



# **Planning Board**

## **Meeting Agenda**

November 19, 2013 at 7:00pm  
Council Chambers, 201 S Main St

### Invocation

1. Approve minutes of the October 15, 2013 meeting
2. 1115 S Main St Rezoning (RZ1306). Request by Janet F. Cates and Foster B. Cates to rezone property located at 1115 S Main St (GPIN 8883264774) from Residential (medium density) (R-12) to General Business (B-2).
3. Albright Community Center (SUP1303). Request by Wilson Realty Assoc. Inc., 401(k) Plan, William Wilson, Trustee, for a Special Use Permit for a community center at 417 Albright Ave (GPIN 8884450526 and 8884452611).
4. Text Amendment for Pet Grooming. Request by citizen to amend the *Development Ordinance* to make pet grooming a use that is permitted in the Central Business (B-1) district.
5. Elect Chair and Vice-Chair for 2014

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

## PLANNING ZONING BOARD

Tuesday, October 15, 2013

The Planning & Zoning Board held its regular meeting on Tuesday, October 15, 2013 at 7:00 p.m. in the Council Chambers of the Graham Municipal Building. Board members present were Ricky Hall, Bill Teer, Andy Rumley, and Michael Benesch. Bonnie Blalock, Tim Beshel and Dean Ward were absent. Staff members present were Frankie Maness, City Manager, Melissa Guilbeau, City Planner, Kaitland Finkle, Planning Intern, 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. Ricky Hall made a motion for approval for the September 17, 2013 Planning Board minutes, seconded by Bill Teer. All Planning Board members voted in favor.
2. Ricky Hall made a motion for approval for the October 2, 2013 special Planning Board minutes, seconded by Michael Benesch. All Planning Board members voted in favor.
3. Text Amendment for Subdivisions and Site Plans. Request by staff to amend the *Development Ordinance* to replace “Article VIII. Subdivision Regulations” with “Article VIII. Subdivisions and Site Plans,” add “Appendix C. Street Standards,” and make other related amendments. Melissa Guilbeau stated the only change made from what was presented at the October 2<sup>nd</sup> meeting was regarding private improvements brought up by Dean Ward. With the change, we would require the developer either to construct or bond all private improvements before any certificates of occupancy would be issued. Ricky Hall made a motion to approve this item, second by Michael Benesch. All voted in favor.
4. Text Amendment for Nonconformities. Request by staff to amend the *Development Ordinance* to replace “Article IV. Division 2. Nonconforming Uses and Situations” with “Article IV. Division 2. Nonconformities” and make other related amendments. Melissa Guilbeau said this was a request initiated by City Council to look at the Nonconforming section of our ordinance. Staff looked at the current language and researched other communities and came to the conclusion that it would be easier to replace the whole division than to try to make changes to what we currently have. Staff is proposing to completely replace Division 2 to create a clear distinction between the different types of nonconformities. You can have a nonconforming lot, nonconforming use, nonconforming building, or nonconforming site element (parking, landscaping or signage). This new language will make a clear distinction between each of those and what the rules are for each. Staff proposes to replace the existing definitions we have with something clearer and add a definition for nonconforming site elements, which is currently not defined. Since staff proposed to include nonconforming signs in this section we would delete the existing section on nonconforming signs. Ricky Hall made a motion to approve this item as written, second by Michael Benesch. All voted in favor.

Melissa Guilbeau said we would not have the training at this meeting because of the number of members absent. Additionally the person doing the training is not available for the November meeting. Melissa Guilbeau asked for everyone’s preference on when to have the training. Michael Benesch suggested another poll to get input from the members, with either day or night options, because that seemed to work very well for everyone. Melissa Guilbeau said she would send out an email.

There being no further business Andy Rumley adjourned the meeting.

Respectfully Submitted,  
Martha Johnson  
Inspections/Zoning Technician



# STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

## 1115 S Main St Rezoning (RZ1306)

**Type of Request:** Rezoning

### Meeting Dates

Planning Board on November 19, 2013

City Council on December 3, 2013

### Contact Information

Janet F. Cates and Foster B. Cates

417 S Maple St, Graham, NC 27253

336-264-6943; jgfcates@yahoo.com

## Summary

This is a request to rezone the subject property from R-12 to B-2. The current use of the property is a vacant rental house. The parcel is located in the S Main St/Hwy 87 Overlay District. The stated reason for this rezoning request is "to have consistent zoning with our property next door at 1111 S Main St. Also, this will open the opportunities for the use of the property and the house for either residential or business use."



