

**CITY OF GRAHAM
REGULAR AGENDA
TUESDAY, NOVEMBER 1, 2016
7:00 P.M.**

Meeting called to order by the Mayor
Invocation and Pledge of Allegiance

1. Consent Agenda:

- a. Approval of Minutes – October 4, 2016 Regular Session
- b. Honorary Resolution of Support

2. Recommendations from Planning Board:

- a. Public Hearing: Peak Resources (CR1401_A1). Request to change the approved Conditional Zoning site plan to permit a fence along North Main Street and remove front steps **(Request Withdrawn October 26, 2016)**
- b. Public Hearing: Text Amendments for the City of Graham Development Ordinances:
 - i. Overlay Districts (AM1620). Remove the 50% exemption for repainting from the Overlay, as well as to align the prohibited uses between the East Harden Street/Highway 54 and South Main Street/Highway 87 Overlay Districts
 - ii. Loading Berths (AM1621). Remove the requirement for new construction or renovations to install loading berths

3. Boards & Commissions Appointments:

- a. Historic Resources Commission Appointment (1 Vacancy)

4. Business Beautification Grant:

- a. Approve Resolution
- b. Approve Budget Amendment

5. The Park on Jim Minor Road:

- a. Approve Recommended Name of New Park

6. Connect NC Grant:

- a. Authorization to Make Application for Grant Funds

7. Issues Not on Tonight's Agenda

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, OCTOBER 4, 2016
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, October 4, 2016, in the Council Chambers of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Jimmy Linens
Council Member Griffin McClure
Council Member Chip Turner
Council Member Lee Kimrey

Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Nathan Page, Planning Director
Keith Whited, City Attorney

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Mayor Pro Tem Jimmy Linens gave the invocation and everyone stood to recite the Pledge of Allegiance.

Consent Agenda:

- a. Approval of Minutes – September 6, 2016 Regular Session*
- b. Tax Releases & Refunds*

CITY OF GRAHAM RELEASE ACCOUNTS				
<i>OCTOBER COUNCIL MEETING</i>				
<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
141465	2016	TRIAD COATINGS INC	OUT OF BUSINESS	84.93
657023	2016	WAY, ELIZABETH C	CLERICAL ERROR - ALAMANCE CO	108.85

- c. Request from the Graham Recreation and Parks Department to close the 100 block of W. Elm Street from 5:00 p.m. – 11:00 p.m. for the Thursday at Seven Concert Series on October 6, 2016*

Council Member Chip Turner made a motion to approve the Consent Agenda, seconded by Council Member Griffin McClure. All voted in favor of the motion.

Old Business:

a. Public Hearing: Text Amendments for the City of Graham Development Ordinances:

i. Harden Street Overlay (AM1618). A request by Patricia Mayzes to amend the Development Ordinance for the East Harden Street/Highway 54 Overlay District

Planning Director Nathan Page explained that the idea behind this amendment was to prohibit vehicle assembling, painting, upholstering, rebuilding, reconditioning, body and fender work with outside storage that is visible from public right of way in addition to utility building sales and sales of storage sheds and trailers in the East Harden Street/Highway 54 Overlay District.

Following a brief discussion between Council and Staff, Mayor Peterman opened the Public Hearing.

Mr. Dewey Brown, 1015 East Harden Street Graham, stepped forward and expressed concern that this amendment may be limiting the type of business he could have on a specific lot he owns along this corridor that at one time was a service station. Mayor Peterman advised that this amendment restricts auto body repair with outside storage that is visible from the public right of way, but that mechanical work and repair would be permitted.

With no further comments, Mayor Peterman closed the Public Hearing.

Council Members and Staff discussed adopting this for the South Main Street/Highway 87 Overlay District as well. Staff will add this to next month's agenda and advertise accordingly. Mayor Pro Tem Linens made a motion that the text amendment be approved and that the text amendment is consistent with The Graham 2035 Comprehensive Plan. Council Member Lee Kimrey seconded the motion and all voted in favor of the motion.

ii. Utility Buildings (AM1619). A request by Randy Freeman to amend the Development Ordinance for Utility Buildings

Mr. Page explained that this request would allow storage sheds, trailers and utility buildings to be sold in the B-2 District as a use by right. Mr. Page added that at last month's meeting, Council directed Staff to add language that would prohibit this in the Overlay Districts.

With no comments forthcoming, Mayor Peterman opened and closed the Public Hearing.

Mayor Peterman made a motion that the text amendment be approved and that the text amendment is consistent with The Graham 2035 Comprehensive Plan. Council Member Kimrey seconded the motion and all voted in favor of the motion.

b. Southern Loop:

i. Approve Resolution Withdrawing Support

Assistant City Manager Aaron Holland reminded Council that at last month's meeting, we discussed the history of the proposed Southern Loop project and the impact it has had on the City. At last month's meeting we heard from property owners that are having problems developing and/or selling property as a result of this project. Council agreed last month to withdraw their support for this project. Staff presented Council with a resolution withdrawing support for this project.

Following a reading of the resolution by Mayor Peterman, Council and Staff discussed the lack of interest in the project by the NCDOT and the TAC.

Mr. Jeremy Pace, 1840 Almond Lane Graham, encouraged council to approve this resolution.

Mayor Peterman made a motion to approve the resolution to withdraw support for the proposed Southern Loop Bypass Project, seconded by Council Member Kimrey. All voted in favor of the motion. Council Member Kimrey will present this resolution at the next TAC meeting.

<p style="text-align: center;">RESOLUTION WITHDRAWING SUPPORT FOR THE PROPOSED SOUTHERN LOOP</p> <p>WHEREAS, the NCDOT proposes a Southern Loop Bypass that begins at the intersection of NC-49 and Monroe-Holt Road and extends east to Cherry Lane near Jimmy Kerr Road; and</p> <p>WHEREAS, the current route was recommended by the Graham City Council at their public meeting on December 7, 2004; and</p> <p>WHEREAS, the Southern Loop Bypass has been part of a regional transportation plan since at least 1975 with no significant advancement towards construction; and</p> <p>WHEREAS, while this project is a component of the Burlington-Graham Urban Area Thoroughfare Plan, it is not currently funded or slated for future development; and</p> <p>WHEREAS, citizens of Graham have expressed concern that the City will be negatively impacted from traffic being steered away from the downtown business district and the proposed route has had an adverse effect on the sale and development of properties that neighbor and/or may be potentially acquired for the bypass;</p> <p>NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT the City's support for the planning and construction of the Southern Loop is hereby withdrawn.</p> <p>Adopted this the 4th day of October, 2016.</p>

