



# **Planning Board**

## **Meeting Agenda**

September 16, 2014 at 7:00pm  
Council Chambers, 201 S Main St

Meeting Called to Order, Invocation, and Overview of Board and general meeting rules

1. Public comment on non-agenda items
2. Approve minutes of the August 19, 2014 meeting
3. Committee Reports
4. Old Business
5. New Business
  - a. Wendy's at Kourescent (SUP8301). Request by Chris Clayton of Commercial Site Design for an amendment to the Special Use Permit for a Unified Business Development for property located at 835 S Main St (GPIN 8883195723 & 8883195412).

Adjourn

*A complete agenda packet is available at [www.cityofgraham.com](http://www.cityofgraham.com)*

## PLANNING ZONING BOARD

Tuesday, August 19, 2014

The Planning & Zoning Board held their regular meeting on Tuesday, August 19, 2014 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Ricky Hall, Bill Teer, Andy Rumley, Dean Ward, Michael Benesch, and Bonnie Blalock. Tim Beshel was absent. Staff members present were Melissa Guilbeau, City Planner and Martha Johnson, Zoning/Inspections Technician.

Chairman Andy Rumley called the meeting to order and explained the function of the Board.

Invocation was given by Ricky Hall.

1. Approve minutes of the July 15, 2014 meeting. Bonnie Blalock made a motion to approve, second by Ricky Hall. All voted in favor.

2. 910 Washington Industrial (RZ1406). The request by Hernan Alas was continued from the last meeting to rezone property located at 910 Washington St. from B-3 to I-1. Oscar Santana of 1720 Berkley Rd, Burlington, NC spoke for Mr. Alas. Mr. Rumley asked if they had discussed changing the request to Conditional Business. Ms. Guilbeau stated she tried to contact them by email but got no response. Mr. Rumley said that last month's discussion was that Conditional Business would be a better fit and they had been asked if they would amend their proposal. Dean Ward said we are currently where we were a month ago when it was tabled. Ricky Hall recommended denial because it doesn't meet the definition that the Board wants, second by Michael Benesch. All voted for denial 6 to 0. Mr. Rumley told the applicant to take some time during the coming week and speak with the Planner.

3. Woodard General Business (RZ1407). Request by Donald Woodard to rezone property adjacent to 307 S Marshall St from R-7 to B-2. Ms. Guilbeau said the stated reason for the request is to install a rear drive for Woodard Eye Care. Jimmy Collins of 5556 Friendship Patterson Mill Rd spoke representing Mr. Woodard. Mr. Collins said Mr. Woodard had a lot combination done to put a 20' rear entrance in so customers could exist on to S Marshall St. Dean Ward made a motion to approve, second by Bonnie Blalock. All voted aye.

4. Grace Bible Multifamily (RZ1408). Request by Rev. Ken Harmon to rezone property located on Ivey Rd from R-18 & I-1 to R-MF. The stated reason for the rezoning was to reflect the City of Graham Growth Management Plan. No one was present to represent the applicant. Mr. Tom Ernest of 817 Ivey Rd spoke expressing his concerns about changing the zoning that could lead to many more things which could happen at that location. Mr. Ernest said he was in favor of houses going there but no businesses or apartments. Mr. Ernest also read a note to the Board from Jean Ezzell of Ivey Rd who was currently out of town expressing similar concerns with the rezoning. Also Betty Jenks of 811 Ivey Rd spoke in opposition to the rezoning, saying she would be glad to see houses there but not apartments. Ms. Jenks talked about the school traffic issues currently on Ivey Rd with the schools full now and apartments would be too much for that area.

Dean Ward was concerned that the applicant was not at the meeting to answer questions and not sure if apartments would be the right fit. Ms. Blalock agreed with Mr. Ward and said she would like to know what the owner had in mind because he didn't state exactly what he was doing and the neighbors do have a valid point about being overrun by apartments in that area. Mr. Benesch had concerns with no one there to answer questions and Mr. Hall agrees with them. Mr. Hall said if we pass this it will be giving them a "blank check" to put anything out there. Mr. Rumley agreed with the other Board members along with not having any knowledge of the use intended. Ricky Hall made a motion to recommend denial of this application, Michael Benesch seconded. All voted for denial 6 to 0.

5. Text Amendment for Historic Resources. Request by staff to amend the *Development Ordinance* related to historic resources. Ms. Guilbeau said the changes were in Article IV, Divisions 9 & 10. Ms. Guilbeau said it would provide that the Commission designate local landmarks, to update and organize, and to modify to make it easier to understand. Ms. Guilbeau said they also looked at becoming a Certified Local Government (CLG). The state of North Carolina can designate you as such and it gives you additional resources, assistance and grant opportunities. We are currently doing most of the things that make you a CLG so we made sure that anything we were proposing would allow us to be a CLG. Ms. Guilbeau said the major highlights to what was changing was the name of the Historic District Commission would change to Historic Resources Commission, set up regular dates for meetings, procedures for designating historic districts and historic landmarks, and a lot of updating and reorganization. Ms. Guilbeau said the Commission endorsed the idea of reducing the members from 9 to 7. Ricky Hall made a motion to approve the text amendment as written with changing the number of Board members from 9 to 7, second by Dean Ward. All voted aye.

6. Rules of Procedures. Ms. Guilbeau stated that this was given to the Board at last month's meeting and there have been no new changes. Ricky Hall made a motion to adopt the Rules of Procedure, Dean Ward seconded. All voted aye.

