



Planning Board

Meeting Agenda

February 17, 2015 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 January 20, 2015 meeting
3. Committee Reports
4. Old Business
5. New Business
 - a. Apex View UBD & Community Center (SUP1501). Request by Thangaraju Muruegsan for a Special Use Permit for a Community Center and Unified Business Development on property located at 602 W Elm St (GPIN 8874759635).
 - b. 2035 Comprehensive Plan. Review of the final draft and recommendation on adoption.

Adjourn

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

PLANNING ZONING BOARD

Tuesday, January 20, 2015

The Planning & Zoning Board held their regular meeting on Tuesday, January 20, 2015 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Bill Teer, Dean Ward, Andy Rumley, Bonnie Blalock, and Ricky Hall. Michael Benesch was 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. Ricky Hall gave the invocation.

1. Public comment on non-agenda items. There were none.

2. Approval of the December 16, 2014 meeting. Ricky Hall made a motion for approval, second by Bonnie Blalock. All voted in favor.

3. Committee Reports. There were none.

4. Old Business.

a. Consider applicants for vacant position. There were three applicants for the vacancy attending the meeting, Lynda Allred, Kenneth Dixon and Jeanette Beaudry. They each spoke briefly about themselves and their interest in serving on the Board. Dean Ward made a motion for Kenneth Dixon to be appointed, second by Ricky Hall and voted in favor 5 to 0. This will be sent to City Council at their next meeting to make their final decision.

5. New Business.

a. Watercourse Apartments (CR1403). Request by ECO Watercourse, LLC to amend the preliminary site plan for the Conditional Residential (C-R) zoning for property located at 1050 Woody Dr (GPIN 8884724405). Ms. Guilbeau explained the request.

Dean Ward stated that he had been contracted by the construction company, not the property owner or developer, to perform some work on the site and asked the board whether he needed to recuse himself. It was the consensus of the board that this did not represent a conflict of interest.

Bill Teer asked if the original dam would stay. John Fugo, an owner of the project, stated that the original dam would remain as is. Mr. Ward asked for further explanation about the changes. Mr. Fugo stated the garage was moved due to drainage issues. The bridge over the stream, the park and the trail were removed due to wetlands, issues associated with clearing the banks of the streams, and grading. The area that had been proposed as a park will be undisturbed. Mr. Ward asked whether the stream area would be fenced and Mr. Fugo responded there was no plan to do that right now.

Mr. Fugo stated they would like to put a monument sign on the corner of E Harden St and Woody Dr to identify the site from E Harden St since the site is not visible due to vegetation along the stream. Mr. Fugo stated that a rendering of the proposed sign had been submitted. Dean Ward asked about the square footage of the sign and Mr. Fugo said about 21sf. Ricky Hall asked Ms. Guilbeau if this sign would meet the overlay district and she replied that it would meet the square footage but that it is about a half foot taller than the standard. Mr. Fugo stated that the sign matches the masonry retaining walls that were put on Woody Dr. Mr. Ward asked if the sign would be lighted and Mr. Fugo replied that there would be sconces and lighting directed at the sign.

Mr. Ward asked if the compactor had been relocated and Mark Ashness with the CE Group replied that it was in the same location just reoriented. Mr. Teer asked for more information on the pond and Mr. Ashness replied that it was to meet the City's stormwater requirements and serve as an aesthetic feature. Mr. Teer asked for an estimate of how many people could reside here. Cliff Lee with the property management firm replied roughly 300 people. Mr. Teer asked whether Woody Dr would be adequate for the traffic. Ronald Stevenson of Ramey Kemp Associates stated that a traffic study was done and improvements on Woody Dr are being proposed. Bonnie Blalock asked whether the flooding on Woody Dr had been addressed. Mr. Stevenson replied that it was being thoroughly reviewed. Mr. Ashness stated that the improvements on the site will not increase the flooding problem that currently exists.

