



Planning Board

Meeting Agenda

April 15, 2014 at 7:00pm
Council Chambers, 201 S Main St

Invocation

1. Approve minutes of the March 18, 2014 meeting
2. Shannon Dr Internet Marketing Center (SUP1401). Request by Chase Brooks for a Special Use Permit for Electronic, Internet or Sweepstakes Gaming for property located at 107 E Shannon Dr (GPIN 8883421261).
3. Watercourse Apartments (CR1403). Request by Lee-Moore Capital Company to rezone the property located at 1050 Woody Dr (GPIN 8884724405) from General Business (B-2) to Conditional Residential (C-R) to construct seven apartment buildings with a total of 196 residential units.

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

PLANNING ZONING BOARD

Tuesday, March 18, 2014

The Planning & Zoning Board held its regular meeting on Tuesday, March 18, 2014 at 7:00 p.m. in the Council Chambers of the Graham Municipal Building. Board members present were Ricky Hall, Bill Teer, Andy Rumley, Tim Beshel, Michael Benesch and Dean Ward. Bonnie Blalock was absent. Staff members present were Melissa Guilbeau, City Planner, Frankie Maness, City Manager, 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 January 21, 2014 meeting. Ricky Hall made a motion to approve, second by Tim Beshel. All voted in favor.

2. WKZ River Bend Apartments (CR1401). Request by WKZ Housing, LLC to rezone property located at 1108 S Main St (GPIN 8883277291) from General Business (B-2) to Conditional Business (C-B) to construct a 72-unit multifamily apartment community. Charlie Heritage spoke representing WKZ Housing LLC. Mr. Heritage stated they are constructing a family project with 2, 3, & 4 bedroom units, playground, gazebo and a community center with a media center along with kitchen and laundry facilities. The exterior will be brick along with vinyl siding & vinyl shaks. There will be 6 three story buildings plus the community center with rent ranging between \$363 up to \$939 including utilities. Mr. Heritage said there would be one entrance in and out onto S Main St.

Dean Ward asked what type of lighting they would have on the site. Mr. Heritage said it would be down lighting with standard poles with security system and cameras that record. Bill Teer asked if approved when would they get started and Mr. Heritage said possibly 4th quarter of this year and 10-12 months to be constructed.

Lee Holt represented the family that owns this property being considered for rezoning. Ms. Holt said they had conversation with this company and what they were planning to construct. The family felt that this project would be a good opportunity for the community to bring in some local jobs and support the surrounding businesses. They will be looking to develop this property into something even if this doesn't pass but they will be aggressively trying to sell the property.

The following people spoke in opposition to the project due to landscaping, fencing, added foot traffic in the community, water runoff and drainage, traffic impact with one entrance in and out along with the increased impact on the already crowded schools:

Jerry King	1007 Ross Street
Ed Kirchgessner	110 Old Farm Drive
Pam Fogleman	1005 Ross Street
Alan Tickle	204 Cornelia Drive

Dean Ward asked if a traffic study had been done and Melissa Guilbeau said that DOT didn't request one. Michael Benesch was concerned with traffic congestion and he felt this would be a major issue morning and in the evenings in that area.

Jackie Cole, a member of the Alamance Burlington Board of Education spoke stating that this project would create issues for the school which is at and over capacity. Ms. Cole said the Board would be glad to provide any information about the capacity because they had compiled a study last fall. Ms. Cole said this project would affect the elementary school along with the middle school.

Ricky Hall made a motion to approve this with staff's recommended condition and to put fencing up, second by Andy Rumley. The Board recommended approval with a 5 to 1 vote with Bill Teer voting against.

3. Graham Commons Phase I (CR1402). Request by Graham Commons Associates Limited Partnership to rezone a portion of the property located on Auto Park Dr at Hanford Rd and W Crescent Square Dr (GPIN 8883091817) from Residential (low density) (R-18) to Conditional Residential (C-R) to construct a 64-unit multifamily rental community.

Mr. Bill Owen of 1416 Pine Valley Loop Fayetteville, NC spoke representing the requestor. Mr. Owen explained the project would be a garden style development with one 16 unit building and the other buildings would have 8 units with the 2 bedroom being approximately 1000 square feet and the 3 bedroom being approximately 1200 square feet. Mr. Owen stated the grounds would be irrigated with shrubbery and landscaping that is required by the City of Graham. Mr. Owen also stated that they manage their own units, own all of their units and it has been a family owned business for over 35 years. Mr. Owen showed the revised site plan to the Board and also stated that the 4 acres on the other side of the creek would not be developed. Mr. Owen continued his presentation with numerous pictures of some of their facilities.

Bill Teer asked when they would start the project if approved and Mr. Owen said they would start in the spring of 2015 and completion hopefully would be by the end of that year.

Dean Ward inquired about the type of lighting. Mr. Marvin Mercer owner of the engineering company doing the project of 33 Donald Lane Alexander, NC stated there would be down lighting and would follow the ordinance required by the City of Graham.

Dean Ward inquired the range on the rent. Mr. Owen said the range would be \$460 to \$775.

The following people spoke in opposition to the project due to being detrimental to property values, added traffic congestion, school overloading, and concern with some of the clientele attracted by low income housing:

Chad Oakley	114 West Gilbreath Street
Thomas Foust	906 Hanford Road
Dave Dillard	919 Hanford Road
Lynne Dillard	919 Hanford Road
Jack Brewer	922 Hanford Road
Daniel Biggs	241 Olde Quarry Road
John Wooten	387 Carolina Circle
Sharon Kudron	913 Hanford Road

Chad Oakley also provided a copy of a signed protest petition to each of the Board members. Mr. Oakley stated he had also spoken with area business owners who also opposed this project.

Dean Ward asked if anyone had approached any of the neighbors to explain to them what they might be proposing to do and Mr. Smith said no but they would be happy to discuss anything with them.

Dean Ward stated he wasn't sure this project was the fit for this property although it was a well thought out project and Tim Beshel agreed with Mr. Ward. Mr. Teer said he didn't think it was the right fit for that piece of property. Ricky Hall disagreed with the other members. Mr. Hall felt like this project was a fit and meets the 2020 plan. He said the economy has changed and young people aren't looking to buy houses until the economy has improved. Mr. Benesch stated the site plan looks good and it does fit by the City of Graham's guidelines but he is against this project. Andy Rumley said the presentation was excellent, a good use for the property yes but not the best use for the property and he too was against this project.

Dean Ward made a motion to deny approval of this project, second by Michael Benesch. The motion was approved by a vote of 5 to 1, with Ricky Hall dissenting.

No further business the meeting was adjourned.