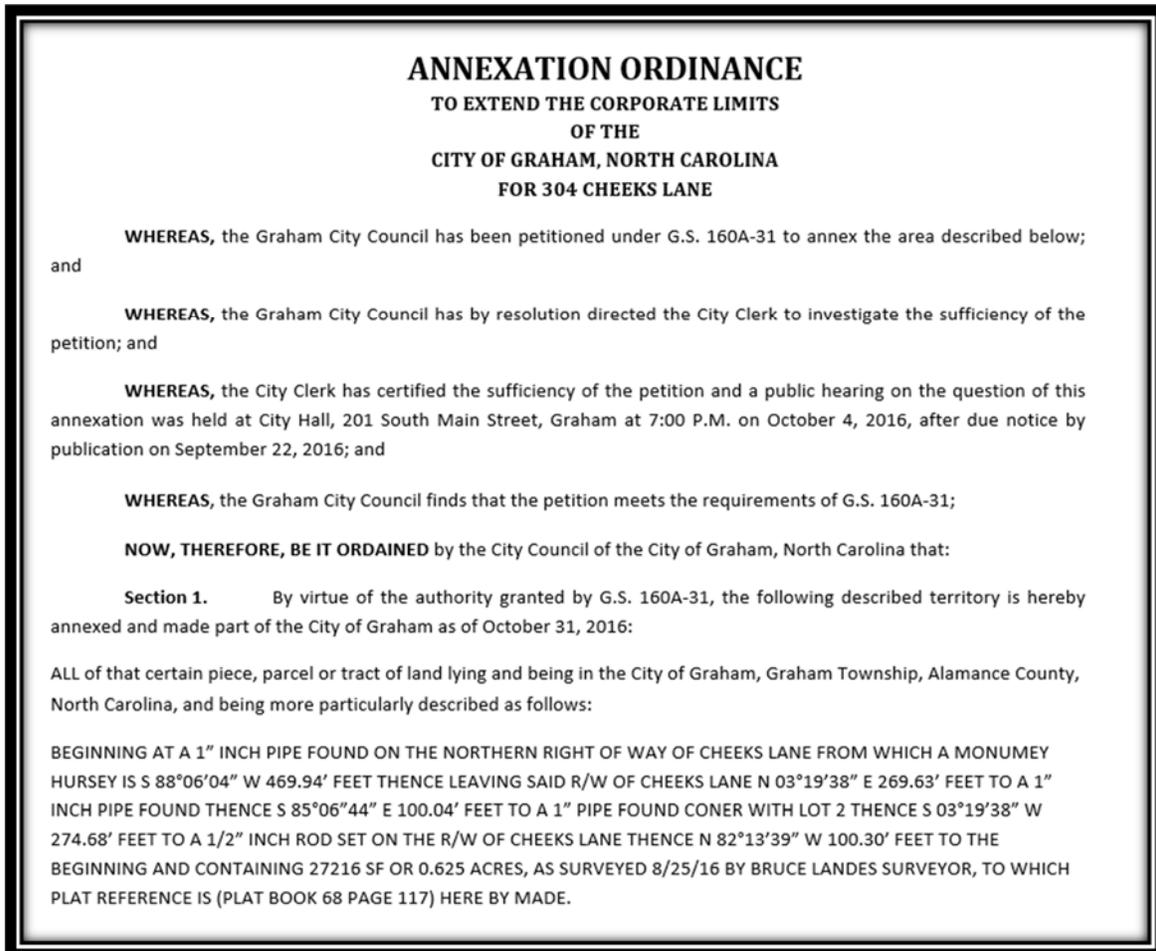
Requests and Petitions of Citizens:

- a. ***Public Hearing: Petition for Voluntary Contiguous Annexation at 304 Checks Lane (AN1602)***
 - i. ***Approve Annexation Ordinance***

Mr. Page advised that the attached petition seeks the Council's approval for an extension of the corporate limits to include the subject property. The area being considered for annexation is the parcel located at 304 Checks Lane (0.625 acres). He added that the annexation process has multiple steps and following a Public Hearing, approval of an Annexation Ordinance is the final step for Council in the annexation process. Mr. Page advised that this parcel has water availability but sewer service is not available at this time.

Mayor Peterman opened the Public Hearing and with no comments forthcoming, Mayor Peterman closed the Public Hearing.

Council Member McClure made a motion to approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for the property at 304 Cheeks Lane, seconded by Council Member Turner. All voted in favor of the motion.



Recommendations from Planning Board:

- a. **Public Hearing: Marshall B3 (RZ1606). A request from Jason Cook to rezone property located at 208 South Marshall Street from R-7 to B-3***

Mr. Page explained that this is a request to rezone the subject property from R -7 to B-3. He added that the lot is currently occupied by a single family home. Mr. Page advised that the stated reason for this rezoning request is to permit "a financial office." This property is located in and around the city's historic downtown area and is a part of a compact, connected and diverse neighborhood.

Mayor Peterman, Council Member McClure and Council Member Turner disclosed that they have invested money with Mr. Cook's business as a certified financial planner. City Attorney Keith Whited advised that does not present a conflict of interest in this matter, as none have a financial interest in the lot itself. With no further discussion forthcoming, Mayor Peterman opened the Public Hearing.

Mr. Jason Cook, 1895 Challenge Drive Graham, stepped forward to address Council. Mr. Cook advised that he is a member of the Graham Fire Department and owns an investment advisory firm. He stated that he currently rents office space and is looking for property to build a single tenant office building to house his financial business. Mr. Cook advised that if this rezoning is approved, he plans to have the existing house on this parcel demolished to make way for a new building.

Council Member Kimrey questioned Mr. Cook as whether or not he considered requesting the rezoning designation of O-I versus B-3, stating that B-3 does not allow for more than five employees. Mr. Cook stated that after speaking with Mr. Page, he chose to go with the B-3 rezoning request. Mr. Page advised that the Development Ordinance permits a financial office, bank in the B-3 district as a use by right.

With no further comments forthcoming, Mayor Peterman closed the Public Hearing.

Council Member Kimrey made a motion that the application be approved and that the application is consistent with The Graham 2035 Comprehensive Plan. Council Member Turner seconded the motion and all voted in favor of the motion.

Cooper Estates:

a. Approve Foreclosure Resolution

City Manager Frankie Maness explained that the City of Graham extended water and sewer lines to the Cooper Estates area between 2004-2006. The total cost of the project was \$3,061,421.85, where 39% (\$1,193,954.52) was levied against 166 properties that gained access to the new lines.

Assessment payments were due on November 6, 2006, unless landowners opted for installment payments or qualified for abeyance. The City Tax Collector has pursued all liens since 2006 but has exhausted all remedies except foreclosure. A total of 10 properties are outstanding and collectable. Mr. Maness added that the last step in the collection method is to authorize foreclosure.

Council Members and Staff discussed collection methods, properties who may have had a change in ownership over the past 10 years and how the foreclosure process works. Mr. Maness advised that the lien goes with the property and not the person. He added that notifying a potential new owner of a lien placed on the property is the responsibility of either the real estate agent or the attorney handling the closing. Mr. Maness said that in many cases, real estate agents and attorneys do check for liens on the property, but that is not always the case. Mr. Maness advised that some of the individuals have made payment arrangements with the City and for some reason or another, failed to adhere to those arrangements. Mr. Whited advised that while the debt stays with the property, the right to foreclose on the property goes away 10 years after the assessment roll was published – which in this case was November 6, 2006. Mr. Whited advised that November 6, 2016 is the last day to begin the foreclosure process on these properties.

