

PLANNING ZONING BOARD

Tuesday, August 19, 2014

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

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

Invocation was given by Ricky Hall.

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

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

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

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

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

5. Text Amendment for Historic Resources. Request by staff to amend the *Development Ordinance* related to

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

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

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

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

No further business the meeting was adjourned.

Respectfully Submitted,
Martha Johnson
Inspections/Zoning Technician