Respectfully Submitted,
Martha Johnson
Inspections/Zoning Technician



STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

**Shannon Dr Internet Marketing Center
(SUP1401)**

Type of Request: Special Use Permit

Meeting Dates

Planning Board on April 15, 2014

City Council on May 6, 2014

Contact Information

Chase Brooks

1611 Parham Dr, Graham, NC 27253

336-740-0709; chaselivelife@gmail.com

Summary

This is a request for a Special Use Permit for electronic, internet or sweepstakes gaming at 107 E Shannon Dr. There is an existing building on the property that contains a garden center. The internet marketing center is proposed to share the building with the garden center.



Because this is a new use for the property, the development will be required to comply with off-street parking requirements. As of the writing of this staff report, a plot plan showing how off-street parking requirements will be met had not been submitted.

Location

107 E Shannon Dr

GPIN: 8883421261

Proposed Special Use

Electronic, Internet or Sweepstakes Gaming

Current Zoning

General Business (B-2)

Overlay District

None

Surrounding Zoning

R-18, B-2 & I-1

Surrounding Land Uses

Single Family Houses, General Businesses and Industrial

Size

1.56 acres

Public Water & Sewer

Water along S Main St

No Sewer

Floodplain

No

Staff Recommendation

Denial

Because this is a change of use that results in an increase of two in the Land Use Classification number, the development will be required to comply with landscaping requirements and those shall apply to the entire lot. As of the writing of this staff report, a plot plan showing how landscaping requirements will be met had not been submitted.

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

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 special use permit would permit a type of commercial development in a designated village center.*
- 6.3.4. Promote the location of mixed-use development at designated village centers. *The special use permit would allow a development with two commercial uses in a designated village center.*

Applicable Planning District Policies and Recommendations

- 7.5.4.1.2. Encourage commercial development in the district in village and neighborhood centers to serve the residents of South Graham. This pattern should be promoted over the highway commercial/strip development that has occurred along S Main St. *The special use permit would permit a type of commercial development in a designated village center.*

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. "Electronic, Internet or Sweepstakes Gaming" is permitted in this zoning district with a Special Use Permit. The proposed internet marketing center will be located in the existing building, which appears to meet the area, height and yard regulations. Any new signs will require a sign permit.

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

As of the writing of this staff report, a plot plan demonstrating that off-street parking and landscaping could be complied with had not yet been submitted. There are also a number of requirements specific to this Special Use Permit:

- o *This use cannot be located closer than 1000 feet to another Electronic, Internet or Sweepstakes Gaming establishment; closer than 1000 feet to a public or private elementary or secondary school, child day care center or nursery school, public park, church or community college; or closer*

Planning District

South

Development Type

Village Center, Traditional Neighborhood Development and Neighborhood Residential

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

Characteristics include open space; parks included with development; pedestrian-oriented; automobile-oriented; design requirements; sidewalks; street trees; landscaping; buffering/screening; parking provided on-site; height of structures regulated; controlled access; building orientation

Density of 3+ DU/acre or 10,001 to 100,000sf of retail

Infrastructure includes water, sewer, street connectivity and underground utilities

than 500 feet to a bar or night club, as measured from property line to property line. The proposed internet marketing center is located roughly 915 feet from Bethany Presbyterian Church which is located at 1501 S Main St.

- *No other principal or accessory use may occupy the same building or property with any Electronic, Internet or Sweepstakes Gaming establishment. The proposed internet marketing center will occupy the same building and property as an existing garden center.*
- *Flashing lights or fluttering devices designed and used to attract attention are not permitted. The application does not mention or address this.*
- *Sound amplification shall not be directed outside. The application does not mention or address this.*
- *Alcohol may not be consumed on sold on the premises. The application states that no alcohol will be permitted.*
- *No person under age 18 may be allowed in the establishment and age must be verified for each customer at the time of entry into the establishment. The application does not mention or address this.*
- *Staff has reviewed the application and has no reason to believe that it contains any misstatements of fact.*
- *Staff had a criminal background check done by the Graham Police Department and has verified that the applicant has not been convicted of a felony within the past three years.*
- *The proposed site must meet building and fire prevention codes. A stop work order for interior renovations to the existing building was issued on March 11, 2014 due to misrepresentation in the building permit application of the type of use that would occupy the space. Building permit #5138 was issued for interior renovations consisting of partition walls for a portion of the building at 107 E Shannon Dr to be used for office space; this permit was revoked on 3/11/2014.*

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 internet marketing 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 internet marketing center 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 internet marketing center is a commercial use that will be located adjacent to other existing commercial uses 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.

As of the writing of this staff report, a plot plan showing vehicle circulation and parking had not been submitted.

Staff Recommendation

Based on the *Growth Management Plan 2000-2020* and the *City of Graham Development Ordinance*, staff **recommends denial** of the Special Use Permit. The following supports this recommendation:

- The development does not comply with the requirements of the *Development Ordinance*. It is located within 1000 feet of a church and will occupy the same building and property as an existing garden center.
- The development does not meet all six conditions required by Section 10.144 of the *Development Ordinance*, specifically condition #2.



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: 107 E SHANNON DR
Tax Map#: 144571 GPIN: 8883421261
Current Zoning District(s): B-2
Overlay District, if applicable:
 Historic S Main St/Hwy 87 E Harden St/Hwy 54
Current Use: GARDEN CENTER
Property Owner: Brooks Realty Endeavors
Mailing Address: 107 E SHANNON DR
City, State, Zip: GRAHAM NC 27253
Phone # 336-740-0709
Email: Chaselivlife@gmail.com

Proposed Special Use

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

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

SEE ATTACHMENTS

RECEIVED
MAR 25 2014
CITY OF GRAHAM
INSP. / P.Z.

Applicant and Project Contact

Name: Chase Brooks
 Property Owner Other _____
Mailing Address: 11011 PACHAM DR
City, State, Zip: GRAHAM NC 27253
Phone # 336-740-0709
Email: Chaselivlife@gmail.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.

Chase A Brooks 03/23/14
Signature of Applicant Date
Chase A Brooks 03/23/14
Signature of Property Owner Date
(if other than applicant)

Office Use Only. DEVID# SUP1401

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.

