



Planning Board

Meeting Agenda

December 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 November 18, 2014 meeting
3. Committee Reports
4. Old Business
5. New Business
 - a. Peak Resources (CR1404). Request by Harold Nunn to rezone property located at 600 N Main St & 217 College St (GPIN 8884075145 & 8884072069) from Office and Institutional (O-I) to Conditional Office and Institutional (C-O-I) to construct a 75,000sf, single-story nursing home.
 - b. Text Amendment for Sidewalk Payment-in-Lieu. Request by staff to amend the Development Ordinance to provide an option for payment in lieu of constructing required sidewalks.

Adjourn

A complete agenda packet is available at www.cityofgraham.com

PLANNING ZONING BOARD

Tuesday, November 18, 2014

The Planning & Zoning Board held their regular meeting on Tuesday, November 18, 2014 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Bill Teer, Dean Ward, Tim Beshel, Andy Rumley and Bonnie Blalock. Ricky Hall and Michael Benesch were absent. Staff members present were Melissa Guilbeau, City Planner and Martha Johnson, Zoning/Inspections Technician.

Chair Andy Rumley called the meeting to order and gave the Overview of the Board and general meeting rules. Mr. Rumley gave the invocation.

1. Public comment on non-agenda items. There were none.
2. Approval of the September 16, 2014 meeting. Dean Ward made a motion for approval, second by Bonnie Blalock. All voted in favor.
3. Committee Reports. There were none.
4. Old Business. There was none.
5. New Business.

Dean Ward expressed his concern about not being able to carry out the City's business when we don't have enough people present for a quorum or not enough people in attendance to have a four/fifths vote. Mr. Ward asked Melissa Guilbeau to look at everyone's attendance on the Planning Board and the Board of Adjustment and draft a letter to be sent to City Council. Mr. Ward stated he realizes everybody has busy schedules and some have more things going on than others. It was the consensus of the Board for Ms. Guilbeau to draft the letter and send to the members of the Planning Board and the Board of Adjustment first for review and then forward it to City Council.

- a. Elect Chair and Vice-Chair. Bonnie Blalock made a motion to elect Andy Rumley as Chair, second by Bill Teer. All voted in favor. Dean Ward made a motion to elect Ricky Hall as Vice-Chair, second by Andy Rumley. All voted in favor.
- b. Text Amendment for Stormwater and Surety. Request by staff to amend the Development Ordinance in relation to surety for stormwater treatment devices, surety in relation to site plan development, and changes related to the Jordan Lake rules.

Amend the Development Ordinance to:

- Allow stormwater treatment facilities to remain incomplete with surety at CO.
- Allow site plans the same provisions for incomplete infrastructure as subdivisions.
- Incorporate changes to state statute related to Jordan Lake rules.

Ms. Guilbeau explained the details. There was much discussion among the Board members pertaining to the amendment concerning site plans. They were concerned about guarding against "unfinished work" in a project and felt that the ordinance should remain as it is and not have the same provisions for incomplete infrastructure as subdivisions.

Dean Ward made a motion to approve the first and third bullet points but not the second regarding incomplete infrastructure for site plans. Bonnie Blalock seconded the motion; all voted aye 5 to 0.

No further business the meeting was adjourned.

Respectfully Submitted,
Martha Johnson
Inspections/Zoning Technician



STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

Peak Resources (CR1404)

Type of Request: Conditional Rezoning

Meeting Dates

Planning Board on December 16, 2014

City Council on January 6, 2015

Contact Information

Harold Nunn

101 Baynes Ct, Cary, NC 27511

919-290-2722; hpunn@peakresourcesinc.com

Summary

This is a request to rezone the subject property from O-I to C-O-I to construct a 75,000sf, single-story nursing home. The property is currently occupied by the County Annex building, which will be demolished. The property was previously occupied by the "Graham High School," which was demolished in early 2013. The property is located in the North Main Street Historic District, which is listed on the National Register of Historic Places.



Rendering of the former "Graham Graded School." The original building was the central rectangular structure, constructed in 1903. The two wings were added in the 1930s. In 1971, the building was no longer used as a school. After that, it served other purposes, including a retirement home. It was demolished in early 2013.