With no further comments forthcoming, Mayor Pro Tem Linens made a motion to approve the Resolution Authorizing Foreclosure on Properties with Outstanding Liens for Cooper Estates Water and Sewer Assessments, seconded by Council Member McClure. All voted in favor of the motion.

RESOLUTION AUTHORIZING FORECLOSURE ON PROPERTIES WITH OUTSTANDING LIENS FOR COOPER ESTATES WATER AND SEWER ASSESSMENTS

WHEREAS, the extension of water and sewer lines to the Cooper Estates area was ordered by resolution of the City Council on the 7th day of September 2004 at a cost of \$3,061,421.85; and

WHEREAS, the Assessment Roll for the water and sewer extensions to the Cooper Estates area was duly confirmed by the City Council and the assessments thereon duly levied on the 5th day of September, 2006, at 9:25pm; and

WHEREAS, Assessments shown on the Assessment Roll were due in full without interest to the Tax Collector of the City of Graham no later than the 6th day of November 2006, or any property owner may have elected to pay the assessment in five (5) annual installments, the first installment being due and payable without interest on the 6th day of November, 2006. The succeeding installments were due and payable on the same date in each of the four (4) succeeding years with interest added at a rate of two percent (2%) per annum beginning on the 7th day of November, 2007; and

WHEREAS, some properties shown on the Assessment Roll remain unpaid with the City having exhausted all other collection remedies; and

WHEREAS, General Statute § 160A-233 (c) authorizes that assessment liens may be foreclosed under any procedure prescribed by law for the foreclosure of property tax liens, except that lien sales and lien sale certificates shall not be required, and foreclosure may begin at any time after 30 days after the due date.

NOW, THEREFORE, BE IT RESOLVED by the Graham City Council that the City Attorney and Tax Collector are authorized to proceed with foreclosure remedies afforded by the North Carolina General Statutes for the properties identified below:

GPIN	PARCEL	CUSTOMER	ADDRESS
8883933222	145296	FINE, PAUL D & CATHY C	1026 MARTIN AVE
8883931179	145293	FINE, PAUL D & CATHY C	VL MARTIN AVE
8883831089	145159	GUTHRIE, MICHAEL K & JUDY C	911 DOGWOOD LN
8883921993	145279	HERNANDEZ, FILEMON & CELINA	1011 MARTIN AVE
8883820913	145137	KINCHELOE, BRADLEY & JENNIFER	849 MARTIN AVE
8883935215	145299	OVERBEY, PAUL T & NANCY G	1919 COOPER RD
8883841357	145189	TURLINGTON, JAMES F & ELLEN W	VL CHEEKS LN
8883738058	145033	Wicker, Steven & Neta	829 MARTIN AVE
8883923890	145284	Murray, Kenneth Jr & Eva Doris Brady	1955 COOPER RD
8883733546	145022	McCraw, Michelle Lee	775 Martin Ave

Adopted this 4th day of October 2016.

Business Beautification Grant Discussion:

Mayor Peterman explained that the idea of a Beautification Grant is the result of discussions had at last month's meeting with regards to signs and shrubbery throughout the City. Mr. Maness added that Staff did take ideas from our Façade Grant program when putting together the criteria for this possible future program. He said that Staff believes that City participation in such a program will forward the goals for our future corridors even faster. He advised that Staff concluded that the inclusion of sidewalks ties into our sidewalk pedestrian plan. Including landscaping can help address some of the nonconforming site elements along the City's corridors. Mr. Maness stated that Staff would like feedback from Council and told Council that this ultimately comes down to a budgetary issue for the Council. Mr. Holland added that Staff has heard from business owners outside of the downtown area who have inquired as to what the City has to offer them with respect to enhancement of their businesses.

Council Member Kimrey asked that language be added to the proposed program stating that applicants must be in good standing with all City departments. Council Member Kimrey also asked that language be added to read: applicant agrees to maintain all improvements in “like new” condition for a period of five years after completion of the work or until the property is sold. Mayor Peterman said that Council will have to decide how much money they will consider funding for this proposed grant. Council Members were in agreement that this grant should match the Façade Grant’s total of \$15,000 per year.

Mrs. Elaine Murrin, co-chairman of the Graham Appearance Commission stepped forward to discuss the program with Council. Mrs. Murrin had recently been given a copy of the draft prepared by Staff and told Council she is thrilled with the possibility of a program of this nature and the Appearance Commission’s role in determining how funds are allocated. Mrs. Murrin questioned the draft’s statement that the program is only open to those businesses along the City’s corridors. After a brief discussion, Council asked Staff to open the program to all business owners within the corporate limits of Graham.

Council asked that Staff to confer with the Appearance Commission and prepare a final proposal that can be presented at the November 1, 2016 Council meeting.

Issues Not on Tonight’s Agenda:

Mayor Pro Tem Linens sent condolences to the family of Mr. Tim Matthews, who recently passed away.

Council Member McClure asked Council to consider addressing the City’s aesthetic appeal with regards to signage throughout the City. He added that the lack of a welcome sign in Graham frustrates him. Council Member McClure stated that with the creation of new jobs in the Graham area, time is of the essence to do something to attract new residents and more businesses to Graham.

Council Member Kimrey inquired as to whether or not there would be any public notice given to business owners with regards to last month’s approval of the Third Party Reporting Requirements added to the City’s Fire Code in our Code of Ordinances. Mr. Maness said Staff will address this with business owners.

At 8:25 p.m. Council Member Kimrey made a motion to adjourn, seconded by Council Member McClure. All voted in favor of the motion.

Darcy Sperry, City Clerk

**RESOLUTION IN SUPPORT OF NAMING THE BRIDGE OVER I40 JIMMY
KERR ROAD AFTER JIM COVINGTON**

WHEREAS, Mr. Jim Covington has owned and operated Jim’s Hot Dog & Hamburger in Graham, for over 50 years; and

WHEREAS, Jim served as Past Master of the Bingham Masonic Lodge in Mebane, North Carolina; Past President of the Burlington Shrine Club in Burlington, North Carolina; Past Potentate Amran Temple in Raleigh, North Carolina and Past Chairman of the North South Shrine Bowl; and

WHEREAS, his commitment as Chairman of the Burlington Shriners Fish Fry for over 38 years as well as his commitment to providing financial assistance and feeding those less fortunate should be commended; and

WHEREAS, Jim has been an active member of the Hawfields Presbyterian Church in Mebane, North Carolina for 86 years, having served as a Deacon and on the Board of Elders.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT: it is the desire of the City Council to extend their support in naming the bridge over I40 Jimmy Kerr Road after Mr. Jim Covington.

This the 1st day of November 2016.

