of the pilot project, with buildings occupied with a mix of retail and residential users.

Timeline: Third Tier, to begin immediately upon completion of site development.

Core Partnerships: City of Fayetteville, property owners, developers, community housing organizations.

32. Downtown Plan Update



The downtown plan will need updating to reflect the changes in market conditions and neighborhood reinvestment generated in Step 1 and Step 2. New housing units, new user patterns and new expectations of what downtown can be will drive the plan to refine its vision and suggest new projects and initiatives.

Timeline: Second Tier, to begin about eight years after adoption of plan update.

Core Partnerships: City of Fayetteville.

33. Orange Street School Neighborhood



Increasing the population within walking distance to the center of downtown is a high priority in this plan, strengthening downtown retail and growing the community tax base where infrastructure already exists. The first Renaissance Plan called for reinvestment in neighborhoods, and this update identifies the area surrounding the historic Orange Street School as a candidate. It is near Fayetteville State University, is served by Hillsboro and Ramsey streets, and is an easy walk from Hay Street. The old Orange School provides a cultural touchstone, too, creating a core identity.

Timeline: Third Tier, to begin as resources become available to acquire property and prepare master plan.

Core Partnerships: City of Fayetteville, community housing organizations, Fayetteville State University, neighborhood property owners.

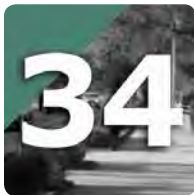
Table 6.03 – Step Three Implementation

Core	Neighborhoods	Transport	Institutions	Policy/Admin.
<ul style="list-style-type: none"> Cool Springs housing 	<ul style="list-style-type: none"> Blount Street artists lofts Campelton Development Orange Street School neighborhood Russell Street Mixed-Use Pilot Project 	<ul style="list-style-type: none"> General traffic calming 	<ul style="list-style-type: none"> Parks, trails and open space 	<ul style="list-style-type: none"> Downtown plan update

Step Four

This phase in the downtown plan, 12 years distant, includes the beginnings of a trolley system to serve the Fayetteville crescent. It also includes activities to improve the Bragg Boulevard/Robeson Street corridor in the planning area. The improvement of Bragg Boulevard improvement may be accelerated, however, if the City is able to successfully implement its Bragg Boulevard corridor plan and if private investment along the corridor shares the costs of roadway improvement. Traffic circles along Ramsey and Gillespie would occur during this phase, too, celebrating the historic “town square” features that used to be located along this north-south axis.

34. General Traffic Calming



Connections throughout the downtown are important, and it is also important that these connections serve pedestrians, cyclists, autos, public transportation and trucks. The transportation system should be rethought to consider where and how calmed streets can be accommodated in the landscape. This project concentrates on making connections by extending and improving rights of way and on making streets safe for all travel modes.

Timeline: First Tier, to begin upon completion of Grove Street traffic calming or in response to market-rate housing development in the Old Wilmington Road neighborhood.

Core Partnerships: City of Fayetteville, PWC, FAMPO, NCDOT.

35. Blount Street Artists Lofts



This project continues the transformation of the southwestern industrial area begun in Step 2, mixing residential and artist shops within the industrial fabric of the area.

Timeline: First Tier; continuing from Step Three.

Core Partnerships: City of Fayetteville, community housing organizations, property owners, Arts Council of Fayetteville/Cumberland County.

36. Bragg/Robeson Improvements



Bragg Boulevard is included in the northwesterly portion of the study area, linking downtown to Fort Bragg via a busy commercial corridor. It is a major entry into the downtown from the west, and there is a contemporary development proposal to construct condominiums where Bragg Boulevard meets Rowan Street. This project would enhance the appearance of Bragg within the study area making it a safer and more pleasant place for pedestrians. The street turns into Robeson Street south of Hay Street, and this part of the corridor can benefit from capturing and enhancing the character of the artists lofts emerging in that area.

Timeline: Second Tier; begin conceptual design in response to artists lofts development.

Core Partnerships: City of Fayetteville, PWC, FAMPO, NCDOT.