Ricky Hall made a motion to recommend approval. Dean Ward asked if staff's recommended condition should be included. Mr. Hall amended his motion to include the condition that an easement for a future public sidewalk/trail along E Harden St (between Town Branch Creek and the street right-of-way) shall be recorded prior to issuance of the final Certificate of Occupancy, second by Bonnie Blalock. All voted in favor 5 to 0.

b. Conklin UBD (SUP1405). Request by Jordan Conklin for a Special Use Permit for a Unified Business Development on property located at 1268 E Harden St (GPIN 8883997150). Ms. Guilbeau explained the request, noting that the request applies to the front portion of the property not the rear, as shown on the preliminary site plan.

Jordan Conklin of Conklin Oil & Propane showed the Board renderings of the building. Mr. Teer asked what the construction of the building will be. Mr. Conklin stated that they will match the brick that they have now. Mr. Teer asked about the parking lot and Mr. Conklin replied that it is currently gravel but will be paved. Mr. Teer asked if the grade in the back of the property will have to be changed and Mr. Conklin replied no.

Mr. Teer asked when the project would start and Mr. Conklin replied as soon as they get all approvals. Mr. Hall asked if any of the signage would change and Mr. Conklin replied that they are planning on putting a new sign up. Mr. Hall asked if the existing freestanding sign was nonconforming and Mr. Conklin replied yes. Mr. Teer asked whether the neighbors were aware of this proposal and Mr. Conklin replied yes and that they have been positive responses. Jim Folks, 951 Riverdale Dr, Graham, said he came to this meeting to congratulate Mr. Conklin on his plans. Mr. Ward asked if an insurance company would be permitted in a Unified Business Development and Ms. Guilbeau replied yes.

Ricky Hall made a motion to recommend approval with the conditions that: screening, as described in Section 10.246(10)(b) of the *Development Ordinance*, shall be provided along the western property line to screen the Unified Business Development from view of the residential properties; and, the sidewalk along E Harden St shall meet the design requirements of the *Development Ordinance*. Second by Dean Ward. All voted aye, 5 to 0.

Melissa Guilbeau told the Board this would be her last meeting because she will be moving out of state. All the Board Members thanked her for her hard work and she would definitely be missed.

No further business the meeting was adjourned.

Respectfully Submitted,
Martha Johnson
Inspections/Zoning Technician



STAFF REPORT

Prepared by Nathan Page, Interim City Planner

Apex View UBD and Community Center (SUP1501)

