



# City of Fayetteville

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

## Meeting Agenda - Final Planning Commission

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Tuesday, February 20, 2024

6:00 PM

Festival Park Plaza

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### 1.0 CALL TO ORDER

### 2.0 APPROVAL OF AGENDA

### 3.0 CONSENT

#### 3.01 Approval of Minutes: April 18, 2023

### 4.0 LEGISLATIVE HEARINGS

#### 4.01 TA24-001 thru TA24-008: 8 Proposed Text Amendments to the Unified Development Ordinance.

### 5.0 PUBLIC HEARING

#### 5.01 ALT24-01: Alternative Sign Plan as requested by Fayetteville State University located at 1200 Murchison Road.

### 6.0 OTHER ITEMS OF BUSINESS

### 7.0 ADJOURNMENT



# City of Fayetteville

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

## City Council Action Memo

File Number: 24-3846

Agenda Date: 2/20/2024

Version: 1

Status: Agenda Ready

In Control: Planning Commission

File Type: Consent

Agenda Number: 3.01

**TO:** Mayor and Members of City Council

**THRU:** Will Deaton, AICP- Planning and Zoning Manager

**FROM:** Catina Evans - Office Assistant II

**DATE:** February 20, 2024

**RE:**

Approval of Meeting Minutes: April 18, 2023

### **COUNCIL DISTRICT(S):**

All

### **Relationship To Strategic Plan:**

Strategic Operating Plan FY 2021

Goals 2026

Goal 6: Collaborative Citizen & Business Engagement

- Objective 6.2 - Ensure trust and confidence in City government through transparency & high-quality customer service.

### **Executive Summary:**

The City of Fayetteville Planning Commission conducted a meeting on the referenced date during which they considered items of business as presented in the draft.

### **Background:**

NA

### **Issues/Analysis:**

NA

**Budget Impact:**

NA

**Options:**

1. Approve draft minutes;
2. Amend draft minutes and approve draft minutes as amended; or
3. Do not approve the draft minutes and provide direction to Staff.

**Recommended Action:**

Option 1: Approve the draft minutes.

**Attachments:**

- Draft Meeting Minutes: April 18, 2023

**MINUTES  
CITY OF FAYETTEVILLE  
PLANNING COMMISSION MEETING  
FESTIVAL PLAZA, SUITE 122  
APRIL 18, 2023 @ 6:00 PM**

**Members Present**

Victor Sharpe, Chair  
Raymond Makar  
Dr. Antonio Jones  
Christina Aragues  
Eldred Loftin  
Larry Marshall  
Dr. Mondrail Myrick  
Dr. William Fiden

**Staff Present**

Clayton Deaton, Planning and Zoning Division Manager  
Lauren Long, Planner II  
Heather Eckhardt, Planner II  
Lisa Harper, Assistant City Attorney

**I. CALL TO ORDER**

Chairman Victor Sharpe called the April 18, 2023, meeting to order. The Board members introduced themselves.

**II. APPROVAL OF THE AGENDA**

**MOTION:** Larry Marshall made a motion to approve the agenda.  
**SECOND:** Dr. Jones  
**VOTE:** Unanimous (6-0)

**III. APPROVAL OF CONSENT ITEMS TO INCLUDE THE FEBRUARY 21, 2023, MEETING MINUTES**

**MOTION:** Larry Marshall made a motion to approve the consent items to include the minutes from the February 21, 2023, meeting.  
**SECOND:** Eldred Loftin  
**VOTE:** Unanimous (6-0)

**IV. LEGISLATIVE HEARING(S)**

**TA23-020 thru-026.** Lauren Long presented Text Amendments to Chapter 2 and Chapter 30 of the Unified Development Ordinance to remove the procedure enabling the inclusion of locally designated landmarks in the Historic/ Landmark Overlay (HLO), rename the Historic/Landmark Overlay, and re-align the powers and authority of the Historic Resources Commission (HRC) as well as the applicability for a Certificate of Appropriateness.