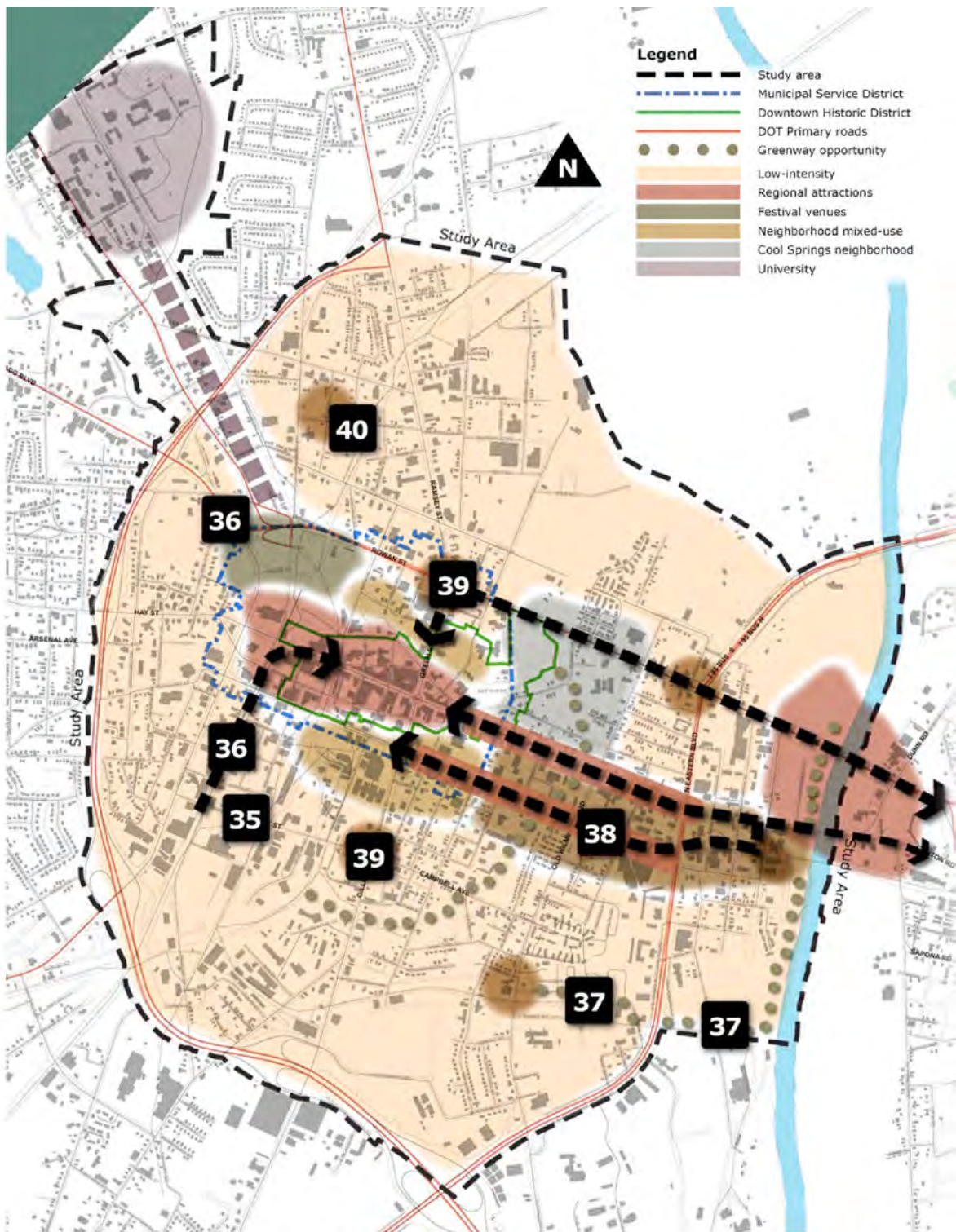


Figure 6.05 – Step 4 projects are shown on this diagram, corresponding with those projects that should be completed by year 16 after the adoption of this plan. (Image source: Studio Cascade)

37. Parks, Trails, Open Space



The terrain and natural features of Fayetteville present many recreational opportunities. This project strives to expand and connect open space resources. The Cross Creek Trail is already showing benefit, but there is more work to be done – including tying it to the Cape Fear Botanical Gardens and the river shoreline. This project will concentrate on the southern portion of the planning area, tying into the Blounts Creek Trail and establishing another link to the Cape Fear River. This new link will parallel the Aberdeen Rockfish Railroad right of way north of the Walker-Spivey School.

Timeline: First Tier, continuing from Step Three.

Core Partnerships: City of Fayetteville, property owners, developers.

38. Trolley Plan/Design



Linking a redeveloped Campbelton to the historic core is the primary reason for the inclusion of the trolley in this plan. Process participants conceded that this is probably a low priority item, destined for longer-term implementation when ridership would be higher – or if the project were subsidized by a Campbelton development proposal. Tracks exist in the Russell Street median, making a retrofit for trolley use easier.

Timeline: Third Tier, to begin when funds are available to prepare a feasibility study and concept design.

Core Partnerships: City of Fayetteville, PWC, FAMPO, NCDOT.

39. Gillespie/Ramsey Traffic Circles



Fayetteville once had a number of public squares, serving both civic and transportation functions. Unfortunately, most have since given way to roadway intersections. This project would set policies in place to recognize the historic significance of the squares, support re-establishment of some, even re-configuring others to become roundabouts – all in the context of an improved north-south corridor.

Timeline: third Tier, to begin when funds are available to prepare a feasibility study and concept design.

Core Partnerships: City of Fayetteville, FAMPO NCDOT.

40. Orange Street School Neighborhood



This work continues that begun in Step 3, with a focus on building construction, improvement of public open spaces and enhancement of public transportation connections between this neighborhood and the central core and to Fayetteville State University.

Timeline: First Tier, continuing from Step Three.

Core Partnerships: City of Fayetteville, PWC, community housing organizations, Fayetteville State University, neighborhood property owners.

Table 6.1 – Step Four Implementation

Core	Neighborhoods	Transport	Institutions	Policy/Admin
	<ul style="list-style-type: none"> ▪ Blount Street artists lofts ▪ Orange Street School neighborhood 	<ul style="list-style-type: none"> ▪ General traffic calming ▪ Bragg/Robeson improvements ▪ Trolley plan and design ▪ Gillespie and Ramsey traffic circles 	<ul style="list-style-type: none"> ▪ Parks, trails and open space 	



