



# **Planning Board**

## **Meeting Agenda**

January 15, 2013 at 7:00pm  
Council Chambers, 201 S Main St

### Invocation

1. Approve minutes of the December 18, 2012 meeting.
2. New Mt. Zion Christian Church (CR1212). Request by Paul Dark, Pastor, for a Conditional Rezoning from Neighborhood Business (B-3) to Conditional Business (C-B) for property located at 414 E Harden St (GPIN 8884441801).
3. Training

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

PLANNING ZONING BOARD  
Tuesday, December 18, 2012

The Planning & Zoning Board held its regular meeting on Tuesday, December 18, 2012 at 7:00 p.m. in the Council Chambers of the Graham Municipal Building. Board members present were Andy Rumley, Dean Ward, Ricky Hall, Bonnie Blalock and Tim Beshel. Staff members present were Frankie Maness, City Manager, Melissa Guilbeau, City Planner and Darcy Sperry, Zoning Enforcement Officer.

Chairman Andy Rumley called the meeting to order, explained the function of the Board to those present and business was conducted as follows:

Invocation was given by Ricky Hall.

1. Ricky Hall made a motion for approval for the November 18, 2012 minutes, second by Bonnie Blalock. All voted in favor.
2. Melissa Guilbeau read request by SGRM for a Conditional Rezoning from Conditional Residential to Conditional Residential for Chandler Village Townhomes (CR1211).

Melissa Guilbeau explained that the property was rezoned to Conditional Residential in 2007 and that the owners are now proposing a new rezoning to develop twenty two townhomes on a public street.

Chris Foust, 1851 S Main St, Graham, spoke on behalf of the developer. He said they purchased Chandler Village two years ago. He added that the original plans approved in 2007 consisted of one type of unit. Mr. Foust said that the plans now are calling for units that vary in depth and consist of patios and sunrooms. Mr. Foust pointed out on the new maps show two additional lots. Mr. Foust said Scott Wallace from Keystone Group was present and available to answer any questions.

Andy Rumley asked if the infrastructure is in other than the street. Mr. Foust said that the pads are roughed in, water and sewer are on the site but those services and the main has not been run throughout at this time.

Dean Ward asked if these homes are one or two story. Chris Foust responded that they are both.

Dean Ward asked what type of façade will be used. Scott Wallace, 3708 Alliance Dr, Greensboro, President of Keystone Group, answered that the units will be brick on four sides and will include one and two car garages. He added that they will have high end amenities inside and upgraded trim.

Bonnie Blalock asked if these homes will be similar to the complex behind Stearns Ford in Burlington. Mr. Wallace said it will be similar.

Tim Beshel asked what the proposed square footage for each home will be. Mr. Wallace said the one story units will have approximately 1800-2000 square feet and the two story units will have approximately 1500-1700 square feet. He also added that the end units will have two car garages and the interior units typically have one car garages.

Dean Ward asked what type of landscaping or buffers will be used – specifically for the adjoining property owners along Rogers Rd. Mr. Wallace responded that they typically like doing planting

yards along with wrought iron fencing with brick columns. Mr. Wallace indicated that the planting yards proposed meet the City of Graham landscape requirements.

Dean Ward asked if any of the units proposed will have privacy fences between the units. Mr. Wallace said that typically, yes, they do install privacy fences. Andy Rumley stated that he believed that the pads for those units sat lower and would allow for a pretty good buffer between the proposed units and adjoining neighbors.

Ricky Hall asked if the guard rail along Moore St would be left or removed. Melissa Guilbeau stated that she is currently talking with DOT. Aden Stoltzfus, engineer on the project, said that he has spoken with Chuck Edwards of the NCDOT and Mr. Edwards is looking at getting the guard rail taken out.

Bonnie Blalock asked Mr. Wallace if he is planning on putting up the wrought iron fence with brick columns – much like the development in Burlington she referred to earlier. Mr. Wallace said yes and said they are very interested in the guard rail not being there.