Bonnie Blalock asked about the status of the old Nicks Building in Court Square concerning the steps falling on the side of the building facing the Courthouse. Ms. Guilbeau said she wasn't sure but could speak to James Lloyd, Chief Code Enforcement Officer, about the situation. Mr. Benesch was concerned about the liability to the City of Graham if anything was to happen. Ms. Guilbeau stated she would speak to both Mr. Lloyd and Frankie Maness about this. Mr. Teer felt like this was an "eye sore" to visitors coming to our City.

Andy Rumley had some concerns about the downtown area since the Carver's restaurant burned down. Mr. Rumley would like for the City of Graham to take on a more active role in the redevelopment of our downtown area. Mr. Rumley wasn't sure if this would be a function of this Board and it may not be something City Council can do but we would like to hear input from city staff, Frankie Maness or anyone who has a valid point. The Board agreed and thanked Mr. Rumley for his input concerning this matter.

No further business the meeting was adjourned.

Respectfully Submitted,  
Martha Johnson  
Inspections/Zoning Technician



# STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

## Wendy's at Kourescent (SUP8301)

**Type of Request:** Special Use Permit amendment

## Meeting Dates

Planning Board on September 16, 2014  
City Council on October 7, 2014

## Summary

This is a request to amend the Special Use Permit for a Unified Business Development currently known as Kourescent Square, located on S Main St, W Crescent Square Dr and Auto Park Dr. Specifically, the proposal is to demolish and rebuild the Wendy's restaurant located at 835 S Main St.

The Special Use Permit for this shopping center was approved on October 4, 1983 and included a site plan. Because that site plan has been lost, an amendment to the Special Use Permit is needed in order to change the site layout of the Wendy's restaurant.



## Contact Information

Chris Clayton, Commercial Site Design  
8312 Creedmoor Rd, Raleigh, NC 27613  
(919) 848-6121; clayton@csitedesign.com

### Location

835 S Main St

GPIN: 8883195723 & 8883195412

### Proposed Special Use

amendment for  
Unified Business Development

### Current Zoning

General Business (B-2)

### Overlay District

Hwy 87/S Main St

### Surrounding Zoning

R-18, R-7, R-12, R-MF,  
O-I, B-2 & I-1

### Surrounding Land Uses

Single Family Houses, Multifamily,  
Offices & General Businesses

### Public Water & Sewer

Yes

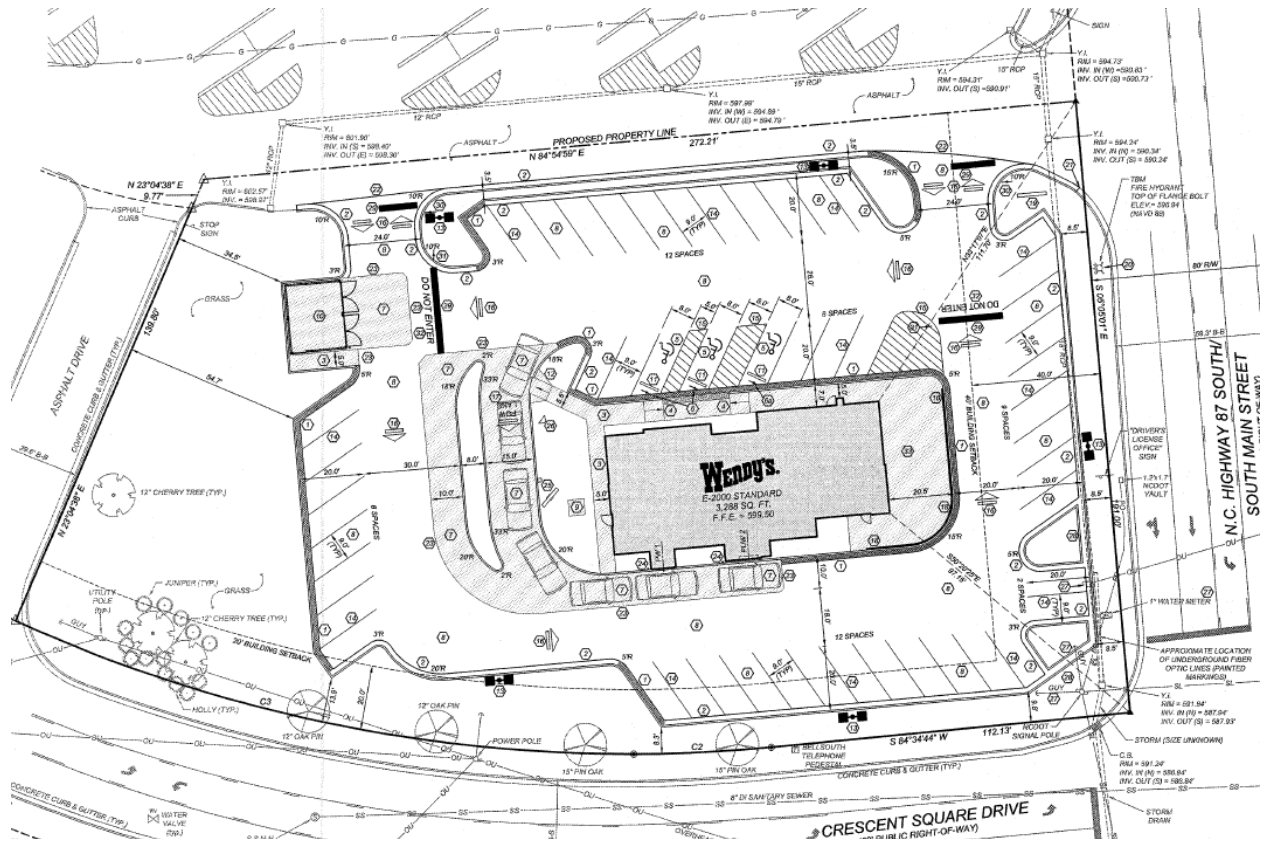
### Floodplain

No

### Staff Recommendation

Approval, with condition

A preliminary site plan was submitted as part of the application. The proposal is to demolish the existing Wendy's building and parking and construct a new building and site improvements as shown on the preliminary site plan. Major changes compared to the existing site include rotating the building by ninety-degrees so that the building faces S Main St with the drive-thru on the side near W Crescent Square Dr, and controlled access between the Wendy's site and the rest of the shopping center parking lot.