Mrs. Long mentioned that this item will be scheduled for the May 22 City Council meeting. She went on to describe the difference between the local districts and landmark sites. With the adoption of the UDO, a zoning overlay, the Historic Landmark Overlay granted the power and authority of the HRC (Historic Resources Commission) with interpretation of the Historic District Design Standards. At the time of UDO adoption, a map amendment did not include individual landmarks.

Mrs. Long stated that these text amendments will bring local landmarks back under the power and authority of HRC and will allow us to maintain compliance with our Certified Local Government (CLG) status. Landmarks will be distinguished separately by parcel and not within the current downtown or residential overlay districts in place.

Dr. Fiden raised a question regarding the meaning of local landmarks. Mrs. Long described the difference between districts and their larger geographic area versus a single structure that is separate from an existing overlay. Local landmarks also can receive tax deferment and owners are voluntarily requesting this designation.

Mrs. Long described the first text amendment as a cleanup related to 160D legislation. This updated the enabling legislation for HRC to reflect updates that define the powers, duties, responsibilities, and authority. The Certificate of Appropriateness amendment will specifically identify the landmarks and require a COA.

The last text amendment Mrs. Long described would reclassify the current district to the Local Historic Overlay (LHO) District and provide for local landmark designation exclusive of a map amendment requirement.

Mrs. Aragues asked questions about public hearings on local landmark designations. Mrs. Long mentioned that during her time with the city, there has not been a local landmark designation that has come through. She then mentioned the significant overview and procedure to become a local landmark that goes through the state for review, a public hearing at through HRC who then forwards a recommendation to the state who makes a final review, and the City Council for a public hearing and forum. The map amendment procedure is considered overkill at that point.

The chair asked if there were any additional questions.

Mrs. Aragues asked if there was a map if this item were to be adopted. Mrs. Long mentioned that we do have identified local landmarks that were created by ordinance and since the UDO was adopted the HRC has not had the true authority to regulate them. This has brought us out of line with the Certified Local Government agreement.

Dr. Jones asked for a list of local landmarks to see exactly what properties would fall under the purview of HRC. Mrs. Long mentioned that there are approximately 58 local landmarks.

Dr. Fiden asked if the Prince Charles would be an example. Mrs. Long mentioned that it was located within the downtown historic district and the National Register of Historic Places and already falls within the current overlay.

Mrs. Aragues stated that this might apply to a structure along Ramsey Street. Mrs. Long agreed, as this would be outside the current overlay districts.

Mrs. Aragues asked about the status of tax deferment for the existing landmark properties. Mrs. Long replied yes, and that this would clean up the review process moving forward with these issues.

A general discussion ensued about the reasoning for the text amendments and it was mentioned that a local landmark had been demolished and that is when it was discovered and further investigated that the UDO did not comply with the CLG. These amendments reflect the 160D guidelines and create an avenue for the inclusion of local landmarks to be reviewed by the HRC.

The chair entertained a motion from the commission.

**MOTION:** Larry Marshall made a motion to approve text amendments TA32-02-026.

**SECOND:** Dr. Antonio Jones

**VOTE:** Unanimous (6-0)

**ALT23-01.** Heather Eckhardt presented the Alternative Sign Plan, as requested by Fayetteville State University, for a large electronic sign to be installed on the south side of the Seabrook Auditorium located at 1030 Martin Luther King Jr Drive.

Ms. Eckhardt explained to the Board that the large electronic sign would be a means of sending messages to the students and staff on campus such as during emergency situations. She stated that alternative sign plans are developed to address certain circumstances such as when there is topography or weight-binding needs for a development. In other situations, someone may apply for a Unified Sign Plan for development. Ms. Eckhardt noted that the sign would appear on the Seabrook Auditorium, and she showed the Board a rendering of what the applicant is requesting in regard to the sign. Ms. Eckhardt informed the board they had the following options:

- Approve the alternative signage plan as requested by the applicant.
- Approve the alternative signage plan with conditions.
- Deny the proposed alternative signage plan.