Ricky Hall asked who will maintain the proposed bike path/pedestrian trail once it hits the property line to the edge of the pavement. Mr. Stoltzfus stated that the City of Graham requested the bike path/pedestrian trail and it was his belief that the City of Graham would maintain it. Melissa Guilbeau confirmed that the City of Graham will maintain it.

Ricky Hall asked what the width of the bike path/pedestrian trail would be. Mr. Stoltzfus said it would be ten feet with two foot shoulders as per the City of Graham requirements.

Andy Rumley asked if the rest of the property and grounds maintenance would fall under the HOA. Mr. Stoltzfus said it would.

Ricky Hall asked if parking would be allowed on the street. He expressed concern for only one way in and one way out for emergency services. Mr. Stoltzfus said the street will be 26 feet back-to-back. Melissa Guilbeau said that with it being a public street, the City of Graham can put up signs prohibiting parking and enforce parking on the street if needed.

Andy Rumley asked if the outside units are two car garages and the inside units will have one car garages. Mr. Wallace said that is correct. He said that even if the unit has a one car garage, they typically do a minimum 16 foot driveway that allows for two vehicles to be parked side by side.

Dean Ward motioned to approve the request with the following conditions:

1. Provide a multi-use path from the private drive to the unimproved Wilton Dr right-of-way as a bicycle and pedestrian connection.
2. Consider providing street trees along the private drive.

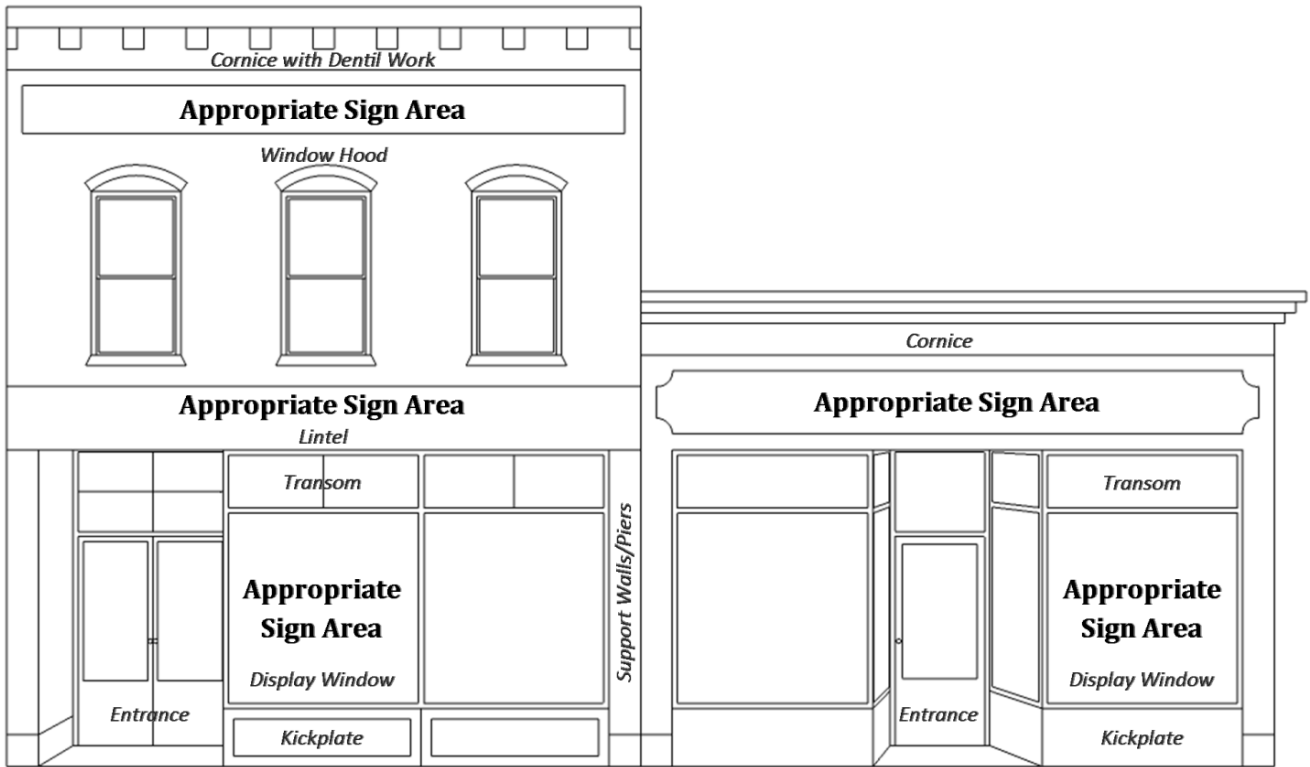
Second by Ricky Hall. All voted in favor.

