



# Planning Board

## Meeting Agenda

March 21, 2017 at 7:00 PM  
Council Chambers, 201 S Main St

Meeting Called to Order, Invocation, and Overview of Board and general meeting rules

1. Approve minutes of the January 17, 2017 meeting
2. New Business
  - a. **Appearance Commission (AM1701)** Request by the City of Graham Appearance Commission to rewrite their enabling ordinance.
  - b. **Mallard Care Home (SUP1701)** Request by Garry Wiley for a Special Use Permit to allow a Family Care Home at 304 Mallard Creek Drive.
  - c. **Steve's Rezoning (CR1701)** Request by Justin Long to rezone 329 and 331 W Harden Street from Light Industrial (I-1) to Conditional Business (C-B).
3. Public comment on non-agenda items

Adjourn

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

# PLANNING ZONING BOARD

Tuesday, January 17, 2017

The Planning & Zoning Board held their regular meeting on Tuesday, January 17, 2017 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Ricky Hall, Andy Rumley, Michael Benesch and Dean Ward. Members absent were, Bonnie Blalock and Kenneth Dixon. Staff members present were Nathan Page, Planning Director, and Frank Glover, Planning Intern. Andy Rumley called the meeting to order, gave the Overview of the Board, and general meeting rules. Ricky Hall gave the invocation.

1. Approval of the November 15, 2016 meeting minutes. Ricky Hall made a motion for approval, second by Michael Benesch. All voted in favor.

## 2. New Business:

**A. S Main B-2 (RZ1607)** Request by Jonathan Zachary (RZ1607) to rezone property at 918 S Main St from Residential (multi-family) R-MF to Business (general) B-2

Robin Hendricks of 303 Treasure Trail, Greensboro spoke on behalf of the property owner Mr. Zachary. She encouraged the Board to rezone the existing property from R-MF to B-2. Mary Darnell, 1208 Brookview Dr, Elon also spoke to back up what was said by Robin Hendricks.

Eric Crissman of 208 Albright Ave and Tom Boney of 114 W Elm Street, spoke, asking for more information and offering feedback on this agenda item.

MaryAnn Ward, 314 Mattie Florence Drive, a neighboring resident of Graham spoke, mentioning that she was at the meeting to just gather information.

Jonathan Zachary, the property owner spoke, proposing that the entirety of his property be rezoned to B-2. He asserted that not rezoning his property would impact the value of his land.

Ricky Hall motioned to recommend approval and Michael Benesch seconded the motion. All voted aye.

**B. Longdale Residential (RZ1608)** Request by Joe Sizemore (RZ1608) to rezone property located on Longdale Dr from Residential (low/medium density) R-18/R-12 to Residential (high density) R9

Larry Carrol, 228 E Queen St, Hillsborough, representing Mr. Sizemore, requested the Board Members consider rezoning the property to R-9.

Ricky Hall made a motion to approve and Dean Ward seconded. All voted aye.

**C. PB Residency (AM1622)** Request by City Council to require members of the Planning Board reside within the City of Graham.

Eric Crissman asked clarifying questions. Tom Boney expressed concern given the residency status of Chair Andy Rumley.

Ricky Hall motioned to send the request back to the City Council with no changes. Dean Ward seconded. All voted aye.

## 3. Old Business

### a. Grant Applications

Nathan suggested that the City maintain focus on the downtown economic revival by applying for Main Street Grants. The Planning Board suggested the possibility of hiring additional staff within the department.

4. Public comment on non-agenda items. None.

No further business, Ricky Hall motioned that the meeting be adjourned and Andy Rumley seconded, all agreed. Meeting was adjourned at 8:05 PM

Respectfully Submitted,  
Frank Glover Planning Intern



# STAFF REPORT

Prepared by Nathan Page, Planning Director

## **Text Amendment for: Article VI. Appearance Commission**

**Type of Request:** Text Amendment

## **Meeting Dates**

Planning Board on March 21, 2017

City Council on April 4, 2017

## **Contact Information**

N/A

## **Summary**

The Appearance Commission has proposed a rewrite of their enabling language within the Development Ordinance.