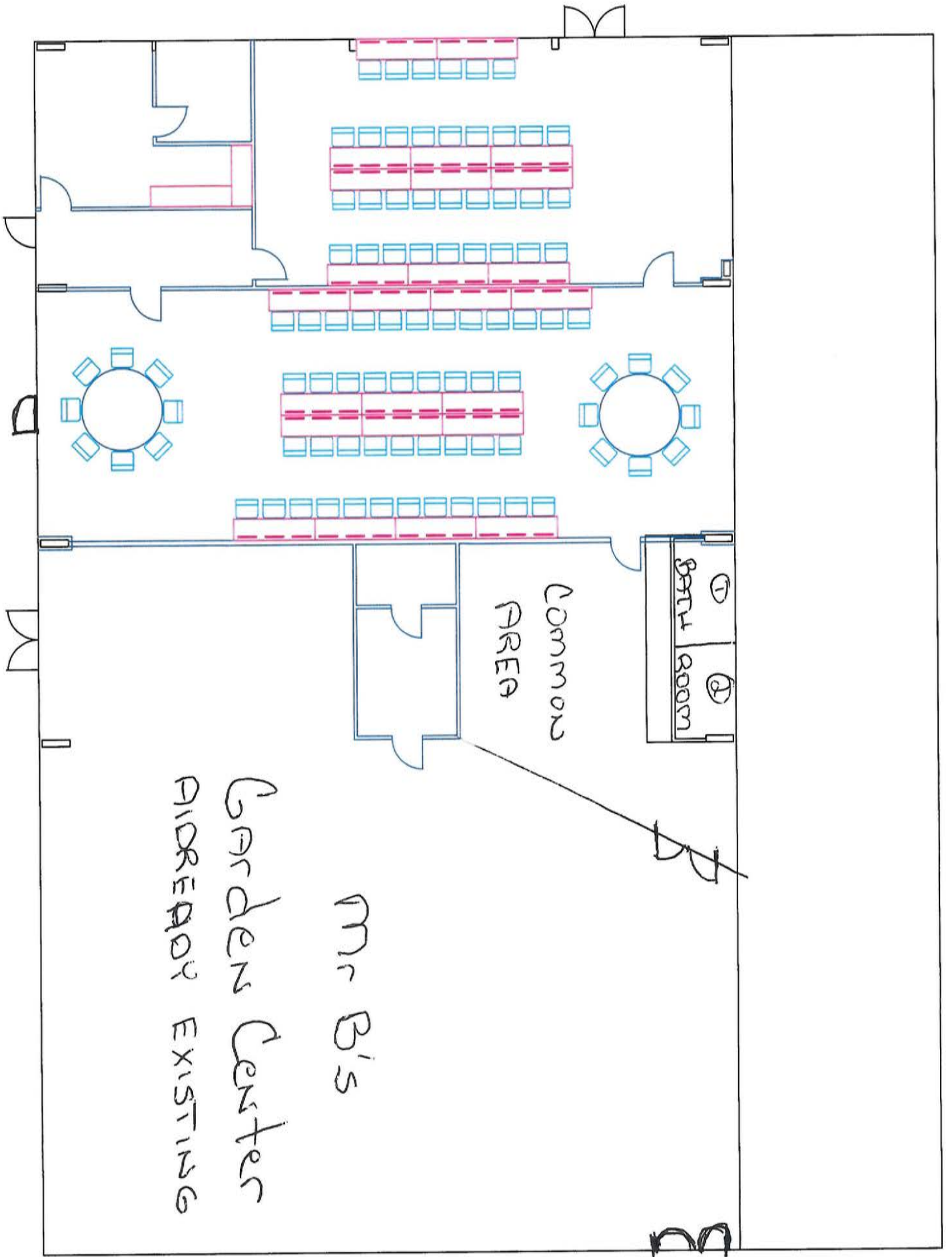
Other Requirements

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
N/A

Description of the Business and Software

The proposed businesses are designed to offer and expose as many people to the World Wide Internet as possible. This will be accomplished through the sell of internet time by the minute at a competitive rate. This will all be done within a social environment. It is well known that humans are social by nature and learn best in social environments. We use our software package to promote internet use alongside the sale of other legal products. Web products, web games, web marketing, packaged food and snacks are some such examples. It should be noted that not all people of this world have access to personal computers. We as a software provider have taken great efforts to make it easy for the end user to access all usable sites in today's web world. We encourage our employees to teach the end patrons on how to use the web as a life tool. Remember... a student you teach today is tomorrows return customer. We utilize every marketing tool, including a Pre Reveal sweepstakes to sell our internet time.

Our place of business is designed to offer a safe and comfortable environment for our customers. 80% of our clientele are women. 80% of those women are over the age of 40. No alcohol, profanity or drugs will be permitted and these rules will be strongly enforced as our customer base appreciates a wholesome environment. As a side note, the entire facility will be under close video surveillance.