Ms. Eckhardt informed the Board that the staff was recommending approval of the request for the Alternative Sign Plan.

Chair Sharpe asked Ms. Eckhardt if the action of the Board (on this item) would complete the process for this request for an Alternative Sign Plan. Ms. Eckhardt stated yes in response to this question.

Speakers in Favor:

Dr. Hector Molina, 1200 Murchison Road, Fayetteville, NC 28301

- Dr. Molina showed the Board an area near the proposed sign that will be redesigned and repurposed with additional landscaping where students can congregate that will face Bronco Square.
- East Carolina University adopted something very similar to what he is proposing at Fayetteville State University.
- The sign display will be electronically controlled from the J.W. Seabrook Auditorium.

**MOTION:** Dr. Antonio Jones made a motion to approve ALT23-01 Alternative Sign Plan as requested by Fayetteville State University.

**SECOND:** Eldred Loftin

**VOTE:** Unanimous (6-0)

**MOTION:** Victor Sharpe made a motion to adjourn the April 18, 2023, meeting.

**SECOND:** Dr. Fiden

**VOTE:** Unanimous (6-0)

**TO:** Mayor and Members of City Council

**THRU:** Planning Commission  
Will Deaton, AICP – Planning & Zoning Division Manager

**FROM:** Craig M. Harmon, CZO – Senior Planner

**DATE:** February 20, 2024

**RE:**  
TA24-001 thru TA24-08: 8 Proposed Text Amendments to the Unified Development Ordinance.

**COUNCIL DISTRICT(S):**  
All

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**Relationship To Strategic Plan:**

Strategic Operating Plan FY 2022

Goals 2027

- Goal 2: Responsible City Government Supporting a Diverse and Viable Economy
  - Objective 2.4 - Sustain a favorable development climate to encourage business growth
- Goal 3: City Investment in Today and Tomorrow
  - Objective 3.2 - Manage the City's future growth and strategic land use

**Executive Summary:**

The 8 proposed text amendments below represent suggested updates to the Unified Development Ordinance (UDO), as proposed by the City's Professional Planning Staff of the Development Services Department. These amendments all fall into one of three categories:

1. Cleanup – to clarify and simplify some areas of the code.
2. Development/Community – items asked for by developers or the community
3. Policy – how do we as a city move forward

Recommended text amendments:

- a) TA24-001: Reduce the parking calculations for Adaptive Reuse sites.
- b) TA24-002: Reduce the parking calculations for Infill Projects.
- c) TA24-003: Further define the office-warehouse use by amending which districts they are allowed in and what the minimum ratio of office to warehouse space is appropriate.
- d) TA24-004: Amend the definitions and standards to better differentiate between standard gas stations and truck stop gas stations.
- e) TA24-005: Resolve the ordinance conflicts between general canopy height and canopies for gas stations.

- f) TA24-006: Reduce the off-street parking standards for Industrial Uses. Currently, warehouse space requires more parking than office uses.
- g) TA24-007: Reintroduce sign height and setback standards for signs in residential districts. These standards were lost during the adoption of the UDO.
- h) TA24-008: Amend UDO to allow for backing into streets for two-to-four-family dwellings and townhomes, which is already allowed for single-family residential uses.

### **Background:**

Generally, twice per year, the Development Services Department proposes a batch of seasonal text amendments to adjust the UDO. The aim of the amendments is to ensure that the City's regulations reflect modern development standards and community preferences. These suggested amendments are the result of issues identified through ordinance cleanup, development community suggestions, statutory changes and mandates, and case law implications. The reason to limit the potential amendments is a combination of staff and City Council time spent on the items to fully vet items for consideration.

### **Issues/Analysis:**

The first step in bringing a proposed amendment before City Council is to have it reviewed, modified and recommended by the City's Planning Commission, following City policies and State Statutes as shown below. The Commission is an integral part of any text amendment process.