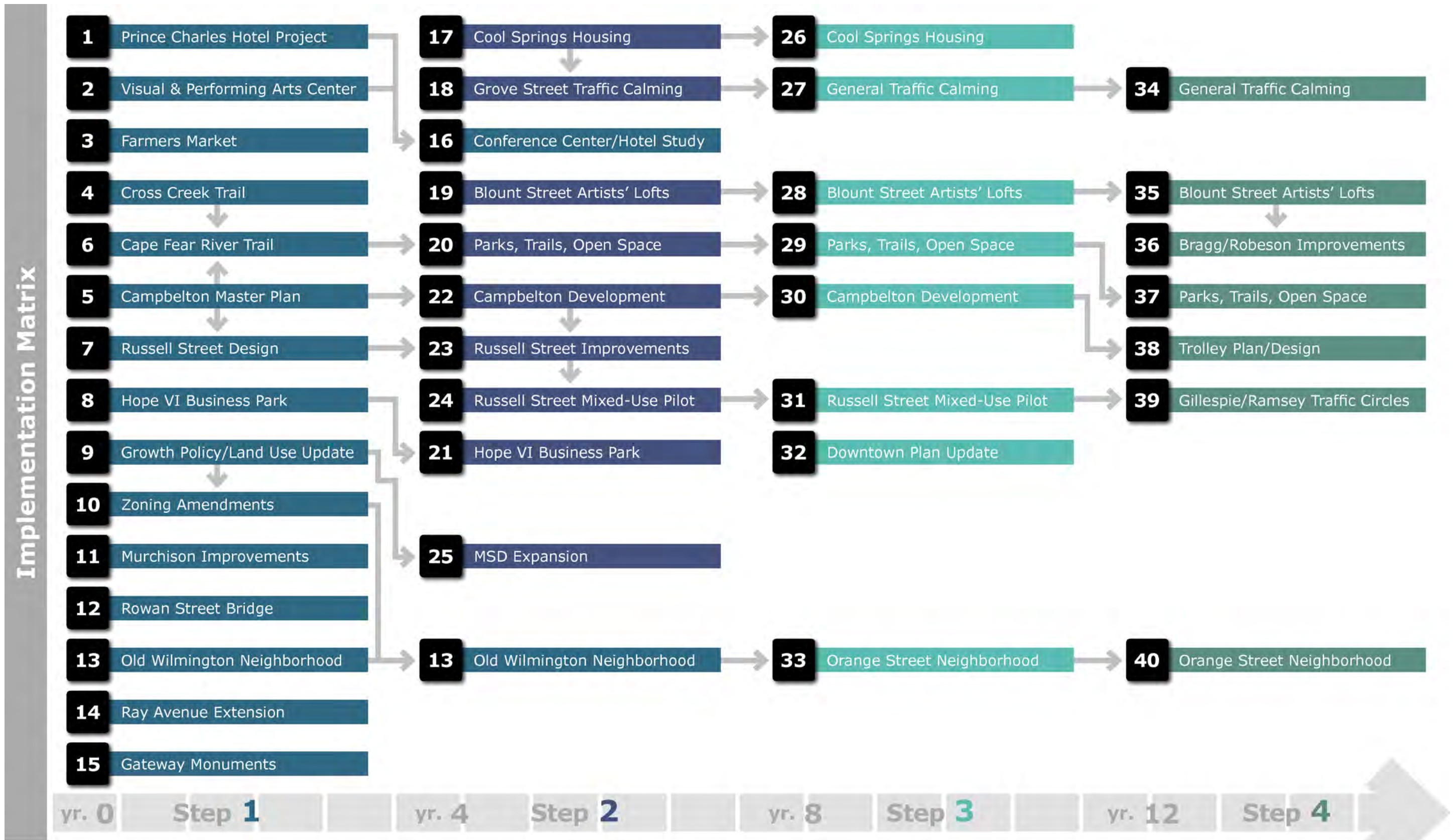


Figure 6.06 – This “critical path” diagram illustrates sequencing and relationships between recommended implementation projects. (Image source: Studio Cascade)

Livery Antiques ▶

The Live



The Livery Antiques

The Livery Antiques

City Council Meeting

May 28, 2013





Tonight

Presentation
CC discussion
Action

City Council Meeting

May 28, 2013



Mission

Inspiring vision

Shared goals

Strategic & tactical planning

Implementation



City Council Meeting

May 28, 2013



City of
Fayetteville

Downtown
Renaissance Plan
Update



Community Voice

City Council Meeting

May 28, 2013



Plan Framework

“Dynamic Downtown”
Central crescent
Targeted investment
Sustainability
Implementation
10,000 population



City Council Meeting

May 28, 2013





Vision

Overall

Culture & the arts

Gateways

Cape Fear River

Neighborhoods

Institutions

Connectedness

Industry

Relationships

Policy

City Council Meeting

May 28, 2013





Process

Interviews

Media

Storefront studio

Questionnaire

Workshop

Planning Commission

City Council

City Council Meeting

Nov 28, 2013

7-2-2-7



Heritage

Renaissance Plan

Once and for All

Cumberland Co.

Marketing study

Murchison Rd

Bragg Bl

Market-based HOPE VI

Strategic plan

Ramsey St

Cape Fear River

City Council Meeting

Monday, 6/13/12

7-2-2-8





Conditions

Demographics

Economics

Housing

Land use

Institutions

Environment

Buildings

Transport

Institutions

City Council Meeting

May 28, 2013





Strategy

Overall

Culture & the arts

Gateways

Cape Fear River

Neighborhoods

Institutions

Connectedness

Industry

Relationships

Policy

City Council Meeting

May 29, 2013

7-2-2-10





City Council Meeting

May 28, 2013

7-2-

Implementation

Phases

Tiers

Actions (Step 1)

