



Planning Board

Meeting Agenda

May 15, 2018 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 April 17, 2018 meeting

2. Old Business

a. SUP1801- New St Duplex. Application for a new duplex at 708 ½ New Street, GPIN 8884076833. Application by Mr. Bhatti.

3. New Business

a. CR1801- Shamrock Post Southern Loop. Application for a new Conditional Zoning for additional homes within the old Southern Loop Route. Application by Jimmy Collins, Concept Builders for GPINs 8873328657, 8873239224, and 8873239631

b. AM1801 – Temporary Outdoor Sales. Application for amending the Development Ordinance to regulate temporary sales in the Code of Ordinances. Application by Chelsea Dickey, Co|Operative.

c. AM1802 – Fencing in Overlays. Application by the Planning Board to clarify the appearance of fencing within the Overlay Districts.

d. AM1803 – Entrance Overlays. Discussion by Planning Board with regards to future potential regulations within the City's gateways.

4. Public comment on non-agenda items

Adjourn

A complete agenda packet is available at www.cityofgraham.com

PLANNING ZONING BOARD
Tuesday, April 17, 2018

The Planning & Zoning Board held their regular meeting on Tuesday, February 20, 2018 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Ricky Hall, Nate Perry, Justin Moody, Michael Benesch, Bonnie Blalock and Eric Crissman. Absent was Dean Hall. Staff members present were Nathan Page, Planning Director, Aaron Holland, Assistant City Manager and Alexa Powell, Planner. Chair Hall called the meeting to order, gave the Overview of the Board, general meeting rules and gave the invocation.

1. Approval of the February 20, 2018 meeting minutes. Bonnie Blalock made a motion for approval, second by Ricky Hall. All voted in favor.

2. New Business

- a. SUP1801- New St Duplex. Application for a new duplex at 708 ½ New Street, GPIN 8884076833. Application by Mr. Bhatti.

Nathan Page was sworn in. The staff report was read aloud. The Ricky Hall asked for anyone in the audience to provide evidence and hearing none moved to postpone until such time that someone could speak on behalf of the applicant. Eric Crissman asked if efforts had been made to notify the applicant of the Planning Board meeting. Nathan Page responded that he had followed the procedure for notification. In addition, he called the applicant on 4/10/18 but was unable to reach him and so sent a follow up email. Eric Crissman seconded the motion to table the application. All voted in favor.

- b. SUP1802- Melville St Duplex. Application for construction of a new duplex at 306 and 308 S Melville Street, GPIN 8884227612. Application by Tanya Dunbar-Stone. Withdrawn 4/11/18

The applicant sent an email to withdrawal the application for a Duplex. The email was read aloud. Tanya Stone indicated in the communication she would pursue the development of a single family home on the lot instead. As a procedural matter, Ricky Hall motioned to accept the withdrawal of SUP1802. Seconded by Nate Perry. All voted in favor.

Nathan Page provided a brief overview of the development projects in front of the City including those seeking Technical Review Committee (TRC) approval. In the course of the discussion, Eric Crissman requested for Staff to put together some recommendations with regard to creating a standard for fencing in Graham's overlay districts. More specifically, he wanted this proposal to address optional fences put up by property owners which were not required by the Development Ordinance in order to protect the aesthetics of these important corridors. Eric Crissman made a motion to this effect. Michael Benesch asked for clarification as to whether potentially disallowing chain link might impact developments required to have such security fencing during demolition and construction. Nathan Page confirmed that those requirements were addressed separately in the Development Ordinance and would not be affected by any potential changes made by amending this section. The motion was seconded by Ricky Hall. All voted in favor.

Eric Crissman brought another request to Staff to add an overlay district to all major entrances into Graham. Eric Crissman made a motion for Staff to look at creating overlay districts on all main corridors. Nate Perry seconded the motion. All voted in favor. Staff was requested to look at W. Harden Street, W. Elm Street, N. Main Street, and E. Elm Street as potential locations to expand overlay districts

and provide recommendations for the Planning Board's consideration at the next meeting.