### Project Name

1115 S Main St Rezoning  
(RZ1306)

### Location

1115 S Main St

GPIN: 8883264774

### Size

0.63 acres

### Current Zoning

Residential (medium density)  
(R-12)

### Proposed Zoning

General Business (B-2)

### Surrounding Zoning

R-12 & B-2

### Surrounding Land Uses

Single Family Dwellings,  
General Businesses

### Staff Recommendation

Approval

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

**Planning District:** Central

**Development Types:** Neighborhood Center

### Applicable Goals to Guide Us into the Future

- 6.3.2. Encourage commercial development within designated village centers as opposed to continued commercial strip development. *The property would provide the opportunity for commercial uses within a designated neighborhood center.*
- 6.3.4. Promote the location of mixed-use development at designated village centers. *The B-2 zoning district would allow a large variety of commercial, office and light industrial uses for the surrounding residential properties in a designated neighborhood center.*
- 6.3.8. Encourage the reuse and revitalization of unused or underutilized structures and properties. *The property is currently a vacant rental house.*

### Applicable Planning District Policies and Recommendations

- 7.4.4.1.1. Ensure that development along Highway 54 does not replicate the highway commercial/strip development characteristics of S Main St. This can be accomplished by promoting nodal development through a regional commercial center and village center with sufficient separation between centers. A regional commercial center could include a major anchor store(s) interspersed with smaller commercial activities, office and institutional uses, multi-family, and government facilities located within an integrated complex. *The rezoning would provide the opportunity for commercial development within a designated neighborhood center.*

#### **Description of Development Type**

Neighborhood Center

#### **Development Toolkit Checklist**

No location requirements

For single family residential, townhouses, commercial, office/institutional and mixed use

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

High Density of 5+ DU/acre and less than 10,000sf of retail

Infrastructure includes water, sewer, street connectivity and underground utilities

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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 rezoning**. The following supports this recommendation:

- Rezoning the property would be consistent with the Neighborhood Center development type and would further goals and policies of the *Growth Management Plan*.
- The *Growth Management Plan* identifies this area as a Neighborhood Center, which includes a mix of uses and a focus on the pedestrian. Rezoning to B-2 would permit (but not require) a greater variety of uses in the area.





# 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/planning

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

## Site

Street Address: 1115 So. Main St.

Tax Map#: 144175 GPIN: 8883264774

Current 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

Overlay District, if applicable:

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

Current Use: Residential - vacant

Total Site Acres: 0.63

Property Owner: Janet F. Cates / Foster B. Cates

Mailing Address: 417 So. Maple St.

City, State, Zip: Graham, N.C. 27253

## 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: Janet F. Cates / Foster B. Cates

Mailing Address: 417 So. Maple St

City, State, Zip: Graham, N.C. 27253

Phone # 336-264-6943

Email: jgfcates@yahoo.com

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

Janet F. Cates / Foster B. Cates 10/1/13  
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:

The purpose of this rezoning request is to have consistent zoning with our property next door @ 1111 So Main St. Also, this will open the opportunities for the use of the property and the house for either residential or business use.

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**For Conditional Rezoning**, this application must be accompanied by a 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#

RZ1306



## 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.*

### **1115 S Main St Rezoning (RZ1306)**

**Type of Request**  
Rezoning

**Meeting Dates**  
Planning Board on November 19, 2013  
City Council on December 3, 2013

☐ I move to **recommend APPROVAL** in that the application is consistent with all of the objectives and policies for growth and development contained in *The City of Graham Growth Management Plan 2000-2020* because of the following reasons:

- Based on the recommendations of the *Growth Management Plan*
- [Insert additional reasons]

☐ I move to **recommend DENIAL** because the application is not fully consistent with the objectives and policies for growth and development in *The City of Graham Growth Management Plan 2000-2020* because of the following reasons:

- [Insert reasons]

The report reflects the recommendation of the Planning Board, this the 19<sup>th</sup> day of November, 2013.

Attest:

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Andy Rumley, Planning Board Chairman

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Martha Johnson



# STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

## Albright Community Center (SUP1303)

**Type of Request:** Special Use Permit

### Meeting Dates

Planning Board on November 19, 2013

City Council on December 3, 2013

### Contact Information

Wilson Realty Assoc. Inc., 401(k) Plan,

William Wilson, Trustee

PO Box 2888, Burlington, NC 27216

336-264-8065; wwilson@realtyworldtriad.com

## Summary

This is a request for a Special Use Permit for a community center at 417 Albright Ave. There is an existing 29,000sf building on the property that is currently used as a warehouse. The community center is proposed to occupy 9,250sf of the building, with the remaining 19,750sf continuing to be used as warehouse.