Responsibility

Partners

Emphasis



Matrix

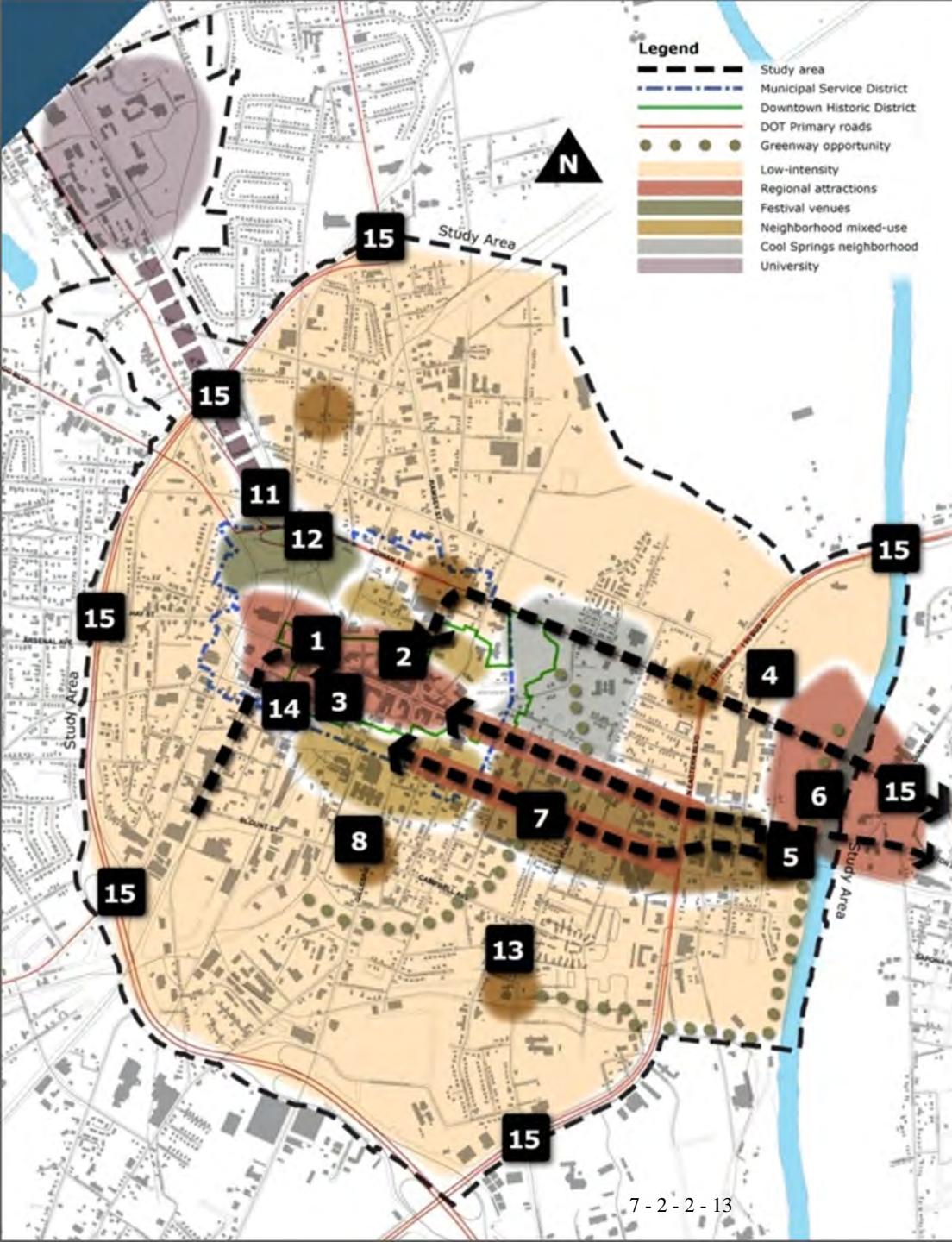


Implementation Matrix

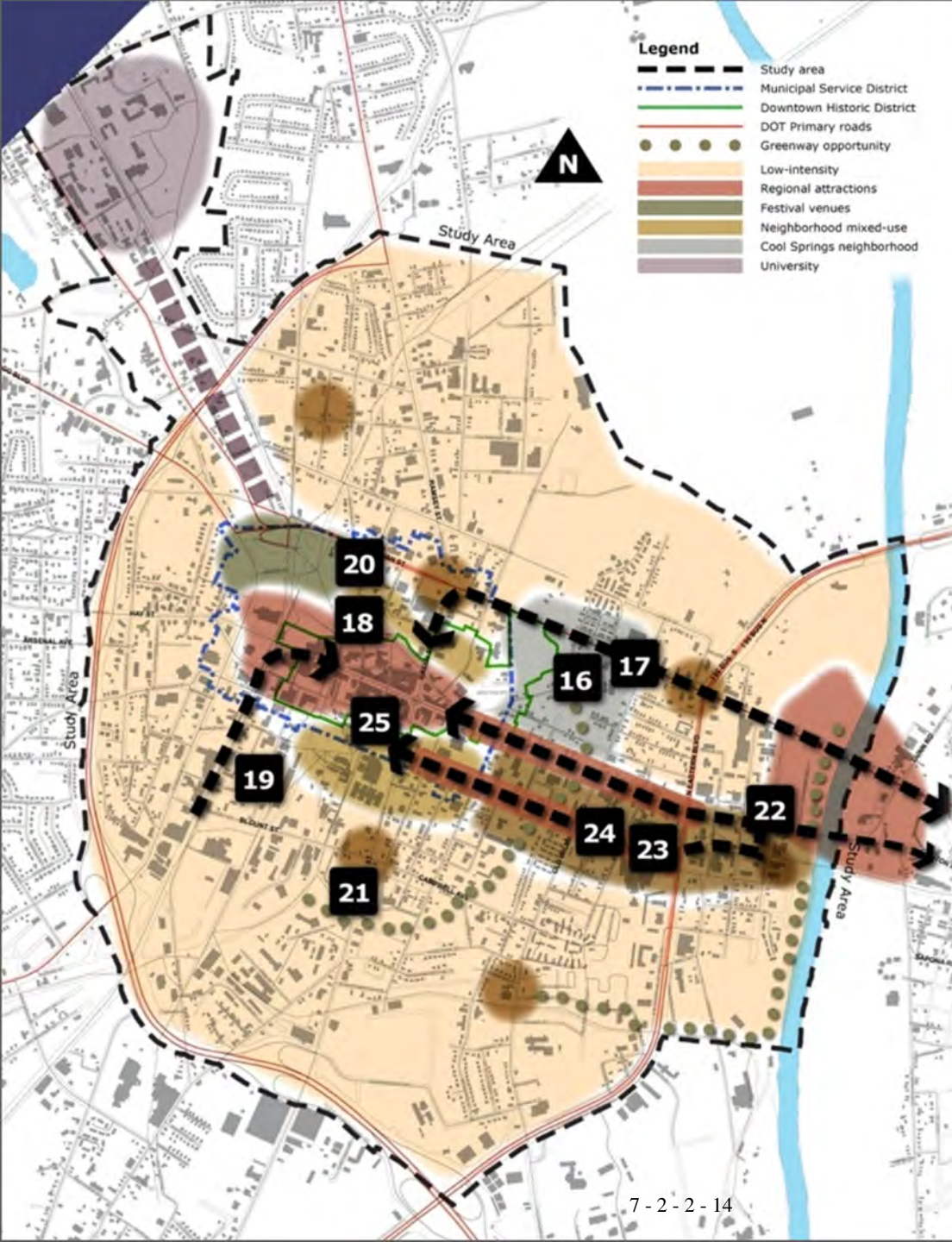


DRAFT

Steps

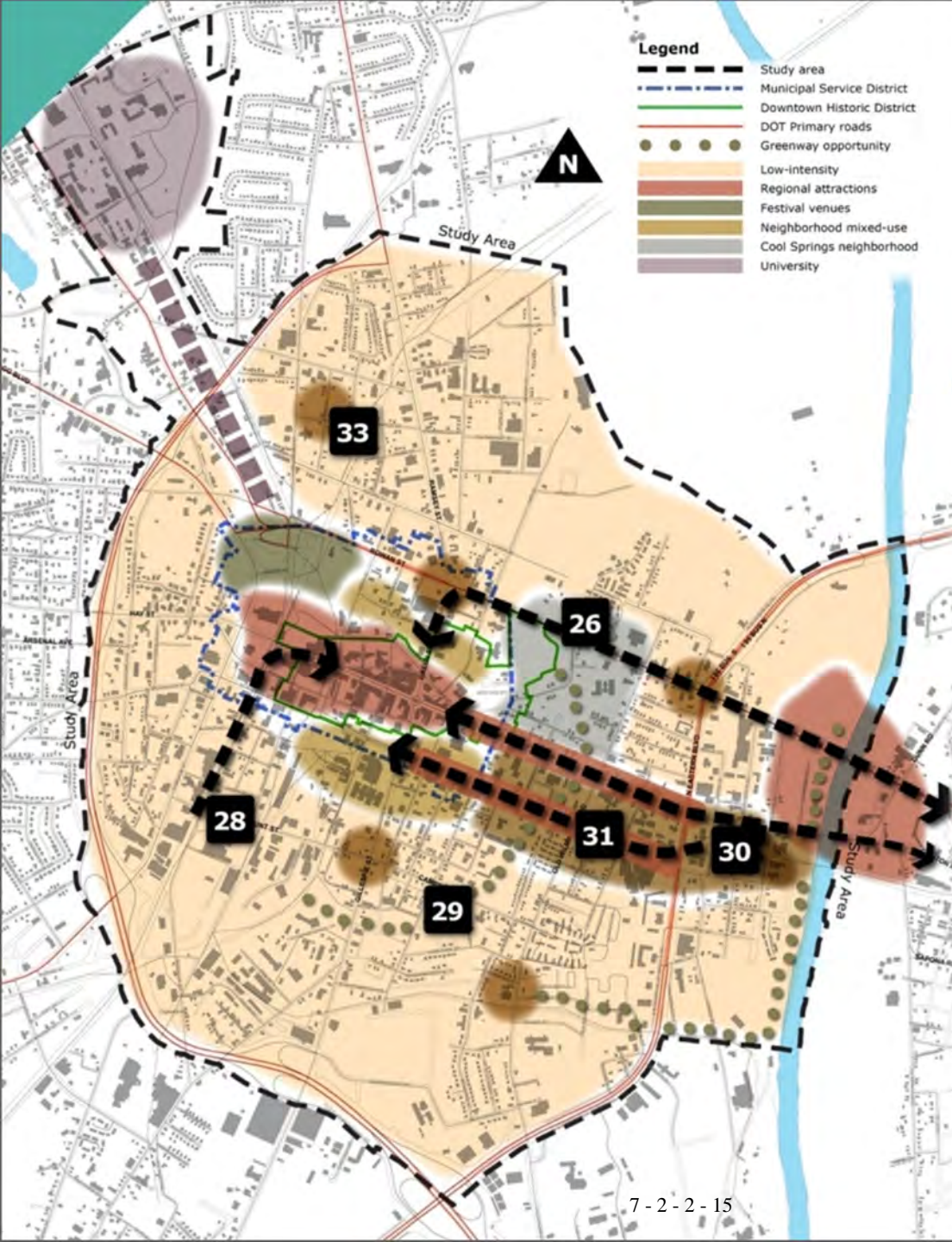


Steps



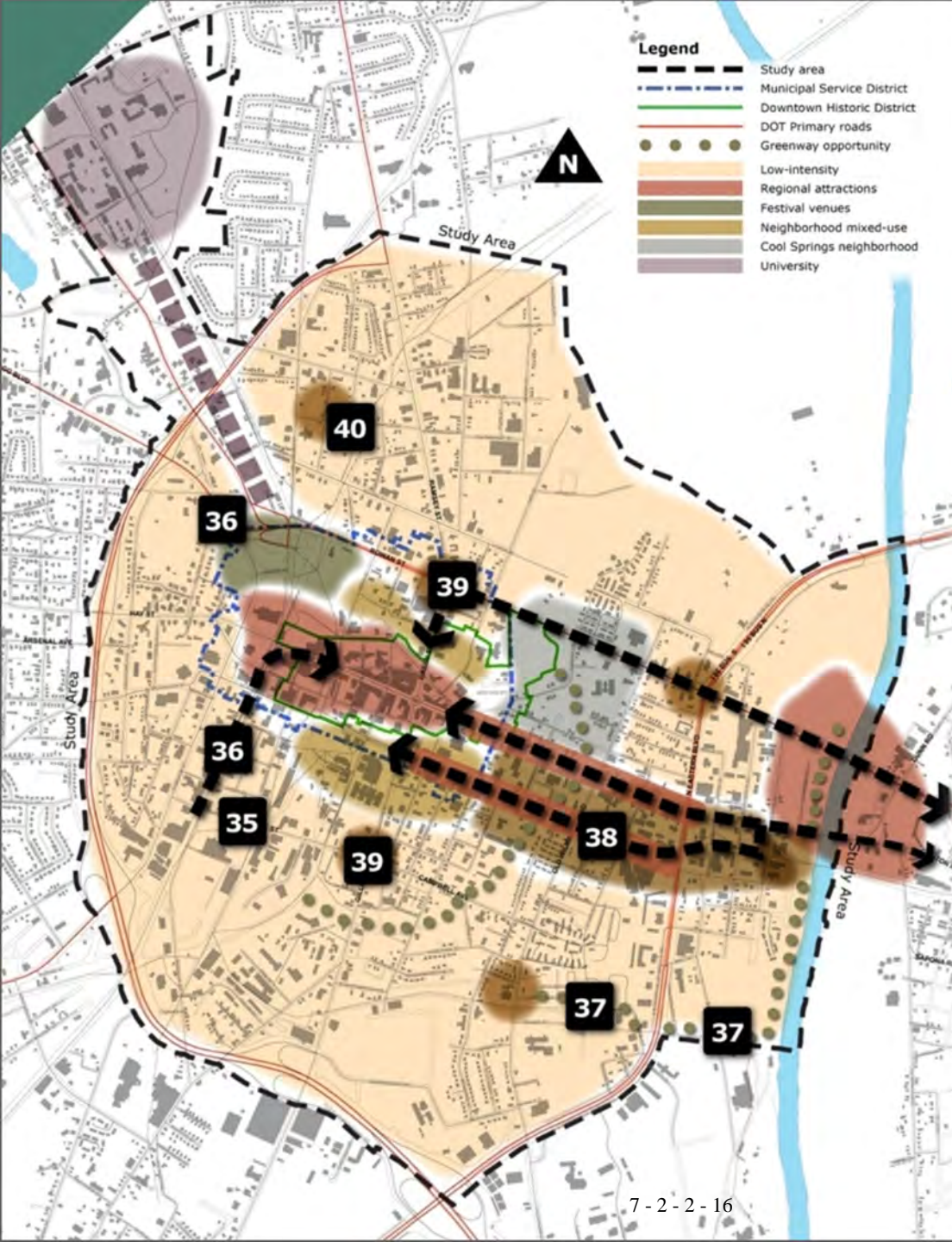
7-2-2-14

Steps



7-2-2-15

Steps



7-2-2-16

Council Workshop

Partnerships
Return on investment
Compactness



City Council Meeting

May 28, 2013



What's Next?

Adoption
Implementation
Partnerships



City Council Meeting

May 28, 2013



Thank You!



City Council Meeting

May 28, 2013





The Livery Antiques

The Livery Antiques

City Council Meeting

May 28, 2013



CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Robert T. Hurst, Jr., Council Member, District 5
DATE: May 28, 2013
RE: Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

THE QUESTION:

Do the recommendations from the City Council's Appointment Committee meet the City Council's approval?

RELATIONSHIP TO STRATEGIC PLAN:

- Partnership of Citizens - Citizens Volunteering to help the City
- Greater Community Unity - Pride of Fayetteville
- Diverse Culture and Rich Heritage - Diverse people working together with a single vision and common goals

BACKGROUND:

The Appointment Committee met on Thursday, May 16, 2013 to review applications for appointments to the Historic Resources Commission and the Zoning Commission. It is from that meeting the Appointment Committee presents the recommendations for appointments to the City of Fayetteville boards and commissions.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

1. Approve Appointment Committee recommendations to fill the board and commission vacancies as presented. **(Recommended)**
2. Approve Appointment Committee recommendations to fill some board and commission vacancies and provide further direction.
3. Do not approve Appointment Committee recommendations to fill the board and commission vacancies and provide further direction.

RECOMMENDED ACTION:

Approve Appointment Committee recommendations for board and commission appointments.