No further business the meeting was adjourned.

Respectfully Submitted,
Alexa Powell

Nathan



RECEIVED

MAR 09 2018

CITY OF GRAHAM
INSP. / P.Z.

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: 708 1/2 New St Graham NC

Tax Map#: 145647 GPIN: 80984076833

Current Zoning District(s): R-7

Overlay District, if applicable:

Historic S Main St/Hwy 87 E Harden St/Hwy 54

Current Use: Stirrup factory, Had coal

Property Owner: K. Makapuu & M.A. BHATTI Sewage & Electrical system

Mailing Address: 3210 Elk Dr

City, State, Zip: Burlington NC 27215

Phone #: 336-512-0839

Email: M.A.BHATTI.MD@gmail.com

Applicant and Project Contact

Name: M. A. Bhatti

Property Owner Other "

Mailing Address: "

Phone #: "

Email: "

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 of Applicant: M.A. Bhatti Date: 2/28/18

Signature of Property Owner: M.A. Bhatti Date: _____
(if other than applicant)

Office Use Only, DEVID# SUP1801

Proposed Special Use

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

Duplex Dwelling

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

Approx. 25,000 sq. ft.
was a 2 bed room apt. when roof fell in. It was replaced. Contents emptied. Bath room, electrical & some inside wall work was done. Building secured. need to rehab it. now need a 2 bed room apt.
Existing Driveway will be used

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



STAFF REPORT

Prepared by Alexa Powell, Planner

New St. Duplex (SUP1801)

Type of Request: Special Use Permit

Meeting Dates

Planning Board on April 17, 2018

City Council on May 1, 2018

Contact Information

Mohammad Bhatti

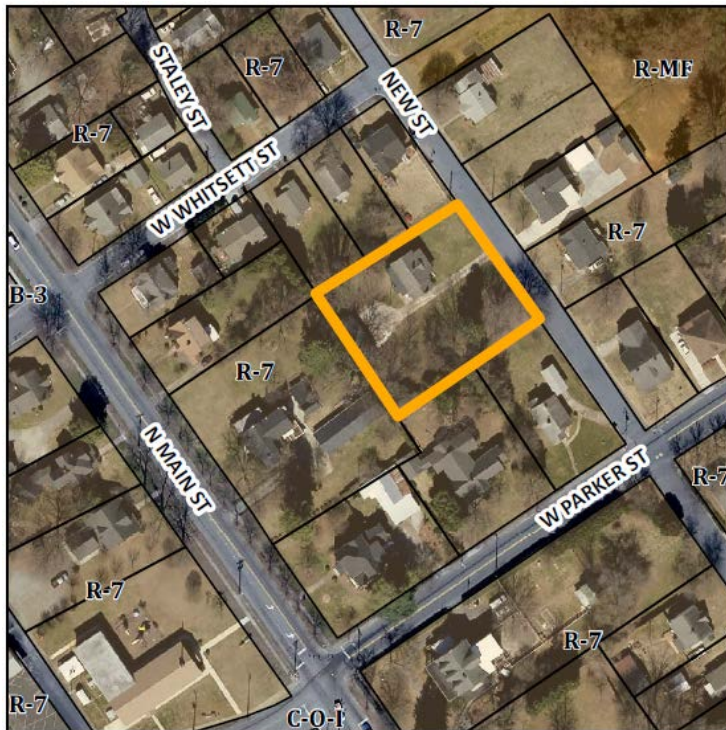
708 New St, Graham NC

336-512-6839

mabhattimd@gmail.com

Summary

This is a request for a Special Use Permit for a Dwelling, Duplex for property located at 708 New St. There is an existing building on the site, currently in use as a Single Family residence. The total lot square footage is about 25,000sqft.