### Project Name

Albright Community Center  
(SUP1303)

### Location

417 Albright Ave

GPIN: 8884450526 &  
8884452611

### Size of Community Center

9,250 sq. ft.

### Current Zoning

Light Industrial (I-1)

### Surrounding Zoning

R-7 & B-3

### Surrounding Land Uses

Single Family Houses &  
Vacant

### Staff Recommendation

Approval, with condition

Because this is a new use for the property, it must meet parking requirements. The proposed uses are "community center," which requires one off-street parking space for each 200sf of gross floor area used by the public, and "warehouse," which requires one space for each employee. The community center will occupy 9,250sf, requiring 46 spaces. The warehouse area will have 4 employees, requiring 4 spaces. A total of 50 spaces are required, and the site plan proposes 45 off-street parking spaces.



Because this project involves the addition of more than 3,000sf of parking area, that portion of the property must comply with landscaping requirements, which include parking lot landscaping and street yard landscaping.

Because the property is zoned I-1, the performance standards for all uses in the I-1 and I-2 zoning districts will apply to the use of this property.



## Technical Review Committee

The Technical Review Committee reviewed the application and provided comments to the applicant via the City Planner. As of the publishing of this agenda packet, the applicant had not responded to the comments. The following are comments that still need to be addressed:

- Show planned new sidewalk and/or easement along E Elm St
- Parking lot needs to be set back at least 10 feet from E Elm St property line
- Need to add five parking spaces for a total of 50; could reduce this to 45 if it would help to comply with landscaping requirements

- Will need to provide parking lot landscaping and street yard landscaping along E Elm St and Albright Ave in relation to the parking lot
- Will need a buffer strip along the side property lines abutting residentially zoned property

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

**Planning District:** North

**Development Type:** Neighborhood Residential

### 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 warehouse would be considered historic, as it was constructed in 1946, and this special use permit would allow a reuse of the building.*
- 6.1.3. Encourage development that compliments existing architectural designs of the neighborhood. *The application proposes to construct a 12,500sf parking lot fronting E Elm St in an area currently occupied by grass. This stretch of E Elm St is characterized by single family houses and driveways.*
- 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.*
- 6.3.1. Improve community aesthetics within established residential areas. *The reuse of this existing building will require the installation of new landscaping along the street and screening from adjacent residential properties.*
- 6.3.1. Continue to protect established residential areas from incremental rezonings to a lower land use. *The subject property is already zoned I-1. This special use permit would permit a use that is permitted with a special use permit in every zoning district, including residential districts.*
- 6.3.2. Prohibit the encroachment of commercial development into established or planned residential areas. *The existing use of the building is a warehouse; converting a portion of the building to community center would not be a new commercial encroachment.*
- 6.3.2 Encourage commercial development that utilizes effective landscaping and buffering to aid in improving the overall aesthetics of the community. *The Development Ordinance would require landscaping in relation to the parking lot and screening of adjacent residentially zoned properties.*
- 6.3.8. Encourage the reuse and revitalization of unused or underutilized structures and properties. *This special use permit would allow a new use in an existing building which has been underutilized.*

### Description of Development Type

Neighborhood Residential

### Development Toolkit Checklist

Located near a major thoroughfare

For single family residential and townhouses

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

Density of 3-5+ DU/acre

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 allow a new use in an existing building.*

- 7.3.4.1.3. Preserve established residential neighborhoods within the district. *This special use permit would allow a use on the edge of an established residential area that is also permitted with a special use permit in residentially zoned areas.*

#### **Graham Pedestrian Plan**

- Recommends a five-foot sidewalk on both sides of E Elm St, from Flanigan St to E Parker St, as the highest priority project. *The City is in the process of constructing a sidewalk on the west side of E Elm St, including along the front of this property.*

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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 existing building is nonconforming with respect to side yard setbacks, but no new construction is proposed that would increase these nonconformities. The property is also nonconforming with regards to screening of adjacent residentially zoned properties. As proposed, the property will require a minimum of 50 parking spaces with 45 proposed on the site plan. The 50 may be reduced by 10% to 45 to allow compliance with the landscaping requirements. The new parking lot will require parking lot landscaping and street yard landscaping.
2. Conditions specific to each use, identified by the Development Ordinance, are complied with.
  - There are no conditions specific to “community centers.”
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 use will occupy an existing building that has historically been used as a warehouse, with large trucks accessing the property. The proposed use of community center will increase the amount of private automobiles that access the property but may reduce the number of large trucks. It may cause public safety concerns with regards to large gatherings of people.
4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.
  - The proposed community center will occupy a portion of an existing building that has been used as a warehouse.
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 will be located along a major road at the edge of an established residential area. Because it is a use that is permitted with a special use permit in any zoning district, including residential districts, it is in general conformity with the Growth Management Plan.