3. Request of Melissa Guilbeau on behalf of the Historic District Commission for Text Amendment for Historic Guidelines for Sign. Ms. Guilbeau gave overview of proposed Text Amendment as follows:

On October 3, 2000, the City Council amended the Development Ordinance to allow additional sign guidelines in the Historic District. Staff uses these guidelines as a way to approve sign permits in the Historic District that abide by the guidelines; otherwise, all signs in the Historic District would be required to apply for a Certificate of Appropriateness through the Historic District Commission.

At its meeting on November 28, 2012, the Historic District Commission adopted a motion to request that staff amend the *Historic District Design Guidelines for Signs* to allow that the area labeled as “E” (the lintel) in Figure 1 be an “appropriate sign area.” The following text amendments to the Development Ordinance are proposed:

- Amend the *Historic District Design Guidelines for Signs*, Figure 1, to allow the lintel as an appropriate sign area, and to modify the drawing to place the labels directly on the drawing. (The current Figure 1 will be replaced by the drawing shown below.)



- Amend the Table of Contents to add the “Historic District Design Guidelines for Signs” as Appendix A.

Ricky Hall asked if lighted signs would be allowed or would the signs have to be more traditional in design. Melissa Guilbeau said she wasn’t sure right off hand what the guidelines say, but reminded the board that that portion of the guidelines wasn’t what is being proposed to be changed.

Tim Beshel asked what size sign could be put up. Ms. Guilbeau said signs are governed by current Sign Ordinance regulations.

Ricky Hall asked if this change was the request of a business owner in the downtown area or the Historic District Commission. Melissa Guilbeau said a business owner applied for a certificate of appropriateness that was presented to the Historic District Commission at the last meeting in November 2012, and that is what prompted this request from the Historic District Commission.

Ricky Hall said he feels that the Historic District Commission should review requests within the Historic District.

Andy Rumley asked if this Text Amendment is approved, would the business owners still have to go before the Commission to get their sign appropriateness approved. Melissa answered no and explained that this change in the Ordinance would allow staff to approve signs in the lentil area without having to go before the Historic District Commission.

Bonnie Blalock asked Melissa Guilbeau if she is able to approve sign decisions in areas other than the lentil area without going through the Historic District Commission. Ms. Guilbeau said she can currently approve signs in the area at the top of the one and two story buildings and in the window areas without going through the Historic District Commission.

Ricky Hall asked Melissa Guilbeau if she can already approve certain signs, what is the Historic District Commission asking for. Ms. Guilbeau said that staff be able to approve signs in the lentil area.

Bonnie Blalock asked if this change was to make the sign decisions more uniform. Andy Rumley asked if the sign request meets all the parameters, is it correct to think that the sign would be approved and this change in the Ordinance would eliminate one step in the approval process. Ms. Guilbeau answered that if the sign request meets the guidelines, she will be able to approve it. If the sign request doesn't meet the guidelines, then the Historic District Commission will have to approve it.