Location

600 N Main St & 217 College St

GPIN: 8884075145 & 8884072069

Current Zoning

Office and Institutional (O-I)

Proposed Zoning

Conditional Office and Institutional (C-O-I)

Overlay District

none

Surrounding Zoning

R-7, R-MF, O-I & I-1

Surrounding Land Uses

Single Family Houses,
Multi-family dwellings, Park,
Churches, Light Industrial

Size

5.8 acres

Public Water & Sewer

Water along Main & College
Sewer along Main, Parker &
College

Floodplain

none

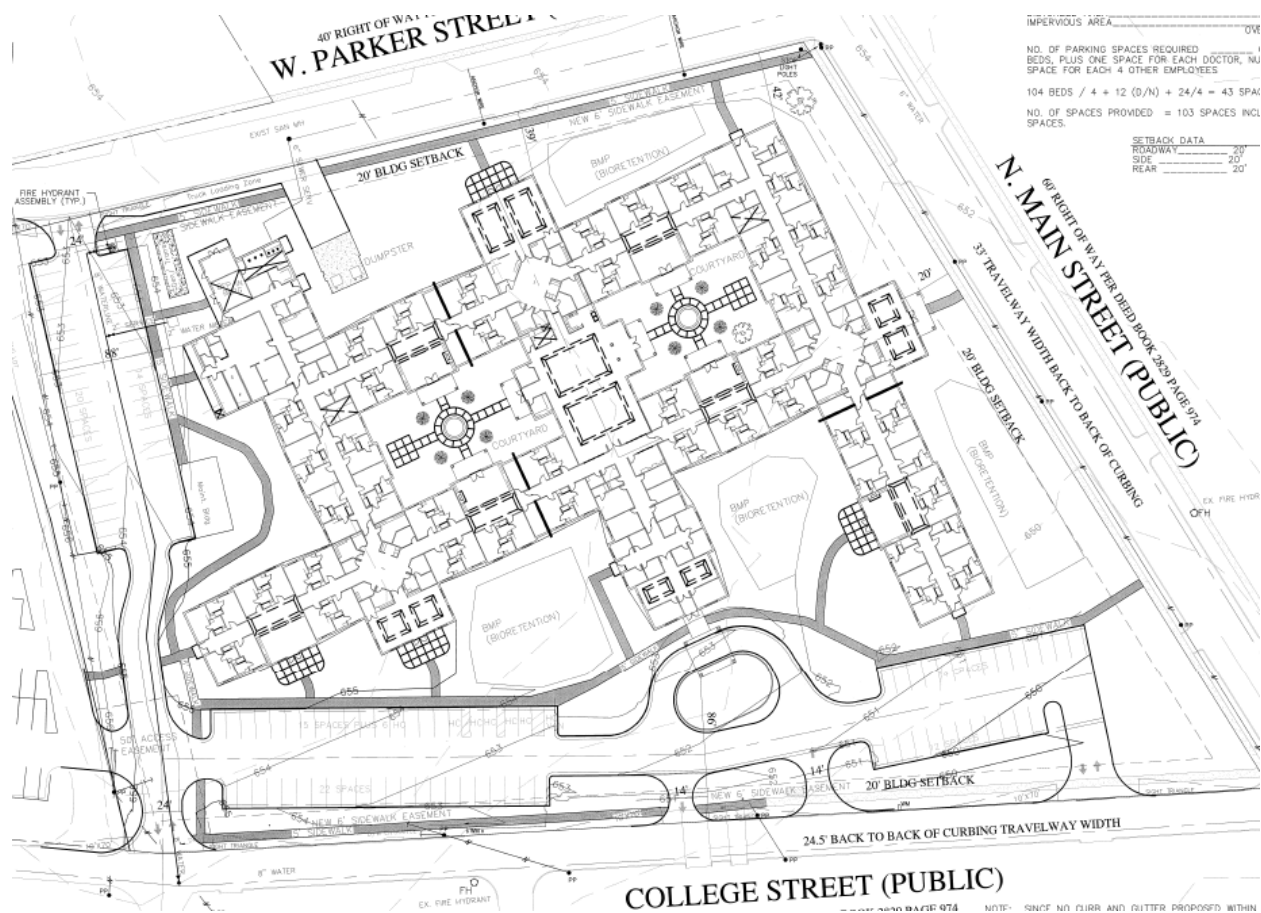
Staff Recommendation

Approval, with conditions

The applicant is proposing to rezone the property to C-O-I in accordance with the site plan prepared by Hugh J. Gilleece and Associates and dated 11/25/14.