ATTACHMENTS:

Recommended Board and Commission Appointments - May 2013



City of Fayetteville Appointment Committee Recommendations

May 2013

Historic Resources Commission

Mr. Ira Neil Grant (Category 3 At-Large) (2nd Term) May 2013 – March 2015

Ms. Catherine M. Mansfield (Category 6 At-Large) (2nd Term) May 2013- March 2015

Zoning Commission

Mr. Benjamin Stout (Fill-In) May 2013 – September 2013

Mr. Guillermo Matias (Alternate) May 2013 – September 2014

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Theodore L. Voorhees, City Manager
DATE: May 28, 2013
RE: **Presentation of Recommended Fiscal Year 2013-2014 Budget**

THE QUESTION:

The City Manager and PWC General Manager will present overviews of the fiscal year 2013-2014 recommended City and Electric, Water and Wastewater Funds' budgets.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principles: Financially Sound; Full Range of Quality Municipal Services; and Services Delivered in a Cost Effective Manner

BACKGROUND:

The City's recommended budget documents, including the budget for its Electric, Water and Wastewater Funds, for fiscal year 2013-2014 have been distributed to City Council and are available for public inspection at the office of the City Clerk and on the city website.

The next steps already scheduled for the budget deliberation process include a budget workshop on May 29, 2013; discussion of budget topics at the June 3, 2013 worksession if needed; and, a public hearing and adoption of the budget on June 10, 2013.

ISSUES:

Issues will be discussed and deliberated during scheduled budget workshops.

BUDGET IMPACT:

The budget impact will be discussed and deliberated during scheduled workshops.

OPTIONS:

Not applicable.

RECOMMENDED ACTION:

No action required. Information only.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of the City Council
FROM: Pamela Megill, City Clerk
DATE: May 28, 2013
RE: **Monthly Statement of Taxes for April 2013**

THE QUESTION:

RELATIONSHIP TO STRATEGIC PLAN:

BACKGROUND:

ISSUES:

BUDGET IMPACT:

OPTIONS:

RECOMMENDED ACTION:

ATTACHMENTS:

Tax Statement - April 2013



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

OFFICE OF THE TAX ADMINISTRATOR

117 Dick Street, 5th Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302
Phone: 910-678-7507 • Fax: 910-678-7582 • www.co.cumberland.nc.us

MEMORANDUM

To: Pamela Megill, Fayetteville City Clerk
From: Aaron Donaldson, Tax Administrator *AD*
Date: May 1, 2013
Re: Monthly Statement of Taxes

Attached hereto is the report that has been furnished to the Mayor and governing body of your municipality for the month of April 2013. This report separates the distribution of real property and personal property from motor vehicle property taxes, and provides detail for the current and delinquent years.

Should you have questions regarding this report, please contact Catherine Carter at 678-7587.

AD/cc
Attachment

Celebrating Our Past...Embracing Our Future

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

FAYETTEVILLE MACC LEDGER
2002-2012

DATE	REPORT #	REMITTED TO FINANCE	2012 CC	2012 VEHICLE	2012 CC REVIT	2012 VEHICLE REVIT	2012 FVT	2012 TRANSIT	2012 STORM WATER	2012 FAY STORM WATER
04/01/13	2012-196	137,998.40	58,901.31	51,830.96	135.64	74.86	5,676.00	5,676.00	1,311.43	2,622.83
04/02/13	2012-197	62,157.91	22,574.97	25,515.19	0.00	11.34	2,655.15	2,655.16	739.61	1,479.23
04/03/13	2012-198	37,632.34	16,133.94	10,868.53	0.00	74.74	1,279.70	1,279.72	544.95	1,089.92
04/04/13	2012-199	30,055.00	12,412.60	11,363.33	0.00	0.00	1,291.21	1,291.21	255.98	511.97
04/05/13	2012-200	67,458.85	16,706.71	36,301.02	0.00	24.29	4,362.07	4,362.07	299.66	599.34
04/08/13	2012-201	72,654.38	31,387.34	26,701.39	0.00	0.00	3,131.14	3,131.14	858.78	1,717.58
04/09/13	2012-202	38,116.97	8,462.10	21,000.82	317.28	33.14	2,412.48	2,412.49	192.09	384.17
04/10/13	2012-203	25,031.10	10,616.92	6,906.59	44.42	0.00	879.81	879.81	492.00	984.00
04/11/13	2012-204	56,462.85	25,081.99	19,382.73	0.00	3.97	2,231.05	2,231.05	1,272.62	2,545.23
04/12/13	2012-205	42,413.23	18,045.21	12,864.97	0.00	13.64	1,666.95	1,666.94	382.43	764.86
04/15/13	2012-206	78,414.42	15,962.77	45,166.83	0.00	34.30	4,701.03	4,701.03	685.28	1,370.56
04/16/13	2012-207	33,616.48	14,722.84	10,322.84	0.00	0.00	1,142.88	1,142.86	277.93	555.87
04/17/13	2012-208	32,629.18	11,439.14	13,846.06	104.55	99.25	1,702.08	1,702.08	317.06	634.14
04/18/13	2012-209	23,365.22	11,912.81	5,512.81	163.37	23.90	738.58	738.57	361.29	722.57
04/19/13	2012-210	41,924.90	15,065.26	18,563.76	0.00	0.00	1,910.56	1,910.56	385.94	771.88
04/22/13	2012-211	62,226.21	22,804.96	27,211.58	0.00	16.08	2,680.42	2,680.43	842.13	1,684.25
04/23/13	2012-212	41,662.67	19,409.33	12,104.55	0.00	466.02	1,200.96	1,200.96	936.00	1,872.00
04/24/13	2012-213	24,631.10	5,875.41	12,671.73	0.00	69.93	1,085.00	1,085.00	152.21	304.44
04/25/13	2012-214	51,376.60	25,725.58	13,119.39	2,097.63	0.00	1,370.56	1,370.56	763.87	1,527.74
04/26/13	2012-215	39,435.16	16,619.12	15,439.35	0.00	16.56	1,769.69	1,769.70	206.62	413.25
04/29/13	2012-216	68,927.55	22,242.62	33,355.02	0.00	1.71	3,482.92	3,482.94	741.86	1,483.72
04/30/13	2012-217	62,345.70	23,053.02	27,949.38	361.21	20.94	2,647.07	2,647.08	609.08	1,218.18
TOTALS		1,130,536.22	425,145.95	457,988.83	3,224.10	984.67	50,017.31	50,017.36	12,628.82	25,257.73

TRUE

MACC: MONTHLY ACCOUNTING (TOTALS COLLECTED FOR MONTH)

CC: INCLUDES REAL & PERSONAL, LATE LIST, & PUBLIC SERVICE

FVT: FAYETTEVILLE VEHICLE TAX (\$5.00)