Location

708 New St.

GPIN: 8884076833

Current Zoning

Residential (high density)
(R-7)

Proposed Zoning

Residential (high density) (R-7)

Overlay District

none

Surrounding Zoning

R7

Surrounding Land Uses

Single Family

Size

0.575 acres

Public Water & Sewer

Yes

Floodplain

No

Staff Recommendation

Approval

This site was originally developed in 1951, as a single family dwelling. The applicant reports that the rear unit was used as a dwelling in the past. However, it has been vacant for more than 180 days and therefore requires re-approval. The duplex is intended to take place in the detached structure to the rear of the lot. Properties zoned Residential (high-density) (R7) are required by the Development

Ordinance to apply for a Special Use permit to allow this change from a Dwelling, Single Family Detached to a Dwelling, Duplex.

A Dwelling, Duplex is described by the Development Ordinance as Dwelling, two-family which is defined as a detached building designed for occupancy exclusively by two (2) families living independently of each other.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required.
- Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width.

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

Planning Type: Neighborhood

Development Type: Downtown Residential

Applicable Policies;

- **2.2.1: Focused Development** In order to maintain Graham's affordability and promote infill development and focused, walkable, and mixed use built environments. *Permitting duplex structures in Graham creates more density. This infill development promotes walkable neighborhoods and uses existing municipal infrastructure.*
- **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 duplex would use existing city infrastructure.*
- **5.2.2 Multigenerational Housing** Promote buildings and neighborhood designs that serve multiple age groups simultaneously and meet the needs of young people, families, older adults, and people with disabilities, especially in focus areas and in close proximity to services. *Permitting the duplex could allow for multi-generational housing, as well as smaller units for families without children living at home.*

Planning Type

Neighborhood

Development Type

Downtown Residential

For single family residential, new neighborhoods may include duplexes

Include sidewalks, tree coverage, small and medium-sized lots, a variety of housing choices, and porches and stoops that facilitate social interaction.

In street parking, sidewalks on both sides of the street and street trees.

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, a duplex is permitted only with a special use permit, or a rezoning to R-MF or R-G.*

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

The criteria in Section 10.149 Special Uses Listed for permitting a Duplex Dwelling Unit are as follows:

- Minimum of 11,000 square feet for each two dwelling units required. *The property appears to be in excess of 11,000 square feet.*
 - Minimum of 80 feet road frontage required. On corner lots this frontage shall be measured on the side with the shortest width. *The property appears to have street frontage in excess of 80 feet.*
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 duplex 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 duplex 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 duplex is located in a neighborhood residential section of Graham and the future land use is Downtown Residential. Therefore, a duplex 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 have been satisfactorily addressed in the application including the use of the existing driveway for access and vehicle parking.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit. This action is reasonable and in the public interest for the following reasons:

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

Nathan Page

From: Kevin Pugh
Sent: Wednesday, April 18, 2018 3:05 PM
To: Nathan Page
Subject: 708 1/2 New St

Nathan,

The only records I can find of permits being pulled for the above address is an electrical permit from 4/27/15 for a 200 amp service upgrade and this permit is actually for 708 New St, the existing single family residence on the property.

Thanks,

Kevin Pugh

Code Enforcement Officer

City of Graham
PO Drawer 357 (mailing address)
201 S Main St
Graham, NC 27253

336-570-6705



All e-mails including attachments sent to and from this address are subject to being released to the media and the public in accordance with the North Carolina Public Records Law.

Posted code interpretations:

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code_Interpretations&user=Code_Enforcement_Resources

View the 2012 NC State Building Code free on line:

http://www.ecodes.biz/ecodes_support/Free_Resources/2012NorthCarolina/12NorthCarolina_main.html



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.

New St Duplex (SUP1801)

Type of Request
Special Use Permit

Meeting Dates
Planning Board on April 17, 2018
City Council on May 1, 2018

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 17th day of April, 2018.

