

City of Graham Planning Board

Meeting Agenda

January 19, 2021 at 7:00 PM
Online Zoom Meeting- Details at bottom of agenda.

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

1. Approve minutes of the December 15, 2020 meeting

2. New Business

- a. RZ2010 Riverbend Business. Request by Travers Webb, for rezoning from R-MF (Multifamily Residential) to B-2 (General Business). GPIN 8884721949
- b. CR2006 Truby Apartments. Request by Second Partners, LLC for Conditional Rezoning for multifamily apartments from Light Industrial. GPIN 8894453334.
- c. CR2007 Albright Carport. Request by Jane Albright for Conditional Rezoning for accessory structure placed in front and side yard. GPIN 8884230039.
- d. AM2005 R7 Setbacks. Request by Nathan Page to reduce the setbacks for R7 front and side yards. Development Ordinance Section 10.245 Table of area, height, and yard regulations.

3. Old Business

- a. 160D Update Review and Discussion

4. Public comment on non-agenda items

Adjourn

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

When: Jan 19, 2021 07:00 PM Eastern Time (US and Canada)

Topic: Planning Board Zoom Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85634678460?pwd=UC9tNHVOSGJSZXBjcHYyTmpDelZldz09>

Passcode: 484257

Or iPhone one-tap :

US: +12532158782,,85634678460# or +13017158592,,85634678460#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799 or +1 346 248 7799 or +1 646 558 8656 or +1 669 900 9128

Webinar ID: 856 3467 8460

International numbers available: <https://us02web.zoom.us/j/kdejoXUmHh>

Planning Board Meeting
December 15, 2020 – 7:00 PM

Virtual Zoom Meeting called to order by Dean Ward at 7:00 PM.

Members present include: Justin Moody, Tony Bailey, Dean Ward, Bobby Chin, Michael Benesch and Eric Crissman. Members absent include: Nate Perry. Staff members present: Planning Director Nathan Page and Debbie Jolly Zoning & Inspection Technician.

Approval of minutes from meeting on November 17, 2020 motion made by Michael Benesch. Seconded by Dean Ward. Item was unanimously approved. Mr. Crissman didn't vote since was not at last meeting.

2. New Business

a. CR0502b Stillhouse Farms Cheeks. Application for amending the approved townhome development for an alternative townhome development with an updated façade for 15.44 acres on Cheeks Lane, By Glenn Patterson. GPIN 8883552739.

Nathan Page presented the project to the board. Aaron Hutchins and Glen Patterson both spoke on this project. They submitted changes to the project's site plan, including a secondary access for fire safety, this morning.

Mr. Ward ask if anyone from the public would like to speak.

Tom Boney – The Alamance News

The board members had questions for Mr. Hutchens then had a discussion between themselves.

Michael Benensch made a motion to recommend approve with the following conditions the project will supply a sidewalk along Cheeks Lane. The final site plan must be submitted to and approved by the TRC before building permits and/or certificate of occupancy will be issued. Third must have second access point. The plan as presented in accordance with the Graham 2035 Comprehensive Plan. Motion seconded by Eric Crissman. All voted aye.

b.CR2005 Colonial Heights. Application a new single family detached subdivision. Development has up to 200 lots, for 57.29 acres off Lacy Holt Road. Application by Kye Bunker, LeoTerra Development. GPIN 8873512978,08873625474.

Nathan Page presented the project to the board. Judy Stalder presented the project to the planning board. The developer has suggested a 30' evergreen screen along the Northern, eastern and Southern perimeters of the property. The homeowners on Wendy Dr. ask for an emergency access only gate. Farm land ask for gates to keep ATV off the farm land. Vince Townsend and Kye Bunker both answered question from the board.

Mrs. Cashion	1820 Lacy Holt Rd
Cathy Silver Key	718 Wendy Dr.
Kristy Lynch	1725 Darrell Dr.
Lindsay McKinney	632 Wendy Dr.
Mary Taylor	974 Stonehaven Dr.

The board had a brief discussion and asked Mr. Page questions. Mr. Chin made a motion to approve CR2005 Colonial Heights with the following conditions an emergency access gate be installed at the end of Wendy Dr. for emergency vehicles. A berm be extended across the north accesses of the property to keep residents from using the farm land for ATV's. The application is consistent with the Graham 2035 Comprehensive Plan. Eric Crissman seconded. Vote was 4-2 Dean Ward and Michael Benesch voted against.

c. S2006 Colonial Heights. Application for Subdivision for up to 200 lot for 57 acres off Lacy Holt Road. Application by Kye Buckner, LeoTerra Development. GPINS 8873512978, 8873625474.

Nathan Page gave an overview of the project to the board. Eric Crissman made a motion to approve application is consistent with The Graham 2035 Comprehensive Plan. Mr. Bailey seconded. Vote was 4-2 with Dean Ward and Michael Benesch Voted against.

3. Old Business

a. 160D Update Review and Discussion

Discussion: 160D Update by Nathan Page, Planning Director. No update from the attorneys, received no question from the board prior to the meeting. Chair Dean Ward asked if there were any other questions from the board regarding 160D. No discussion at this time.

4. Public comment on non-agenda items –

Dean Ward asked if anyone from the board had any comments on none agenda items.

There were no further comments.

Motion made to adjourn by Eric Crissman. Second by Bobby Chin. All vote Aye.

Meeting adjourned at 8:42 PM.