### Technical Review Committee

The TRC reviewed the preliminary site plan and met with the applicant on September 2, 2014. As of the writing of this staff report, a revised preliminary site plan has not been submitted. The following TRC comments impact the preliminary site plan:

- Provide a sidewalk along S Main St and W Crescent Square Dr, and from the public sidewalk to the building.
- Consider reducing the number of parking spaces considering the City's minimum requirement and the parking available in the shared shopping center lot.
- Recommend not providing the driveway that is shown closest to S Main St; it is too close to the main access driveway from S Main St.

## Conformity to the *Growth Management Plan (GMP)* and Other Adopted Plans

### Applicable Goals to Guide Us into the Future

- 6.2.1. Reduce and restrict the number of curb cuts and driveways along major arterials. *The proposal uses existing driveways and does not create any new driveways along S Main St or W Crescent Square Dr.*
- 6.3.2. Encourage commercial development within designated village centers as opposed to continued commercial strip development. *This commercial development is an amendment to a Special Use Permit for a unified business development that was approved in 1983.*

### Applicable Planning District Policies and Recommendations

- 7.4.4.1.2. Limit direct highway access or the number of curb cuts to commercial activities by directing development to proposed regional and village centers and requiring internal connectivity between commercial uses, as well as uniformity in design standards. *The proposal uses existing driveways and does not create any new driveways along S Main St or W Crescent Square Dr.*

### Graham Pedestrian Plan

- Recommends a five-foot sidewalk on this section of S Main St as the third highest priority project. *A sidewalk along both S Main St and W Crescent Square Dr are required by the Development Ordinance.*

#### Planning District

Central

#### Development Type

Highway Commercial

Located near a major thoroughfare

For commercial and office/institutional

Characteristics include automobile-oriented; design requirements; sidewalks; street trees; landscaping; buffering/screening; parking provided on-site; height of structures regulated; controlled access; building orientation

10,001 to 100,000sf of retail

Infrastructure includes water, sewer, street connectivity and underground utilities

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## DRAFT Findings of Fact and Conclusions

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.  
*The property is zoned B-2 and Highway 87/S Main St Overlay. "Unified Business Development" is permitted in the B-2 zoning district with a Special Use Permit and is not prohibited in the overlay district. The proposed development meets the area, height and yard regulations. Signs will require a sign permit. The proposed development complies with the site standards of the overlay district, with the exception of providing a sidewalk. All other standards specific to the overlay district will be complied with prior before a building permit is issued.*
2. Conditions specific to each use, identified by the Development Ordinance, are complied with.  
*The following requirements are specific to this use:*
  - *Such developments shall abut a major thoroughfare, minor arterial, or collector street (existing or proposed). This existing Unified Business Development abuts NC 87/S Main St, which is a major thoroughfare.*

- *All uses permitted in the B-2 district are permitted in a Unified Business Development, with the exception of certain uses which are not permitted. Restaurants (with drive-thru) are permitted in the B-2 district and are not prohibited in a Unified Business Development.*
  - *Drive-in establishments offering goods or services directly to customers in parked cars shall be permitted only when the locations of the buildings and access drives have been approved by the city council. This proposal includes a drive-thru restaurant, which is seeking the approval of City Council.*
  - *All business establishments shall be retail or service establishments dealing directly with the public. The proposed drive-thru restaurant directly serves the public.*
  - *All uses shall be completely enclosed in buildings except for plant sales, sidewalk cafes, and permitted drive-in uses. The proposed restaurant is completely enclosed.*
  - *An opaque screen shall be provided wherever, in the city council's judgment, such screening is necessary to shield adjacent residential districts. There are no adjacent residential districts that would require screening.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.  
*The proposed restaurant with drive-thru, to be located within an existing Unified Business Development, will not materially endanger the public health or safety.*
  4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.  
*The proposed restaurant with drive-thru, to be located within an existing Unified Business Development, will not substantially injure the value of adjoining property.*
  5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.  
*The proposed restaurant with drive-thru, to be located within an existing Unified Business Development, is a commercial use that will be located in an existing highway commercial corridor and is in general conformity with the Growth Management Plan 2000-2020.*
  6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.  
*Satisfactory provision has been made for vehicle circulation, parking, service entrances and areas, utilities, and lighting.*

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### **Staff Recommendation**

Based on the *Growth Management Plan 2000-2020* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit amendment, **with the following condition**:

- All TRC comments shall be addressed to the satisfaction of the TRC.

The following supports this recommendation:

- The development furthers goals of the *Growth Management Plan* and is in conformance with the Highway Commercial development type.
- The development complies with the standards of the *Development Ordinance*.
- The development, once the preliminary site plan is revised to include a sidewalk along S Main St and W Crescent Square Dr, will meet all six conditions required by Section 10.144 of the *Development Ordinance*.





# Application for SPECIAL USE PERMIT

P.O. Drawer 357  
201 South Main Street  
Graham, NC 27253  
(336) 570-6705  
Fax (336) 570-6703  
www.cityofgraham.com

Uses shown as "S" in the *City of Graham Development Ordinance*, Section 10.135 Table of Permitted Uses, require a Special Use Permit before the use will be permitted in the zoning district. Applicants are strongly encouraged to consult with the City Planner to understand the requirements for the proposed special use and the information that will be needed as part of this application.