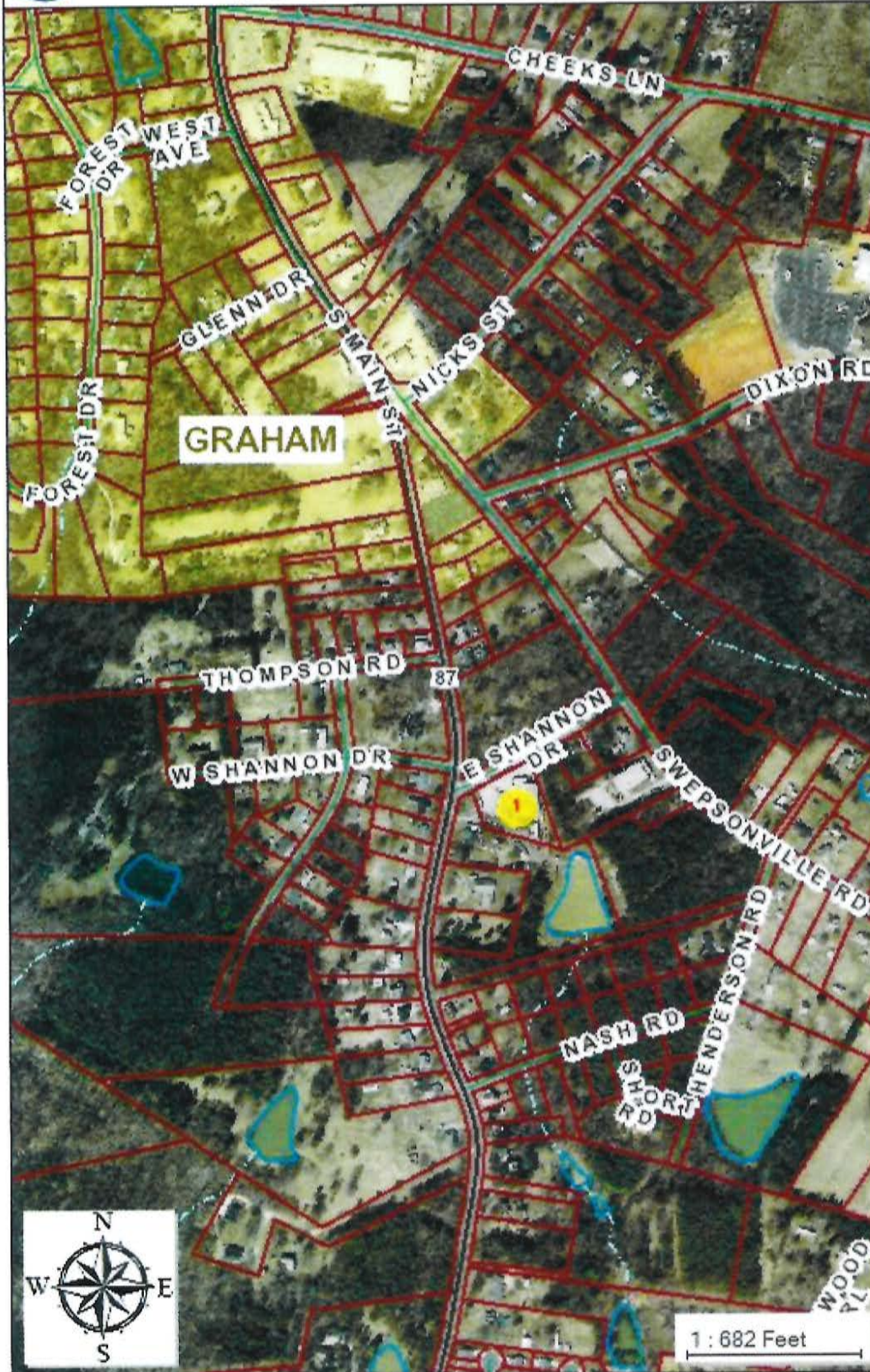
Gardens Center
Mr B's
AIDREAR EXISTING

Common
AREA

BATH ROOM

B

C



- Streets
- Parcels ID
- Cities
 - ALAMANCE
 - BURLINGTON
 - ELON
 - GIBSONVILLE
 - GRAHAM
 - GREEN LEVEL
 - HAW RIVER
 - MEBANE
 - OSSIPEE
 - SWEPSOINVILLE
 - WHITSETT
- Railroads
- Major Roads
- Outside Counties
 - Caswell County
 - Chatham County
 - Guilford County
 - Orange County
 - Person County
 - Randolph County
 - Fockingham County
- Hydrology
 - Dam or Weir
 - Intermittent
 - Manmade Shoreline Permanent

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- Address Points
 -
- Streets
 -
- Parcels ID
 -
- Cities
 - ALAMANCE
 - BURLINGTON
 - ELON
 - GIBSONVILLE
 - GRAHAM
 - GREEN LEVEL
 - HAW RIVER
 - MEBANE
 - OSSIPEE
 - SWEPSONVILLE
 - WHITSETT
- Railroads
 - +
- Major Roads
 - <all other values>
 - Hwy/Hwy
- Outside Counties
 - Caswell County
 - Chatham County
 - Guilford County
 - Orange County
 - Person County
 - Randolph County
 - Rockingham County
- Hydrology
 - Dam or Weir
 - intermittent
 - Manmade Shoreline: Permanent

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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.

**Shannon Dr Internet Marketing Center
(SUP1401)**

Type of Request
Special Use Permit

Meeting Dates
Planning Board on April 15, 2014
City Council on May 6, 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**.

-
- 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 15th day of April, 2014.

Attest:

Andy Rumley, Planning Board Chairman

Martha Johnson, Secretary



STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

Watercourse Apartments (CR1403)

Type of Request: Conditional Rezoning

Meeting Dates

Planning Board on April 15, 2014

City Council on May 6, 2014

Contact Information

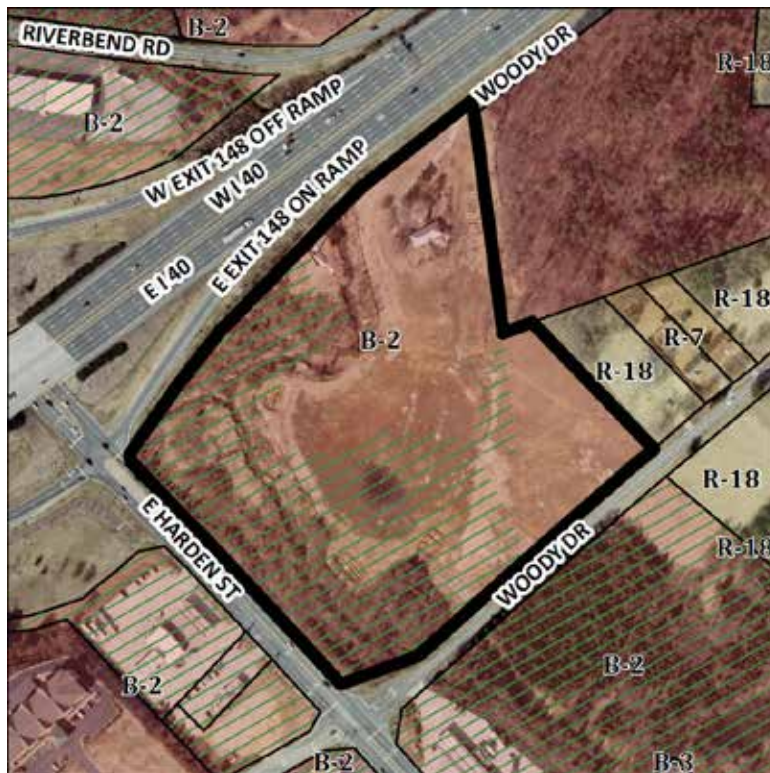
Lee-Moore Capital Company

Drawer 9, Sanford, NC 27330

919-775-2301; kbradley@lmcc.net

Summary

This is a request to rezone the subject property from B-2 to C-R to construct seven apartment buildings with a total of 196 residential units. The parcel is currently occupied by a single vacant structure. Town Branch Creek and its floodplain cross the property. A Special Use Permit for a Unified Business Development was approved for this property on 11/4/2008.



The applicant is proposing to rezone the property to C-R in accordance with the "Conditional Use Zoning Exhibit & Site Plan" and "Utility & Transportation Exhibit," both prepared by CE Group and dated March 25, 2014. Conceptual perspective views, prepared by Finley Design and dated March 17, 2014, were also submitted with the application package, as well as a site narrative.

