

PLANNING ZONING BOARD

Tuesday, September 16, 2014

The Planning & Zoning Board held their regular meeting on Tuesday, September 16, 2014 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Ricky Hall, Bill Teer, Dean Ward, Michael Benesch, and Tim Beshel. Andy Rumley and Bonnie Blalock were absent. Staff members present were Melissa Guilbeau, City Planner and Martha Johnson, Zoning/Inspections Technician.

Vice Chair Ricky Hall called the meeting to order, led the Invocation and gave the Overview of the Board and general meeting rules.

1. Public comment on non-agenda items. There were none.
2. Approval of the August 19, 2014 meeting. Dean Ward made a motion for approval, second by Bill Teer. All voted in favor.
3. Committee Reports. There were none.
4. Old Business. There were none.
5. New Business
 - a. Wendy's at Kourescent (SUP8301). Request by Chris Clayton of Commercial Site Design for an amendment to the Special Use Permit for a Unified Business Development for property located at 835 S Main St (GPIN 8883195723 & 8883195412).

Melissa Guilbeau said this was a request to amend the Special Use Permit for a Unified Business Development that was issued in 1983 which is known currently as Kourescent Square. The amendment is specifically to demolish the Wendy's and rebuild it on the site. Ms. Guilbeau gave the Board a revised copy of the preliminary site plan.

Dean Ward stated he had done work for Walker Holding approximately 7 to 8 years ago but is not doing any work with them at this time. The Board all agreed that this would not call for Mr. Ward to be recused.

Chris Clayton from Commercial Site Design spoke representing the project. Mr. Clayton stated they had presented a site plan to TRC and the major issue was the 2 curb cuts into the shopping center parking lot. NCDOT wanted them to do away with the one near S Main St, which they did, and they also added sidewalks. Mr. Clayton distributed color pictures of the site to the Board.

Mr. Teer asked if this would be a larger building and Mr. Clayton said if it was it wasn't significantly larger. Mr. Clayton said they are proposing only one menu board for now but they are planning for two for future use. Mr. Teer asked when they proposed to start the project. Mr. Clayton said they will start construction early to mid-November and that construction would take 3 to 4 months.

Dean Ward asked if they were going to change the existing lighting for the parking lot. Mr. Clayton said they will have new lighting since it is a total redo of the property. Ricky Hall asked what the major concern from the TRC meeting was. Ms. Guilbeau said it was the sidewalks and to do away with the entrance closest to S Main Street so it would eliminate people blocking traffic there. Mr. Hall also asked if they had met stormwater requirements and Ms. Guilbeau said there were no stormwater requirements.

Mr. Hall stated he would like to see a right in and right out from the shopping center onto S Main Street which

would eliminate the potential of blocking traffic there. Mr. Clayton said that NCDOT didn't have issues with it and that his concern was that this was bringing the shopping center owner into the picture and that is more in their court than his clients. The right in and right out would affect the shopping center more than his client's development.

Mr. Ward asked what the traffic count per day is and Mr. Clayton said during peak hours it would be around 120. Mr. Benesch suggested widening the driveway into the shopping center parking lot. Mr. Clayton said Wendy's shouldn't have a problem with widening the driveway. Mr. Ward stated he has issues with the one point of egress. Mr. Ward said there are tons of cars at Wendy's during the day with the traffic bad at certain times of the day, turning the building he feels is a very good idea but he feels there needs to be another way in and out of that parking lot. Mr. Clayton said that NCDOT was adamant about closing the access that is closer to the nearest travel lane on S Main St.

Bill Teer made a motion to approve, second by Tim Beshel. Mr. Hall requested an amendment to the proposal with a right in and a right out and Mr. Teer agreed with that addition. Mr. Beshel was concerned about slowing down the process for Wendy's. It sounds like NCDOT has shot it down definitely. This project will be better for the City of Graham when it is finished and is definitely better than it is currently.

Ricky Hall said he would withdraw his amendment and that the Board goes with what the recommendation was originally. All members voted aye 5-0 and this is consistent with the City of Graham Growth Management Plan.

Dean Ward stated that he saw in the local paper that the Nicks Building was sold in a foreclosure proceeding and now we might be able to contact the new owner and address the issues there concerning the code violations. Mr. Ward wasn't sure who bought the property.

No further business the meeting was adjourned.

Respectfully Submitted,
Martha Johnson
Inspections/Zoning Technician