FAYETTEVILLE MACC LEDGER
2002-2012

APRIL 2013

2012 FAY RECYCLE FEE	2012 ANNEX	2011 CC	2011 VEHICLE	2011 CC REVIT	2011 VEH REVIT	2011 FVT	2011 TRANSIT	2011 STORM WATER	2011 FAY STORM WATER	2011 FAY RECYCLE FEE	2011 ANNEX
2,746.84	0.00	216.86	2,115.02	0.00	0.00	335.00	335.00	12.00	24.00	38.00	0.00
1,316.10	0.00	676.06	985.82	0.00	0.00	175.00	175.00	12.00	24.00	38.00	0.00
850.10	0.00	605.31	933.39	0.00	0.00	163.48	163.47	32.37	64.73	102.49	0.00
810.61	0.00	59.20	432.74	0.00	0.00	105.00	105.00	5.71	11.42	18.08	0.00
900.08	0.00	416.15	1,204.24	0.00	0.00	175.00	175.00	12.00	24.00	38.00	0.00
1,465.48	0.00	444.82	677.65	0.00	0.00	136.68	136.68	12.00	24.00	38.00	0.00
266.55	0.00	574.94	366.07	0.00	0.00	95.00	95.00	23.86	47.73	75.57	0.00
494.00	0.00	62.99	1,171.95	0.00	0.00	150.00	150.00	0.00	0.00	0.00	0.00
723.95	0.00	151.96	649.05	0.00	0.00	110.00	110.00	0.00	0.00	0.00	0.00
1,165.97	0.00	1,934.71	853.73	0.00	0.00	130.00	130.00	48.00	96.00	152.00	0.00
1,620.98	0.00	356.63	1,177.79	0.00	0.00	170.00	170.00	11.79	23.58	37.34	0.00
728.12	0.00	1,242.74	668.06	0.00	0.00	84.97	84.96	180.00	360.00	38.00	0.00
776.04	0.00	306.01	222.86	0.00	0.00	135.00	135.00	0.00	0.00	0.00	0.00
954.08	0.00	296.00	284.06	0.00	6.97	75.00	75.00	3.83	7.66	12.14	0.00
766.15	0.00	8.95	618.54	0.00	0.00	120.63	120.64	3.53	7.06	11.18	0.00
1,487.35	0.00	0.00	609.37	0.00	0.00	110.00	110.00	0.00	0.00	0.00	0.00
684.00	0.00	1,272.87	426.34	0.00	13.23	85.00	85.00	12.00	24.00	38.00	0.00
488.21	0.00	207.55	600.35	0.00	0.00	115.00	115.00	7.96	15.92	25.20	0.00
556.92	0.00	1,162.88	472.18	0.00	0.00	40.00	40.00	35.19	70.38	76.00	0.00
654.31	0.00	1.64	762.53	0.00	0.00	140.00	140.00	6.45	12.90	20.42	0.00
1,458.81	0.00	98.91	211.20	0.00	0.00	45.00	45.00	6.81	13.62	21.57	0.00
712.78	0.00	794.98	259.22	0.00	0.00	88.36	88.36	24.00	48.00	76.00	0.00
21,627.43	0.00	10,892.16	15,702.16	0.00	20.20	2,784.12	2,784.11	449.50	899.00	855.99	0.00

FAYETTEVILLE MAOC LEDGER
2002-2012

APRIL 2013

2010 CC	2010 VEHICLE	2010 CC REVIT	2010 VEHICLE REVIT	2010 FVT	2010 TRANSIT	2010 STORM WATER	2010 FAY STORM WATER	2010 FAY RECYCLE FEE	2010 ANNEX	2009 CC	2009 VEHICLE	2009 CC REVIT
180.50	268.30	0.00	0.00	30.00	30.00	0.00	0.00	0.00	0.00	81.80	257.71	0.00
385.44	153.85	0.00	0.00	20.00	20.00	0.00	0.00	0.00	0.00	4.50	75.12	0.00
324.02	108.61	0.00	0.00	25.00	25.00	24.00	48.00	76.00	0.00	351.26	7.31	0.00
64.40	80.25	0.00	0.00	20.00	20.00	0.00	0.00	0.00	0.00	0.00	4.56	0.00
177.12	31.14	0.00	0.00	15.00	15.00	12.00	24.00	38.00	0.00	0.00	0.00	0.00
46.30	73.59	0.00	0.00	25.00	25.00	0.18	0.35	0.56	0.00	3.16	84.27	0.00
211.46	20.84	0.00	0.00	5.00	5.00	0.00	0.00	0.00	0.00	0.00	13.37	0.00
0.00	124.78	0.00	0.00	45.00	45.00	0.00	0.00	0.00	0.00	0.00	115.18	0.00
2.10	8.89	0.00	0.00	5.00	5.00	0.00	0.00	0.00	0.00	0.00	(25.32)	0.00
4.78	68.02	0.00	0.00	20.00	20.00	0.00	0.00	0.00	0.00	0.00	20.58	0.00
39.03	232.03	0.00	0.00	40.00	40.00	0.00	0.00	0.00	0.00	0.00	25.97	0.00
0.00	34.52	0.00	0.00	10.00	10.00	0.00	0.00	0.00	0.00	0.00	18.34	0.00
16.69	(94.43)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.88	(115.87)	0.00
27.45	52.54	0.00	0.00	20.07	20.06	0.00	0.00	0.00	0.00	0.00	65.08	0.00
0.00	228.41	0.00	0.00	45.00	45.00	0.00	0.00	0.00	0.00	0.00	23.95	0.00
103.13	36.62	13.62	0.00	15.00	15.00	0.00	0.00	0.00	0.00	15.19	31.37	0.00
52.34	25.87	0.00	0.00	5.00	5.00	0.00	0.00	0.00	0.00	31.89	144.11	0.00
0.00	116.14	0.00	0.00	10.00	10.00	0.00	0.00	0.00	0.00	0.00	6.47	0.00
258.96	105.58	0.00	0.00	15.00	15.00	24.00	48.00	38.00	0.00	141.99	5.80	0.00
0.00	35.75	0.00	0.00	15.00	15.00	0.00	0.00	0.00	0.00	0.00	91.87	0.00
57.12	205.76	0.00	0.00	46.44	46.44	0.00	0.00	0.00	0.00	0.00	28.80	0.00
9.37	(42.05)	0.00	0.00	10.00	10.00	0.00	0.00	0.00	0.00	0.00	(61.53)	0.00
1,960.21	1,875.01	13.62	0.00	441.51	441.50	60.18	120.35	152.56	0.00	637.67	817.14	0.00