Location

1050 Woody Dr

GPIN: 8884724405

Current Zoning

General Business (B-2)

Proposed Zoning

Conditional Residential (C-R)

Overlay District

E Harden St/Hwy 54

Surrounding Zoning

R-18 & B-2

Surrounding Land Uses

Single Family Houses, General Businesses and Undeveloped

Size

15.038 acres

Density

13.0 DU/acre

Public Water & Sewer

Water along Harden and Woody
Sewer across property and along Woody

Floodplain

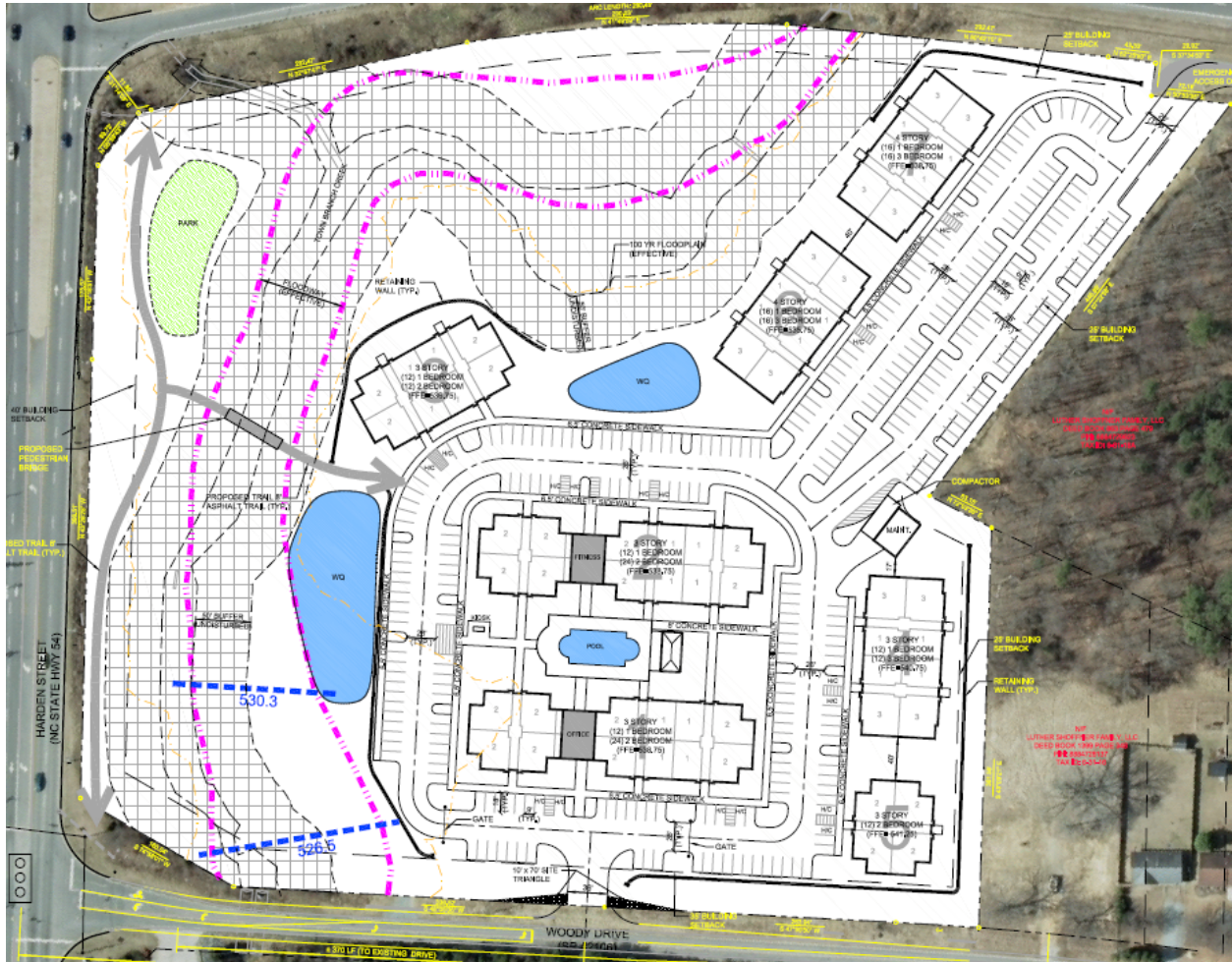
Yes, across portion of property

Staff Recommendation

Approval

The proposal is for a 196-unit multifamily development consisting of seven residential buildings, maintenance building and swimming pool complex. Buildings 1 through 5 are proposed to be three-stories tall and buildings 6 and 7 four-stories. The applicant also proposes to construct a park area, 8' asphalt trail and pedestrian bridge. Other specifics of the proposal include:

- 80 one-bedroom units, 72 two-bedroom and 44 three-bedroom
- A primary entrance on Woody Dr with secondary emergency access on service road adjacent to I-85
- A left-turn lane on Woody Dr to enter the property
- 320 parking spaces (minimum is 316 spaces)
- Gates to restrict traffic entering the property but still accessible for fire and safety
- Alternative compliance with building spacing requirements, as described in the site narrative
- Realignment of the existing 18" public sewer line that crosses the property
- Retaining walls where needed



Technical Review Committee

The TRC reviewed the preliminary site plan and met with the applicant on March 10, 2014. The applicant submitted a revised preliminary site plan on March 25, 2014. The following TRC comments were not addressed on the revised preliminary site plan:

- Will need to provide a sidewalk along Woody Dr and from Woody Dr to the main building

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. *Town Branch Creek crosses the property. The proposed development is set back from the creek and floodplain in accordance with the Development Ordinance.*
- 6.3.1. Encourage the conversion and development of higher density residential development around the downtown and other designated activity areas. *This proposal is for a higher density residential development in a Regional Commercial Center.*
- 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. *The proposed apartments are adjacent to the interstate and undeveloped land and across the street and the creek from existing commercial uses.*
- 6.3.7. Promote a greenway system that links together the City's recreational resources. *The proposal includes a trail in the area between E Harden St and Town Branch Creek that could be part of a future greenway system along the creek.*

Applicable Planning District Policies and Recommendations

- 7.4.4.1.1. Ensure that development along Hwy 54 does not replicate the highway commercial/strip development characteristic 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, multifamily, and governmental facilities located within an integrated complex. *The proposal is for multifamily located in a regional commercial center.*
- 7.4.4.1.5. Develop and promote a greenway system along rivers, creeks and tributaries to provide recreational opportunities for residents and protect environmentally sensitive areas. These corridors would also protect scenic areas for the community and provide a natural buffer for waterways. *The proposal includes a trail in the area between E Harden St and Town Branch Creek that could be part of a future greenway system along the creek.*

Planning District

Central

Development Type

Regional Commercial Center

Located near a major thoroughfare with interstate access and large parcels

For townhouses, apartments, commercial, office/institutional and mixed use

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

Density of 5+ DU/acre
>100,000sf retail

Infrastructure includes water, sewer, street connectivity and underground utilities