Respectfully Submitted:

Debbie Jolly



STAFF REPORT

Prepared by Nathan Page, Planning Director

Riverbend Business (RZ2010)

Type of Request: Rezoning

Meeting Dates

Planning Board on January 19, 2021

City Council February 9, 2021

Contact Information

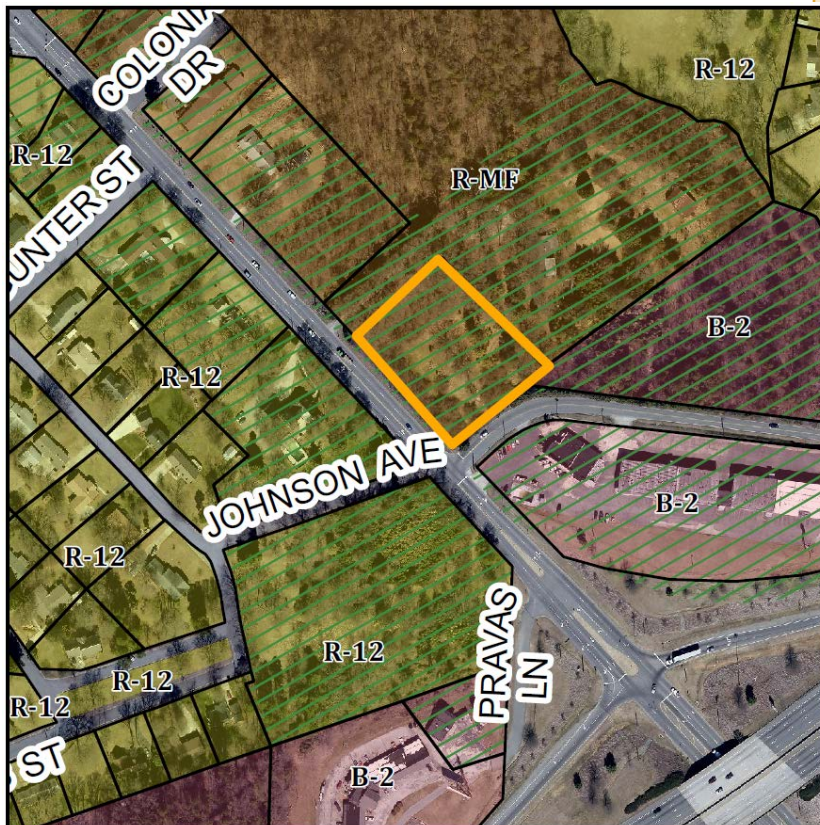
G Travers Webb, III

619 E Harden Street, Graham NC 27253

336-414-7777, trav93@icloud.com

Summary

This property is surrounded by two development types; a large multi-family tract, and suburban residential across Harden Street. This request is to rezone a portion of the property from R-MF to all B-2. The lot is currently occupied by a duplex. The stated reason for this rezoning request is for "...the entire property covered under one zoning regulation. This rezoning should allow for marketing my property for future development."



Location

E Harden St

GPIN: 8884721949

Current Zoning

Multifamily Residential R-MF

Proposed Zoning

General Business B-2

Overlay District

East Harden St Highway 54

Overlay District

Surrounding Zoning

R-12, R-MF, B-2

Surrounding Land Uses

Single Family Homes,
Multi-Family Homes, Some
Commercial

Size

1.5 (+/-) acres

Public Water & Sewer

Available

Floodplain

No

Staff Recommendation

Approval

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

Planning District: Mixed Use Commercial

Applicable Policies;

- **3.1.2 Safe Access to Businesses and Homes.** Limit direct highway access or the number of curb cuts to commercial activities by directing development to proposed regional and village centers and requiring internal connectivity between commercial uses, uniformity in design standards, and rear alley access where feasible. *This property is an identified regional center, and the rezoning would allow for a land use which could support the existing multifamily homes.*

Applicable Strategies;

- **1.1.5 Discourage Strip Development.** Discourage strip development along transportation arteries and proposed interstate interchanges by directing these commercial activities to proposed activity centers. *This parcel is in the vicinity of an Interchange Regional Node, on a high volume traffic route. The residential density in the vicinity also lends itself to additional retail and service industries.*
- **2.3.1 Facilitate focused development.** Incentivize pedestrian-oriented nodal development consistent with this plan by incentivizing smart growth development. *Rezoning this property lot to B-2 would reinforce the goals of pedestrian-oriented nodal development and smart growth development while discouraging commercial strip developments.*

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

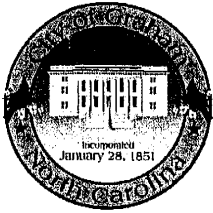
A mix of uses is desirable, including retail, commercial, office, multifamily residential, and institutional uses

Built to a human scale

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, staff recommends **approval** of the rezoning. The following supports this recommendation:

- The adjacent multifamily developments, the quantity of vehicle traffic, and the size of the Highway 54 corridor suggest that a business may be better suited to this site than additional apartments, in alignment with strategies 1.1.5, 2.3.1 and policy 3.1.2.



Application for REZONING or CONDITIONAL REZONING

RECEIVED

DEC 29 2020
P.O. Drawer 357
101 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: NC Hwy #54 East & Riverbend Road

Tax Map#: 147457 GPIN: 8884721949

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: 5.64 Acres+-

Property Owner: G. Travers Webb, III

Mailing Address: 619 E Harden Street

City, State, Zip: Graham, NC 27253

Applicant

☒ Property Owner Other WEBB + ASSO.

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: G. Travers Webb, III

Mailing Address: 619 E Harden Street

City, State, Zip: Graham, NC 27253

Phone # (336) 414-7777

Email: trav93@icloud.com

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

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:

I would like the Entire property covered under one zoning regulation. This rezoning should allow for marketing my property for future development.

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.

Riverbend Business (RZ2010)

Type of Request Rezoning

Meeting Dates
Planning Board on January 19, 2021
City Council on February 9, 2021

☐ 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 19th day of January, 2021.