According to section 160D-301 of the North Carolina General Statutes:

*(a) Composition. – A local government may by ordinance provide for the appointment and compensation of a planning board or may designate one or more boards or commissions to perform the duties of a planning board. A planning board established pursuant to this section may include, but shall not be limited to, one or more of the following:*

*(b) Duties. – A planning board may be assigned the following powers and duties:*

*(3) To develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.*

Recommended text amendments:

- a) TA24-001: Reduce the parking calculations for Adaptive Reuse sites by: Exempting them from minimum parking requirements.
- b) TA24-002: Reduce the parking calculations for Infill Projects by: Streamlining regulations for both existing sites and nonconforming sites. For existing sites, requirements for additional off-street parking during changes in use are eliminated. Expansions of existing structures remain exempt from providing extra parking but are emphasized to include additional loading and circulation facilities. For nonconforming sites, the revisions simplify the

process of interior and exterior remodeling by removing the requirement for increased minimum off-street parking.

- c) TA24-003: Further define the office-warehouse use by amending the definition to require at least 10% of the building be used as office space.
- d) TA24-004: Amend the definitions and standards to better differentiate between standard gas stations and truck stop gas stations as follows: A facility providing services to the trucking industry, including any one of the following: truck repair shops, shower facilities, truck scales, majority of the fuel dispensers are for trucks, overnight parking facilities.
- e) TA24-005: Resolve the ordinance conflicts between general canopy height and canopies for gas stations by adding the following language: Canopies shall have a maximum height of 15 feet measured from the finished grade to the underside of the canopy except that canopies provided as part a gas station shall have a maximum height of 20 feet measured from the finished grade to the underside of the canopy.
- f) TA24-006: Reduce the off-street parking standards for Industrial Uses. Currently, warehouse space requires more parking than office uses. Change all warehouse parking requirements to "1 space per employee on largest shift + 3 additional spaces", instead of the current requirements which are based on the size of the warehouse.
- g) TA24-007: Reintroduce sign height and setback standards for signs in residential districts. These standards were lost during the adoption of the UDO by adding the following standards: Maximum height of six (6) feet, ten (10) foot minimum front-yard setback from right-of-way, and that these signs may be located in the median or right-of-way with the approval of Development Services, Public Services, and Fire Marshal's offices.
- h) TA24-008: Amend UDO to allow for backing into streets for two-to-four-family dwellings and townhomes, which is already allowed for single-family residential uses.

**Budget Impact:**

No immediate impact.

**Options:**

- 1) Move to recommend approval of all of the proposed text amendments. (Recommended);
- 2) Move to recommend approval of some of the proposed text amendments;
- 3) Remand some or all of the proposed text amendments back to Staff for further consideration and specific changes.
- 4) Move to recommend denial of any or all proposed text amendments;

**Recommended Action:**

The Professional Planning Staff recommends Option (1) approval of all of the proposed text amendments.

**Attachments:**



# City of Fayetteville

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

## City Council Action Memo

File Number: 24-3847

Agenda Date: 2/20/2024

Version: 2

Status: Agenda Ready

In Control: Planning Commission

File Type: Public Hearing  
(Public & Legislative)

Agenda Number: 5.01

TO: Mayor and Members of City Council

THRU: Planning Commission

Will Deaton, AICP - Planning & Zoning Division Manager

FROM: Craig Harmon - Senior Planner

DATE: February 20, 2024

RE:

ALT24-01: Alternative Sign Plan as requested by Fayetteville State University located at 1200 Murchison Road.

### COUNCIL DISTRICT(S):

2 - Malik Davis

### Relationship To Strategic Plan:

Strategic Operating Plan FY 2022

Goals 2027

- Goal 1: Safe and Secure Community
  - Objective 1.2 - To ensure traffic and pedestrian safety
- Goal 2: Responsive City Government Supporting a Diverse and Viable Economy
  - Objective 2.4 - To sustain a favorable development climate to encourage business growth.
- Goal 4: Desirable Place to Live, Work, and Recreate
  - Objective 4.5 - To ensure a place for people to live in great neighborhoods

### Executive Summary:

Fayetteville State University has requested an Alternative Sign Plan to address its specific signage needs. The university would like to install 60 banners (5 square feet each) along an existing wrought iron fence. The request also includes 13 banners (105.7 square feet each) to be installed on every other brick fence panel.