Ricky Hall inquired about signs on the side of buildings and whether or not the guidelines address sides of buildings. Melissa Guilbeau said the guidelines do not address the sides of buildings and she would have to forward those requests to the Historic District Commission.

Tim Beshel asked if the City would ask a business to remove a sign from the side of their building. Ms. Guilbeau responded by saying that the way the City's nonconforming sign ordinance is written, we do not ask someone to remove a nonconforming sign, but that the sign cannot be repaired or replaced for more than 50% of the sign's original value.

Tim Beshel added that he feels that if staff has the ability to approve signage for the top of a one story building, then he doesn't see any issues with staff approving signage in the lintel area.

Dean Ward referred to the Historic District Design Guidelines for Signs where it says: Signs for historic commercial buildings should be placed in locations originally intended for signage such as at the top of the storefront or on windows, doors, or awnings. Mr. Ward added that he believes these are the only places signs were intended to be placed.

Tim Beshel asked if there is a limit as to the number of signs a business can have. Melissa Guilbeau said that it's not a number of signs but rather a percentage of the façade – which in the B-1 district is 5% of the façade.

Ricky Hall motioned to deny the Text Amendment request, second by Dean Ward. Ricky Hall and Dean Ward in favor. Bonnie Blalock, Andy Rumley and Tim Beshel opposed. Motion did not carry.

Andy Rumley motioned to approve the Text Amendment request, second by Tim Beshel. Andy Rumley, Bonnie Blalock and Tim Beshel in favor. Ricky Hall and Dean Ward opposed. Motion

approved 3-2.

Melissa Guilbeau mentioned that the Board of Adjustment item is on the council's January 8, 2013 agenda and added that if the council approves that item, we are hoping to have them also go ahead and make the formal appointments. We can then have the Board of Adjustment training on the same night as the January Planning & Zoning meeting.

There being no further business the meeting was adjourned.

Respectively Submitted,  
Darcy Sperry  
Zoning Enforcement Officer



# STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

## New Mt. Zion Christian Church (CR1212)

**Type of Request:** Conditional Rezoning

### Meeting Dates

Planning Board on January 15, 2013

City Council on February 5, 2013 (tentative)