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.
  - o The site plan provides for vehicle circulation, parking and loading, and service entrances and areas. Screening will be a requirement. Public water and sewer is available to the property. Any new signs will require a sign permit.

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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, with the following condition:

- A final site plan must be submitted to and approved by the TRC before a building permit and/or certificate of occupancy will be issued. As part of final site plan review, the layout of the parking lot and location of the driveway along E Elm St may change to meet *Development Ordinance* and other requirements, including NCDOT.

The following supports this recommendation:

- The development furthers goals of the *Growth Management Plan*. Though it does not strictly comply with the Development Toolkit Checklist for Neighborhood Residential, the fact that “community center” is permitted in any zoning district with a special use permit 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*.
- The development meets, or will meet upon final site plan approval, 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/planning

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: 417 AUBRIGHT AVE  
Tax ID: GRAHAM NC  
Tax Map#: 176-711-12 GPIN: 8884450526  
Current Zoning District(s): INDUSTRIAL I-1

Overlay District, if applicable:

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

Current Use: WAREHOUSE

Property Owner: P.O. Box 2888  
Mailing Address: Wilson Realty Assoc. Inc., 401(K) Plan  
P.O. Box 2888

City, State, Zip: BURLINGTON NC 27216

Phone #: 336 264 8065

Email: wwilson@realityworldtriad.com

## Applicant and Project Contact

Name: Wilson Realty Assoc. Inc., 401(K) Plan  
WILLIAM WILSON TRUSTEE  
☒ Property Owner ☐ Other

Mailing Address: P.O. Box 2888

City, State, Zip: BURLINGTON NC 27216

Phone #: 336 264 8065

Email: wwilson@realityworldtriad.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.

WILLIAM WILSON TRUSTEE 10/13/2013  
Signature of Applicant Date

Signature of Property Owner (if other than applicant) Date

## Proposed Special Use

Proposed Use (from Sec. 10.135 Table of Permitted Uses):

COMMUNITY HALL / WAREHOUSE / RETAIL

☒ 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:

☒ Site Plan (include Site Plan Review Application)

☒ Descriptive Information

Approx 29,000 Sq Ft  
Bldg to be use as  
Community Hall / Warehouse /  
Retail. Currently used as  
Warehouse.

9,250 to be converted  
to Community Hall.

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☐ 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

Office Use Only. DEVID#

SUP1303





# Application for SITE PLAN REVIEW

RECEIVED

OCT 21 2013

CITY OF GRAHAM  
INSP. / P.Z.

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

The purpose of this application is to assist applicants and staff in ensuring that all information necessary for a site plan review is provided. Several types of development activity require a site plan as part of the application process, including conditional rezonings, multifamily development, manufactured home parks and telecommunications towers. Other development activities, such as the construction of a new commercial building, require review and approval that can only be accomplished with a site plan.

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: 417 ALBRIGHT AVE  
ID: Graham NC 27253  
Tax Map#: 8884450526 GPIN: 8884450526  
Parcel ID: 146817  
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: WAREHOUSE  
Property Owner: WILSON REALTY ASSOC. INC.,  
Mailing Address: 401(K) PLAN  
P.O. BOX 2888  
City, State, Zip: BURLINGTON NC 27214  
Phone #: 336 264 8065  
Email: wwilson@realityworldtriad.com

## Applicant and Project Contact

Name: William Wilson, Treasurer  
WILSON REALTY ASSOC. INC., 401(K) PLAN  
☒ Property Owner ☐ Engineer/Surveyor  
Other: \_\_\_\_\_  
Mailing Address: P.O. Box 2888  
City, State, Zip: BURLINGTON NC 27214  
Phone #: 336 264 8065  
Email: wwilson@realityworldtriad.com

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.

W. Wilson Treasurer 10/13/2013  
Signature of Applicant Date

SUBMIT 4 COPIES AND 1 PDF OF THE SITE PLAN

## Proposed Development

Project Name: 417 (FOUR SEVENTEEN)  
Proposed Zone (if applicable): \_\_\_\_\_  
Proposed Use(s) (from Sec. 10.135 Table of Permitted Uses):  
COMMUNITY HOME / WAREHOUSE /  
RETAIL  
Brief description, including information such as number of dwelling units, type of multifamily development, size and number of buildings, and other descriptive information:

Approx. 9,250 sq ft of  
Facility to be used as  
Community Home  
MULTI USE BLDG.