## Site

Street Address: 835 South Main Street  
Tax Map#: 6-10A-49 & 6-10A-6 (portion of) GPIN: 8883195412 & 8883195723 (portion of)  
Current Zoning District(s): B-2  
Overlay District, if applicable:  
 Historic  S Main St/Hwy 87  E Harden St/Hwy 54  
Current Use: Restaurant with Drive-Through  
Property Owner: Kourescent Properties, LLC  
Mailing Address: P.O. Box 850  
City, State, Zip: Burlington, NC 27216  
Phone # (336) 570-2129  
Email: bkoury@carolinahosiery.com

## Applicant and Project Contact

Name: Chris Clayton - Commercial Site Design  
 Property Owner Other Engineer  
Mailing Address: 8312 Creedmoor Road  
City, State, Zip: Raleigh, NC 27613  
Phone # (919) 848-6121  
Email: clayton@csitedesign.com

I certify that all information furnished is true to the best of my knowledge. I have provided all information needed to demonstrate that all requirements of the proposed special use will be met.

Chris. Clayton 8/22/14  
Signature of Applicant Date

SEE ATTACHED LETTER  
Signature of Property Owner Date  
(if other than applicant)

Office Use Only, DEVID# SUP8381

## Proposed Special Use

Proposed Use (from Sec. 10.135 Table of Permitted Uses):  
Restaurant With Drive-Through

Check if this use is also listed in  
Section 10.149 Special uses listed

This application **must include sufficient information** to demonstrate that all requirements of the proposed special use will be met. Check which of the following are submitted with this application:

- Preliminary Site Plan
- Descriptive Information

Because a new drive-through facility is being added to the shopping center, the original special use permit for the shopping center must be amended.

**RECEIVED**  
AUG 25 2014  
CITY OF GRAHAM  
INSP. / P.Z.

Additional sheets of Descriptive Information

Because applications for a Special Use Permit go through the public hearing process, applicants are encouraged to contact neighboring property owners prior to the public hearing.

## Other Requirements

**NCDOT Driveway Permit**, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing

SUP 8301

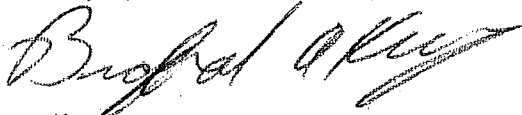
KOURESCENT PROPERTIES, LLC  
P. O. BOX 850  
BURLINGTON, NC 27216  
(336) 570-2129

August 22, 2014

TO WHOM IT MAY CONCERN:

Walker Holdings Group and Commercial Sight Design have my authorization, as owner and manager of Crescent Square Shopping Center and Kourescent Properties, LLC, to submit an application for a Special Use Permit for the Wendy's sight in Graham.

Thank you,



Bradford A. Koury  
[bkoury@carolinahosiery.com](mailto:bkoury@carolinahosiery.com)



# Application for SITE PLAN REVIEW

P.O. Drawer 357  
201 South Main Street  
Graham, NC 27253  
(336) 570-6705  
Fax (336) 570-6703  
www.cityofgraham.com

A site plan must be approved before any building, structure or parking facility is constructed, installed, expanded or extended. Also, several types of development activity require a preliminary site plan as part of the application process, including conditional rezonings, multifamily development, manufactured home parks and telecommunications towers. When completing this application, applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner for the requirements specific to the development.

## Site

Street Address: 835 South Main Street

Tax Map#: 6-10A-49 & 6-10A-6 (portion of) GPIN: 8883195412 & 8883195723 (portion of)

Current Zone(s):  R-MF  R-G  Other R  Cond.  
 O-I  B-1  B-2  B-3  I-1  I-2

Overlay District, if applicable:

Historic  S Main St/Hwy 87  E Harden St/Hwy 54

Current Use: Restaurant with drive-through (Wendy's)

Property Owner: Kourescent Properties, LLC

Mailing Address: P.O. Box 850

City, State, Zip: Burlington, NC 27216

Phone # (336) 570-2129

## Applicant and Project Contact

Name: Chris Clayton - Commercial Site Design

Property Owner  Engineer/Surveyor

Other \_\_\_\_\_

Mailing Address: 8312 Creedmoor Road

City, State, Zip: Raleigh, NC 27613

Phone # (919) 848-6121

Email: clayton@csitedesign.com

I hereby make application for review of a  
 Preliminary  Final Site Plan.

I have completed this application truthfully and to the best of my ability. I have prepared the site plan in accordance with the Site Plan Checklist and have submitted the required plans.

Chris Clayton 8/22/14  
Signature of Applicant Date

**SUBMIT 4 COPIES AND 1 PDF OF THE SITE PLAN**

## Proposed Development

Project Name: Wendy's Restaurant (redevelopment)

Proposed Zone (if applicable): N/A

Proposed Use(s) (from Sec. 10.135 Table of Permitted Uses):  
Restaurant (with drive-through)

Brief description, including information such as number of dwelling units, type of multifamily development, size and number of buildings, and other descriptive information:

Redevelopment of site with new Wendy's Restaurant and associated parking lot.