Attest:

Ricky Hall, Planning Board Chairman

Debbie Jolly, Secretary



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 25th of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

Site

Street Address: 1324 Monroe Holt Road Graham

Tax Map#: 6-2-18 GPIN: 8873328657

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-1 C-O-1 I-1 I-2 C-1

Overlay District, if applicable:

- Historic S Main St/Hwy 87 E Harden St/Hwy 54

Current Use: Plan Subdivision

Total Site Acres: 58.139

Property Owner: Concept Builders, Inc.

Mailing Address: Po Box 2507

City, State, Zip: Burlington, NC 21716

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: Concept Builders, Inc.

Mailing Address: Po Box 2507

City, State, Zip: Burlington, NC 27216

Phone # (336) 228-0490

Email: Jcollins@conceptbuilders.net

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

James L. Collins May 2 2018
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-1 C-O-1 I-1 I-2 C-1

Describe the purpose of this rezoning request. *For Conditional Rezoning*s, 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:

Due to the removal of the Southern Loop Highway

For Conditional Rezonings, 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**s

Office Use Only. DEVID# CR1001



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 25th of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

Site

Street Address: 1348 Monroe Holt Road Graham

Tax Map#: 6-2-42 GPIN: 8873239224

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: Open Lot

Total Site Acres: 4.5

Property Owner: Kenneth Porterfield

Mailing Address: 5451 Friendship Patterson Mill

City, State, Zip: Burlington, NC 27215

Applicant

Property Owner Other Per contract

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: Concept Builders, Inc.

Mailing Address: Po Box 2507

City, State, Zip: Burlington, NC 27216

Phone # (336) 228-0490

Email: Jcollins@conceptbuilders.net

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

James L. Collins MAY 2 2018
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*s, 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:

This being apart of Shamrock Valley
Conditional Rezoning (C-MRX) use single
family homes

For Conditional Rezonings, 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**s

Office Use Only. DEVID#

CR1801



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 25th of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

Site

Street Address: Monroe Holt Road Graham

Tax Map#: 6-2-118 GPIN: 8873239631

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: Open Lot

Total Site Acres: 1.36

Property Owner: Kenneth Porterfield

Mailing Address: 5451 Friendship Patterson Mill

City, State, Zip: Burlington, NC 27215

Applicant

Property Owner Other Per contract

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: Concept Builders, Inc.

Mailing Address: Po Box 2507

City, State, Zip: Burlington, NC 27216

Phone # (336) 228-0490

Email: Jcollins@conceptbuilders.net

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

James L. Collins May 2 2018
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:

This being apart of Shamrock Valley Conditional Rezoning (C-MRX) use single family homes

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# CR1801



STAFF REPORT

Prepared by Nathan Page, Planning Director

Shamrock Valley, Post-Southern Loop (CR1801)

Type of Request: Conditional Rezoning Amendment

Meeting Dates

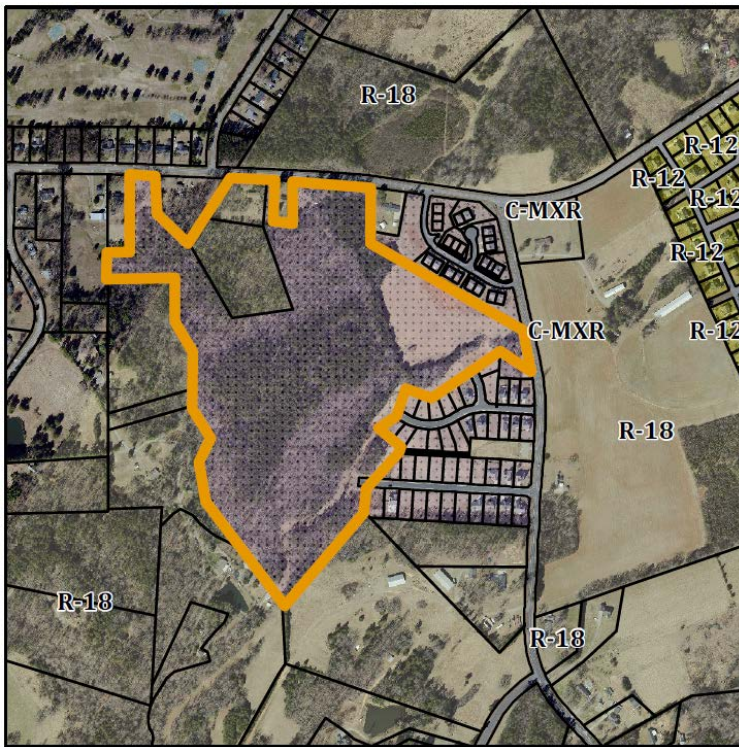
Planning Board on May 15, 2018
City Council on June 5, 2018