Attest:

Dean Ward, Planning Board Chairman

Debbie Jolly, Secretary



STAFF REPORT

Prepared by Nathan Page, Planning Director

Truby Apartments (CR2006)

Type of Request: Conditional Rezoning

Meeting Dates

Planning Board on January 19, 2021

City Council on February 9, 2021

Contact Information

Travers Webb

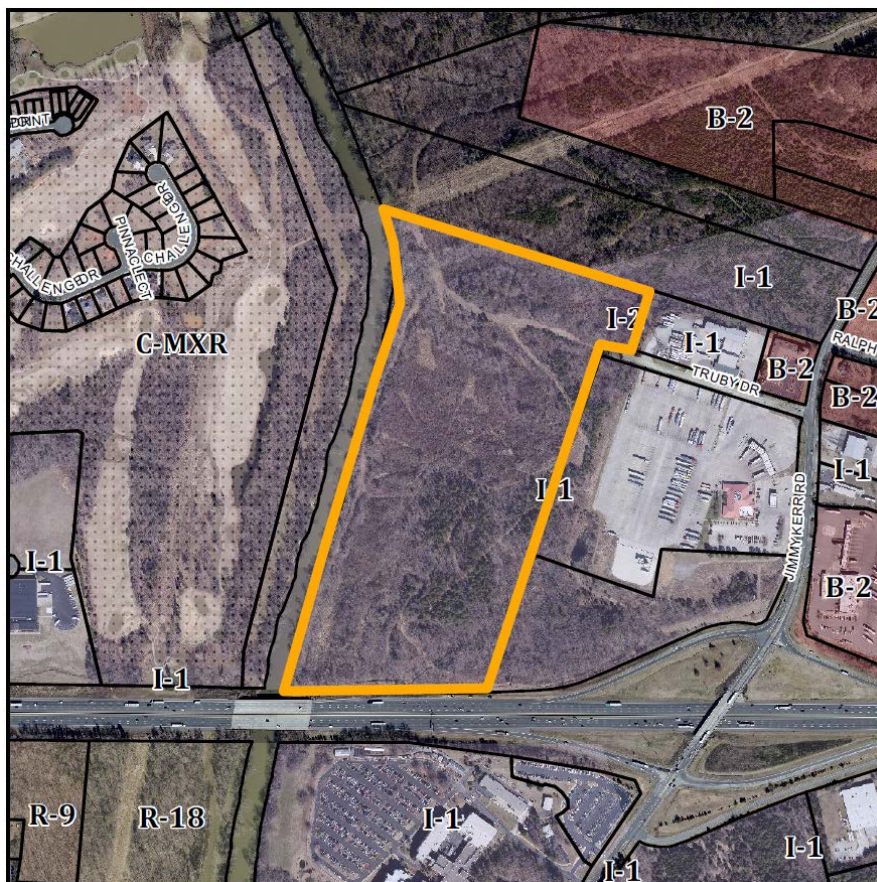
trav93@icloud.com, 336-414-7777

619 E Harden Street, Graham NC 27253

Summary

This is a request to rezone the subject property from I-1 to CMXR (Conditional Mixed Use Residential). The application is for 22 buildings, with 24 units per building for a total of 1056 bedrooms. A list of proposed conditions was included:

- 1.) Access via Truby and an easement
- 2.) Meet all TRC/NCDOT/Etc standards
- 3.) Meet Graham multifamily standards
- 4.) Include office, clubhouse, pool, recreation areas
- 5.) Three story, mix of one, two, and three bedrooms



Project Name

Truby Apartments (CR2006)

Location

Truby Drive

GPIN: 8894453334

Size

Approx. 52 acres

Proposed Density

10 DU/acre

Current Zoning

Light Industrial (I-1)

Proposed Zoning

Conditional Mixed-Use
Residential (CMXR)

Surrounding Zoning

CMXR, I-2, I-1, Haw River's
Jurisdiction

Surrounding Land Uses

Truck Stop, Haw River, vacant
land.

Staff Recommendation

Denial, pending clarification

The TRC is currently reviewing the site plan for comments, which will be completed prior to the Planning Board meeting. However, the TRC noted that existing downstream sewer capacity is insufficient for the development at the Haw River Pump Station. Additionally, there are capacity concerns from NCDOT and the TRC for traffic considerations due to congestion on Jimmie Kerr Road. The TRC recommends denying this item until such time as these issues have been fully evaluated by the City and addressed by the developer.

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

Development Type: Interchange Regional Node

Applicable Policies and Recommendations

Strategy 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. *Additional density in the vicinity of the interchanges may result in more focused development patterns with less sprawl. However, traffic patterns in this location are already troublesome and the construction of such a large apartment complex here may result in additional congestion concerns.*

Strategy 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. *Water and sewer services already exist in this area. Are no extensions of the existing public sewer main, however this would be installed by the developer and be a small fraction of the maintenance costs for a single-family residential development of comparable size. There is limited pump station capacity downstream from this site, and the developer may enter into an agreement to participate in the upfit of that pump station.*

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. *This multifamily development will provide additional housing choice for those residing or wishing to reside in Graham.*

Description of Development Type

Interchange Regional Node

Like the downtown regional node, interchange nodes serve a market within and beyond the extent of Graham's planning area.

Appropriate Form

0.3 to 0.5 FAR

Desired Pattern

Industrial districts should have limited setbacks between the front of the property line and adjacent industrial uses in order to use land and infrastructure efficiently. These uses should be heavily buffered from residential neighborhoods, parks and open space, and streams. Such areas should follow orderly development patterns and seek to maintain minimal adverse environmental impacts.