AUG 25 2014

CITY OF GRAHAM  
INSP. / PZ

## Site Plan Checklist

This application **must be accompanied** by a site plan, which may include one or more sheets to provide sufficient detail for review. **See the back of this application for a checklist of items that should be shown on the site plan, as applicable.**

## Other Requirements

NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing

NCDOT 3-Party Encroachment Agreement, if things such as a sidewalk or utility connection is proposed in the right-of-way

Flood Elevation Certificate, if there is Special Flood Hazard Area near the development

Floodplain Development Permit, if development is proposed in a Special Flood Hazard Area

Stormwater Permit, if one or more acres is disturbed

Erosion Control Permit from the NC Dept. of Environment and Natural Resources if the land disturbing activity exceeds one acre

### FOR OFFICE USE ONLY

DEVID#

SUP8301

Fee \$

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## Site Plan Checklist

### Title Block and Data

- Indicate the type of development proposed (e.g. Conditional Rezoning, Multifamily Development)
- Owner's name with address and daytime phone number
- Developer's name, address and daytime phone number, if different from owner
- Site location, including address
- Name, address and telephone number of map preparer
- Dates map prepared or revised
- Scale of drawing in feet per inch and bar scale
- North arrow and orientation (north arrow shall not be oriented towards the bottom of the map)
- Zoning and overlay districts in the area
- Proposed land use on the property and existing land use on adjacent properties
- Tax map, block and lot numbers
- Acreage of all proposed lots and of total tract
- Total number of lots, dwelling units and/or square footage of nonresidential development proposed
- Label all existing and proposed structures
- Setbacks for all structures, clearly indicated
- Seal of licensed development professional

### Planimetric

- City limits and other jurisdiction lines - N/A
- Boundaries of the tract to be developed, distinctly and accurately represented and showing all distances
- Existing property lines on the tract to be subdivided; show any property lines to be changed as dashed lines
- Proposed lot lines and dimensions
- Dimensions, location and use of all existing and proposed buildings; distance from building to nearest property lines
- Railroad lines and rights-of-way - N/A
- Locations designated as common areas or open space
- Existing and proposed topography of the tract and beyond showing contour intervals of no greater than 5ft (2ft preferred) and labeling at least two contours per map
- Location, dimension and type of any easements, existing or proposed
- Proposed phasing, if any - N/A

### Landscaping

- Location, dimensions and type of required planting yards and opaque screens/buffers
- Location of proposed plantings with a description of the species to be used
- Approximate height, species and method of tree protection where existing vegetation is to be preserved
- Location, pad dimensions and screening of dumpster
- 10'x70' site triangle at all street and driveway intersections
- Location and angle of exterior lighting

### Transportation and Parking

- Existing and proposed right-of-way lines
- Existing and proposed streets showing pavement or curb lines, width, and existing and proposed street names
- Profile of any proposed new street - N/A
- Width of driveways and internal circulation roadways
- Driveways adjacent to or across the street from the site and the distance between driveways
- Existing and proposed sidewalks and handicap ramps, including dimensions
- Dimensions and location of all parking, queuing and loading areas, including spaces and maneuvering areas
- Calculation of minimum required off-street parking spaces and total spaces provided

### Utilities

- Utility layout showing connections to existing systems, line sizes, material of lines, manholes, force mains, clean-outs, rim elevations, invert elevations, direction of flow, etc. for sanitary sewer lines
- Utility layout showing connections to existing systems, meter sizes and location, backflow preventer location and type, material of lines, location of fire hydrants and fire department connection, blowoffs, valves, etc. for water distribution system
- Location of overhead utility lines, poles and guy wires

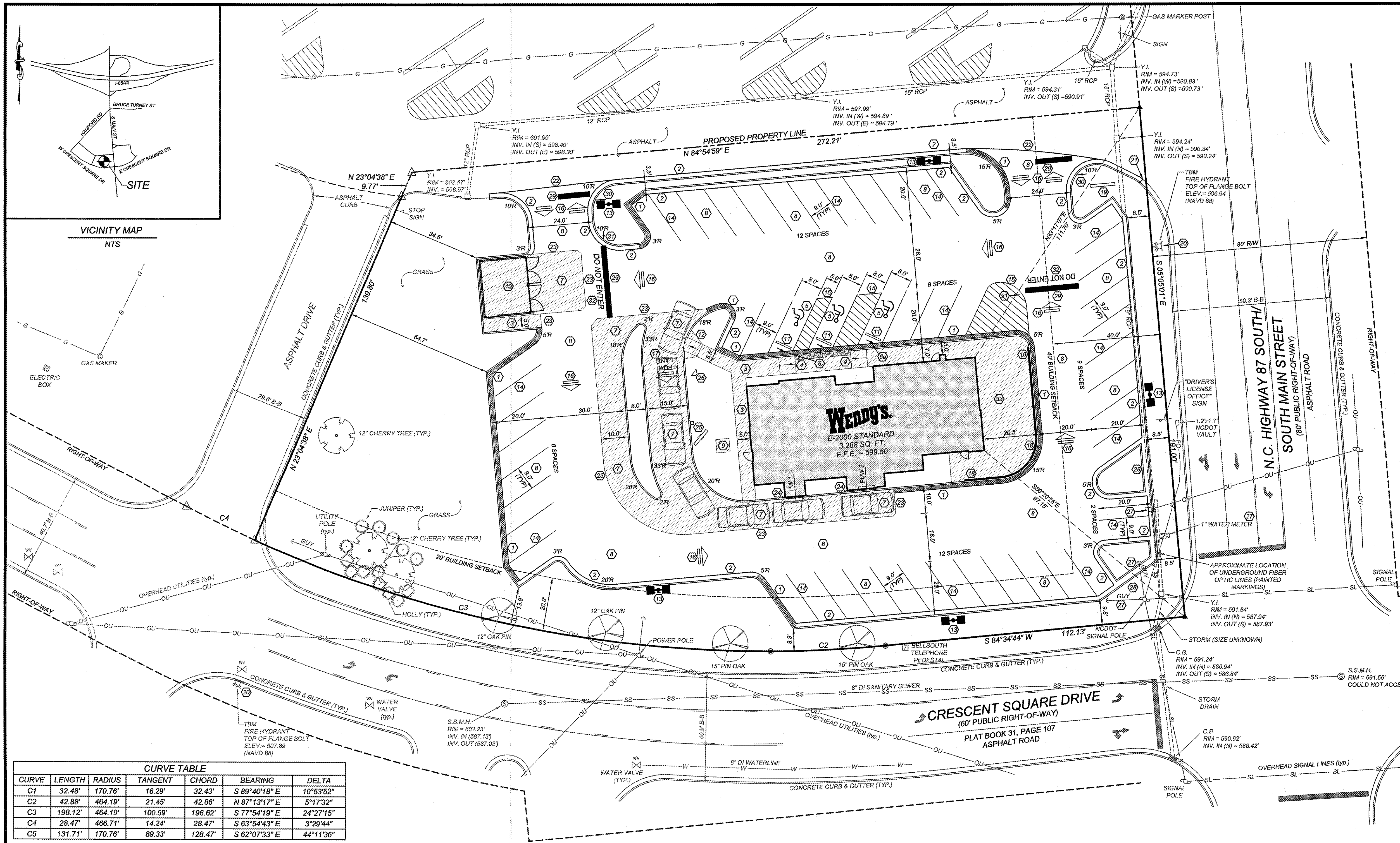
### Stormwater Control, Stream Buffers and Floodplains