**Jerry Peterman, Mayor
City of Graham**

PLANNING ZONING BOARD
Tuesday, October 18, 2016

The Planning & Zoning Board held their regular meeting on Tuesday, October 18, 2016 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Dean Ward, Ricky Hall, Andy Rumley, and Michael Benesch. Members absent were Bonnie Blalock and Kenneth Dixon. Staff members present were Nathan Page, Planning Director, Frank Glover, Planning Intern, and Martha Johnson, Zoning/Inspections Technician.

Andy Rumley called the meeting to order and gave the Overview of the Board, general meeting rules and Ricky Hall gave the invocation.

1. Approval of the September 20, 2016 meeting minutes. Ricky Hall made a motion for approval, second by Dean Ward. All voted in favor.

2. New Business:

a. CR1404_A1 Peak Resources. To change the approved conditional zoning site plan to permit a fence along N. Main Street and remove the front steps. Dain Seale spoke representing Peak Resources 215 College St. Mr. Seale stated the main intent of the fence is to keep patients from walking into the street and this was an extra measure for their safety due to the heavy traffic on N Main Street and also is another reason for eliminating the steps and the section of the sidewalk that ties in there at the front. This is not a front door to the facility it is actually a door into the dining hall. Mr. Seale said the fence will be a black 4' tall aluminum fence and will have brick pillars every 24' and will match the brick on the building.

Several of the Board members had issues with cutting off a main access point for emergency services, adding a gate, and that the removal of the steps had already taken place. Dean Ward made a motion to allow the fencing, on all three streets, reinstall the steps and connect to the sidewalk. Also adding a gate with the approval of the Graham Fire Department with a locking device and the fence constructed will be the same as photos shown at the meeting. Ricky Hall seconded the motion, all voted aye.

b. AM1620 Overlay Districts. To remove the 50% exemption for repainting from the overlay, as well as to align the prohibited uses between Highway 54 and Highway 87 districts. Mr. Page read the uses that shall not be allowed in the S Main Street Overlay District from the staff report. Ricky Hall made a motion to approve, second by Michael Benesch. The vote was 3 to 1 with Dean Ward dissenting.

c. AM1621 Loading Berths. To remove a requirement for new construction or renovations to install loading berths. Mr. Page explained the summaries of the separate sections 10.240, 10.243, and 10.244. Ricky Hall made a motion to remove the unnecessary burden on development for approval, second by Dean Ward. All voted aye.

3. Old Business

a. Discussion of *Downtown Economic Development Ideas*. Mr. Page stated the information he had gotten was inquiries from other Planners, books he had read, some from Planning magazines and some from google searches.

The following ideas were discussed:

- Spec buildings with public private partnerships
- Increase funding for façade grants and improvements- maybe include a program for interior renovations

- Planning Department Budget – create a bike/greenway plan, or a vision plan, or a small area plan
- Main Street USA Program
- Increase Community Involvement
- Shop Local/increase awareness for downtown retail establishments

The Board asked questions and made a lot of comments. They felt like these suggestions were all good ideas for the City of Graham to further discuss. The possibility of grants were talked about and Mr. Page said that staff couldn't do it but the Planning Board could help. The members felt these items should be on the table for City Council to look at and possibly having joint meetings with them.

Debarah Wilson 110 Home Avenue spoke. Ms. Wilson was on the Appearance Commission for a couple of years and in the past has done research on other cities and their Main Streets and their downtown development items. Ms. Wilson stated there is a lot of interest in our downtown area now by different groups and she said that she feels confident that the Appearance Commission and the Tree Board will be behind whatever the Planning Board decides to do.

4. Public comment on non-agenda items

No further business the meeting was adjourned.

Respectfully Submitted,
Martha Johnson
Inspections/Zoning Technician



Application for REZONING or CONDITIONAL REZONING

Page 12 of 41
Tower 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: 217 COLLEGE / 600 N. MAIN ST

Tax Map#: 145631 / 145641 GPIN: 8884072069
8884075145

- 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: VACANT

Total Site Acres: 5.8

Property Owner: PEAK RESOURCES - GRAHAM

Mailing Address: 101 BAYNES CT

City, State, Zip: CARY NC 27511

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: HAROLD NUNN

Mailing Address: 101 BAYNES CT

City, State, Zip: CARY NC 27511

Phone #: 919 290-2722

Email: HPNUNN@PEAKRESOURCESINC.COM

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

Harold P. Nunn 11/24/14
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:

Proposed use is Nursing Home, approximately 75,000 SF single story building. Also, request includes larger sign (up to 100 SF).

*REVISION IS FOR FENCE ADDITION ALONG MAIN STREET. SEE RECEIVED ATTACHED FOR NOV 25 2014 MORE DETAIL. CITY OF GRAHAM INSR / P.Z.

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# CR1404



STAFF REPORT

Prepared by Nathan Page, Planning Director

Peak Resources, Amendment 1 (CR1404_A1)

Type of Request: Conditional Rezoning

Meeting Dates

Planning Board on October 18, 2016

City Council on November 1, 2016

Contact Information

Harold Nunn

101 Baynes Ct, Cary, NC 27511

919-290-2722; hpnunn@peakresourcesinc.com

Summary

This is a request to change the conditional zoning of the property. The property is located in the North Main Street Historic District, which is listed on the National Register of Historic Places. The stated intention of the amendment is to add a fence along Main Street, and to remove the connection to the public sidewalk.



Location

215 College St

GPIN: 8884072069

Current Zoning

Conditional Office and Institutional (C-O-I)

Proposed Zoning

Conditional Office and Institutional (C-O-I)

Overlay District

none

Surrounding Zoning

R-7, R-MF, O-I & I-1

Surrounding Land Uses

Single Family Houses, Multi-family dwellings, Park, Churches, Light Industrial

Size

5.8 acres

Public Water & Sewer

Water along Main & College
Sewer along Main, Parker & College

Floodplain

none

Staff Recommendation

Approval, with conditions

Conformity to *The Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Applicable Planning District Policies and Recommendations

- This location is identified as a Community Activity Center, which includes a mix of retail in a pedestrian oriented environment (pg. 37). *Because the plan focuses on walkability, and N Main Street is an integral portion of the network, it would be beneficial to have the area be as inviting as possible. The proposed fence may change the character of the walkway.*

Graham Pedestrian Plan

- Recommends a five-foot sidewalk on this section of College St as a mid-term project. *The proposal includes a 5' sidewalk along College St.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval of the conditional rezoning, with the following condition:**

- If possible, the restricted access portion of the structure should face on College or W. Parker streets, and leave the entry to N Main Street intact.

Description of Development Type

Downtown Residential

Located near a major thoroughfare

For single family residential

Characteristics include sidewalks on both sides, street trees at 30-40 feet intervals, and block lengths less than 600 feet

Density of 3 to 6 DU/acre

Infrastructure includes water, sewer, street connectivity and underground utilities



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 Graham 2035 Comprehensive Plan" 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 Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

**Peak Resources
(CR1602)**
Type of Request
Rezoning
Meeting Dates
Planning Board on October 18, 2016
City Council on November 1, 2016

- I move to recommend **APPROVAL** of the application as presented.
- I move to recommend **APPROVAL** with the following conditions:
 - The sidewalk and steps be as originally approved, with a connection to the public sidewalk
 - The fence, and railing around the porch, both have a gate with a width and locking device approved by the fire department
- I move to recommend **DENIAL**.