**Background:**

Owner: Fayetteville State University

Applicant: Tina Raines, Fayetteville State University

Zoning District: UC - University College

Property Address: 1200 Murchison Road

Size: 133.52 Acres

Existing Land Use: University

Adjoining Land Uses & Zoning:

- North: Single Family 6 (SF-6) and Mixed Residential 5 (MR-5) - Residential
- East: Single Family 6 (SF-6) - Residential
- South: Single Family 6 (SF-6) and Mixed Residential 5 (MR-5) - Residential
- West: Mixed Residential 5 (MR-5), Office & Institutional (OI), and Limited Commercial (LC) - Residential and Commercial

**Issues/Analysis:**

**Section 30-5.L.10.g - Alternative Signage Plan:**

Regardless of the other provisions of this Article, the Planning Commission may, at its sole discretion, approve a signage plan for certain development projects listed in this section. The approved signage plan may include signs of different sizes, types, locations, placements, and heights otherwise enumerated in this Article.

The purposes behind this section are as follows:

- a. To permit creativity in sign design and placement to address site issues and constraints associated with topography, pedestrian orientation, wayfinding other conditions unique to the subject development.
- b. To encourage the development of comprehensive signage plans for large developments that promote an integrated approach to sign design and placement that is both attractive and informative.

Section 30-5.L.10.g provides for five standards to be considered. Each standard is listed below along with the applicant's response and staff analysis.

The Unified Development Ordinance currently allows for banners to be installed on private light poles. The long-term goal of the university is to install private poles to install pole banners. However, due to ongoing development on campus, this is not currently feasible. The university would like to install banners along the existing fence that surrounds the campus. They would also like to install banners on the existing brick fence panels. These banners aim to further the brand of the university and provide information about educational opportunities at the university. The Planning Commission has the authority to impose conditions upon an Alternative Sign Plan to address any possible concerns regarding the number or size of the proposed banners.

- 1. The extent to which the proposed signage plan deviates from the sign allowances otherwise applicable in this Article:**

The applicant states "Current city ordinance allows for bow flags and pole banners. FSU requests an alternative signage plan to install signage along the front of campus

facing Murchison Road and Langdon Road on the section with the brick fence bordering Nick Jeralds Stadium."

**2. The rationale provided by the applicant for the deviations:**

The applicant would like "Fayetteville State University's vision for signage is to install tall, wrought iron poles with pole banners around perimeter of campus, but current and projected campus construction makes this infeasible at this time."

**3. The extent to which the signage plan promotes city goals for way-finding, pedestrian-orientation, and business identification:**

Per the applicant, "The signage will support the University's visual communication vision to brand and identify the location of the university; inform the citizens of Fayetteville of education opportunities and continue to enhance the Murchison corridor."

**4. The degree to which the signage plan creatively and effectively addresses the issues and constraints unique to the site with regard to signage:**

The applicant stated, "The alternative plan proposed allows for branding signage within existing infrastructure and will not impede traffic flow."

**5. The degree to which the signage plan creates a unified approach to development signage that is attractive and effective in communication.**

Documentation was provided "to demonstrate the professionalism, creativity, and simplicity of the proposed signage."

**Budget Impact:**

**Options:**

The Commission may deny or approve the proposed signage plan in part or in total and may establish conditions regarding approval.

**Possible Motions**

- Approval
- Approval with conditions
- Denial

**Recommended Action:**

Staff recommends approval of the Alternative Sign Plan request as described above because finding(s) 1-5 appear to have been met with the evidence currently submitted.