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, and the developments compliance with the Graham Development Ordinance, staff **recommends Denial** of the Conditional Rezoning. However, if the Council issues approval, it should be **with the following conditions(s)**:

- **All recommended, and required, improvements of a Traffic Impact Analysis be constructed by the developer.**

- **The developer will upfit the Haw River Pump Station to City specifications to handle the additional flow, with the ability of City Staff to upfit the proposed sizing at material cost.**

The following supports this recommendation:

While proposed project is in conformity with infill development (Policy 2.2.1) and housing variety (Policy 5.1.1) of the Graham Comprehensive Plan 2035, the capacity issues for traffic congestion and sanitary sewer must be solved before approval can be issued for this project.



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 152813

Street Address: UNAD. TRUBY DRIVE

Tax Map#: 152813 GPIN: 8894453334

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: 55 ±

Property Owner: 2ND PARTNERS LLC

Mailing Address: 2555 ST. JAMES DRIVE #403

City, State, Zip: SOUTHPORT NC 28461

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: John Burton

Mailing Address: 2489 Willoughby Court

City, State, Zip: Burlington NC 27215

Phone # 336-229-2273

Email: John.Burton@BurtonLS.com

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

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:

Please See Attached
Conditions

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#



Application for SITE PLAN REVIEW

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

A site plan must be approved before any building, structure or parking facility is constructed, installed, expanded or extended. Also, several types of development activity require a preliminary site plan as part of the application process, including conditional rezonings, multifamily development, manufactured home parks and telecommunications towers. When completing this application, applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner for the requirements specific to the development.

Site

Street Address: Unaddressed Truby Drive

Tax Map#: 131432 GPIN: 8894453334

Current Zone(s): ☐ R-MF ☐ R-G ☐ Other R ☐ Cond.
☐ O-I ☐ B-1 ☐ B-2 ☐ B-3 ☒ I-1 ☐ I-2

Overlay District, if applicable:

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

Current Use: VACANT - WOODS

Property Owner: Truby Drive Realty, LLC

Mailing Address: 1360 Truby Drive

City, State, Zip: HAW RIVER NC 27258

Phone # _____

Proposed Development

Project Name: Truby Drive Apartments

Proposed Zone (if applicable): C-R

Proposed Use(s) (from Sec. 10.135 Table of Permitted Uses): MF - 22 THREE STORY BUILDINGS

Brief description, including information such as number of dwelling units, type of multifamily development, size and number of buildings, and other descriptive information:

22 Bldgs - 24 units - 1056
BEDROOMS - SLEEPING
PERONE FROM I-1 to CR

Site Plan Checklist

This application **must be accompanied** by a site plan, which may include one or more sheets to provide sufficient detail for review. **See the back of this application for a checklist of items that should be shown on the site plan, as applicable.**

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
- ☐ **NCDOT 3-Party Encroachment Agreement**, if things such as a sidewalk or utility connection is proposed in the right-of-way
- ☐ **Flood Elevation Certificate**, if there is Special Flood Hazard Area near the development
- ☐ **Floodplain Development Permit**, if development is proposed in a Special Flood Hazard Area
- ☐ **Stormwater Permit**, if one or more acres is disturbed
- ☐ **Erosion Control Permit** from the NC Dept. of Environment and Natural Resources if the land disturbing activity exceeds one acre

FOR OFFICE USE ONLY	
DEVID#	Fee \$

Applicant and Project Contact

Name: The LEAPS GROUP PC

☐ Property Owner ☒ Engineer/Surveyor
Other _____

Mailing Address: 505 E. DAVIS STREET

City, State, Zip: BURLINGTON NC 27215

Phone # 336-227-8724

Email: chuffine08@gmail.com

I hereby make application for review of a

☒ Preliminary ☐ Final Site Plan.

I have completed this application truthfully and to the best of my ability. I have prepared the site plan in accordance with the Site Plan Checklist and have submitted the required plans.

Charles D. Huff 12-23-2020
Signature of Applicant Date

SUBMIT 4 COPIES AND 1 PDF OF THE SITE PLAN

Truby Drive Apartments – Proposed Conditional Zoning Conditions

(draft 12-23-2020)

The following conditions are proposed with the conditional zoning request for the:
55 Acre Parcel ID 8894453334 located in Graham, Alamance County, North Carolina.

- 1) Access to the project will be from the existing public right of way at Truby Drive and via improvements within the existing easement as referenced on the attached site plan and submitted plat of easement. A street section within the access easement will be paved and not less than 26' wide with provisions for resident traffic and safety vehicles.
- 2) The project proposes to comply with the City of Graham technical review process including obtaining a technical review committee approval and obtaining proper water, sanitary sewer, erosion control, NCDOT and stormwater permits.
- 3) The project proposes to conform to the current City of Graham development ordinance as published as it pertains to density, open space, landscaping and buffering requirements for Multi-family developments and as shown on the attached site plan.
- 4) The project proposes to provide an onsite office, clubhouse, pool, recreational areas, and walking trails similar to those presented on the attached conditional zoning plan submitted with these conditions.
- 5) Proposed Use as follows:
22 Three Story Multifamily Buildings with the following distribution:
24 units per building
528 units
Unit Distribution:
1 bedroom 25% = **132** Bedrooms
2 bedroom 50% = **528** Bedrooms
3 bedroom 25% = **396** Bedrooms
1056 total Bedrooms

1 Multi-use accessory building for office, pool, fitness, administrative use
1 Pool
Outdoor passive recreation amenities
Outdoor active recreation amenities

PARCEL DATA

Alamance County Tax Information (Per Alamance County GIS)
Parcels Included in this Project:

Parcel 1:
GFM#: 8894453334
Parcel ID: 131432
Property Address: Unaddressed, Graham, North Carolina
Township: Graham Township
Zoning Jurisdiction: Graham
Deed Reference: DB 1407, Pg 254

Current City of Graham Zoning: I-1 Light Industrial

Proposed Zoning: City of Graham CXMR

528 Apartment units proposed in 22 Buildings

Portions of the site are location with the 100 year flood plain FEMA Panel:
3710889400K

Proposed water and sewer connections to The City of Graham Municipal
System are requested.