-
- The application is consistent with *The Graham 2035 Comprehensive Plan*.
 - The application is not fully consistent with *The Graham 2035 Comprehensive Plan*.
-

The action is reasonable and in the public interest for the following reasons:

This report reflects the recommendation of the Planning Board, this the 18th day of October, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Martha Johnson, Secretary



City Council Decision & 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. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Peak Resources (CR1404_A1)

Type of Request

Amendment to Conditional Rezoning

Meeting Dates

Planning Board on October 18, 2016
City Council on November 1, 2016

Choose one...

- I move that the application be **APPROVED**.
- I move that the application be **APPROVED with the following conditions**.
- The sidewalk and steps be as originally approved, with a connection to the public sidewalk
 - The fence, and railing around the porch, both have a gate with a width and locking device approved by the fire department
- I move that the application be **DENIED**.

Choose one...

- The application is **consistent** with *The Graham 2035 Comprehensive Plan*.
- The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

State reasons...

This action is reasonable and in the public interest for the following reasons:

This report reflects the decision of the City Council, this the 1st day of November, 2016.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk



STAFF REPORT

Prepared by Nathan Page, Planning Director

Text Amendment for: Section 10.420

Overlay Districts

Type of Request: Text Amendment

Meeting Dates

Planning Board on October 18, 2016

City Council on November 1, 2016

Contact Information

Not applicable

Summary

The Planning Board proposes to amend the *Development Ordinance*, Article XI, Section 10.420. Nonconforming Uses and Situations as well as to align the prohibited uses between the Highway 54 and Highway 87 Overlay Districts. *Currently, this language enables actions out of alignment with the overall goals of the Overlay District.*

The following amendments to the Development Ordinance are proposed:

Existing Language:

Section 10.420 Nonconforming Uses and Situations

Any structure proposed to be painted 50% or more shall conform to the color requirements of this Article. For all other Nonconforming Uses and Situations, refer to Article IV., DIVISION 2. NONCONFORMING USES AND SITUATIONS and Article X., Section 10.394 Nonconforming Signs of the *Development Ordinances*.

Proposed Language:

Section 10.440 Prohibited Uses

The following uses shall not be allowed in the South Main Street Overlay District:

Adult Entertainment; All Incinerators; Asphalt Mixing Plant; ~~Auto Repair with outside storage visible from South Main Street;~~ Vehicle assembling, painting, upholstering, rebuilding, reconditioning, body and fender work with outside storage that is visible from public right of way; Bars (as principal use); Campgrounds, commercial; Flea Market; Hazardous Waste Facilities; Jails; Junkyards, Salvage Yards; Landfill, Demolition Debris; Landfill, for Household and Commercial Waste; Manufactured Dwelling Park; Manufactured Home Sales; Medical Waste Operations; Pawnshops; Petroleum and Petroleum Products Storage, over 100,000 gallons; Racetracks for automobiles, motorcycles; Recycling Facility; Sexually Oriented Business; Shooting Range, Indoor; Shooting Range, Outdoor; Tattoo Business; Towers, Cellular and Digital Communications (excludes government uses); Towers, Radio and Television; Used Tire Sales; Utility Building Sales, Sales of Storage Sheds and Trailers.

Project Name

Overlay Districts (AM1620)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

Section 10.420 [Reserved]**Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans****Strategy 1.1.1 Wayfinding and Gateways**

Develop an upgraded “wayfinding” and signage system for installation along gateways and corridors. Designate gateways for entrances to the historic downtown area, and further develop plans for public improvements and landscaping in the gateway areas. *The Overlay Districts have begun to affect development in our approach corridors. However, this section seems to be incongruous with the intent of the overlay, and could permit very garish painting of buildings within the section. Removal would require all new painting comply with the standards within the Overlay.*

Planning District

All

Development Type

All

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Staff Recommendation

Based on the comprehensive plan, staff **recommends approval** of the text amendment. The following supports this recommendation:

- The proposed amendment will promote a more uniform appearance along both of our primary gateways.



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 Graham 2035 Comprehensive Plan" 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 Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Overlay Districts (AM1620)

Type of Request

Text Amendment

Meeting Dates

Planning Board on October 18, 2016

City Council on November 1, 2016

I move to recommend **APPROVAL** of the application as presented.

I move to recommend **DENIAL**.

The application is consistent with *The Graham 2035 Comprehensive Plan*.

The application is not fully consistent with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

The proposed amendment will promote a more uniform appearance along both of our primary gateways.

This report reflects the recommendation of the Planning Board, this the 18th day of October, 2016.

Attest:

Andy Rumley
Andy Rumley, Planning Board Chairman

Martha Johnson
Martha Johnson, Secretary



City Council Decision & 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. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Overlay Districts (AM1620)
Type of Request
Text Amendment
Meeting Dates
Planning Board on October 18, 2016
City Council on November 1, 2016

Choose one...

- I move that the text amendment be **APPROVED**.
- I move that the text amendment be **DENIED**.

Choose one...

- The text amendment is **consistent** with *The Graham 2035 Comprehensive Plan*.
- The text amendment is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

State reasons...

This action is reasonable and in the public interest for the following reasons:

This report reflects the decision of the City Council, this the 1st day of November, 2016.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk



STAFF REPORT

Prepared by Nathan Page, Planning Director

Text Amendment for: Sections 10.240, 10.243, and 10.244 Off Street Loading Berths

Type of Request: Text Amendment

Meeting Dates

Planning Board on October 18, 2016

City Council on November 1, 2016

Summary

Lee Kimrey proposes to amend the *Development Ordinance*, Article IV, Division 11, Section 10.240 Off-street Parking, 10.243 Off-street loading in business and industrial districts, and 10.244 Additional Parking Requirements for the B-1 District. *See below for summaries of separate sections.*

The following amendments to the Development Ordinance are proposed:

Existing Language:

Section 10.240 Off-Street Parking

Where the city council determines that the off-street parking requirements of this section would impose undue hardship upon development it may reduce or waive off-street parking requirements for that lot. *This could potentially grant a variance for new development without the higher standard of requirements that is necessary. The waiver is also permissible through a conditional rezoning, in which case the Council could place additional requirements to offset any negative effects due to the failure to comply with the Development Ordinance.*

Section 10.243 Off-street loading in business and industrial districts

The number of off-street loading berths required by this section shall be considered as the minimum and the developer shall evaluate his own needs to determine if they are greater than the minimum specified by this section. For the purposes of this section an off-street loading berth shall have minimum dimensions of 12 feet by 25 feet with 14 feet of clearance overhead with adequate means of ingress and egress. A loading space requirement may be modified by the board of adjustment on application in the case of a bank, theater, assembly hall, office building, or other building with limited loading space requirements.