## Site Plan Checklist

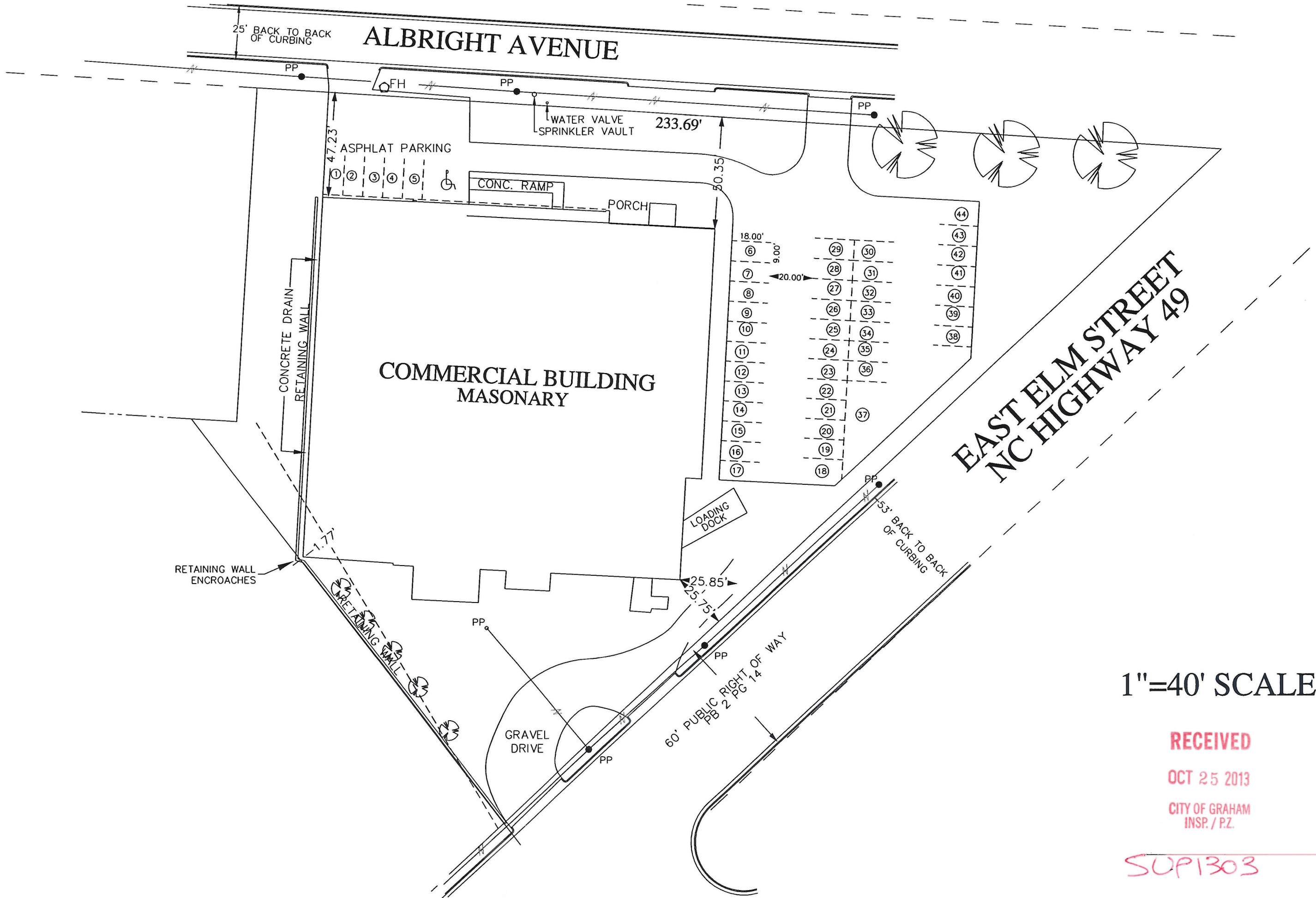
This application **must be accompanied** by a site plan, which may include one or more sheets to provide sufficient detail for review. **See the back of this application for a checklist of items that should be shown on the site plan, as applicable.**

## 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 anywhere on the property
- ☐ **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