Contact Information

Jimmy Collins, Concept Builders
PO Box 2507
Burlington NC, 27216
336-228-0490; jcollins@conceptbuilders.net

Summary

This is a request to replace the existing Conditional Rezoning application for the unfinished section of Shamrock Valley. The amendment will permit additional homes to be constructed on the right-of-way which was originally reserved for the proposed Southern Loop. There are now a total of 232 homes, up from the original of 179. This comes to a density of 3.04 dwellings per acre.



Location

Monroe Holt and Lacy Holt Rd
GPIN: 8873328657, 8873239224,
8873239631

Current Zoning

Conditional Residential (C-R)

Proposed Zoning

Conditional Residential (C-R)

Overlay District

none

Surrounding Zoning

R-18, C-MXR, Vacant

Surrounding Land Uses

Single Family Houses

Size

60.36 acres

Density

3 DU/acre

Public Water & Sewer

Yes

Floodplain

No

Staff Recommendation

Approval

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

Development Type: Suburban Residential

Applicable Policies and Recommendations

- **3.2.3 Fewer Dead-end Streets** Discourage or prohibit the development of cul-de-sacs and dead-end streets in new projects. *This project proposes one less cul-de-sac than the original proposal.*
- **3.3.2 Limit Street Width** Reduce roadway lane widths in order to slow down vehicular traffic in areas where bicycle and pedestrian traffic is encouraged. *This proposal narrows roadways by 4 feet, to the new Residential Medium (27 feet wide).*
- **5.2.1 Diverse Neighborhoods** Encourage a mix of housing types within Graham, including detached, duplex, multifamily, townhomes, and live-work units. *This proposal includes additional single-family detached, and townhomes.*

Description of Development Type

Suburban Residential

Development Toolkit Checklist

Located near a major thoroughfare

Predominantly detached single-family homes

Characteristics include porches, sidewalks, street trees, and garages setback from the front of the home

Density of 3-6 DU/acre

New neighborhoods should consider a variety of lot sizes with consistent setbacks along the same street

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:

- The absence of the Southern Loop's corridor necessitates a review of proposed developments within the previously projected path.



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.

**Shamrock Post-Southern Loop
(CR1801)**
Type of Request
Conditional Rezoning
Meeting Dates
Planning Board on May 15, 2018
City Council on June 5, 2018

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 15th day of May, 2018.

Attest:

Ricky Hall, Planning Board Chairman

Debbie Jolly, Secretary



STAFF REPORT

Prepared by Nathan Page, Planning Director

Text Amendment for: Temporary Outdoor Sales

Type of Request: Text Amendment

Meeting Dates

Planning Board on May 15, 2018

City Council on June 8, 2018

Contact Information

Chelsea Dickey

200 N Main Street, Graham NC 27253

chelsea@thecooperative.co

Summary

Chelsea Dickey has requested the City reexamine our existing Temporary Outdoor Sales. This amendment is to remove the restriction from the Development Ordinance, such that the Code of Ordinances would regulate the use. The Temporary Outdoor Sales would still need to abide by the closest zoning use. I.e. a commercial vendor would be permitted on B-2 lot, but not on a R-7 lot.