- (1) *Structures up to 25,000 square feet* for structures containing up to 25,000 square feet of gross floor area, one berth shall be required.
- (2) *Larger structures.* For structures containing 25,000 square feet or more of gross floor area, the number of berths specified in the table below shall be provided:

<i>Square Feet of Gross Floor Area</i>	<i>Requires Number of Berths</i>
25,000 - 40,000	2

Contact Information

Lee Kimrey

410 Raven Ct, Graham NC 27253

lkcllc@aol.com, 336-261-8562

Project Name

Loading Berths (AM1621)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

40,000 - 100,000	3
100,000 - 160,000	4
160,000 - 240,000	5
240,000 - 320,000	6
320,000 - 400,000	7

Plus one additional berth for each 90,000 square feet above 400,000.

The requirement to have a loading dock for all new construction restricts redevelopment as well as new retail spaces through requiring infrastructure that may not be necessary, or of an improper size, for the intended use. Additionally, it may be that this was added at a time when large, bulk goods were the predominant output of manufacturing rather than the trend toward smaller and more service oriented facilities.

Section 10.244 Additional Parking Requirements for the B-1 District

Buildings constructed, or converted to commercial use, after the effective date of this article which have access to a public alley shall provide off-street loading and unloading berths as required in section 10.243 above.

The requirement to have a loading dock for all new construction restricts redevelopment as well as new retail spaces through requiring infrastructure that may not be necessary, or of an improper size, for the intended use. Additionally, it may be that this was added at a time when large, bulk goods were the predominant output of manufacturing rather than the trend toward smaller and more service oriented facilities.

Proposed Language:

Section 10.240 Off-Street Parking

Where the city council determines that the off-street parking requirements of this section would impose undue hardship upon development it may reduce or waive off-street parking requirements for that lot.

Section 10.243-10.244 [Reserved]

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Policy 2.1.6 Locally Owned Businesses Facilitate the creation and growth of small locally-owned businesses and support programs that provide technical and financial assistance to promote sustainable operation practices. *The requirement to provide a loading dock increases the cost of construction for a local retailer, who may or may not need such for their business. Local Businesses typically do not have the capital to invest in unnecessary infrastructure.*

<u>Planning District</u>
All
<u>Development Type</u>
All

Strategy 2.1.5 Reduce Barriers Work with local businesses and economic development partners to identify and address unnecessary barriers to local business development. *Removing unneeded requirements from the Development Ordinances lowers the cost of construction and thus allows for additional development.*

Policy 2.3.1 Downtown A vibrant downtown is critical for Graham’s economic success. Graham’s downtown is a priority when considering incentives, investments, regulations and marketing. Encourage entertainment options to locate within Graham’s downtown. *The loading berth requirement for*

alleyways may only affect properties in the downtown. As such, they stifle development where the Plan calls for the most innovation.

Policy 2.3.2 Innovative spaces, spaces of Innovation Graham promotes the development of flex space, live-work units, and adaptive structures for office, retail and light industry. *For the downtown, the requirement of a loading berth may increase the price of a structure intended to be mixed-use, thus requiring that all construction in the area be for single-use only.*

Policy 5.1.1 Housing Variety Encourage a mix of housing types within Graham to increase choice. These can include single family dwelling units, multifamily dwelling units, small units, pre-fabricated homes, co-housing, and clustered housing. *The removal of this requirement makes it more feasible to have live-work units, as a loading berth would not be required for each new non-residential use.*

Policy 5.2.1 Diverse Neighborhoods Encourage a mix of housing types within Graham including detached, duplex, multifamily, townhomes, and live-work units. *The removal of this requirement makes it more feasible to have live-work units, as a loading berth would not be required for each new non-residential use.*

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Staff Recommendation

Based on the comprehensive plan, staff **recommends approval** of the text amendment. The following supports this recommendation:

- The proposed amendment removes an unnecessary burden on development.



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 Graham 2035 Comprehensive Plan" 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 Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Loading Berths (AM1621)
Type of Request
Text Amendment
Meeting Dates
Planning Board on October 18, 2016
City Council on November 1, 2016

- I move to recommend **APPROVAL** of the application as presented.
- I move to recommend **DENIAL**.

- The application is consistent with *The Graham 2035 Comprehensive Plan*.
- The application is not fully consistent with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

The proposed amendment removes an unnecessary
burden on development

This report reflects the recommendation of the Planning Board, this the 18th day of October, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Martha Johnson, Secretary



City Council Decision & 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. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the "The Graham 2035 Comprehensive Plan" and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Loading Berths (AM1621)

Type of Request
Text Amendment

Meeting Dates
Planning Board on October 18, 2016
City Council on November 1, 2016

Choose one...

- I move that the text amendment be **APPROVED**.
- I move that the text amendment be **DENIED**.

Choose one...

- The text amendment is **consistent** with *The Graham 2035 Comprehensive Plan*.
- The text amendment is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

State reasons...

This action is reasonable and in the public interest for the following reasons:

This report reflects the decision of the City Council, this the 1st day of November, 2016.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk

RECEIVED
JUN 07 2013
CITY OF
GRAHAM



Volunteer Application City of Graham Boards and Commissions

If you are a City of Graham resident or reside in the extra-territorial jurisdiction (ETJ), at least 18 years, and are willing to volunteer your time and expertise to your community, please complete and return to:

By mail: City of Graham, Attn: City Clerk, PO Drawer 357, Graham, NC 27253
By email: aburgess@cityofgraham.com
By Fax: (336)570-6703

For questions, call: (336)570-6700

Please check all Boards and Commissions on which you would be willing to serve:

Extra-territorial residents can only serve on the Board of Adjustment or the Planning Board

- | | |
|---|--|
| <input type="checkbox"/> Alcohol Beverage Control (3 years) | <input type="checkbox"/> Canine Review Board (3 years) |
| <input type="checkbox"/> Board of Adjustment (3 years) | <input checked="" type="checkbox"/> Planning Board (3 years) |
| <input type="checkbox"/> Appearance Commission (4 years) | <input type="checkbox"/> Recreation Commission (3 years) |
| <input type="checkbox"/> Graham Housing Authority (5 years) | <input type="checkbox"/> Tree Board (3 years) |
| <input type="checkbox"/> Graham Historical Museum (3 years) | <input checked="" type="checkbox"/> Historic District Commission (4 years) |
| <input type="checkbox"/> Graham Sports Hall of Fame (6 years) | |

If you are currently serving on a Board in the City of Graham, please list:

N/A

Personal Information

Name: Hank Dietz

Mailing Address: 312 West Elm Street, Graham, NC 27253-2806

Home Address (if different) _____

Home Phone: 336-229-0939 Work Phone: 336-420-6297

Employer: Dietz & Associates, LLC Position: CIO

Email Address dietz1980@triad.rr.com

Civic Involvement (please list the names of civic organizations in which you hold current membership):

N/A

Please list any work, volunteer, and/or educational experience that you would like us to consider

N/A

Why do you wish to serve the City in this capacity?