Type of Request: Special Use Permit

Meeting Dates

Planning Board on February 17, 2015

City Council on March 3, 2015

Contact Information

Thangaraju Muruegsan

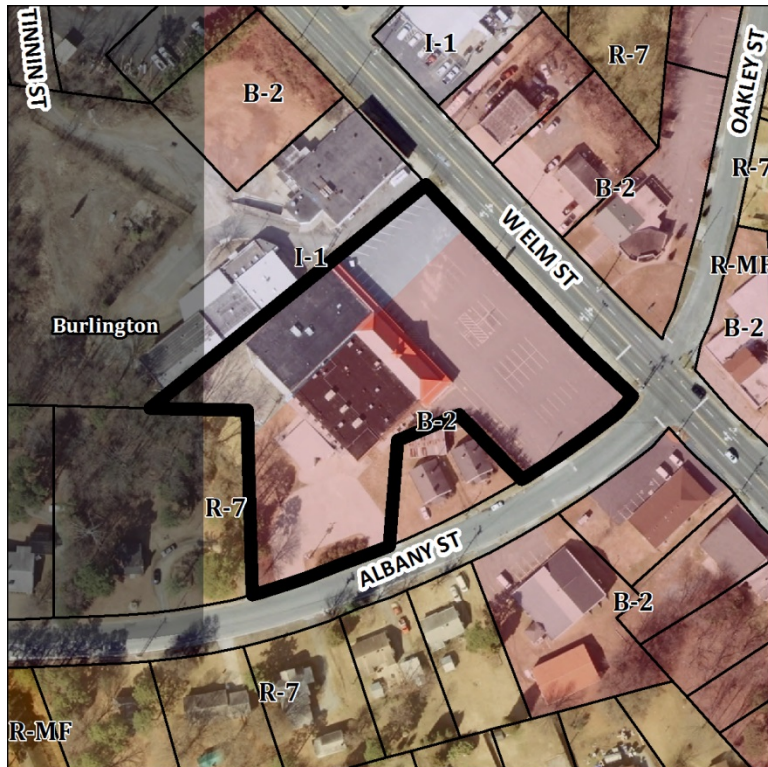
503 Front Ridge Dr. Cary NC 27519

919-308-0255

apexview14@yahoo.com

Summary

This is a request for a Special Use Permit for a Community Center and Unified Business Development (UBD) for property located at 602 W. Elm St. There is an existing building on the site – previously the Simmons Center. The existing drive-thru is to be utilized. The total building square footage is 23,000, with two 4,000 sq ft units, and one 15,000 sq ft unit. Additionally, one of the smaller units is proposed as a community center.



Location

602 W. Elm St

GPIN: 8874759635

Proposed Special Use

Unified Business Development
and Community Center

Current Zoning

Light Industrial (I-1) and General
Business (B-2)

Overlay District

N/A

Surrounding Zoning

B-2, R-7, & I-1

Surrounding Land Uses

Single Family Houses, Duplex
Houses, General Businesses &
Light Industrial

Public Water & Sewer

Yes

Floodplain

No

Staff Recommendation

Approval

This site was originally developed in 1967, as a multi-tenant building (unified business development). This occurred before the adoption of a Special Uses clause for buildings with multiple tenants in our ordinance. However, given that the site remained vacant for greater than 180 days, a new Special Use Permit is now required to allow for multiple tenants. The location currently has 110 parking spaces.

The building, with a total of about 23,000 sq ft, was subdivided into three units (1, 2, and 3). Unit 1 is about 15,000 sq ft and was used as a supermarket/grocery and meat market business. Units 2 and 3, about 4,000 sq ft and 4,100 sq ft, remained vacant spaces that can be used for any purpose. Currently, one prospective tenant intends to use Unit 2 to run a Party hall/Event center/Community center. Some other proposed uses are to run a non-profit adoption and rescue center, church, gym, or dollar tree etc. in Unit 3.

Since the proposal is to use an existing building as is, no landscaping is required to be installed by the owner. However, if the owner were to expand over 3,000 sq ft or begin new construction, they would have to meet landscaping requirements in relation to the expansion or new construction.

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

Planning District: North

Development Type: Highway Commercial

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. *The existing structure was constructed in 1967, and this special use permit would allow a reuse of the building which has been vacant for some time.*
- 6.2.3. Provide various and adequate community facilities for all residents throughout the city. *This special use permit would allow a privately owned community center facility in the northern part of the city.*
- 6.3.2 Encourage commercial development that utilizes effective landscaping and buffering to aid in improving the overall aesthetics of the community. *The development on this site pre-dates current landscaping ordinances. Unless alterations specified above take place, no landscaping will be required.*
- 6.3.2. Prohibit the encroachment of commercial development into established or planned residential areas. *The building is located in an identified highway commercial corridor.*
- 6.3.8. Encourage the reuse and revitalization of unused or underutilized structures and properties. *This special use permit would allow new uses in an existing building which has been underutilized.*

Description of Development Type

North

Development Toolkit Checklist

Located near a major thoroughfare

With commercial and Office/Institutional Uses

Characteristics include strip development, automobile orientation, sidewalks, landscaping, buffering, on-site parking

10,001 to 100,000 sq ft of retail

Infrastructure includes water, sewer, street connectivity and underground utilities

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 special use permit would permit the reuse of a building designed as a shopping center.*
- 7.3.4.1.5. Prohibit the continuation of additional commercial strip development along major thoroughfares. *The development will not add additional commercial strip, but reuse a site which was already developed as auto-oriented.*