Proposed Zoning Conditions attached to the Submittal Application

Alamance Community College
P.O. Box 8000
Graham, NC 27253

PID 152801

PROPOSED DEVELOPMENT DATA:

22 Apartment (Multi-Family) Buildings
having 24 units per building
25% Three bedroom (3x132=396)
50% Two bedroom (2x264=528)
25% One bedroom (1x132=132)
Total Bedrooms: 1,188
Office / Administration / Clubhouse Building 6,200 sf.
One proposed dog park
Two proposed play areas

Proposed Sewer Demands:

1,188 x 120 gpd / bdm = 126,720 gpd
6,200 sf 25gpd / 100sf. = 1,550 gpd
A 2,600 sf. pool is proposed

Apartment Building Envelope Data:

Proposed Building Envelope 60'w x 180'L x 60'h

SITE DATA:

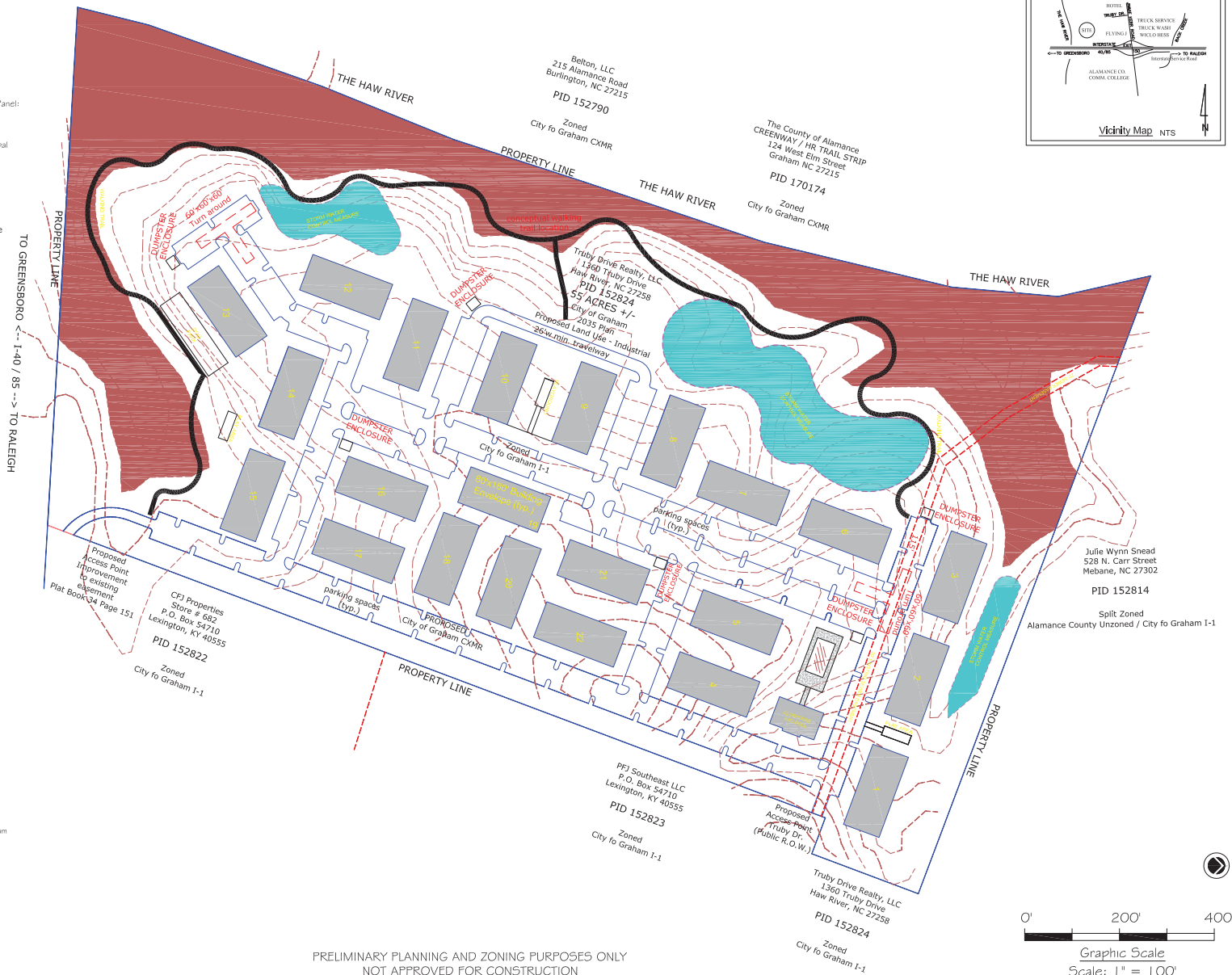
Existing Use: Vacant Woods
Proposed Use: Multi-Family Residential
Total Property Area: 55 Acres ±

River Basin: Cape Fear
Receiving Water: The Haw River

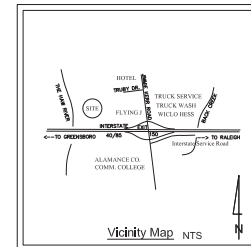
Boundary obtained from a plat obtained at the Alamance County registry
Plat Book: 0044 Page: 118 as prepared by Wayne Perry, RL5
Topographic information obtained from Alamance County GIS data.
Existing Conditions are wooded and the site is encumbered by City of Graham
Sanitary Sewer easements and others. Water service is in Truby Drive.