- 7.4.4.1.7. Encourage residential development that conserves land along rivers, creeks and tributaries to protect environmentally sensitive areas, promote open space preservation and provide a natural buffer for waterways. *The proposal includes a trail, park and open space in areas adjacent to Town Branch Creek and will comply with the City's floodplain and riparian buffers.*

Graham Pedestrian Plan

- Recommends a five-foot sidewalk on this section of Hwy 54/E Harden St as a high priority, near-term project and on this section of Woody Dr as a lower priority, long-term project. Also recommends greenways, though Town Branch Creek is not listed as a priority project. *The proposal includes an 8' asphalt trail along E Harden St and Town Branch Creek that will serve as a pedestrian path along E Harden St and could also be part of a future greenway system along the creek. Being located in the Hwy 54 Overlay District, the development will be required to install a sidewalk along Woody Dr.*

Staff Recommendation

Based on the *Growth Management Plan 2000-2020* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Conditional Rezoning. The following supports this recommendation:

- The development furthers a number of goals of the *Growth Management Plan* and is consistent with the Development Toolkit Checklist for Regional Commercial Center.
- 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: 1050 Woody Drive

Tax Map#: 6-31-20 GPIN: 8884724405

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: Undeveloped

Total Site Acres: 15.038 AC

Property Owner: Lee-Moore Capital Company

Mailing Address: Drawer 9

City, State, Zip: Sanford, NC 27330

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: Lee-Moore Capital Company


Mailing Address: Drawer 9

City, State, Zip: Sanford, NC 27330

Phone #: (919) 775-2301

Email: kbradley@lmoc.net

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

 PRESIDENT 3.25.2014
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 request is to rezone to R-MF, The proposed use is classified as Dwelling, Multi-Family.

The project will include (7) Apt. Buildings with 196 residential units; (1) Maintenance Bldg. and Swimming Pool Complex,

The (3) story building height is ±33' at corner.

The (4) story building height is ±44' at corner

We are requesting alternative compliance for building spacing as outlined in the attached site narrative.

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#

Watercourse Apartments Site Narrative

March 24, 2014

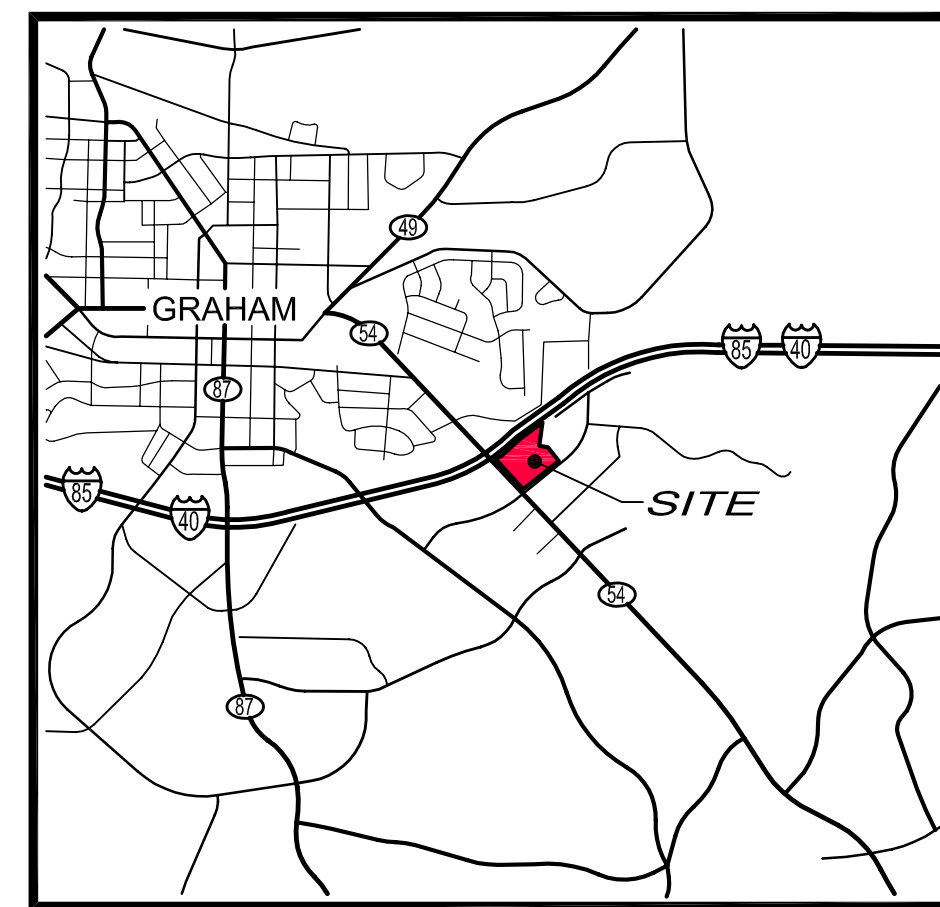
The proposed project consists of (7) apartment buildings, (1) Maintenance Building, and Swimming Pool Complex. The project will have 3 and 4 story buildings. The 4 story buildings are located closer to I-85. In addition to a primary entrance off Woody Drive, a second emergency access will be provided at the service road adjoining I-85 (also known as Woody Drive). The property is presently zoned as B-2. We are seeking conditional zoning to R-MF.

All of the proposed roadway improvements on-site will be private. A left turn lane will be installed on Woody Drive to minimize impact to existing traffic heading east. The Development Ordinance requires a minimum of 316 parking spaces and we are proposing 320 spaces. Card or scan gates will be installed beyond the apartment management office restricting traffic entering the project. We will work with local Fire and Safety departments to provide gate accessibility to suit their needs.

The buildings will have significant architectural fenestration as evidenced in the elevations provided. We are seeking alternative compliance to the strict interpretation of building spacing outlined in Section 10.247 of the Development Ordinance. Buildings 4 and 5 are sitting lower in elevation to the surrounding parcels with the use of a retaining wall. These (3) story buildings will effectively act as two story buildings with the use of the retaining wall. Buildings 6 and 7 are not located adjacent to other properties and are proposed as (4) story units. In each of these cases ample separation has been provided to promote air and light movement. The symmetry of the buildings with associated sidewalks and roads is designed to provide adequate looping of vehicular and pedestrian traffic through the property.

An existing 18" public sewer outfall crosses the site. A portion of this outfall will be realigned to allow proposed development. An existing public sewer easement is also stubbed to the Shoffner tract to the northeast. A proposed public sewer outfall will be installed to the property line (Parcel 8884729623). The proposed on-site water improvements will be private and a meter and rpz will be installed near the project entrance.