- Location and type of existing and proposed stormwater controls, including location of inlets
- Layout of stormwater control, grading and significant components
- Location of all streams and drainageways
- Location of stream buffers on all USGS and NRCS Soil Survey mapped streams - N/A
- Indicate that all buffers are to remain in an undisturbed state - N/A
- Location of jurisdictional waters and wetlands (Note 1) - N/A
- Location of proposed stream crossings showing the proposed grading and overall stream impact, including culvert and outlet protection length - N/A
- Identify any FEMA regulated floodway or floodplain on the property and locate and label the 100-year Base Flood Elevation
- Extent and size (in acres) of area to be disturbed (Note 2)
- Location and type of proposed erosion control devices

**Note 1.** The US Army Corps of Engineers and the NC Division of Water Quality regulate wetlands and waters of the United States through the 404 Corps Permit and 401 State Water Quality Certification process. Site designers and developers are responsible for obtaining all applicable local, state and federal permits, certifications or approvals as necessary for proposed site development activities.

**Note 2.** If the proposed land disturbing activity exceeds one (1) acre, an Erosion Control Permit from NCDENR Land Quality is required.





**GENERAL NOTES:**

- THE INFORMATION SHOWN HEREIN WAS TAKEN FROM A TOPOGRAPHIC SURVEY PREPARED BY: COMMERCIAL SITE DESIGN, 8312 CREEDMOOR ROAD, RALEIGH, NORTH CAROLINA 27613, PHONE: 919-848-6121; FAX: 919-848-3741
- THE LOCATIONS OF ALL UTILITIES SHOWN ON THESE PLANS ARE BASED ON THE AVAILABLE INFORMATION. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF UTILITIES WITH THE UTILITY OWNERS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED TO MEET ALL FEDERAL, STATE AND LOCAL CODES.
- ANY DISCREPANCY IN THIS PLAN AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE OWNER PRIOR TO START OF CONSTRUCTION. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL SETBACKS, EASEMENTS, AND DIMENSIONS SHOWN HEREON BEFORE BEGINNING CONSTRUCTION.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL REQUIRED PERMITS AND APPROVALS BEFORE BEGINNING CONSTRUCTION. NO CONSTRUCTION OR FABRICATION OF ANY ITEM SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED ALL PLANS AND ANY OTHER DOCUMENTATION FROM ALL OF THE PERMITTING AND ANY OTHER REGULATORY AUTHORITIES. FAILURE OF THE CONTRACTOR TO FOLLOW THIS PROCEDURE SHALL CAUSE THE CONTRACTOR TO ASSUME FULL RESPONSIBILITY FOR ANY SUBSEQUENT MODIFICATION OF THE WORK, MANDATED BY ANY REGULATORY AUTHORITY, ALL CONSTRUCTION TO BE IN ACCORDANCE WITH PERMITS ISSUED AND APPLICABLE STATE, COUNTY AND LOCAL CODES.
- THE GENERAL CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, UTILITIES AND RIGHT-OF-WAYS, PUBLIC OR PRIVATE, PRIOR TO WORKING IN THESE AREAS.
- CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SO THAT WORKMEN AND PUBLIC SHALL BE PROTECTED FROM INJURY, AND ADJOINING PROPERTY PROTECTED FROM DAMAGE.
- ACCESS TO UTILITIES, FIRE HYDRANTS, STREET LIGHTING, ETC., SHALL REMAIN UNDISTURBED, UNLESS COORDINATED WITH RESPECTIVE UTILITY.
- CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO ANY EXISTING ITEM AND/OR MATERIAL INSIDE OR OUTSIDE CONTRACT LIMITS DUE TO CONSTRUCTION OPERATIONS.
- ALL DIMENSIONS ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED.
- DO NOT SCALE THIS DRAWING AS IT IS A REPRODUCTION AND SUBJECT TO DISTORTION.
- THE GENERAL CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT AND AT LEAST ONCE A WEEK DURING CONSTRUCTION.
- THE GENERAL CONTRACTOR SHALL KEEP THE AREA OUTSIDE THE "CONSTRUCTION LIMITS" BROOM CLEAN AT ALL TIMES.
- GENERAL CONTRACTOR WILL ERECT AND ILLUMINATE A SITE IDENTIFICATION SIGN, PER OWNER'S SPECIFICATION. COORDINATE LOCATION WITH OWNER'S REPRESENTATIVE.