Plan Prepared for:
Mr. John Burton
1360 Truby Drive
Graham, NC 27253
Contact: 336-269-2261

CALL BEFORE YOU DIG! ITS THE LAW
ULOCO North Carolina One Call Center
1-800-632-4949



B&B TRUCKING
PIN: 8894514009
PRG: 1-175-1007



12-21-2020
1" = 100'

TMT/CDH

1:20-1040

CONDITIONAL ZONING PLAN

12-21-2020

CDH

Charles D. Huffine

528 N. Carr Street
Mebane, NC 27302

PID 152814

Split Zoned
Alamance County Unzoned / City of Graham I-1

TRUBY DRIVE
MULTI-FAMILY SITE

THE L.E.A.D.S. GROUP, P.A.

Land Engineering And Development Services

PRELIMINARY PLANNING AND ZONING PURPOSES ONLY
NOT APPROVED FOR CONSTRUCTION



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.

Truby Apartments (CR2006)

Type of Request
Conditional Rezoning

Meeting Dates
Planning Board on January 19, 2021
City Council on February 9, 2021

☐ 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 19th day of January, 2021.

Attest:

Dean Ward, Planning Board Chairman

Debbie Jolly, Secretary



STAFF REPORT

Prepared by Nathan Page, Planning Director

Albright Carport (CR2007)

Type of Request: Conditional Rezoning

Meeting Dates

Planning Board on January 19, 2021

City Council on February 9, 2021

Contact Information

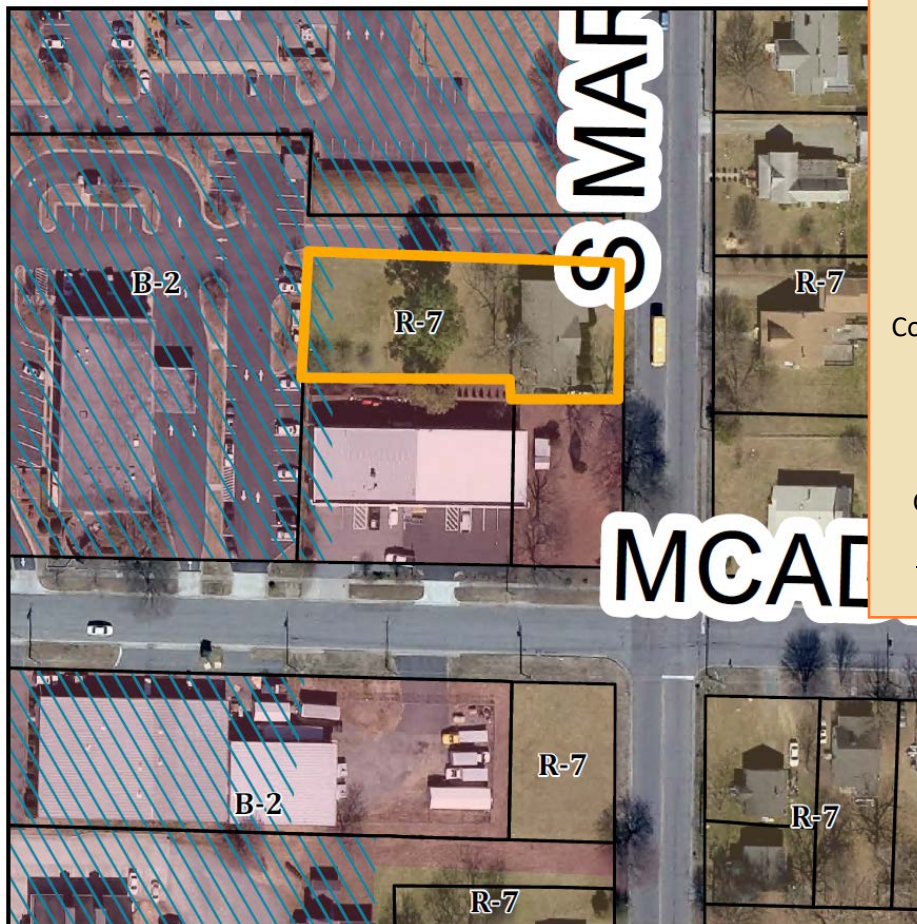
Jane Albright

Janeygal1@mac.com, 775-247-4451

231 S Marshall Street, Graham NC 27253

Summary

This is a request to rezone the subject property from R-7 to CR. The application is to reduce the restriction on an accessory structure in the front and side yard areas, to allow for the construction of a carport. However, as there are many other residences in the R-7 district with similar circumstances, staff recommends a change to the regulations rather than a change to this singular lot.



Project Name

Albright Carport (CR2007)

Location

231 S Marshall St

GPIN: 8884230039

Size

Approx. 0.43 acres

Proposed Density

2 DU/Acre

Current Zoning

R-7

Proposed Zoning

Conditional Residential (CR)

Surrounding Zoning

B-2, R-7

Surrounding Land Uses

Commercial, Residential

Staff Recommendation

Deny

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

Development Type: Downtown Residential

Applicable Policies and Recommendations

Policy 3.1.3 **Parking Behind Buildings** Encourage off-street parking to be located in the rear of new commercial buildings with accessed provided by alleys. *While this is specific to commercial buildings, the principles behind it also apply to residential structures.*

Downtown Residential Transportation It is desirable that automobile parking be located on the street, and in garages set back from the front of the home. Where public right-of-way widths permit, street reconstruction projects should include sidewalks on both sides of the street. Street trees should be planted at 30-40 foot intervals between the curb and the sidewalk. Textured crosswalks and other traffic-calming facilities will increase the safety of pedestrians and bicyclists.