Project Name
Temporary Outdoor Sales (AM1801)

Location
city-wide

Current Zoning
not applicable

Proposed Zoning
not applicable

Overlay District
not applicable

Staff Recommendation
Approval

The following amendments to the Development Ordinance are proposed:

Existing Language:

Section 10.135 Table of Permitted Uses

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	I-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
Roadside Stands & Outdoor Sales, Temporary, at a City approved and permitted event													X							

Proposed Language, removing the restriction from the Development Ordinance:

Section 10.135 Table of Permitted Uses

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	I-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
Roadside Stands & Outdoor Sales, Temporary, at a City approved and permitted event	-	-	-	-	-	-	-	-	-	-	-	-	x	-	-	-	-	-	-	-

Regulations regarding the impacts of Temporary Outdoor Sales would be added to the Code of Ordinances by the City Council.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Strategy 2.1.5 Reduce Barriers Work with local businesses and economic development partners to identify and address unnecessary barriers to local business development. *Mobile sales have been a less expensive way to enter into a market, and have successfully expanded into brick and mortar businesses in many municipalities. Additionally, this would make Girl Scout cookie or other similar sales permissible without requiring City Council approval.*

Planning District All
Development Type All

Strategy 2.1.1 Business Incubation Develop a business incubation program to encourage development of new business ventures. *As the cost to start a food truck can be around \$10,000 while a new restaurant is in excess of \$100,000, the ability for an entrepreneur to test a market theory is much more forgiving for food trucks.*

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. *With the current popularity of downtown events, the desire for additional dining venues has been growing. Food Truck Rodeos continue to be successful events in surrounding municipalities and draw crowds who typically do not frequent the downtown area.*

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

- The regulation of temporary outdoor sales is better located within the Code of Ordinances, as the Development Ordinances are intended to regulate land use.



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.

Temporary Outdoor Sales (AM1801)

Type of Request

Text Amendment

Meeting Dates

Planning Board on May 15, 2018

City Council on June 8, 2018

- I move to **recommend APPROVAL** of the application as presented.
- I move to **recommend APPROVAL** of the alternative language, as proposed by the Planning Board.
- 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 15th day of May, 2018.

Attest:

Ricky Hall, Planning Board Chair

Debbie Jolly, Secretary



STAFF REPORT

Prepared by Nathan Page, Planning Director

Text Amendment for: Entrance Overlays

Type of Request: Text Amendment

Meeting Dates

Planning Board on May 15, 2018

Contact Information

Not Applicable

Summary

The Planning Board has requested a proposal for fencing permitted within the Highway 87 and the Highway 54 Overlays.

Existing Language:

Section 10.441 (and 10.466) Building Standards

When architecture drawings are submitted to the City, the following design standards and prohibitions shall be required:

- (a) Manufactured and mobile units shall be prohibited, except for temporary use during construction or for storage of materials during construction.
- (b) Building facades visible from South Main Street shall be clad with brick or stone masonry, wood, stucco, or similar material. The facades of buildings located on corner lots that are visible from South Main Street and any other road shall be clad with brick or stone masonry, wood, stucco, or similar material. The use of textured vinyl siding or decorative, split-faced cinder blocks may be used but shall not exceed 25% of the visible side of the building. The use of cinder-block, smooth vinyl, and metal siding shall only be allowed on the side and rear of the building if not visible from South Main Street.
- (c) All façade colors shall be of low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors are prohibited. Building trim and accent areas may feature black and brighter colors, including primary colors. Roof colors shall be low reflectance and non-metallic.
- (d) Roof pitches less than 3/12 will require a parapet wall.
- (e) Street level windows should be untinted. Tinted glass with a minimum visual transmittance factor of 35 is permitted. Mirror or reflective glass is not permitted at any location.
- (f) Accessory structures and signage shall be of consistent design with the primary structure and be constructed of like or architecturally compatible materials.
- (g) The use of decorative materials such as fountains, outdoor seating and benches, and statues are encouraged in pedestrian and open space areas.