## **The following amendments to the Development Ordinance are proposed:**

Existing Language:

### **Section 10.290 Created; duties**

There is hereby created a commission to be known as the Graham appearance commission. The duties and functions of the commission shall be as follows:

- (1) The appearance commission shall be an advisory board to the mayor and city council and shall have no administrative duties.
- (2) The appearance commission is established for the purpose of promoting, planning, advising and encouraging the citizens of Graham to participate in providing for an appreciation of aesthetic values.
- (3) The appearance commission may accept gifts or bequests with the approval of city council.

### **Section 10.291 Membership; appointments**

The appearance commission shall be composed of 15 members, appointed by the city council. The commission shall consist of a minimum of 14 residents of the city; one member may be a nonresident of the city who resides in its planning and zoning jurisdiction.

### **Section 10.292 Officers; voting**

The appearance commission shall elect a chairman, a vice-chairman and a secretary from its membership. Each member shall have the right to vote on any question

### **Section 10.293. Meetings**

The appearance commission may adopt a suitable time and place for its meetings.

### **Project Name**

Appearance Commission  
(AM1701)

### **Location**

city-wide

### **Current Zoning**

not applicable

### **Proposed Zoning**

not applicable

### **Overlay District**

not applicable

### **Staff Recommendation**

see below

**Section 10.294. Removal**

A member of the appearance commission may be removed by the city council for cause and upon the recommendation of at least 10 members of the commission, provided that any member who misses two consecutive meetings without cause may be removed by the city council.

**Section 10.295. Term of office**

Terms of office for commission members shall be four years. Nothing in this section shall affect the terms of members first appointed. Members may be appointed to succeed themselves.

**Sections 10.296-10.309 Reserved**

---

Proposed Language:

**Section 10.290 Created; duties**

The purpose of the Appearance Commission shall be to serve as an advisor to City Council by identifying and making recommendations for ways to improve the appearance of the City of Graham.

The duties of the Appearance Commission will be to:

- a. develop a partnership between citizens, private organizations, businesses, and government agencies for the purpose of bringing attention to the City of Graham through visual appeal;
- b. promote programs for business owners that will assist them in making improvements to the exterior façade of their establishments;
- c. encourage community involvement by initiating and planning events that will contribute to the City's aesthetic appeal;
- d. serve as a resource for residents seeking information regarding issues throughout the City that have an impact on its appearance.

**Section 10.291 Membership; appointments**

The Appearance Commission shall be limited to a total membership of seven (7) persons. Members of the Appearance Commission will be appointed by the Graham City Council. Appearance Commission members shall serve a three-year term and may be appointed to subsequent three-year terms. If a member leaves mid-term, that vacancy will not be filled until the following term. If a conflict of interest, as defined under Section 10.2, should arise for a member, they will be required to bring it to the attention of the Commission and abstain from discourse and voting regarding such matters. Members serving on the Appearance Commission will be required to reside within the city limits or ETJ of Graham, NC for the entirety of their term.

**Section 10.292 Meetings**

The Graham Appearance Commission shall hold regularly scheduled meetings on a day and time agreed upon by a majority of the members. Any member who misses two meetings during the current year may be subject to removal from the Appearance Commission.

**Section 10.293 Distribution of Funds**

Request and administration of funds necessary to support the activities of the Appearance Commission

are the responsibility of the Commission Chairman. Approval for funding requests for Commission-sponsored activities will come from a vote by the Appearance Commission.

**Section 10.294                      Voting**

Each regular member shall have one vote equal in weight. A quorum consists of at least 50% of current Commission membership and voting members must be present for any binding vote to take place.

**Section 10.295                      Officers**

The Appearance Commission shall elect a Chair, Vice-Chair, and Secretary by a majority vote of the Commission members present. Officers will serve for a period of one term (~~September through June~~). Officers may succeed themselves for an indefinite period based on Commission approval and subsequent voting. An officer can be removed from his/her position by a vote that is two-thirds of quorum. Advance notice of the motion to remove an officer must be given to the officer seven (7) days prior to the meeting at which the vote on the motion will be taken.

**Section 10.296-10.309                      Reserved**

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

Not applicable.

**Applicable Planning District Policies and Recommendations**

- Not applicable; city-wide.