Description of Development Type

Downtown Residential

Development Toolkit Checklist

Located near a major thoroughfare

For single family residential and duplexes

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

Density of 3-6 DU/acre

New homes should consider adjacent lot sizes and building orientations

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, and the developments compliance with the Graham Development Ordinance, staff **recommends Denial** of the Conditional Rezoning.

The following supports this recommendation:

The proposed project is not in conformity with Downtown Residential Transportation, nor Policy 3.1.3 Parking Behind Buildings of the Graham Comprehensive Plan 2035.



Call Mrs. Albright to put on credit card

Application for REZONING or CONDITIONAL REZONING

1775 247 4451

100-

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: 231 MARSHALL STREET

Tax Map#: 146 182 GPIN: 8884230039

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: RESIDENTIAL

Total Site Acres: _____

Property Owner: JANE ALBRIGHT

Mailing Address: 231 S. MARSHALL ST.

City, State, Zip: GRAHAM, N.C. 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: JANE ALBRIGHT

Mailing Address: 231 S. Marshall St

City, State, Zip: Graham NC 27253

Phone # 775-247-4451

Email: janeal1@mac.com

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

Jane Albright
Signature of Applicant

12-22-20

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:

Accessory structure placed in front and side yard.

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*

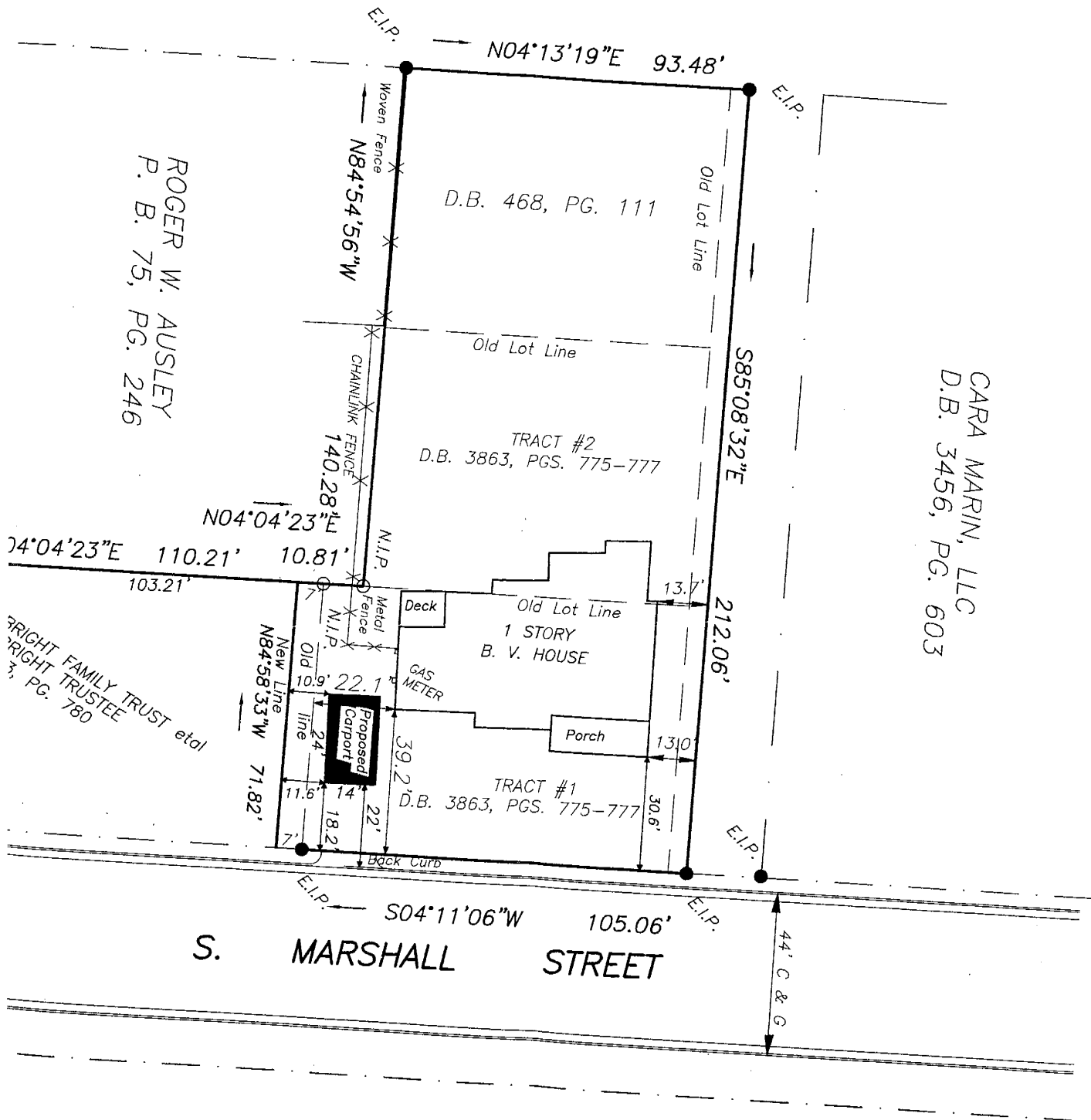
Office Use Only. DEVID#

CR2007

CENTRAL CAROLINA BANK AND TRUST
D.B. 479, PG. 270

ROGER W. AUSLEY
P. B. 75, PG. 246

CARA MARIN, LLC
D.B. 3456, PG. 603





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.