Proposed Language:

Project Name

Fencing in Overlays (AM1802)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

Section 10.441 (and 10.466) Building Standards

When architecture drawings are submitted to the City, the following design standards and prohibitions shall be required:

- (a) Manufactured and mobile units shall be prohibited, except for temporary use during construction or for storage of materials during construction.
- (b) Building facades visible from South Main Street shall be clad with brick or stone masonry, wood, stucco, or similar material. The facades of buildings located on corner lots that are visible from South Main Street and any other road shall be clad with brick or stone masonry, wood, stucco, or similar material. The use of textured vinyl siding or decorative, split-faced cinder blocks may be used but shall not exceed 25% of the visible side of the building. The use of cinder-block, smooth vinyl, and metal siding shall only be allowed on the side and rear of the building if not visible from South Main Street.
- (c) All façade colors shall be of low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors are prohibited. Building trim and accent areas may feature black and brighter colors, including primary colors. Roof colors shall be low reflectance and non-metallic.
- (d) Roof pitches less than 3/12 will require a parapet wall.
- (e) Street level windows should be untinted. Tinted glass with a minimum visual transmittance factor of 35 is permitted. Mirror or reflective glass is not permitted at any location.
- (f) Accessory structures, fences, and signage shall be of consistent design with the primary structure and be constructed of like or architecturally compatible materials.
- (g) The use of decorative materials such as fountains, outdoor seating and benches, and statues are encouraged in pedestrian and open space areas.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Strategy 1.1.1 Wayfinding and Gateways Develop and 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. *A proliferation of chain-link fences would not improve landscaping within the vicinity.*

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

Strategy 1.1.2 Design Guidelines Develop commercial and residential site design guidelines that enhance community character and appearance, to be used with special use permit and conditional rezoning applications. *The restriction of fencing materials may be continued for Conditional Zoning as well as future Special Use Permits.*

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

- The overlay has begun to enhance community character as development and redevelopment take place within the approach corridors.



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.

Fencing in Overlays (AM1802)
Type of Request
Text Amendment
Meeting Dates
Planning Board on May 15, 2018
City Council on June 8, 2018

- I move to **recommend APPROVAL** of the application as presented.
- I move to **recommend APPROVAL** of the alternative language, as proposed by the Planning Board.
- 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 15th day of May, 2018.

Attest:

Ricky Hall, Planning Board Chair

Debbie Jolly, Secretary



STAFF REPORT

Prepared by Nathan Page, Planning Director

Text Amendment for: Entrance Overlays

Type of Request: Text Amendment

Meeting Dates

Planning Board on May 15, 2018

Contact Information

Not Applicable

Summary

The Planning Board has requested a proposal for the entry corridors into Graham from Burlington and Haw River. There is no formal recommendation of language at this time, it is more an intent to gather information from the Planning Board and begin to draft the Overlay.

Project Name

Entrance Overlays (AM1803)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

Language for discussion:

The purposes of the Overlay District include:

1. Preserving and enhancing the overall image of the Overlay District and Historic District.
2. Encouraging development that compliments and expands the unique character of the Overlay District and its surrounding area.
3. Establishing Graham as a unique high quality community within the Triad by creating development that provides visual interest consistent with the community goals.
4. Enhancing the business economy through the creation of attractive commercial areas.
5. Preserving and enhancing property values through creation of high quality developments.
6. Implementing the goals, policies, and objectives recommendation of the *The Graham 2035 Comprehensive Plan*.
7. Promoting the overall health, safety, and welfare of the citizens, residents, workers, and business owners.
8. <insert additional items>

Discussion Items

Prohibited Uses, Building Standards, Signage, Landscaping, Access Management and Parking Areas, Building Orientation, Sidewalks, Screening/Buffering, any others the Planning Board considers worthy?

Staff Recommendation

- At this time, the Planning Board will discuss the items they wish to see included in the draft overlay. A subsequent draft will be published with potential regulations.