**Planning District**

All

**Development Type**

All

---

**Staff Recommendation**

Due to the amendment being recommended by the Appearance Commission, staff feels the City Council should use their discretion to determine the alignment with their vision for the future of the City.

- The proposed amendment, being proposed by the Appearance Commission, more clearly defines the future requirements and duties for Appearance Commission Members.



## 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.*

### Appearance Commission (AM1701)

#### Type of Request

Text Amendment

#### Meeting Dates

Planning Board on March 21, 2017

City Council on April 4, 2017

☐ 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:

---

---

---

This report reflects the recommendation of the Planning Board, this the 21<sup>st</sup> day of March, 2017.

Attest:

---

Andy Rumley, Planning Board Chairman

---

Martha Johnson, Secretary



# STAFF REPORT

Prepared by Nathan Page, Planning Director

## Mallard Care Home (SUP1701)

**Type of Request:** Special Use Permit

### Meeting Dates

Planning Board on March 21, 2017

City Council on April 4, 2017

## Contact Information

Garry Wiley

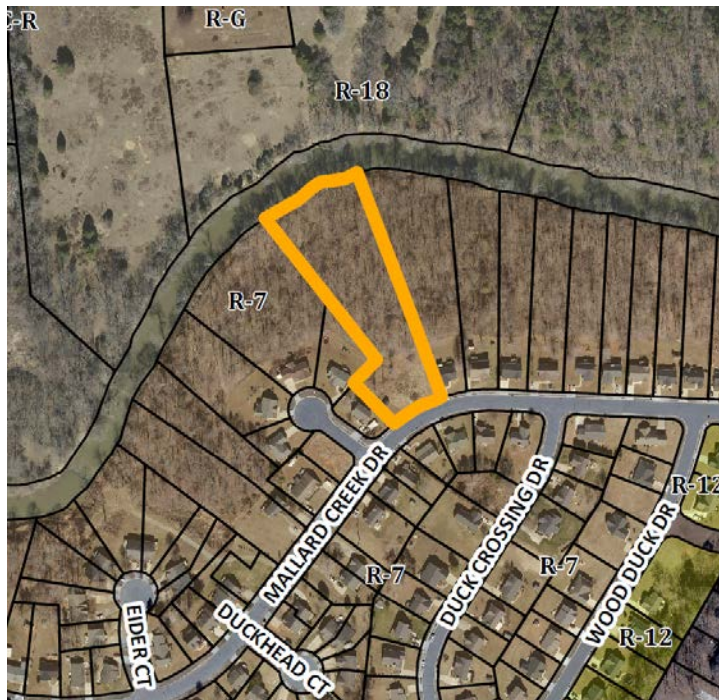
839 Wilkesboro Blvd. Hickory, NC 28645

336-340-8752

[gwiley@umhs.net](mailto:gwiley@umhs.net)

## Summary

This is a request for a Special Use Permit for a Family Care Home for property located at 304 Mallard Creek Drive. There is an existing single family dwelling on the site.



Under the current Development Ordinance, a Family Care Home is a facility that provides room and board to between 2 to 6 residents with disabilities in a family environment. Granting this Special Use Permit would permit up to 6 unrelated individuals to reside within the unit.

### Location

304 Mallard Creek Dr

GPIN: 8882488202

### Current Zoning

Residential (high density)  
(R-7)

### Proposed Zoning

n/a

### Overlay District

none

### Surrounding Zoning

R-7, R-18

### Surrounding Land Uses

Single Family, and Vacant

### Size

2.17 acres

### Public Water & Sewer

Yes

### Floodplain

Yes

### Staff Recommendation

Approval



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

**Planning Type:** Neighborhood

**Development Type:** Suburban Residential

### Applicable Policies;

- 5.1.1 Housing Variety. Encourage a mix of housing types within Graham to increase choice. These can include single family dwelling units, multi family dwelling units, small units, prefabricated homes, cohousing, and clustered housing. *The Special Use Permit will allow a house which meets the requirements of a Family Care Home to service more than one individual.*
- 4.3.1 Land Use Patterns. Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *The site would use existing city infrastructure.*

#### **Planning Type**

Neighborhood

#### **Development Type**

Suburban Residential

For single family residential, new neighborhoods may include duplexes

Include sidewalks, tree coverage, small and medium-sized lots, a variety of housing choices.