To preserve the history of Graham and insure its availability to future generations.

RECEIVED

OCT 05 2016

CITY OF GRAHAM



Volunteer Application
City of Graham Boards and Commissions

If you are a City of Graham resident or reside in the extra-territorial jurisdiction (ETJ), at least 18 years, and are willing to volunteer your time and expertise to your community, please complete and return to:

By mail: City of Graham, Attn: City Clerk, PO Drawer 357, Graham, NC 27253
By email: dsperry@cityofgraham.com
By Fax: (336)570-6703

For questions, call: (336)570-6700

Please check all Boards and Commissions on which you would be willing to serve:

Extra-territorial residents can only serve on the Board of Adjustment or the Planning Board

- Alamance County Library Committee (2 years)
Alcohol Beverage Control (3 years)
[X] Appearance Commission (4 years)
Board of Adjustment (3 years)
Canine Review Board (3 years)
Graham Historical Museum (3 years)
Graham Housing Authority (5 years)
Graham Sports Hall of Fame (6 years)
[X] Historic Resources Commission (4 years)
Planning Board (3 years)
Recreation Commission (3 years)
Tree Board (3 years)

If you are currently serving on a Board in the City of Graham, please list:

Appearance Commission

Personal Information

Name: Denise Baker
Mailing Address: 112 N. Main St. Suite 301
Home Address (if different)
Home Phone: 919 724 8327 Work Phone:
Employer: Juvenile Crime Prevention Position: Paralegal
Email Address: denisebaker179@gmail.com

Civic Involvement (please list the names of civic organizations in which you hold current membership):

Kiwans, United Methodist Women

Please list any work, volunteer, and/or educational experience that you would like us to consider

GRAHAM Appearance Commission Vice Chair & member

Why do you wish to serve the City in this capacity?

I live in Downtown Graham. so I would like to participate in what affects the Historical district.



STAFF REPORT

SUBJECT:	BUSINESS BEAUTIFICATION GRANT PROGRAM
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

1. Approve Resolution establishing the City of Graham Business Beautification Grant Program.
2. Approve 2016-2017 Budget Ordinance Amendment.

BACKGROUND/SUMMARY:

At the October 4th City Council meeting, the Council and staff discussed the potential of creating and offering a grant opportunity for nonresidential properties within the city. It was the general consensus of the Council to move forward with a resolution and formal application to be considered at the November 1st meeting for the establishment of the Business Beautification Grant Program.

The program intends to offer financial assistance in the form of a grant to nonresidential property owners and is to be used to help offset the cost of improving the street-side appearance of existing buildings and site features in accordance with current regulations. Projects are funded up to a 50% match with the maximum City contribution being \$5,000. Site work eligible for funding includes, but not limited to: installation of public or handicap accessible sidewalks, signage, and landscaping. Funding may also be used toward the removal of non-conforming or illegal site elements such as signage. The Council requested that the grant program be modeled similar to the existing Façade Grant Program with the Graham Appearance Commission administering the program.

FISCAL IMPACT:

In an effort to match the \$15,000 funding of the Façade Grant Program, a budget amendment is required to increase total General Fund expenditures by \$15,000 for FY 2016-2017.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

1. I move we approve the Resolution establishing the City of Graham Business Beautification Grant Program.
2. I move we approve the 2016-2017 Budget Ordinance Amendment to provide \$15,000 in funding for the City of Graham Business Beautification Grant Program.

RESOLUTION ESTABLISHING THE BUSINESS BEAUTIFICATION GRANT PROGRAM

WHEREAS, the Graham City Council strongly supports the beautification and enhancement of the of the City and has determined that it is in the best interest of the residents to establish a Business Beautification Grant Program; and

WHEREAS, the Business Beautification Grant is a matching grant program designed to encourage private investment through the renovation and rehabilitation of existing properties within the corporate limits of Graham.

NOW, THEREFORE, BE IT RESOLVED by the Graham City Council that a Business Beautification Grant Program is hereby authorized and established, and shall include the following criteria at a minimum:

1. Eligible properties must be nonresidential and within the corporate limits;
2. Current or proposed uses of the property must conform to applicable zoning regulations and non-conforming uses are not eligible;
3. Applicant shall not have any outstanding debt to the city and must be in good standing with all city departments;
4. Eligible projects must improve the street-side appearance of existing buildings and site features which include but are not limited to: installation of public or handicap accessible sidewalks, signage, and landscaping. Funding may also be used toward the removal of non-conforming or illegal site elements such as signage;
5. Grants are limited to 50% of the project cost with the maximum City contribution being \$5,000.

BE IT FURTHER RESOLVED that the City of Graham Appearance Commission is charged with administering the Business Beautification Program.

Adopted this 1st day of November 2016.

ATTEST:

Jerry Peterman, Mayor

BE IT ORDAINED BY THE CITY COUNCIL of the City of Graham that the 2016 - 2017 Budget Ordinance shall be and is hereby amended as follows:

Section 1: General Fund Expenditures			
	APPROVED	AMENDED	DIFFERENCE
10-6600-5750 Business Beautification Grant	0	15,000	15,000
Section 2: General Fund Revenues			
10-3900-0000 Fund Balance	892,000	907,000	15,000

This the 1st day of November, 2016.

Jerry Peterman -
Mayor

ATTEST:

Darcy Sperry, City Clerk



2016-2017 Business Beautification Grant Overview

The Business Beautification Grant is a matching grant program designed to encourage private investment in the renovation and rehabilitation of existing properties within the corporate limits of Graham. The program offers financial assistance in the form of a grant to non-residential property owners and is to be used to help offset the cost of improving the street-side appearance of existing buildings and site features in accordance with current regulations.

All applications will be considered on a case-by-case basis and are subject to available funds. The Graham City Council has allotted \$15,000 to be made available for this budget-year's grant program.

Program Eligibility

- Applicants may be either owners or current tenants (with landowner's consent) of existing non-residentially-developed properties fronting on a roadway corridor in the city.
- Current or proposed use of the property must conform to applicable zoning regulations.
- Non-conforming uses are not eligible.
- Applicant shall not have any outstanding debt to the city and must be in good standing with all city departments.

Eligible Expenses

- Site work eligible for funding includes but not limited to: installation of public or handicap accessible sidewalks, signage, and landscaping. Funding may also be used toward the removal of non-conforming or illegal site elements such as signage.
- All contractor expenses incurred by the applicant for material and labor are eligible for reimbursement.
- The finished product must match the drawings and materials submitted by the applicant and approved by the city.
- Partial or incomplete work is not eligible for reimbursement.