The proposal is for an approximately 75,000sf single story building to house a nursing home. Specific features of the proposal include:

- Main entrance from College St, with other entrances facing N Main St and W Parker St.
- Building setback of 20' on all sides of the property.
- Parking lots located along College St and between the facility and the Graham Recreation Center, with driveways on College St and W Parker St.
- The existing Recreation Center driveway on College St will be removed and replaced with a shared driveway and access easement, aligned with Lashley St.
- New 5' wide sidewalk along W Parker St and College St.
- An on-street truck loading zone on W Parker St, by widening the street. Also, dumpsters with access from W Parker St.
- Four stormwater bioretention areas.
- A landscaping plan that proposes fewer shrubs than are required by the ordinance.
- A request to permit a freestanding sign up to 100sf.



Technical Review Committee

The TRC reviewed the preliminary site plan on December 1, 2014. As of the writing of this staff report, the applicant has not submitted a revised preliminary site plan. Some TRC comments that may impact the overall development include:

- Street and yard landscaping: if a lesser requirement is being requested, please clarify this. Otherwise, street yard plantings are 8-25' wide and need more shrubs. Side yard planting is 5-10' wide.
- Please consider asking for a smaller sign. The largest non-billboard sign permitted in the city is 64sf.
- The surrounding project area does not appear to have any storm drains to connect to. How will runoff be carried from the site? Offsite improvements may be required to discharge stormwater. Storm drainage discharge points will need to maintain existing discharge points and should minimize changing of drainage basins.

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

Applicable Goals to Guide Us into the Future

- 6.1.2. Continue to support efforts that identify, restore and/or reuse cultural and historic structures, buildings, monuments, and neighborhoods. *This proposal would build a new structure on a property located in a neighborhood that is listed on the National Register of Historic Places.*
- 6.1.3. Encourage development that compliments existing architectural designs of the neighborhood. *No renderings or elevations of the building were submitted, so it is unknown whether it will complement the architectural designs of the neighborhood.*
- 6.1.3. Enforce landscaping standards to help beautify and buffer development sites. *The site plan proposes fewer shrubs than are required by the ordinance.*
- 6.2.1. Reduce and restrict the number of curb cuts and driveways along major arterials. *The project will not include any curb cuts along N Main St.*
- 6.3.1. Prohibit residential development that is in close proximity to incompatible uses or provide proper buffering to protect existing uses and new development. *Nursing homes are a type of residential use and are permitted either by-right or with a special use permit in all residential zoning districts.*
- 6.3.1. Continue to protect established residential areas from incremental rezonings to a lower land use. *This property is currently zoned O-I.*
- 6.3.7. Plan for adequate recreational facilities to serve all parts of the City. *A portion of this property was formerly leased to the City for use as soccer fields.*

Planning District

North

Development Type

Neighborhood Residential and
Park/Open Space

Located near a major
thoroughfare

For single family residential
and townhouses

Characteristics include
open space; parks included with
development; pedestrian-
oriented; automobile-oriented;
sidewalks; street trees;
landscaping

Density of 3+ DU/acre

Infrastructure includes
water, sewer, street connectivity
and underground utilities

- 6.3.8. Encourage the reuse and revitalization of unused or underutilized structures and properties. *This project will reuse a property that was previously occupied.*

Applicable Planning District Policies and Recommendations

- 7.3.4.1.1. Encourage infill development within the district, as well as redevelopment efforts of deteriorating structures. *This project would be infill development.*
- 7.3.4.1.3. Preserve established residential neighborhoods within the district. *Nursing homes are permitted either by-right or with a special use permit in all residential districts, suggesting that they can be a compatible residential use.*

Graham Pedestrian Plan

- Recommends a five-foot sidewalk on this section of College St as a mid-term project. *The proposal includes a 5' sidewalk along College St.*

Staff Recommendation

Based on the *Growth Management Plan 2000-2020* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Conditional Rezoning, **with the following conditions:**

- The final landscaping plan shall conform to the landscaping requirements of the *Development Ordinance*.
- All signage shall conform to the requirements of the *Development Ordinance*; a freestanding sign up to 100sf is not approved.
- The applicant will provide architectural renderings or similar illustrations of the proposed nursing home for review and approval by the Historic Resources Commission, prior to issuance of a building permit, to ensure the architectural design compliments the North Main Street Historic District.