Density of 3 to 6 DU/acre

## DRAFT Findings of Fact and Conclusions

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.
  - *The property is zoned R-7, and a Family Care Home is permitted with a Special Use Permit in R-7.*
2. Conditions specific to each use, identified by the Development Ordinance, are complied with.
  - *There is a single condition; that it be further than ½ mile from existing Family Care Homes. There are no permitted Family Care Homes within a ½ mile of the location.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
  - *The use of the location as a Family Care Home will not materially endanger the public health or safety.*
4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.
  - *The use of the location as a Family Care Home will not substantially injure the value of adjoining property.*
5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.

- *The proposed Family Care Home is located in a neighborhood residential section of Graham, and is in general conformity with The Graham 2035 Comprehensive Plan.*
6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.
- *All said items are equal to or in excess of the NC Building Code for single family dwellings.*

---

### **Staff Recommendation**

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit. The following supports this recommendation:

- The development furthers goals of *The Graham 2035 Comprehensive Plan* and is in conformance with the Suburban Residential development type.
- The development meets all six conditions required by Section 10.144 of the *Development Ordinance*.



# Application for SPECIAL USE PERMIT

P.O. Drawer 357  
201 South Main Street  
Graham, NC 27253  
(336) 570-6705  
Fax (336) 570-6703  
www.cityofgraham.com

Uses shown as "S" in the *City of Graham Development Ordinance*, Section 10.135 Table of Permitted Uses, require a Special Use Permit before the use will be permitted in the zoning district. Applicants are strongly encouraged to consult with the City Planner to understand the requirements for the proposed special use and the information that will be needed as part of this application.

## Site

Street Address: 304 Mallard Creek Drive  
Tax Map#: 143134 GPIN: 8882488202  
Current Zoning District(s): R-7  
Overlay District, if applicable:  
☐ Historic ☐ S Main St/Hwy 87 ☐ E Harden St/Hwy 54  
Current Use: Single-Family  
Property Owner: Tee Jay & Amanda Bondurant  
Mailing Address: 304 Mallard Creek Drive  
City, State, Zip: Graham, NC, 27253  
Phone # (336) 675-5937  
Email: tjandamanda@bellsouth.net

## Applicant and Project Contact

Name: Universal Mental Health  
☐ Property Owner Other Healthcare Agency  
Mailing Address: 839 Wilkesboro Blvd.  
City, State, Zip: Lenoir, NC, 28645  
Phone # (336) 340-8752  
Email: gwiley@umhs.net

I certify that all information furnished is true to the best of my knowledge. I have provided all information needed to demonstrate that all requirements of the proposed special use will be met.

[Signature] 2-6-17  
Signature of Applicant Date  
[Signature] 2-6-17  
Signature of Property Owner Date  
(if other than applicant)

Office Use Only, DEVID#

SUP1701

## Proposed Special Use

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

Family Care Home

☐ Check if this use is also listed in  
Section 10.149 Special uses listed

This application **must include sufficient information** to demonstrate that all requirements of the proposed special use will be met. Check which of the following are submitted with this application:

☐ Preliminary Site Plan  
☒ Descriptive Information

The personal home will be licensed with the state of North Carolina as a AFL( Alternative Family Living) 5600F. The home would follow all DHSR licensure rules (SUBCHAPTER 27G - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES) to remain in compliance with state regulations. The purpose of licensure of this residence would give the home owners the ability to provide support for 2 adult individuals with intellectual disability instead of one person served as the home currently does.

☐ Additional sheets of Descriptive Information

Because applications for a Special Use Permit go through the public hearing process, applicants are encouraged to contact neighboring property owners prior to the public hearing.

## Other Requirements

☐ NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing



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

### **Mallard Care Home (SUP1701)**

**Type of Request**  
Special Use Permit

**Meeting Dates**  
Planning Board on March 21, 2017  
City Council on April 4, 2017

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

☐ I move to **recommend APPROVAL with the following conditions:**

o [Insert additional or other conditions]

☐ I move to **recommend DENIAL.**

---

☐ I move to adopt the Findings of Fact and Conclusions of Law **as presented in the staff report.**

☐ I move to adopt the Findings of Fact and Conclusions of Law presented in the staff report  
**with the following revisions:**

---

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

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

This report reflects the recommendation of the Planning Board, this the 21<sup>st</sup> day of March, 2017.