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 I-1. "Unified Business Development" is permitted in both the B-2 and I-1 districts. The property will allow all uses allowed in a B-2 district, with the exceptions as noted our ordinance, under section 10.149.*
 - *The existing signs appear to conform to our ordinance. Any new or replaced signs will need sign permits.*
 - *The existing building may be nonconforming with respect to side and rear yard setbacks, but no new construction is proposed that would increase these nonconformities.*
 - *The property may also be nonconforming with regards to screening of adjacent residentially zoned properties.*
2. Conditions specific to each use, identified by the Development Ordinance, are complied with.
 - *There are no conditions specific to "community centers."*
 - *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. The only use specified for this Unified Business Development is the community center. That use is permitted in the B-2 district with a special use permit, and is not prohibited in Unified Business Developments. All future uses to be located within the UBD will be required to obtain a Zoning Permit prior to occupancy.*
 - *All uses shall be completely enclosed in buildings except for plant sales, sidewalk cafes, and permitted drive-in uses. The proposed uses are completely enclosed, with the exception of the proposed drive-thru window. Drive-in establishments offering goods or services directly to customers in parked cars shall be permitted only when the locations of the builds and access drives have been approved by the city council. This proposal includes a drive-thru window, which is seeking the approval of City Council.*
 - *An opaque screen shall be provided wherever, in the city council's judgment, such screening is necessary to shield adjacent residential districts. There is a residential zone to the rear of the building, zoned R-7, and currently occupied by single family residential.*
 - *Off-street parking for 110 spaces is currently provided. A 15,000 sq ft grocery would require 75 spaces, the 4,100 sq ft community center 21 spaces, and a 4,000 sq ft service establishment dealing frequently with the public another 20. This would require a total of 116. However, if the*

uses are service establishments dealing infrequently with the public and low-volume retailers, the smaller units could require as little as 14 additional parking spaces, for a total of 89. If all three units require 1 spot per 200 sq ft (the required for high volume retail, service establishments dealing frequently with the public, and community centers), the site would require 6 additional spaces.

- *The property is located along a major thoroughfare, minor arterial, or collector street (existing or proposed). This UBD abuts West Elm Street/Highway 87, which is a principal arterial.*
- *The property is also nonconforming for landscaping, but would not be required to meet current ordinances unless the site adds more than 3,000 sq ft. or constructs a new building. In which case, said modifications would only be required in relation to the expansion or new construction.*
- 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 reuse of the location as a shopping center 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 UBD 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 community center and unified business district will be located along a major road in a 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.
 - *Public water and sewer, parking and loading, service entrances and areas, utilities, and signs and lighting are satisfactorily provided.*
 - *Vehicle circulation is being proposed to remain as is. City Council must approve the proposed location of the drive-thru window, as well as access drives.*
 - *Parking is being proposed to remain as is.*

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. 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 meets all six conditions required by Section 10.144 of the *Development Ordinance*.

RECEIVED

JAN 21 2015

CITY OF GRAHAM
INSP. / P.Z.

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: 602 W. Elm Street, Graham, NC
Tax Map#: 134490 GPIN: 8874759635
Current Zoning District(s): B-2 and I-1
Overlay District, if applicable:
☐ Historic ☐ S Main St/Hwy 87 ☐ E Harden St/Hwy 54
Current Use: Vacant building
Property Owner: APEX VIEW VENTURES, LLC
Mailing Address: 1608 BRAMBLETON COURT
City, State, Zip: GRAHAM, NC 27253
Phone #: (952) 942-8714
Email: APEXVIEW14@YAHOO.COM

Applicant and Project Contact

Name: THANGARAJU MURUEGSAN
☒ Property Owner ☐ Other _____
Mailing Address: 503 FRONT RIDGE DR
City, State, Zip: CARY, NC 27519
Phone #: (919) 308-0255
Email: APEXVIEW14@YAHOO.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.

Signature of Applicant

Date

Signature of Property Owner
(if other than applicant)

Date

Office Use Only. DEVID#

SUP 1501

Proposed Special Use

Proposed Use (from Sec. 10.135 Table of Permitted Uses):
Community center *Unified Business Development*

☒ 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

The building with about 23000 sqft. was subdivided into three Units (1, 2 and 3).

The Unit 1 with about 15000 sqft was used for supermarket/grocery and meat market business while the Unit 2 (about 4000 sqft.) and Unit 3 (about 4100 sqft.) were never been used for anything rather they were maintained as vacant spaces/open spaces that can be used for any purposes.

Currently, one of our prospective tenants intended to use Unit 2 to run a Party hall/Event center/Community center.