FAYETTEVILLE MAOC LEDGER
2002-2012

APRIL 2013

2009 VEH REVIT	2009 FVT	2009 TRANSIT	2009 STORM WATER	2009 FAY STORM WATER	2009 FAY RECYCLE	2009 ANNEX	2008 & PRIOR CC	2008 & PRIOR VEH	2008 & PRIOR CC REVIT	2008 & PRIOR VEH REVIT	2008 & PRIOR FVT	2008 & PRIOR TRANSIT
0.00	37.30	37.30	12.00	24.00	38.00	0.00	84.66	666.04	0.00	0.00	105.00	15.00
0.00	20.00	20.00	0.00	0.00	0.00	0.00	81.60	130.92	0.00	0.00	26.76	0.00
0.00	0.34	0.34	24.00	48.00	76.00	0.00	260.36	92.06	0.00	0.00	40.00	5.00
0.00	5.00	5.00	0.00	0.00	0.00	0.00	0.00	131.44	0.00	0.00	30.00	5.00
0.00	2.07	2.08	0.00	0.00	0.00	0.00	0.00	46.78	0.00	0.00	18.98	8.97
0.00	15.00	15.00	0.00	0.00	0.00	0.00	0.00	115.84	0.00	0.00	30.00	15.00
0.00	5.00	5.00	0.00	0.00	0.00	0.00	0.00	101.31	0.00	0.00	10.00	0.00
0.00	15.00	15.00	0.00	0.00	0.00	0.00	4.05	403.57	0.00	0.00	40.00	10.00
0.00	(5.00)	(5.00)	0.00	0.00	0.00	0.00	0.00	115.52	0.00	0.00	10.00	5.00
0.00	10.00	10.00	0.00	0.00	0.00	0.00	32.62	191.65	0.00	0.00	35.00	10.00
0.00	10.00	10.00	0.00	0.00	0.00	0.00	37.58	13.84	0.00	0.00	6.60	6.59
0.00	10.00	10.00	0.00	0.00	0.00	0.00	14.73	92.16	0.00	0.00	0.00	0.00
0.00	(10.00)	(10.00)	0.00	0.00	0.00	0.00	6.26	132.78	0.00	0.00	25.00	0.00
0.00	13.14	13.14	0.00	0.00	0.00	0.00	0.00	12.08	0.00	0.00	5.00	0.00
0.00	10.00	10.00	0.00	0.00	0.00	0.00	29.92	12.51	0.00	0.00	5.42	5.43
0.00	5.00	5.00	0.00	0.00	0.00	0.00	0.00	65.63	0.00	0.00	15.00	0.00
0.00	10.00	10.00	0.00	0.00	0.00	0.00	0.00	74.30	0.00	0.00	5.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	45.75	527.01	0.00	0.00	35.00	5.00
0.00	5.00	5.00	12.00	24.00	0.00	0.00	0.00	171.66	0.00	0.00	31.92	5.00
0.00	15.70	15.69	0.00	0.00	0.00	0.00	14.75	110.95	0.00	0.00	25.00	0.00
0.00	15.00	15.00	0.00	0.00	0.00	0.00	20.34	78.16	0.00	0.00	20.00	5.00
0.00	(4.90)	(4.90)	0.00	0.00	0.00	0.00	19.92	31.61	0.00	0.00	15.00	0.00
0.00	183.65	183.65	48.00	96.00	114.00	0.00	652.54	3,317.82	0.00	0.00	534.68	100.99

FAYETTEVILLE MACC LEDGER
2002-2012

APRIL 2013

2008 & PRIOR STORM WATER	2008 & PRIOR FAY STORM WATER	2008 & PRIOR FAY RECYCLE FEE	2008 & PRIOR ANNEX	INTEREST	REVIT INTEREST	STORM WATER INTEREST	FAY STORM WATER INTEREST	ANNEX INTEREST	FAY RECYCLE INTEREST	FAY TRANSIT INTEREST	TOTAL TAX & INTEREST
0.00	0.00	0.00	0.00	3,672.68	0.57	51.88	103.75	0.00	113.92	136.24	137,998.40
4.35	8.71	15.24	0.00	1,925.59	0.00	30.52	61.04	0.00	60.76	80.88	62,157.91
12.00	24.00	42.00	0.00	1,525.74	1.58	42.10	84.17	0.00	113.91	64.70	37,632.34
0.00	0.00	0.00	0.00	898.61	0.00	10.62	21.21	0.00	33.58	51.27	30,055.00
0.00	0.00	0.00	0.00	1,292.63	0.00	16.44	32.91	0.00	50.06	76.04	67,458.85
0.00	0.00	0.00	0.00	2,087.82	0.00	34.31	68.60	0.00	60.10	91.62	72,654.38
0.00	0.00	0.00	0.00	862.18	11.96	11.55	23.11	0.00	23.41	48.49	38,116.97
0.00	0.00	0.00	0.00	1,227.16	2.12	20.91	41.82	0.00	20.99	68.03	25,031.10
0.00	0.00	0.00	0.00	1,597.39	0.00	55.59	111.18	0.00	35.51	53.39	56,462.85
0.00	0.00	0.00	0.00	1,828.74	0.00	28.59	57.17	0.00	68.61	92.06	42,413.23
0.00	0.00	0.00	0.00	1,511.74	0.00	21.30	42.60	0.00	67.25	119.98	78,414.42
0.00	0.00	0.00	0.00	1,673.49	0.00	32.91	65.83	0.00	36.50	55.93	33,616.48
0.00	0.00	0.00	0.00	1,114.90	4.46	13.13	26.27	0.00	31.90	60.94	32,629.18
0.00	0.00	0.00	0.00	1,106.40	7.91	15.91	31.82	0.00	42.31	43.67	23,365.22
0.00	0.00	0.00	0.00	1,104.19	0.00	17.85	35.71	0.00	37.19	69.68	41,924.90
0.00	0.00	0.00	0.00	1,439.45	5.92	35.91	71.82	0.00	63.60	52.38	62,226.21
0.00	0.00	0.00	14.70	1,242.30	1.26	43.47	85.95	1.92	39.23	40.07	41,662.67
0.00	0.00	0.00	0.00	970.06	0.00	6.89	13.79	0.00	21.88	44.20	24,631.10
0.00	0.00	0.00	0.00	1,733.98	89.15	46.57	93.15	0.00	42.89	35.07	51,376.60
0.00	0.00	0.00	0.00	1,012.40	0.00	8.68	17.36	0.00	27.51	56.96	39,435.16
0.00	0.00	0.00	0.00	1,465.75	0.00	32.93	65.87	0.00	72.22	61.01	68,927.55
0.00	0.00	0.00	0.00	1,558.76	16.86	28.58	57.15	0.00	38.83	65.34	62,345.70
16.35	32.71	57.24	14.70	32,851.96	141.79	606.64	1,212.28	1.92	1,102.16	1,467.95	1,130,536.22