Attest:

---

Andy Rumley, Planning Board Chairman

---

Martha Johnson, Secretary



# STAFF REPORT

Prepared by Nathan Page, City Planner

## Steve's Setbacks (CR1701)

**Type of Request:** Conditional Rezoning

### Meeting Dates

Planning Board on March 21, 2017

City Council on April 4, 2017

## Contact Information

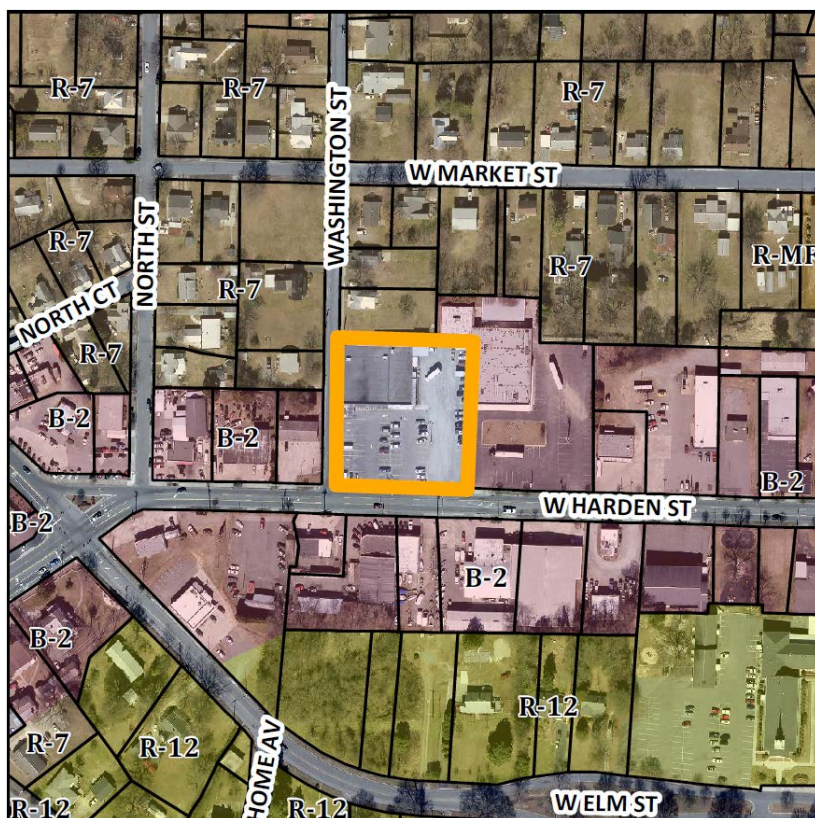
Justin Long

912 Rumar St, Graham NC 27253

919-606-8668

## Summary

This is a request to rezone the subject property from I-1 to C-B. The applicant is proposing to "allow for further expansion to take place closer to the property line and not interfere with the parking lot." The proposed uses for the new zone would include all uses within General Business (B-2), and the rear and side yards would be reduced to zero. The front yard thirty foot setback will be maintained (reduced from the current fifty foot front yard). The property is currently functioning as a grocery store as well as a religious service building.



### Project Name

Steve's Setbacks (CR1701)

### Location

329, 331 W Harden St

GPIN: 8874955048

### Size

1.32 acres

### Proposed Density

N/A

### Current Zoning

Industrial (light)  
(I-1)

### Proposed Zoning

Conditional Business (C-B)

### Surrounding Zoning

B-2, R-7

### Surrounding Land Uses

Single Family, Commercial

### Staff Recommendation

Approval, with conditions

The applicant is proposing to rezone the property to C-B in order to permit expansion within land typically reserved for setbacks. In particular, the Side Yard Abutting Street (currently, 50 feet), and the Rear Yard (currently, 50 feet). The building was constructed in 1956, and a copy of the zoning restrictions from 1957 indicate that for business or industrial uses next to residential lots an 8 foot yard was required.