Office Use Only. DEVID#

SUP1308



1"=40' SCALE

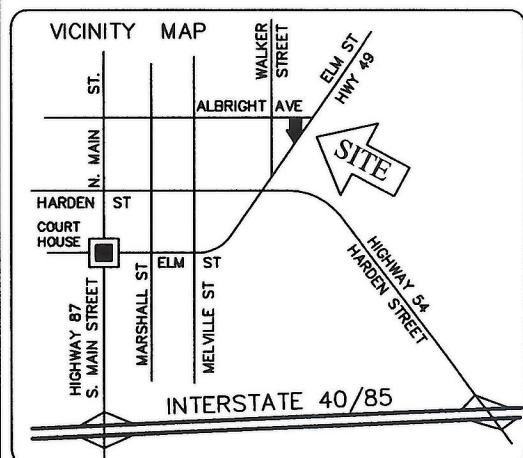
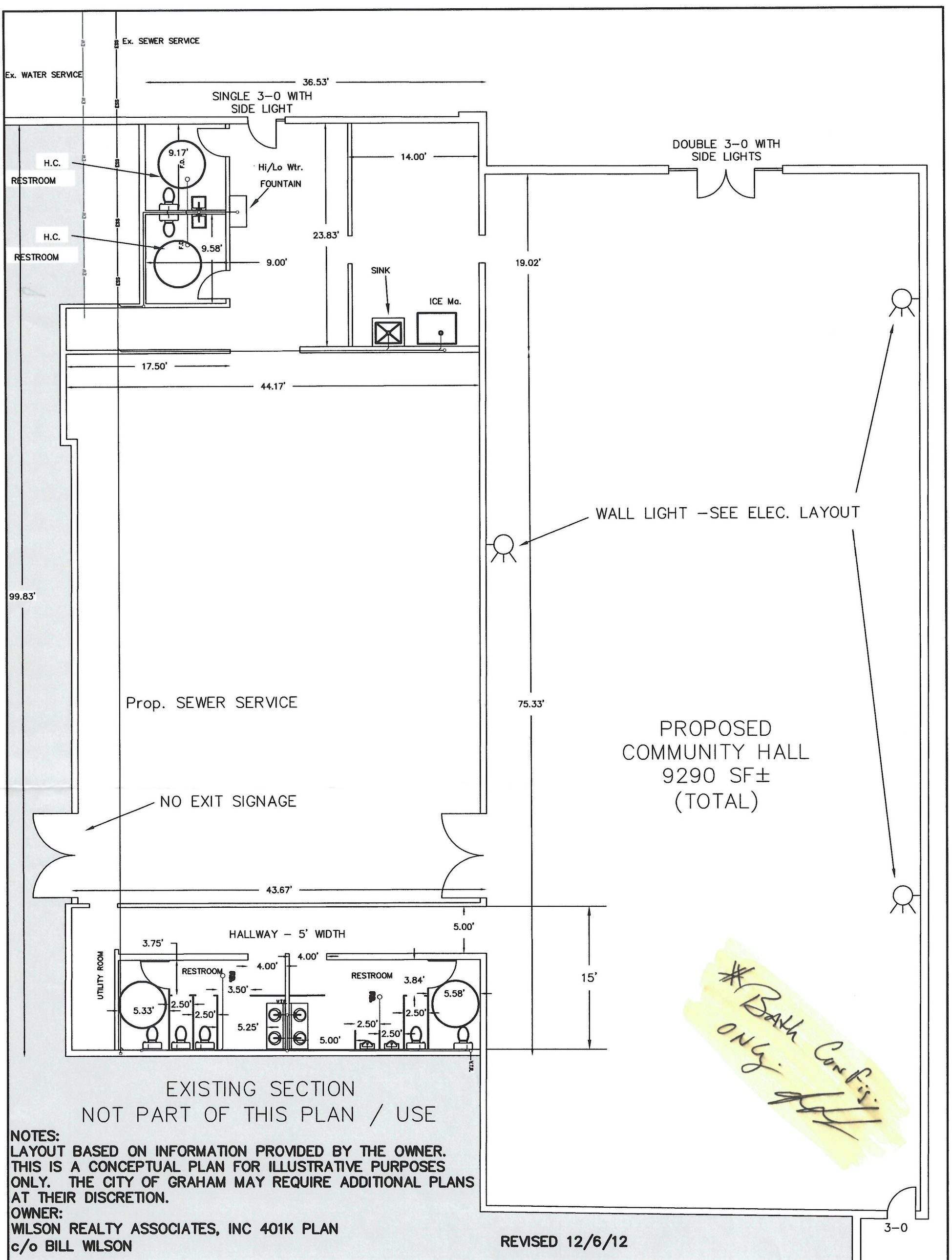
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OCT 25 2013