The following supports this recommendation:

- The development furthers a number of goals of the *Growth Management Plan*. Though it does not strictly comply with the Development Toolkit Checklist for Neighborhood Residential, the fact that nursing homes are permitted either by-right or with a special use permit in all residential districts suggests that it is a use that can be compatible in neighborhood residential areas.
- The development complies, or will comply upon final site plan approval, with the standards of the *Development Ordinance*.



Application for REZONING or CONDITIONAL REZONING

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

This application is for both general district rezonings and conditional rezonings. Applications are due on the 25th of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

Site

Street Address: 217 COLLEGE / 600 N. MAIN ST

Tax Map#: 145631 GPIN: 8884072069

Current Zoning District(s): 145641 8884075145

☐ R-7 ☐ R-9 ☐ R-12 ☐ R-15 ☐ R-18

☐ R-MF ☐ R-G ☐ C-R ☐ C-MXR

☐ B-1 ☐ B-2 ☐ B-3 ☐ C-B ☐ C-MXC

☒ O-I ☐ C-O-I ☐ I-1 ☐ I-2 ☐ C-I

Overlay District, if applicable:

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

Current Use: VACANT

Total Site Acres: 5.8

Property Owner: PEAK RESOURCES - GRAHAM

Mailing Address: 101 BAYNES CT

City, State, Zip: CARY NC 27511

Applicant

☒ Property Owner ☐ Other _____

Application for Conditional Rezoning may only be initiated by the owner of a legal interest in all affected property, any person having an interest in the property by reason of written contract with owner, or an agent authorized in writing to act on the owner's behalf. If the applicant for Conditional Rezoning is other than the Property Owner, documentation in compliance with the preceding statement must be provided in order for this application to be complete.

Name: HAROLD NUNN

Mailing Address: 101 BAYNES CT

City, State, Zip: CARY NC 27511

Phone #: 919 290-2722

Email: hp.nunn@peakresourcesinc.com

I have completed this application truthfully and to the best of my ability.

Harold P. Nunn 11/24/14
Signature of Applicant Date

Proposed Rezoning or Conditional Rezoning

Proposed Zoning District(s):

☐ R-7 ☐ R-9 ☐ R-12 ☐ R-15 ☐ R-18

☐ R-MF ☐ R-G ☒ C-R ☐ C-MXR

☐ B-1 ☐ B-2 ☐ B-3 ☐ C-B ☐ C-MXC

☐ O-I ☒ C-O-I ☐ I-1 ☐ I-2 ☐ C-I

Describe the purpose of this rezoning request. For Conditional Rezoning, also specify the actual use(s) intended for the property (from Sec. 10.135 Table of Permitted Uses) along with other descriptive or pertinent information, such as number of dwelling units, type of multifamily development, square footage and number of buildings:

Proposed use is Nursing Home,
approximately 75,000 SF
single story building.
Also, request includes larger
sign (up to 100 SF).

RECEIVED

NOV 25 2014

CITY OF GRAHAM
INSP. / P.Z.

For Conditional Rezoning, this application must be accompanied by a Preliminary Site Plan and supporting information specifying the actual use(s) and any rules, regulations or conditions that, in addition to predetermined ordinance requirements, will govern the development and use of the property.

☒ Site Plan Review Application *must be attached to this application for Conditional Rezoning*

Office Use Only. DEVID#

CR1404

PROJECT IS TO CONSTRUCT APPROXIMATELY 75,000 SF SINGLE STORY BUILDING. PROPOSED USE IS NURSING FACILITY. CONDITIONAL REZONING REQUEST INCLUDES LARGER SIGN (UP TO 100 SF).