The project will have +/- 30% open space. The impervious coverage will be less than 40%. Wet ponds are proposed to accommodate 90% TSS removal associated with 1" runoff from impervious areas. The future WQ ponds will initially act as skimmer basins during construction. All proposed improvements within the 100 year floodplain will be permitted by the City in compliance with the City's Floodplain Development and Riparian Buffer Protection Ordinances.



VICINITY MAP
NTS

WATERCOURSE APARTMENTS
GRAHAM, NORTH CAROLINA

**CONDITIONAL USE
ZONING EXHIBIT & SITE PLAN**

MARCH 25, 2014

SUMMARY

APARTMENT BLDG.	1 BR	2 BR	3 BR	TOTAL
1 (W / OFFICE)	12	24	0	36
2	12	24	0	36
3	12	14	0	32
4	12	0	12	24
5	0	12	0	12
6	16	0	16	32
7	16	0	16	32
TOTAL=	80	72	44	196
	41%	37%	22%	
SPACES REQUIRED PER ORDINANCE=				316
SPACES PROVIDED=				320

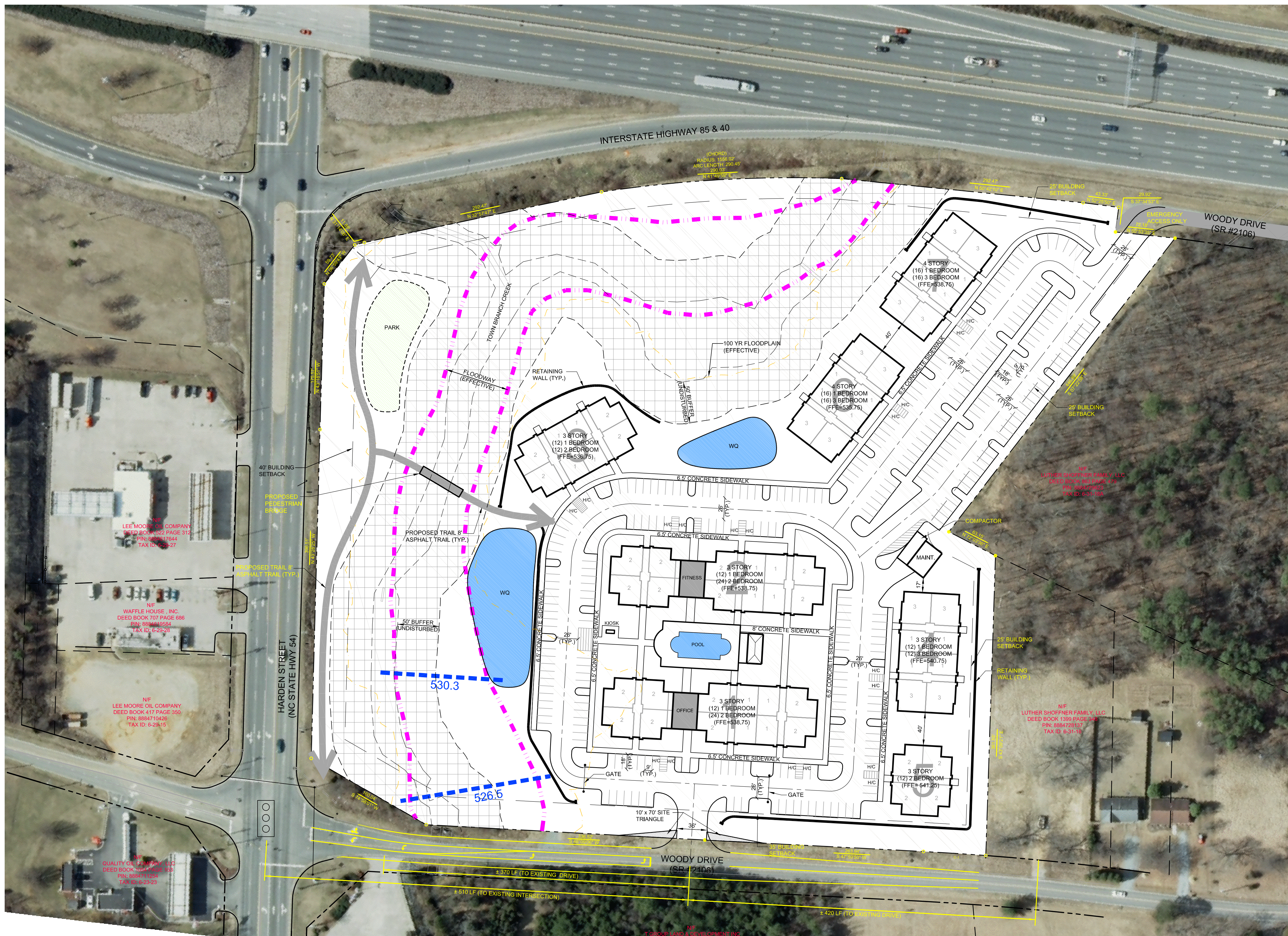
SITE DATA

PIN: 8884724405
TAX MAP: 6-30-20
ACREAGE: 15.038 AC.
OWNER: LEE-MOORE CAPITAL COMPANY
 DRAWER 9
 SANFORD, NC 27330
 (919) 775-2301
DEVELOPER: LEE-MOORE CAPITAL COMPANY
 DRAWER 9
 SANFORD, NC 27330
PROPERTY ADDRESS: 1050 WOODY DRIVE
 GRAHAM, NC 27253

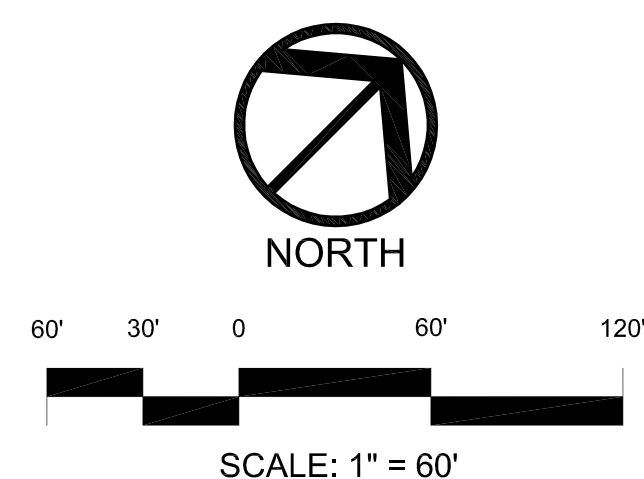
CURRENT ZONING: B-2
PROPOSED ZONING: R-MF
OVERLAY DISTRICT: E HARDEN ST / HWY 54
EXISTING LAND USE: UNDEVELOPED
PROPOSED LAND USE: DWELLING, MULTI-FAMILY
 196 RESIDENTIAL UNITS, (7) APT. BUILDINGS
 (1) MAINT. BLDG AND POOL COMPLEX
 (5) 3 STORY BLDG's ±33' HIGH AT CORNER
 (2) 4 STORY BLDG's ±44' HIGH AT CORNER

DISTURBED AREA: ±10.5 AC.