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SUP1303

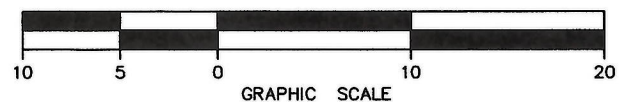




# SKETCH PLAN FOR PROPOSED IMPROVEMENTS AT 417 ALBRIGHT AVE. EXISTING BUILDING

GRAHAM TOWNSHIP ALAMANCE COUNTY NORTH CAROLINA

DATE 09/25/12 SCALE 1" = 10'



SIMMONS ENGINEERING & SURVEYING, INC. JOB # B.WILSON SURVEY BY N/A  
109 N. MAIN STREET GRAHAM, NC 27253 DWG BY WTL APP'D BY WTL  
PHONE # (336) 222-9700 FAX # (336) 222-9637





## 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.*

**Albright Community Center  
(SUP1303)**

**Type of Request**  
Special Use Permit

**Meeting Dates**  
Planning Board on November 19, 2013  
City Council on December 3, 2013

- ☐ I move to **recommend APPROVAL** in that the application is consistent with all of the objectives and policies for growth and development contained in *The City of Graham Growth Management Plan 2000-2020* because of the following reasons:
- Based on the recommendations of the *Growth Management Plan*
  - [Insert additional reasons]
- ☐ I move to **recommend APPROVAL with the following conditions** [insert conditions] in that the application with the added conditions is consistent with all of the objectives and policies for growth and development contained in *The City of Graham Growth Management Plan 2000-2020* because of the following reasons:
- Based on the recommendations of the *Growth Management Plan*
  - [Insert additional reasons]
- ☐ I move to **recommend DENIAL** because the application is not fully consistent with the objectives and policies for growth and development in *The City of Graham Growth Management Plan 2000-2020* because of the following reasons:
- [Insert reasons]

The report reflects the recommendation of the Planning Board, this the 19<sup>th</sup> day of November, 2013.

Attest:

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Andy Rumley, Planning Board Chairman

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Martha Johnson



# STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

## Text Amendment for Pet Grooming

**Type of Request:** Text Amendment

## Meeting Dates

Planning Board on November 19, 2013

City Council on December 3, 2013 (tentative)

## Contact Information

Not applicable

## Summary

A citizen request has been made to amend the *Development Ordinance* to permit pet grooming in the B-1 zoning district. Currently, "Pet Grooming, No Outside Animal Storage or Care" is not permitted in the B-1 zoning district, but is permitted by-right in the I-1 and I-2 zoning districts, with a special use permit in the B-2 zoning district, and as a use in the C-B, C-I and C-MXC conditional zoning districts. There are no additional conditions for the special use permit.

Staff reached out to other North Carolina communities and received a response from six. Four of these communities permit pet grooming in their downtowns and two do not. For the two communities that do not, the reasons cited were inadequate facilities for pets to relieve themselves, the smell of pet waste, the potential for a pet grooming operation to board animals overnight, and excessive noise for nearby residences. The four communities that do permit pet grooming in their downtown stated that they have not had any issues with this use in a downtown area.

Two options are proposed for consideration:

- Option A. Permit pet grooming in the B-1 zoning district with a special use permit.
- Option B. Permit pet grooming in the B-1 and B-2 zoning districts as a use by-right.

### **Project Name**

Text Amendment for  
Pet Grooming

### **Location**

B-1 Zoning District

### **GPIN**

not applicable

### **Staff Recommendation**

Approval

## Option A

Modify the following Use Type in Section 10.135 Table of Permitted Uses:

*Showing changes*

| Use Type  | R-18 | R-15 | R-12 | R-9 | R-7 | C-R | R-MF | R-G | O-I | C-O-I | B-3 | B-2 | B-1          | C-B | I-1 | C-I | I-2 | C-MXR | C-MXC | LUC |
|---|------|------|------|-----|-----|-----|------|-----|-----|-------|-----|-----|--------------|-----|-----|-----|-----|-------|-------|-----|
| Pet Grooming, No Outside Animal Storage or Care |      |      |      |     |     |     |      |     |     |       |     | S   | <del>S</del> | C   | X   | C   | X   |       | C     | 3   |