**Albright Carport
(CR2007)**

Type of Request
Conditional Rezoning

Meeting Dates
Planning Board on January 19, 2021
City Council on February 9, 2021

☐ 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 19th day of January, 2021.

Attest:

Dean Ward, Planning Board Chairman

Debbie Jolly, Secretary



STAFF REPORT

Prepared by Nathan Page, Planning Director

Text Amendment for: Section 10.245 Area, Height, and Yard Regulations to change the setbacks for the R-7 Yard Depth

Type of Request: Text Amendment

Meeting Dates

Planning Board on January 19, 2021

City Council on February 9, 2021

Contact Information

Nathan Page

201 S Main Street, Graham NC 27253

npage@cityofgraham.com,

(336) 570-6705

Summary

Staff has applied for an amendment to our Development Ordinance to reduce the front yard setback to 15 feet, as well as the side yard setback to 5 feet for the R-7 Zoning District.

Prior to 1958, there were not required front yards, at which time the front yard was set to 25' for most residential properties. This created a number of non-conforming structures, primarily located on lots which are now zoned R-7, as those typically coincide with the older housing stock in the City.

In 1967, the front yard setback was enlarged to 30', for the R-7 district, where it has remained today. However, this causes a significant number of existing structures to not be compliant with City of Graham regulations, preventing the construction of a small covering over the front door or other structure that would infringe upon the existing setbacks. In some cases, more than 50% of the structure is within this setback, most often in the vicinity of Oneida Mill.

Staff believes that a 15 foot front- yard setback would be sufficient for all city-required infrastructure. However, it is recommended that the existing "Note 9" be removed if this amendment is approved, as it would have homes within 5 feet of the front property line, which may be difficult for the installation of necessary utility and transportation connections.

The following amendments to the Development Ordinance are proposed:

Project Name

Residential Setbacks
(AM2005)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

Existing Language:

Section 10.245 Area, Height, and Yard Regulations

Zoning District	Yard Depth Front	Minimum Yard Size (Feet From Property Line)		Rear Yard Depth
		Side Yard Width	Side Yard Width Abutting Street	
R-18 (See Section 10.249)	40 (See Note 9)	15	20 (See Note 2)	20 (1)(2)(2a)
R-15 (See Section 10.249)	40 (See Note 9)	10	20 (See Note 2)	20 (1)(2)(2a)
R-12 (See Section 10.249)	30 (See Note 9)	10	20 (See Note 2)	20 (1)(2)(2a)
R-9	30 (See Note 9)	8	15 (See Note 2)	20 (1)(2)(2a)
R-7	30 (See Note 9)	8	15 (See Note 2)	20 (See Notes 1, 2, and 2a)
R-MF	30 for single family and two family dwellings; 25 for multi-family dwellings (See Note 9)	8 for single-family and two family dwellings. For multifamily, 25 feet minimum, see Sec. 10.247	15 for single-family and two family dwellings. For multifamily, 25 feet minimum, see Sec. 10.247	20 for single-family and two-family dwelling; (See Notes 1, 2, and 2a) For multi-family, 25 feet minimum, see Sec. 10.247.
R-G (See Notes 3, 9)	30 for single family and two family dwellings; 25 for multi-family dwellings (See Note 9)	8 for single and two family dwellings. For multifamily, see Sec. 10.247	15 for single and two family dwellings. For multifamily, see Sec. 10.247	20 for single and two family dwelling (See Notes 1, 2, and 2a; For multifamily, see Sec. 10.247

Note 9. On any street except South Main Street (North Carolina Highway 87), Harden Street (North Carolina Highway 54), Elm Street, Hanover Road, East Gilbreath Street, Pine Street. South Maple Street to Gilbreath Street, and South Marshall Street, the minimum required front yard depth shall be 10 feet less than shown herein if:

- The average front yard depth of the two closest dwellings fronting on the same side of the street and within 500 feet of the lot in question is 10 or more feet less than the indicated minimum front yard depth, or
- The average front yard depth of all dwellings fronting on the same street and within 500 feet of the lot in question is 10 or more feet less than the indicated minimum front yard depth.

Proposed Language:

Section 10.245 Area, Height, and Yard Regulations

		<i>Minimum Yard Size (Feet From Property Line)</i>		
Zoning District	Yard Depth Front	Side Yard Width	Side Yard Width Abutting Street	Rear Yard Depth
R-18 (See Section 10.249)	40 (See Note 9)	15	20 (See Note 2)	20 (1)(2)(2a)
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Note 9. (reserved)

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Develop a compact, mixed-use, and focused pattern of growth. Graham will focus compact development in well-defined areas in order to increase the viability of regional transit, preserve open space, rural areas, and environmentally sensitive lands, efficiently provide public services and infrastructure, and promote infill development and redevelopment. *The relaxation of the setbacks will likely lead to more neighborhood diversity and larger structures built on existing lots.*

Strategy 2.3.1 Facilitate Focused Development. Incentivize pedestrian-oriented nodal development consistent with this plan by incentivizing smart growth development... *The requirement for large setbacks may have a negative effect on the construction of smart growth neighborhoods, while also increasing the existing number of nonconforming structures which are costlier to insure and rebuilt.*

Planning District

All

Development Type

All

Policy 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 reduction in required yards may allow for more dense development, allowing for more efficient water supply systems.*

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 2035 Plan, in Strategy 2.3.1, as well as Policy 4.3.1, recommends reducing setback requirements for R7 lots.



PLANNING BOARD Recommendation & Statement of Consistency

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R-7 Setbacks (AM2005)

Type of Request

Text Amendment

Meeting Dates

Planning Board on January 19, 2021
City Council on February 9, 2021

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