- FINISH CURB AND WALK ELEVATIONS SHALL BE 6" ABOVE FINISH PAVEMENT GRADE UNLESS NOTED DIFFERENT ON PLAN.
- CONTRACTOR SHALL ENSURE THAT ADEQUATE SITE LIGHTING IS PROVIDED PER OWNER'S SPECIFICATIONS.
- ALL RADII DIMENSIONS ARE TO FACE OF CURB.
- ALL UTILITIES TO SERVICE BUILDING SHALL BE UNDERGROUND ON SITE, UNLESS OTHERWISE INDICATED.
- ALL STREET SURFACES, DRIVEWAYS, CULVERTS, CURB AND GUTTERS, ROADSIDE DRAINAGE DITCHES AND OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED IN ACCORDANCE WITH THE SPECIFICATIONS.
- ALL DISTURBED AREAS SHALL HAVE TEMPORARY SEEDING AND MULCHING. ALL AREAS THAT ARE PLANNED TO BE BARE FOR MORE THAN 45 DAYS SHALL BE SEEDING AND MULCHING WITHIN SEVEN (7) DAYS.
- THE CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES. THE LOCATION OF ALL EXISTING UTILITIES ARE NOT NECESSARILY SHOWN ON THE PLANS AND WHERE SHOWN ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL ON HIS INITIATIVE AND AT NO EXTRA COSTS HAVE LOCATED ALL UNDERGROUND LINES AND STRUCTURES AS NECESSARY. NO CLAIMS FOR DAMAGES OR EXTRA COMPENSATION SHALL ACCRUE TO THE CONTRACTOR FROM THE PRESENCE OF SUCH PIPE, OTHER OBSTRUCTIONS OR FROM ANY DELAY DUE TO REMOVAL OR REARRANGEMENT OF THE SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND STRUCTURES. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL NON-SUBSCRIBING UTILITIES. THE CONTRACTOR SHALL CONTACT NC ONE CALL AT 911 OR 1-800-832-4949 FOR ASSISTANCE IN LOCATING EXISTING UTILITIES. CALL AT LEAST 48 HOURS PRIOR TO ANY DIGGING.
- ALL LOT STRIPING AND DIRECTIONAL ARROWS TO BE WHITE REFLECTIVE MARKINGS AND SHALL CONFORM TO LOCAL REGULATIONS.
- COMPACTION AND MAINTENANCE OF PROPER MOISTURE CONTENT OF THE SOIL UNDER BUILDINGS AND PAVED AREAS SHALL BE ACCOMPLISHED TO ACHIEVE 98% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY OR AS RECOMMENDED IN THE SOIL REPORT.
- THE CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORD THE EXACT LOCATION OF ALL PIPING PRIOR TO CONCEALMENT. DRAWINGS SHALL BE GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE ENGINEER.
- BEFORE COMMENCEMENT OF WORK, THE CONTRACTOR SHALL REVIEW ALL PLANS AND SPECIFICATIONS AND THE JOB SITE. THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER WHO PREPARED THE PLANS OF ANY DISCREPANCIES THAT MAY REQUIRE MODIFICATIONS TO THESE PLANS OR OF ANY FIELD CONFLICTS.
- ALL PERMITS RELATIVE TO THE PROJECT MUST BE OBTAINED, PRIOR TO CONSTRUCTION. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH PERMITS ISSUED AND APPLICABLE STATE, COUNTY AND LOCAL CODES.
- THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL DRAWINGS FOR ALL BUILDING DIMENSIONS.
- ALL PARKING LOT DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL COORDINATE EXACT SIZE OF HVAC CONCRETE PADS WITH MECHANICAL CONTRACTOR. REFER TO MECHANICAL PLANS FOR DETAILS.
- ALL SEEDING, TEMPORARY AND PERMANENT, TO BE INSTALLED TO LOCAL REGULATIONS AND STANDARD PRACTICES.
- ALL ROAD WORK SHALL BE PERFORMED IN ACCORDANCE WITH "THE CURRENT EDITION OF THE STATE DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIALS SPECIFICATIONS".
- ANY AND ALL QUANTITIES SHOWN OR IMPLIED ON THESE PLANS ARE FOR ESTIMATION PURPOSES ONLY.
- IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO COORDINATE WITH THE IRRIGATION CONTRACTOR, FOR IRRIGATION SLEEVE SIZE FOR IRRIGATION SYSTEM.
- CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY, AND HOLD THE OWNER AND DESIGN PROFESSIONAL HARMLESS OF ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, ACCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR DESIGN PROFESSIONAL.

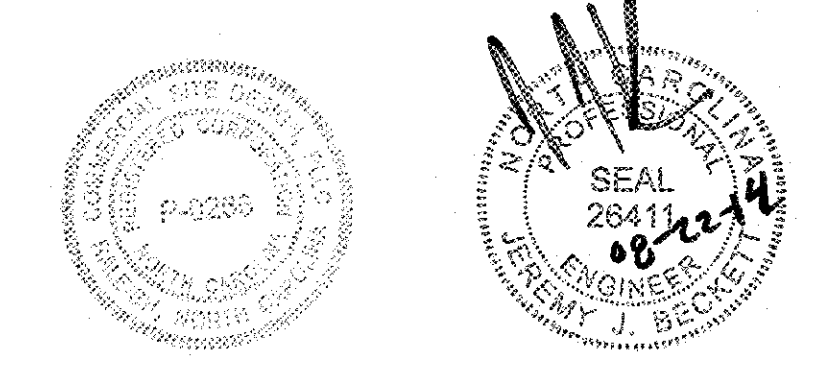


**SITE LEGEND**

	SPILL CURB
	HANDICAP RAMP
	HANDICAP STALL
	CONCRETE
	PROPERTY LINE
	SIGN
	BOLLARD
	EX. FIRE HYDRANT
	FENCE
	POLE MOUNTED AREA LIGHT
	PROPERTY CORNER
	FINISH FLOOR ELEVATION