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

**Development Type:** Mixed Use Commercial

- Orient buildings toward plazas, parks, and streets
- Minimize building setbacks from public streets
- Encourage parking in the rear of commercial and residential buildings *While the Plan calls for a fifteen foot front yard build-to line, the probability of a widening for West Harden Street in the future suggests maintaining the thirty foot front yard requirement within the Development Ordinance (40 feet reduced by 10 feet due to the proximity of the adjacent items).*

### Applicable Policies and Recommendations

- **2.1.5 Reduce Barriers** Work with local businesses and economic development partners to identify and address unnecessary barriers to local business development. *While the street yard setbacks, and the setbacks adjacent to residences protect the value and public safety, this structure was constructed before the current regulations were put into place. It would remove a barrier to expansion to grant the Conditional Zoning.*
- **2.2.1 Focused Development** In order to maintain Graham's affordability and promote growth, the City will facilitate smart growth development by promoting infill development and focused, walkable, and mixed use built environments. *While it is unlikely this parcel will develop into residences, it currently serves both as a religious institution as well as a retail space located within walking distance of the downtown core. Taken together, the development should be incentivized within the structure of the Ordinance.*
- **2.3.1 Facilitate Focused Development** Incentivize pedestrian-oriented nodal development consistent with this plan by incentivizing smart growth development. The City could choose to utilize some of the following methods; Expedited permit review, Deferred tax payments, Covering some building expenses, Low-interest loans, Providing infrastructure, Flexible and innovative regulations, Small area plans. *The granting of approval for this rezoning would be an example of flexible and innovative regulations and potentially positively affect future development.*
- **2.4.2 Promote Industrial Redevelopment** Encourage reinvestment and intensification at existing industrial sites. Encourage redevelopment of existing builds and infrastructure for industrial growth. *While this site is zoned industrial, it has been used as a grocery store for decades. The rezoning would also be more in line with the adjacent parcels, which are all B-2 or R-7. The rezoning would also allow for future redevelopment.*

### Description of Development Type

Mixed Use Commercial

Buildings located no further than 15 feet from the front lot line

3-5 story building heights

Sidewalks, small block lengths, on-street parking, transparent windows on >50% of front façade

A mix of uses is desirable, including retail, commercial, office, multifamily residential, and institutional uses

Built to a human scale

---

**Staff Recommendation**

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

The following supports this recommendation:

Permitting this conditional zoning will create a conforming structure and allow for future expansion of a successful local business.





# Application for REZONING or CONDITIONAL REZONING

P.O. Drawer 357  
201 South Main Street  
Graham, NC 27253  
(336) 570-6705  
Fax (336) 570-6703  
www.cityofgraham.com

This application is for both general district rezonings and conditional rezonings. Applications are due on the 25<sup>th</sup> of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

## Site

Street Address: 329, 331 W. HARDEN ST

Tax Map#: 135158 GPIN: 8874955048

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: RETAIL

Total Site Acres: 1.31

Property Owner: Ashlong Properties LLC

Mailing Address: 912 Rummel St

City, State, Zip: GRAHAM NC 27253

## 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: Justin Long

Mailing Address: 912 Rummel St

City, State, Zip: GRAHAM NC 27253

Phone # 919 606 8668

Email: justin@stevesgardenmarket.com

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

Signature of Applicant: Justin Long Date: 2/25/2017

## 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:

WE would like to request that the property be re-zoned to C-B. This would allow future cooler expansion to take place closer to the property line and not interfere with the parking lot. I-1 zoning does not give us the ability to grow without grossly affecting parking and/or our RETAIL AREA. B-2 uses, with rear and side on street setbacks.

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#





## 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.*

### **Steve's Setbacks (CR1701)**

**Type of Request**  
Conditional Rezoning

**Meeting Dates**  
Planning Board on March 21, 2017  
City Council on April 4, 2017

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

☐ I move to **recommend APPROVAL with the following conditions:**

- [Insert additional conditions]

☐ 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 21<sup>st</sup> day of March, 2017.

Attest:

---

Andy Rumley, Planning Board Chairman

---

Martha Johnson, Secretary