SITE DATA
PARCEL ADDRESS_____ 217 COLLEGE / 600 N. MAIN ST

DEEDED ACREAGE _____ 5.8 AC
PROJECT AREA _____ 5.8 AC
ZONING _____ O/I C-R

TAX NUMBER GPIN
145631/145641 8884072069 / 8884075145

DISTURBED AREA _____ 5.8 AC
IMPERVIOUS AREA _____ 0.50 AC INCREASE OVER EXISTING CONDITIONS

NO. OF PARKING SPACES REQUIRED _____ ONE SPACE PER 4 BEDS, PLUS ONE SPACE FOR EACH DOCTOR, NURSE, PLUS 1 SPACE FOR EACH 4 OTHER EMPLOYEES

104 BEDS / 4 + 12 (D/N) + 24/4 = 43 SPACES REQUIRED

NO. OF SPACES PROVIDED = 103 SPACES INCLUDING 6 HC SPACES.

SETBACK DATA
ROADWAY _____ 20'
SIDE _____ 20'
REAR _____ 20'

W. PARKER STREET (PUBLIC)
40' RIGHT OF WAY PER DEED BOOK 2829 PAGE 974

N. MAIN STREET (PUBLIC)
60' RIGHT OF WAY PER DEED BOOK 2829 PAGE 974

COLLEGE STREET (PUBLIC)
30' RIGHT OF WAY PER DEED BOOK 2829 PAGE 974

PROPOSED PARKING 103 SPACES

NOTE: SINCE NO CURB AND GUTTER PROPOSED WITHIN PARKING AREA, HANDICAP RAMPS WILL CONSIST OF TRUNCATED DOMES WHERE NEEDED.
HANDICAP PARKING SPACES SHALL BE 8'x18' WITH 5' AISLE.
ALL PARKING SHALL BE 9'x18'/SPACES WITH 24' DRIVE AISLE.

C-1

Plot Date : 9/25/2014 Time: 3:26PM

Graham Assisted Living

Graham, North Carolina

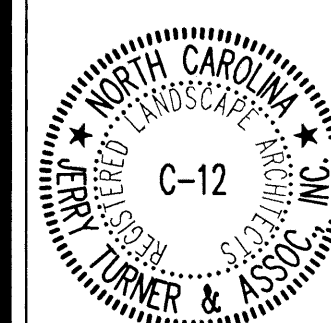
REVISION

■ DRAWN _____ CHECKED _____
 RT WH
 ■ SCALE _____ DATE _____
 1"=30' 11/25/14

Landscape Plan

■ FILE NO. [REDACTED] JOB NO. [REDACTED]

■ SEAL [REDACTED] SHEET NO. [REDACTED]



L-1

LANDSCAPE CALCULATIONS

STREET PLANTING YARDS:

NORTH MAIN STREET - 500 LF
REQUIRES: 2 TREES/100 LF = 10 TREES
17 SHRUBS/100 LF = 85 SHRUBS
PROVIDED: 13 TREES
32 SHRUBS PROVIDED FOR
PARKING SCREENING

WEST PARKER STREET - 490 LF
 REQUIRES: 2 TREES/100 LF = 10 TREES
 17 SHRUBS/100 LF = 83 SHRUBS
 PROVIDED: 12 TREES
 30 SHRUBS PROVIDED FOR
 PARKING SCREENING

COLLEGE STREET - 600 LF
REQUIRES: 2 TREES/100 LF = 12 TREES
17 SHRUBS/100 LF = 102 SHRUBS
PROVIDED: 15 TREES
95 SHRUBS PROVIDED FOR
PARKING SCREENING