*Final result*

| Use Type  | R-18 | R-15 | R-12 | R-9 | R-7 | C-R | R-MF | R-G | O-I | C-O-I | B-3 | B-2 | B-1 | C-B | I-1 | C-I | I-2 | C-MXR | C-MXC | LUC |
|---|------|------|------|-----|-----|-----|------|-----|-----|-------|-----|-----|-----|-----|-----|-----|-----|-------|-------|-----|
| Pet Grooming, No Outside Animal Storage or Care |      |      |      |     |     |     |      |     |     |       |     | S   | S   | C   | X   | C   | X   |       | C     | 3   |

## Option B

Modify the following Use Type in Section 10.135 Table of Permitted Uses:

*Showing changes*

| Use Type  | R-18 | R-15 | R-12 | R-9 | R-7 | C-R | R-MF | R-G | O-I | C-O-I | B-3 | B-2          | B-1          | C-B | I-1 | C-I | I-2 | C-MXR | C-MXC | LUC |
|---|------|------|------|-----|-----|-----|------|-----|-----|-------|-----|--------------|--------------|-----|-----|-----|-----|-------|-------|-----|
| Pet Grooming, No Outside Animal Storage or Care |      |      |      |     |     |     |      |     |     |       |     | <del>X</del> | <del>X</del> | C   | X   | C   | X   |       | C     | 3   |

*Final result*

| Use Type  | R-18 | R-15 | R-12 | R-9 | R-7 | C-R | R-MF | R-G | O-I | C-O-I | B-3 | B-2 | B-1 | C-B | I-1 | C-I | I-2 | C-MXR | C-MXC | LUC |
|---|------|------|------|-----|-----|-----|------|-----|-----|-------|-----|-----|-----|-----|-----|-----|-----|-------|-------|-----|
| Pet Grooming, No Outside Animal Storage or Care |      |      |      |     |     |     |      |     |     |       |     | X   | X   | C   | X   | C   | X   |       | C     | 3   |

## Conformity to the *Growth Management Plan (GMP)*

**Planning District:** North

**Development Type:** Town Center

### Applicable Goals to Guide Us into the Future

- 6.3.1. Encourage the conversion and development of higher density residential development around the downtown and other designated activity areas. *Permitting pet grooming in the B-1 zoning district has the potential to create a noise issue, which may deter residential development.*
- 6.3.2. Encourage commercial development within designated village centers as opposed to continued commercial strip development. *Permitting pet grooming in the B-1 zoning district would allow this type of business in the Town Center.*
- 6.3.2. Emphasize that downtown is the commercial center of the City. *Permitting another commercial use in the B-1 zoning district would add to its emphasis as the City's commercial center.*
- 6.3.4. Encourage the development of mixed-use projects that combine compatible uses within one site. *The entire downtown area is a mixed-use area and pet grooming may or may not be a compatible use in the B-1 zoning district.*

### Applicable Planning District Policies and Recommendations

- 7.3.4.1.7. Promote the Town Center as the commercial and governmental center of Graham. *Permitting pet grooming in the B-1 zoning district would allow another type of commercial use in the Town Center.*

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### Staff Recommendation

Based on the *Growth Management Plan 2000-2020* and research of other jurisdictions, staff **recommends approval of either option A or option B**. The following supports this recommendation:

- The proposed text amendment will further a number of goals of the *Growth Management Plan* and conforms to the Town Center development type, which calls for commercial and mixed use development.

#### Description of Development Type

Town Center

#### Development Toolkit Checklist

Located near a major thoroughfare

For single family residential, townhouses, apartments & condominiums, commercial, office/institutional and mixed use

Characteristics include pedestrian-oriented; design requirements; sidewalks; street trees; height of structures regulated; building orientation

Density of 5+ DU/acre or 10,000 to 100,000sf of retail

Infrastructure includes water, sewer, street connectivity and underground utilities





## PLANNING BOARD Recommendation & Statement of Consistency

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### **Text Amendment for Pet Grooming**

**Type of Request**  
Text Amendment

### **Meeting Dates**

Planning Board on November 19, 2013  
City Council on December 3, 2013

- ☐ I move to **recommend APPROVAL of Option A / Option B** in that the amendment is consistent with all of the objectives and policies for growth and development contained in *The City of Graham Growth Management Plan 2000-2020* because of the following reasons:
- Based on the recommendations of the *Growth Management Plan*
  - [Insert reasons]
- ☐ I move to **recommend DENIAL** because the amendment is not fully consistent with the objectives and policies for growth and development in *The City of Graham Growth Management Plan 2000-2020* because of the following reasons:
- [Insert reasons]

The report reflects the recommendation of the Planning Board, this the 19<sup>th</sup> day of November, 2013.

Attest:

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Andy Rumley, Planning Board Chairman

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Martha Johnson