COMMON AREA / OPEN SPACE: ±4.5 AC. (±30%)

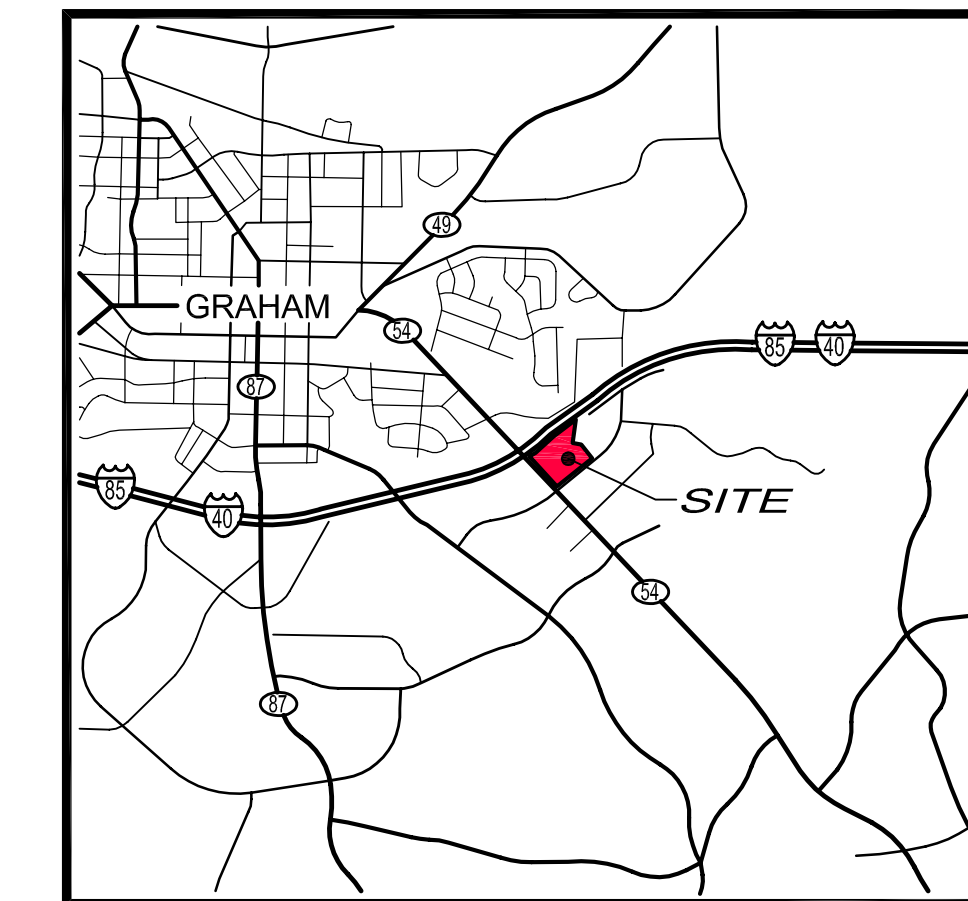


CE GROUP
 301 GLENWOOD AVE. SUITE 220
 RALEIGH, NC 27603
 PHONE: 919-367-8790
 www.cegroupinc.com



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 FOR REVIEW ONLY
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 FOR CONSTRUCTION







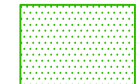
VICINITY MAP
NTS

WATERCOURSE APARTMENTS
GRAHAM, NORTH CAROLINA

UTILITY & TRANSPORTATION
EXHIBIT

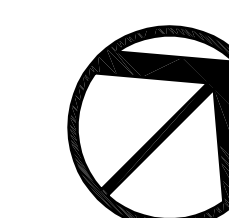
MARCH 25, 2014

LEGEND

-  PRELIMINARY WATER MAIN
-  PRELIMINARY GRAVITY SEWER
-  COMMON AREA / OPEN SPACE (±4.5%)

NOTE

- (1) THE PLAN WILL MEET THE CITY OF GRAHAM'S NPDES PHASE II STORMWATER ORDINANCE BY TREATING 1" OF RUNOFF FROM THE PROJECT TO 85% REMOVAL OF TSS.
- (2) THE PROJECT WILL COMPLY WITH THE CITY'S RIPARIAN BUFFER PROTECTION ORDINANCE.
- (3) THE TRAIL CROSSING WILL COMPLY WITH THE CITY'S STANDARDS
- (4) WATER AND SEWER CONNECTIONS WITHIN THE AREA WILL BE PROVIDED AFTER CONFIRMATION WITH THE UTILITIES SUPERVISOR LADD NALL.



NORTH

60' 30' 0' 60' 120'



SCALE: 1" = 60'



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301 GLENWOOD AVE. SUITE 220
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3/25/14
SEAL
18894
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NIF
T GROUP LAND & DEVELOPMENT INC
DEED BOOK 670 PAGE 711
PIN: 8884718551
TAX ID: 6-31-10

NIF
SMITH MARY LOUIS WOODY HEIRS
DEED BOOK 0386 PAGE 0945
PIN: 8884821071
TAX ID: 6-31-9

NIF
LEE MOORE OIL COMPANY
DEED BOOK 522 PAGE 312
PIN: 8884617644
TAX ID: 6-29-27

NIF
WAFFLE HOUSE, INC.
DEED BOOK 107 PAGE 696
PIN: 8884619584
TAX ID: 6-29-28

NIF
LEE MOORE OIL COMPANY
DEED BOOK 417 PAGE 350
PIN: 8884710426
TAX ID: 6-29-15

NIF
QUALITY OIL COMPANY, LLC
DEED BOOK 1054 PAGE 153
PIN: 8884711254
TAX ID: 6-23-23



Watercourse Apartments

Graham, NC

March 17, 2014

Conceptual Perspective View 1



Watercourse Apartments

Graham, NC

March 17, 2014

Conceptual Perspective View 2



Watercourse Apartments

Graham, NC

March 17, 2014

Conceptual Perspective View 3



Watercourse Apartments

Graham, NC

March 17, 2014

Conceptual Perspective View 4



Watercourse Apartments

Graham, NC

March 17, 2014

Conceptual Perspective View 5



Watercourse Apartments

Graham, NC

March 17, 2014

Conceptual Perspective View 6



Watercourse Apartments

Graham, NC

March 17, 2014

Conceptual Perspective View 7



Watercourse Apartments

Graham, NC

March 17, 2014

Conceptual Perspective View 8