PARKING AREA

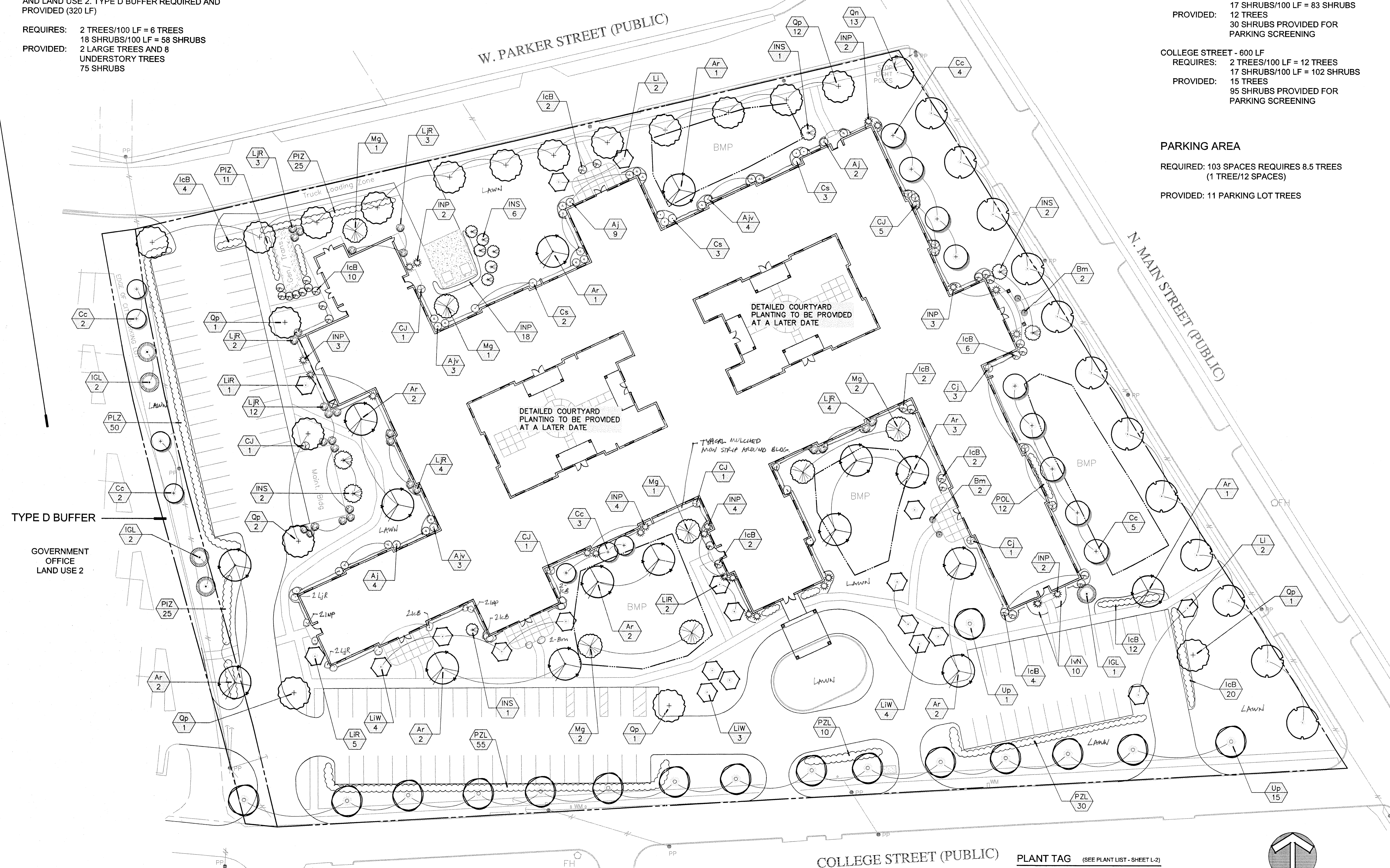
REQUIRED: 103 SPACES REQUIRES 8.5 TREES
(1 TREE/12 SPACES)

PROVIDED: 11 PARKING LOT TREES

— LAND USE 2

ADJACENT PROPERTY IS GOVERNMENT SERVICES
AND LAND USE 2. TYPE D BUFFER REQUIRED AND
PROVIDED (320 LF)

REQUIRES: 2 TREES/100 LF = 6 TREES
18 SHRUBS/100 LF = 58 SHRUBS
PROVIDED: 2 LARGE TREES AND 8
UNDERSTORY TREES
75 SHRUBS

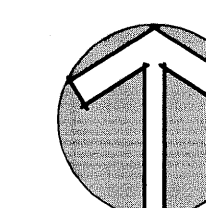


PLANT TAG (SEE PLANT LIST - SHEET L-2)

Ar
2

PLANT ABBREVIATION (KEY)

QUANTITY



Group	0	15	30
Control	10	10	10
Experimental	10	10	10



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.