**Attachments:**

1. Application with sign renderings



## Alternative Signage Plan Application Form

433 Hay Street, Fayetteville, North Carolina 28301

Phone: 910-433-1612 Fax: 910-433-1776

Meeting Date: \_\_\_\_\_

Approved/Denied: \_\_\_\_\_

Case #: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Payment Received: \_\_\_\_\_

### Notes:

1. The purpose behind an Alternative Signage Plan is to permit creativity in sign design and placement to address site issues and constraints associated with topography, pedestrian-orientation, wayfinding and other conditions unique to the subject development and to encourage the development of comprehensive signage plans for large developments that promote an integrated approach to sign design and placement that is both attractive and informative.
2. Please reference Article 30-5.L.10 of the City code for more information.

### 1. General Project Information

Project Address:	Murchison Road and Langdon Street along the fenceline of Fayetteville State University		
Tax Parcel Identification Number:	0438037602000		
Owner Name:	Fayetteville State University		
Owner's Address:	1200 Murchison Road, Fay, NC	Lot Area/Acreage:	
Is this application associated with another application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what type? _____			
Base Zoning District:	Mixed-use district	Overlay Zoning District:	Murchison Road Overlay District

### 2. Written Description of Request – Answer all the questions under this section. Attach additional sheets as needed

#### A) Explain the extent to which the proposed signage plan deviates from the sign allowances otherwise applicable in the ordinance.

Current city ordinance allows for bow flags and pole banners.

FSU requests an alternate signage plan to install signage along the front of campus facing Murchison Road and Langdon Road on the section with the brick fence bordering Nick Jeralds Stadium.

#### B) Explain the rational for the deviations.

Fayetteville State University's (FSU) vision for signage is to install tall, wrought iron poles with pole banners around perimeter of campus, but current and projected campus construction makes this infeasible at this time.

#### C) Explain the extent to which the signage plan promotes the city goals for way-finding, pedestrian-orientation, and business identification.

The signage will support the University's visual communication vision to brand and identify the location of the university; inform the citizens of Fayetteville of educational opportunities and continue to enhance the Murchison Road corridor.

#### D) Explain the degree to which the signage plan creatively and effectively addresses the issues and constraints unique to the site with regard to signage.

The alternative plan proposed allows for branding signage within existing infrastructure and will not impede traffic flow.

E) Explain the degree to which the signage plan creates a unified approach to development signage that is attractive and effective in communication.

Mock-ups are attached to demonstrate the professionalism, creativity and simplicity of the proposed signage.

### 3. Submittal Requirement Checklist

(Submittals should include 2 copies of listed items, unless otherwise stated.)

- |                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Alternative Signage Plan Application                                   |
| <input checked="" type="checkbox"/> | Application fee of \$250.00  |
| <input checked="" type="checkbox"/> | A site plan indicating all proposed signage to include sign dimensions |

### 4. Primary Point of Contact Information

Primary Point of Contact Name:	Tina Raines		
Mailing Address:	1200 Murchison Road, Fayetteville, NC 28301	Fax No.:	
Phone No.:	910-672-1697	Email:	traines1@uncfsu.edu

### 5. Owner Information

Owner Name:	Fayetteville State University		
Mailing Address:	1200 Murchison Road, Fayetteville, NC 28301	Fax No.:	
Phone No.:	910-672-1111	Email:	traines1@uncfsu.edu
Signature:	Tina Raines	Date:	2/8/24

Fayetteville State University is requesting an alternative signage arrangement to place signs along the wrought iron fence and brick wall facing Murchison Road and along Langdon Road on the section with the brick fence bordering Nick Jeralds Stadium.

The University's vision for signage is to install tall, wrought iron poles with pole banners around the perimeter of campus, but current and projected campus construction makes this infeasible at the time.

The proposed signage is professional designed and will be professionally installed and maintained.

## Alternative Signage Plan



### Wrought Iron Fence Signage

FSU proposes 60 - 20" x 36", 2-sided banners installed perpendicularly to the fence



### Brick Wall Fence Signage

FSU proposes 13 - 224" x 68" banners installed flat into every other fence panel, within the indentations



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