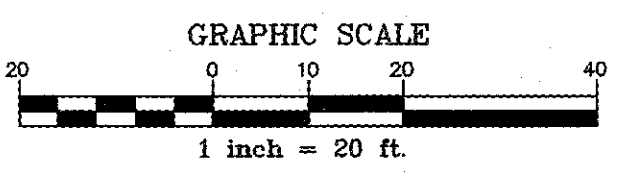
**SITE KEYNOTES:**

- CONSTRUCT 2.0' CONCRETE SPILLING CURB AND GUTTER PER DETAIL SHEET
  - CONSTRUCT 2.0' CONCRETE CATCHING CURB AND GUTTER PER DETAIL SHEET
  - CONSTRUCT CONCRETE SIDEWALK PER DETAIL SHEET
  - CONSTRUCT CONCRETE HANDICAP RAMP PER DETAIL SHEET
  - HANDICAP PARKING STALL
  - INSTALL HANDICAP PARKING SIGN PER ADA SHEET C-4
  - INSTALL VAN ACCESSIBLE HANDICAP PARKING SIGN PER ADA SHEET C-4
  - CONCRETE PAVEMENT PER DETAIL SHEET
  - ASPHALT PAVEMENT PER DETAIL SHEET
  - TRANSFORMER PAD BY GENERAL CONTRACTOR, PER ELECTRIC COMPANY SPECIFICATIONS, (COORDINATE SIZE & LOCATION WITH UTILITY COMPANY)
  - CONSTRUCT DUMPSTER PAD AND TRASH ENCLOSURE, SEE DETAIL SHEETS
  - INSTALL WHEEL STOPS PER DETAIL SHEET
  - LOADING RAMP, 8% MAXIMUM SLOPE
  - POLE MOUNTED AREA LIGHT, SEE LIGHTING PLAN
  - PAINT 4" WIDE STRIPE, WHITE
  - PAINT 4" WIDE STRIPE @ 45', 2 FEET APART
  - PAINT TRAFFIC ARROWS PER DETAIL SHEET
  - PAINT DRIVE-THRU PAVEMENT MARKER PER DETAIL SHEET.
  - SAFETY RAILING
  - SITE IDENTIFICATION SIGN, COORDINATE WITH OWNER AND CITY
  - EXISTING FIRE HYDRANT
  - MATCH EXISTING CURB & GUTTER
  - MATCH EXISTING ASPHALT PAVEMENT
  - ASPHALT/CONCRETE TRANSITION PER DETAIL
  - INSTALL STEEL PIPE BOLLARD PER DETAIL SHEET
  - INSTALL MENU BOARD AND SPEAKER
  - COKE PREVIEW BOARD
  - RELOCATE EXISTING UTILITY STRUCTURE, COORDINATE WITH RESPECTIVE UTILITY COMPANY.
  - CONCRETE FLUME PER DETAIL SHEET
  - PAINT 24" STOP BAR PER MUTCD AND NCDOT STANDARDS
  - INSTALL "STOP" SIGN PER MUTCD R1-1 AND NCDOT STANDARDS
  - INSTALL "STOP" AND "DO NOT ENTER" SIGN PER MUTCD AND NCDOT STANDARDS.
  - PAINT "DO NOT ENTER" PER MUTCD AND NCDOT STANDARDS
  - CONCRETE PATIO AREA (MAXIMUM 2% SLOPE IN ANY DIRECTION)
- \* ITEMS SUPPLIED BY WENDY'S CONTRACTOR



**FLOOD INFORMATION**

SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY FEMA F.I.R.M. PANEL NUMBER 37088600X, WITH AN EFFECTIVE DATE OF SEPTEMBER 6, 2006.



**REVISIONS**

NO.	DATE	DESCRIPTION	BY

**OWNER:**  
WALKER HOLDINGS GROUP, LLC  
3211 SHANNON ROAD, SUITE 225  
DURHAM, NORTH CAROLINA 27703

**PROJECT NO.:** WHG-1301  
**FILENAME:** WHG1301-SP  
**DRAWN BY:** JWR  
**SCALE:** 1" = 20'  
**DATE:** 08-05-2014  
**SHEET NO.:** C-3

**COMMERCIAL SITE DESIGN**  
919) 848-6121 FAX: 919) 848-3741  
WWW.CSHEDESIGN.COM

**Wendy's**  
OLD FASHIONED HAMBURGERS  
835 SOUTH MAIN STREET  
GRAHAM, NORTH CAROLINA  
**SITE PLAN**



## PLANNING BOARD Recommendation & Statement of Consistency

*Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with the "City of Graham Growth Management Plan 2000-2020" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the "City of Graham Growth Management Plan 2000-2020" shall not preclude consideration or approval of the proposed amendment by the City Council.*

### **Wendy's at Kourescent (SUP8301)**

#### **Type of Request**

Special Use Permit amendment

#### **Meeting Dates**

Planning Board on September 16, 2014

City Council on October 7, 2014

I move to **recommend APPROVAL** of the application as presented.

I move to **recommend APPROVAL with the following conditions:**

o [Insert additional or other conditions]

I move to **recommend DENIAL.**

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The application is **consistent** with the *City of Graham Growth Management Plan 2000-2020*.

The application is **not fully consistent** with the *City of Graham Growth Management Plan 2000-2020*.

This report reflects the recommendation of the Planning Board, this the 16<sup>th</sup> day of September, 2014.

Attest:

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Andy Rumley, Planning Board Chairman

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Martha Johnson, Secretary