### Contact Information

Paul Dark, Pastor

PO Box 1054, Graham, NC 27253

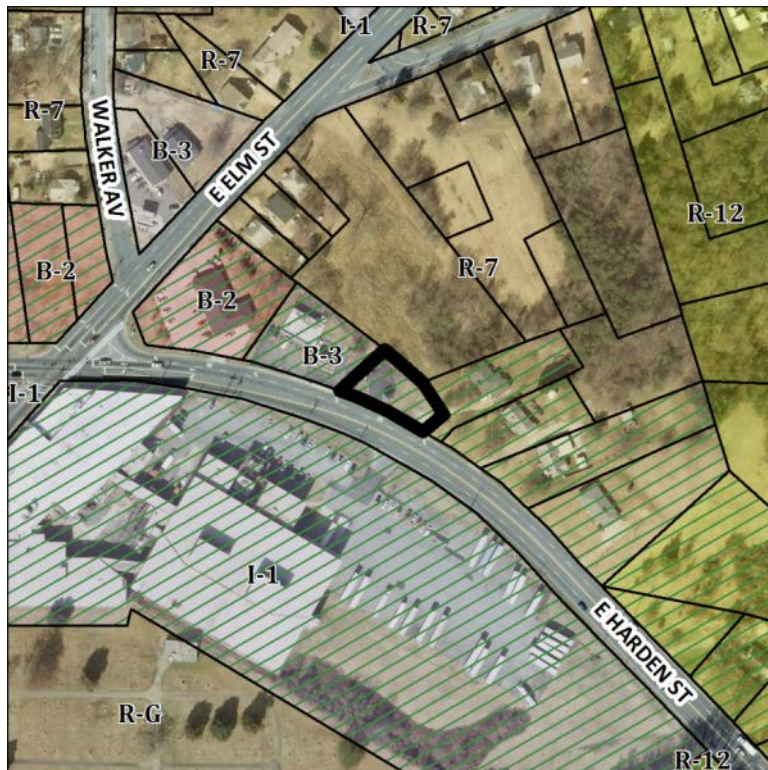
336-516-3132

Architect: Jeff Johnson, 336-226-5534

jjohnson@awck.com

## Summary

This is a request to rezone the subject property from B-3 to C-B. The applicant is proposing to construct a 1500sf church. The original church was constructed in 1950 and destroyed by fire in June 2012. The property is located in the E Harden St/Hwy 54 Overlay District.



### Project Name

New Mt. Zion Christian Church (CR1212)

### Location

414 E Harden St  
GPIN: 8884441801

### Size

0.218 acres

### Current Zoning

Neighborhood Business (B-3)

### Proposed Zoning

Conditional Business (C-B)

### Surrounding Zoning

R-7 & B-3

### Surrounding Land Uses

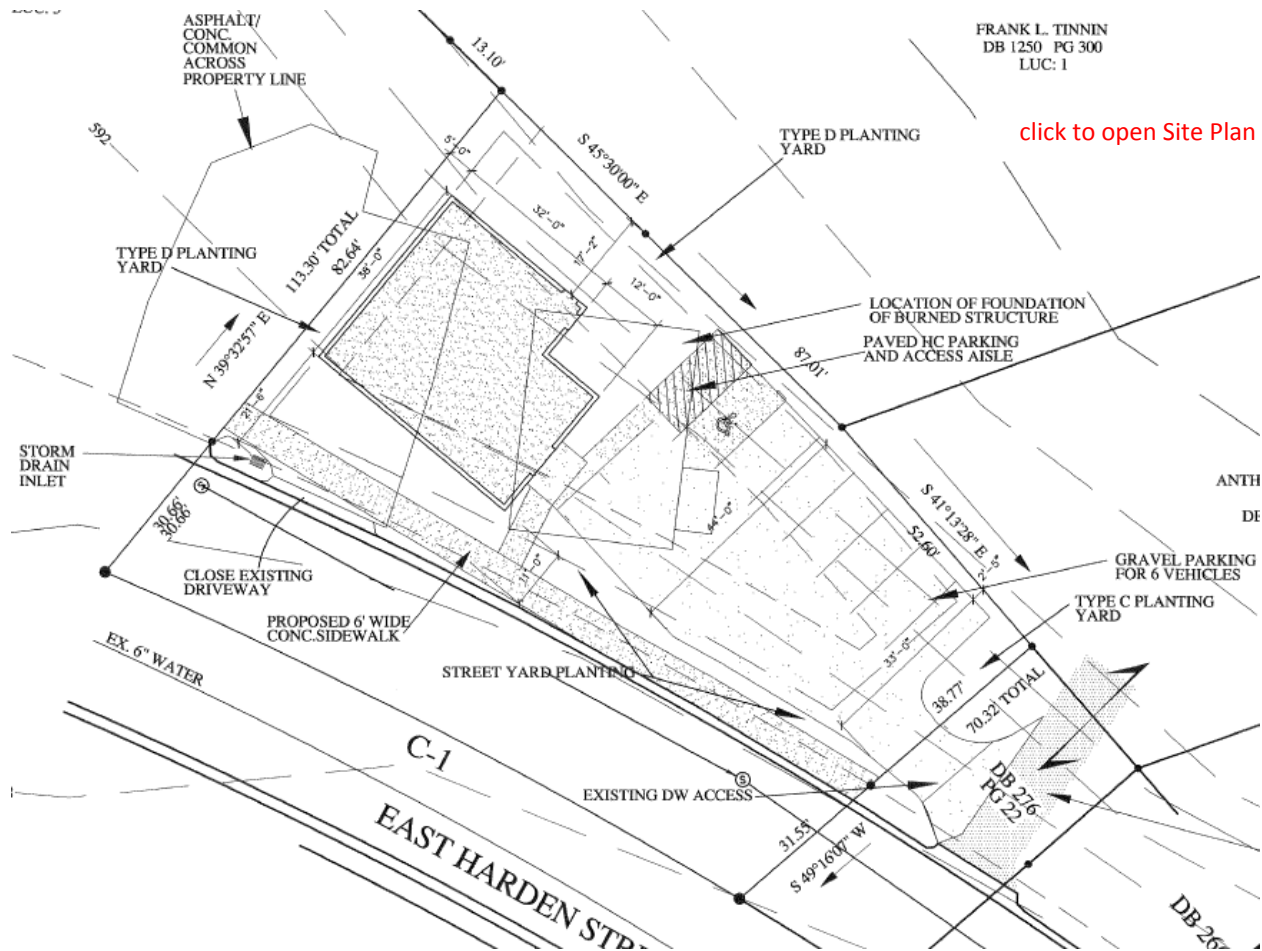
Single Family Dwelling,  
Convenience Store w/ Gas  
Pumps & Undeveloped