Award/Reimbursement Procedures

- Applications will be accepted on a continuous basis and will be considered by the City of Graham Appearance Commission and are subject to available funds.
- Project scope, cost and proposed building elevations/materials and site improvements must be approved in advance by the city.
- Only one (1) award will be made per owner or tenant within a twelve month period, per platted lot. New applicants will be given priority.
- Projects are funded up to a 50% match, with the maximum City contribution being \$5,000.
- Payment will be made by the city within forty-five (45) days after completion of the project and city approval of applicant's written request for reimbursement.
- Project must be completed within 180 days of notice of award.
- Applicant agrees to maintain all improvements in "like new" condition for a period of five (5) years after completion of the work or until the property is sold.



Property Information	Applicant Information
Street Address:	Name:
Tax Parcel ID#:	Phone Number:
Owner's Name:	Email:
Use of Building:	Relationship to Property <i>(check one)</i> :
Business Name <i>(if applicable)</i> :	Property Owner <input type="checkbox"/> Tenant/Business Owner <input type="checkbox"/>

2016-2017 Business Beautification Grant Program Application

Description of Proposed Improvement

Write a succinct description below and attach 1) an existing photo of the project area and 2) a drawing, sketch or picture of the proposed improvement.

Total Estimated Cost *(lowest bid quote)*: \$ _____ *Attach at least two itemized cost estimates for proposed work.*

I [have / have not received any other grant funding for the proposed improvement. *If you answered "Have", please state from what source and how much.*

Checklist for a Complete Application

- I have read the City of Graham Business Beautification Grant Program Overview and fully understand the agreement.
- I have met with the City Building Inspector. My project [does / does not - The owner's written and signed permission is attached, if applicant is not owner. *(Not applicable)*
- An existing picture of the project area and a drawing, sketch and/or picture of the proposed improvement are attached.
- At least two itemized project cost estimates are attached.

I understand that the City of Graham Business Beautification Grant Program must be used in the manner described in this application, and the application must be approved by the Graham Appearance Commission prior to commencement

of any project. **I understand** that failure to comply with the approved application may result in a forfeiture of all grant funds.

Applicant Signature

Date

DRAFT



STAFF REPORT

SUBJECT:	NAMING OF PARK ON JIM MINOR ROAD
PREPARED BY:	MELODY L. WIGGINS, DIRECTOR OF RECREATION AND PARKS

REQUESTED ACTION:

Approve the official name of the new park located on Jim Minor road.

BACKGROUND/SUMMARY:

The Recreation and Parks Commission recommends to the City Council that the new park on Jim Minor Road be named "GRAHAM REGIONAL PARK".

FISCAL IMPACT:

The naming itself will not have a fiscal impact on the city.

STAFF RECOMMENDATION:

Approval

SUGGESTED MOTION(S):

I make a motion to name the new park located on Jim Minor Road, the "Graham Regional Park".



STAFF REPORT

SUBJECT:	APPLICATION FOR CONNECT NC BOND GRANT
PREPARED BY:	MELODY L. WIGGINS, DIRECTOR OF RECREATION AND PARKS

REQUESTED ACTION:

Authorize the staff of the Recreation and Parks Department to apply for the one time Connect NC Bond Grant.

BACKGROUND/SUMMARY:

The Connect NC Bond Grant Program is a one - time grant that allows governing bodies to apply for grants up to \$500,000.00 to “build special recreational facilities or adapt existing facilities in parks that meet the unique needs of children and/or veterans with physical and developmental disabilities.” The master plan for the new park on Jim Minor Road has an inclusive playground in the master plan. An Inclusive playground is an intergenerational playground designed for all individuals to play together regardless of any physical challenges or disabilities. An inclusive playground goes beyond ADA accessibility by focusing on all types of disabilities, temporary or permanent and not just for those confined to wheelchairs. This grant allows the city to potentially receive grant funding for a project already planned.

FISCAL IMPACT:

The grant requires at least a 20% match and has a maximum award of \$500,000.00. The proposed project, including the fenced playground, parking lot, restroom and water fountain is estimated at \$850,000.00. Therefore, the City of Graham would be required to contribute \$350,000. If awarded, the project has 3 years to be completed.

STAFF RECOMMENDATION:

The staff recommends that authorization be given to apply for the Connect NC Bond Grant.

SUGGESTED MOTION(S):

I make a motion to authorize the Recreation and Parks Department Staff to apply for the Connect NC Bond Grant for an inclusive playground.



North Carolina Parks and Recreation Trust Fund

Connect NC Bond Grant Program for Children and Veterans with Disabilities

Grant Application



*Natural and
Cultural Resources*



North Carolina Parks and Recreation Authority



Division of Parks and Recreation
Department of Natural and Cultural Resources

Connect NC Grant (CNCB) Grant Program Requirements and Resources

Program Summary

- **Availability of Grant Funds:** Three million dollars is available from the Connect NC Bond package. This one-time funding will be awarded in 2017.
- **Eligible Applicants:** North Carolina counties and incorporated municipalities are eligible to apply.

Public authorities, as defined by GS 159-7, are also eligible if they are authorized to develop recreation facilities for public use.
- **Eligible Projects:** Grants can be used to build special recreational facilities or adapt existing facilities in parks that meet the unique needs of children and/or veterans with physical and developmental disabilities.

Land acquisition projects are not eligible. A project must be located on a park single site.
- **Maximum Request:** Applicants can request a maximum of \$500,000 with each application.
- **Local Match:** An applicant must match the grant with at least one dollar (\$1.00) of local funds for every four dollars (\$4.00) in grant funds.

The value of in-kind services, such as the applicant's force account labor or volunteer work, cannot be used as part of the match
- **Site Control:** The applicant must have legal control of the park property where the CNCB-assisted facilities will be located (page 8).
- **Public Use:** Park areas and recreational facilities must be open and accessible to the public at large with no restrictions such as membership.
- **Application Deadline:** *Only information received or post marked by 5:00 p.m. on December 1, 2016 will be accepted.* Mailed applications must include a tracking number.
- **The Application Checklist** (page 6) contains the list of documents needed for a complete application.
- **Selecting Recipients:** The Parks and Recreation Authority, a board appointed by the Governor and the General Assembly, selects the applicants who will receive a grant. The factors that the Authority members consider include the following:
 - the applicant's project description/ justification page
 - the application's ranking based on the scoring system
 - the geographic distribution of funds across North Carolina
 - the population of the applicant
 - the amount of CNCB funds that the applicant is requesting
 - the amount of CNCB funds available
 - a review of the applicant's previous grants.

Would You Like Help with Your Application?

- Electronic copies of the application are available at the DPR web site: ncparks.gov/cncb. Read the entire application carefully and start early.
- Attend the workshop about completing a CNCB application. The workshop will be held from 9:00 a.m. until noon on July 20, 2016 at videoconference sites at various university and other sites. To attend, register at the RRS web site [registration page](#). The workshop will also be streamed via the internet.
- The Division of Parks and Recreation (DPR) provides technical assistance to local governments through a contract with Recreation Resources Service (RRS) at N.C. State University. Use the RRS home page (<http://rrs.cnr.ncsu.edu>) to contact your regional consultant to discuss the PARTF project you are proposing.