Peak Resources (CR1404)

Type of Request
Conditional Rezoning

Meeting Dates
Planning Board on December 16, 2014
City Council on January 6, 2015

- ☐ I move to **recommend APPROVAL** of the application as presented.
- ☐ I move to **recommend APPROVAL with the following conditions:**
- The final landscaping plan shall conform to the landscaping requirements of the *Development Ordinance*.
 - All signage shall conform to the requirements of the *Development Ordinance*; a freestanding sign up to 100sf is not approved.
 - The applicant will provide architectural renderings or similar illustrations of the proposed nursing home for review and approval by the Historic Resources Commission, prior to issuance of a building permit, to ensure the architectural design compliments the North Main Street Historic District.
 - [Insert additional or other conditions]

☐ I move to **recommend DENIAL**.

☐ 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 16th day of December, 2014.

Attest:

Andy Rumley, Planning Board Chair

Martha Johnson, Secretary



STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

Text Amendment for Sidewalk Payment-in-Lieu

Contact Information

Not applicable

Type of Request: Text Amendment

Meeting Dates

Planning Board on December 16, 2014

City Council on January 6, 2015

Summary

Staff proposes to amend the *Development Ordinance* to provide an option for a payment in lieu of constructing required sidewalks. This option has been requested by some developers and many other cities provide this option. It would allow a developer who is required to construct a sidewalk to request to make a payment in lieu of constructing the sidewalk when the developer can demonstrate that unique site characteristics make it difficult to construct the sidewalk. Payment-in-lieu would not be an option for the construction of new streets. The payment would be equal to the construction cost of the sidewalk. Staff would decide whether to allow this option to be used, and this decision, like others, could be appealed to the Board of Adjustment. The payment would go into a fund designated for sidewalks and would be spent at the City's discretion on new pedestrian infrastructure throughout the city, with priority given to projects identified in an adopted plan, such as our Pedestrian Transportation Plan.

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

The following amendments to the Development Ordinance are proposed:

- Add a new subsection (5) to Section 10.347(c) Procedures for Site Plans as follows:

Where this ordinance requires the installation of a public sidewalk, and where it can be demonstrated that unique site characteristics would make the construction of the sidewalk a hardship, the applicant may request to make a payment in lieu of constructing the required sidewalk. The payment shall be in an amount equal to the estimated cost of construction of the required sidewalk, which would include the cost of all materials, labor and engineering. The payment shall be used at the discretion of the City to construct or install new pedestrian infrastructure, with priority given to projects identified in an adopted plan. The City Planner, with guidance from the TRC, shall decide upon requests for this payment-in-lieu option.

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

Applicable Goals to Guide Us into the Future

- 6.1.1. Support efforts to protect sensitive natural resources including wetlands, waterways, slopes, floodplains, etc. *Allowing for a payment in lieu of constructing a sidewalk could protect sensitive natural resources where a sidewalk would otherwise be required.*
- 6.2.1. Encourage the creation and use of alternative forms of transportation regionally and within the planning area. *A payment-in-lieu system for sidewalks would provide a source of revenue for constructing sidewalks where, otherwise, site conditions may warrant a variance which would not further this goal.*

Planning District

All

Development Type

All

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Staff Recommendation

Based on the *Growth Management Plan 2000-2020* and research of State regulations, other jurisdictions and best practices, staff **recommends approval** of the text amendment. The following supports this recommendation:

- The proposed text amendment will further goals of the *Growth Management Plan* and will accomplish the purposes of the revisions.



PLANNING BOARD Recommendation & Statement of Consistency

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Text Amendment for Payment-in-Lieu

Type of Request
Text Amendment

Meeting Dates

Planning Board on December 16, 2014
City Council on January 6, 2015

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☐ I move to **recommend DENIAL**.

☐ 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 16th day of December, 2014.

Attest:

Andy Rumley, Planning Board Chairman

Martha Johnson, Secretary