Some others proposed to run a non-profit adoption and rescue center, church, gym and dollar tree etc. in Unit 3.

The building has 110 parking spaces.

☐ 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



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.

Apex View UBD and Community Center (SUP1501)

Type of Request
Special Use Permit

Meeting Dates
Planning Board on February 17, 2015
City Council on March 3, 2015

☐ 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.**

☐ 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 17th day of February, 2015.

Attest:

Andy Rumley, Planning Board Chair

Martha Johnson, Secretary



STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

2035 Comprehensive Plan

Type of Request:

Adoption of Comprehensive Plan

Meeting Dates

Planning Board on February 17, 2015

City Council on March 3, 2015

Contact Information

Not applicable

Summary

The *Growth Management Plan 2000-2020* has served as the city's comprehensive plan since it was adopted on May 2, 2000. Over the past year and a half, the city has worked to draft a new comprehensive plan to guide the city's decisions over the next 20 years. Key milestones in the development of the *2035 Comprehensive Plan* included:

- In the summer of 2013, a Steering Committee of 19 individuals was formed. The role of the steering committee was to serve as an ambassador of the plan, provide oversight and guidance of the planning effort, review and comment on draft products, and determine the policies and strategies to be included in the plan. The steering committee met 11 times throughout the process.
- With the support of the Community Transformation Grant, the City established a MindMixer site to serve as a platform for community input on the plan. Several local establishments generously donated goods to serve as rewards to encourage participation on the MindMixer site.
- In September 2013, the City issued a Request for Proposals with the intent to hire a consulting firm to prepare the new comprehensive plan. Proposals were due October 4th. The City received 10 proposals, with fees ranging from \$49,950 to \$172,188. Staff reviewed and ranked the proposals, and chose the three highest-ranked to be invited to interview with the Steering Committee.
- On October 17, 2013, the Steering Committee met with presentations and interviews of the three top-ranked consultants. Following the presentations, the Steering Committee discussed and voted Clarion Associates as their first choice consultant, with Renaissance Planning Group as their second.
- The City entered into a contract with Clarion Associates in late October 2013.
- Over four days in January and February, 2014, Clarion interviewed 37 stakeholders. Based on these interviews, combined with review of data and existing plans and trends, the Planning Conditions Report was prepared.
- A public workshop was held on April 8, 2014 at the Graham Recreation Center. About 40 residents attended and provided input on the plan via small group discussion, sticky notes and interactive polling.

Location

corporate limits and ETJ

Staff Recommendation

Approval



Small group discussions at the April 8th public workshop

- Over the summer of 2014, staff and Clarion conducted a scenario planning exercise. That exercise forecasted future population and commercial/industrial growth then described two different development scenarios – status quo and compact, nodal development – both based on the forecasted growth. The results of this exercise were presented in a Growth Options Report.
- On November 17, 2014, a second and final public workshop was held at the Graham Recreation Center. About 20 residents attended and provided input on the draft comprehensive plan, again using sticky notes and interactive polling.



A presentation at the November 17th public workshop

Staff Recommendation

Based on the input received throughout the comprehensive planning process, staff **recommends approval** of the *2035 Comprehensive Plan*.

Suggested Motion:

I move that we adopt the *2035 Comprehensive Plan* as the comprehensive plan for the City of Graham.



Steering Committee members and staff at the final steering committee meeting on January 26, 2015

Steering Committee Members

Allison Russell
resident

Denise Baker
Historic Resources Commission

Destiny Snipes
Graham High School

Elaine Murrin
Appearance Commission

Griffin McClure
downtown business owner and Recreation Commission

Jamie Rollins
Southern High School

Janice McSherry
resident

Jay Cook
business owner

Jennifer Talley
resident and business owner

Keith Parker
resident

Kristin Foust
resident

Larry Brooks
Historic Resources Commission

Lee Kimrey
City Council Member

Mike Conklin
resident

Rev. Miriam Pereda
Hispanic/Latino Community

Ricky Hall
Planning Board

Roger Jefferson
resident

Stan Wyrick
business owner

Tim Beshel
Planning Board