### Staff Recommendation

Approval

The applicant is proposing to rezone the property to C-B in accordance with the site plan prepared by Jeffrey S. Johnson of AWCK, dated April 30, 2012. The proposal is for a 1500sf church. The proposal includes the following specifics:

- Minimum setbacks as follows:
  - 20 feet from the front property line
  - 20 feet from the rear property line
  - 20 feet from the side property line near the existing residence
  - 10 feet from the side property line adjacent to the convenience store
- 7 off-street parking spaces in a gravel lot, including 1 paved handicap space
- Access to parking lot via driveway shared with adjacent residence
- Five-foot sidewalk along E Harden St, set back from the back of curb
- Planting yards in accordance with ordinance requirements



### Technical Review Committee

The Technical Review Committee reviewed the application and provided comments to the applicant via the City Planner. The applicant addressed all TRC comments, with the exception of the following:

- Consider a fence or wall between the church and the convenience store lot



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

**Planning District:** North

**Development Type:** Neighborhood Residential, near a Neighborhood Center node

### Applicable Goals to Guide Us into the Future

- 6.1.3. Enforce landscaping standards to help beautify and buffer development sites. *The proposal complies with minimum landscaping standards.*
- 6.1.3. Encourage the placement of utility wires underground. *There are overhead lines in this area. It is unclear whether utility wires to serve the building will be placed underground.*
- 6.2.1. Encourage the creation and use of alternative forms of transportation regionally and within the planning area. *This development will provide a sidewalk along E Harden St.*
- 6.2.1. Reduce and restrict the number of curb cuts and driveways along major arterials. *This development will share a driveway with an existing residence.*

### 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 development will replace a church that was destroyed by fire.*

### Graham Pedestrian Plan

- Recommends a five-foot wide sidewalk on both sides of E Harden St, from the existing sidewalks at Melville St to E Pine St, as a short-term project. *The project's sidewalk will help complete a portion of this recommended sidewalk project.*

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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 conditional rezoning**. The following supports this recommendation:

- The development complies with the Development Toolkit Checklist for Neighborhood Residential and Neighborhood Center and furthers a number of goals and policies of the *Growth Management Plan*.
- The development complies with the standards of the Development Ordinance, or proposes a decrease in the standard that would not have a negative effect.

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

Neighborhood Residential, near a Neighborhood Center node

#### **Development Toolkit Checklist**

Located near a major thoroughfare

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

Characteristics include open space; pedestrian-oriented; automobile-oriented; design requirements; sidewalks; street trees; landscaping; buffering/screening; parking provided on-site; controlled access; building orientation

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

Infrastructure includes water, sewer, street connectivity and underground utilities