

**Planning Board Meeting Minutes  
April 14, 2008**

The Siler City Planning Board met on Monday, April 14, 2008 at 7:00 p.m. Larry Mendenhall called the meeting to order and Harold Hart gave the invocation. Minutes of January 14, 2008 meeting were unanimously approved by a motion from Ethel Coble and seconded by Richard Caviness.

**Members Present**

Larry Mendenhall, Chairman  
Ethel Coble, Vice Chair  
Richard Caviness  
Harold Hart  
Mickey Pore  
Dan McMasters, Alternate

**Members Absent**

Cindy Bray  
Arnold Headen  
Vicky Tobar, Alternate

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager  
William C. Morgan, Town Attorney  
Dee Lee Thompkins, Administrative Support Specialist

**BUSINESS SESSION**

**Agenda Item IV**

**Conditional Use Rezoning Request  
A. CUR-01-08 – Dogwood Downs**

Jack Meadows reported that Ernie Evans requests a conditional use rezoning to rezone approximately 2.23 acres from Residential-10 to Residential-6-Conditional Use and to develop a 7 lot two family residential duplex subdivision. The subject property is located at the southeast corner of West Eleventh Street and North Dogwood Avenue. The name of the project is Dogwood Downs.

Mr. Meadows added that the proposed development will include:

- 7 duplex lots - 14 residential units;
- Building footprint for duplex = 32' x 70" = 2,240 sq.ft.;
- Minimum lot size for duplex
  - R-10 = 15,000 sq.ft.
  - R-6 = 9,000 sq.ft.
- Proposed lot sizes = 12,311, 13,240, 13,942, 13,944, 13,946, 13,999, and 15,579 sq.ft.
- # of Duplexes allowed on 2.33 acres
  - R-6 = 11 duplexes
  - R-10 = 6 duplexes
  - Proposed = 7 duplexes
- Proposed density = 6 units per acre - 14 units / 2.33 acres
- Mean roof height is 14 feet;
- Residential developments with less than 25 dwelling units are exempt from minipark and open space requirements;
- A 10 foot conservation easement around the entire perimeter of the property;
- Type A Screen along the eastern and southern boundary (required);
- Type C Screen along West 11<sup>th</sup> Street and North Dogwood Avenue - recommended;
- Total disturbed area = 2.32 acres; and
- Onsite storm water controls - required.

Mr. Meadows reported that the Land Development Plan recommends general residential development for the subject property.

1. Promote walkable interconnected neighborhoods and use of sidewalks;
2. Major residential growth is expected in the western portion of the planning region;
3. It is recommended that multifamily residential development be restricted to areas in which sufficient public water and sewer service is available and good access to larger thoroughfares;
4. Multi-family residential is recommended to be no more than 6 units per acre;

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5. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels;
6. Maintain the integrity and encourage infill development in established residential areas;
7. Encourage mixed-use development;
8. Onsite storm water controls are critical to minimize environmental impacts; and
9. Development should minimize built-upon area.

Mr. Meadows stated that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance. Based on the information received at this time, Staff recommends approval.

Mr. Meadows reported that the following conditions are recommended:

1. After the date of approval, a progress report -detailing all work on the project- must be submitted to the Planning Director every six months until the project is completed;
2. 3 parking spaces are required for each dwelling unit;
3. 10 foot conservation easement around the entire perimeter of the property;
4. Install 4' concrete sidewalk along North Dogwood Avenue;
5. Install Type C Screen along West 11<sup>th</sup> Street and North Dogwood Avenue;
6. Install onsite stormwater controls per NC DWQ Stormwater BMP Manual;
7. Limit built upon area to less than 70%;
8. Prior to site work applicant must submit an engineer/surveyor approved:
  - a. Major Subdivision Construction Plan for Review;
  - b. storm water drainage plan;
  - c. wetland and stream survey;
  - d. construction details;
  - e. public water hydraulic analysis;
  - f. NC Division of Land Resources erosion control approval; and
  - g. NC Division of Water Quality stormwater approval.

### Discussion

Mr. Mendenhall and Harold Hart asked Mr. Meadows if the board approved the rezoning and Mr. Evans decided he wanted to put 11 duplexes instead of 7. Mr. Meadows responded that this a conditional use rezoning and we are approving only 7 duplexes Mr. Evans would have to come back to the board to revise his permit.

Mr. Mendenhall stated that at first he was against this rezoning because everything surrounding this property is R-10 but since Mr. Evans is going to construct only 7 duplexes and the board is requiring him to have three parking spaces per dwelling unit he does not have a problem with the rezoning.

Mr. Mendenhall directed the board to their worksheets to go through each finding.

### Rezoning Worksheet

Mr. Mendenhall asked for a motion to adopt staffs recommended Land Development Plan Consistency Statement. Upon a motion by Harold Hart and seconded by Ethel Coble the statement was unanimously approved.

A motion was made by Dan McMasters to approve the rezoning in order to promote and forward the purposes of the adopted Siler City Land Development Plan. Harold Hart seconded and all members voted to approve.

### Conditional Use Worksheet

1. The application was complete  
*Motion made by Dan McMaster, Ethel Coble seconded, followed by unanimous consent.*
2. Application complies with all applicable requirements of the Unified Development Ordinance  
*Motion made by Harold Hart, Dan McMasters seconded, followed by unanimous consent.*

3. Conditions as recommended by Staff
  1. After the date of approval, a progress report - detailing all work on the project - must be submitted to the Planning Director every six months until the project is completed;
  2. 3 parking spaces are required for each dwelling unit;
  3. 10 foot conservation easement around the entire perimeter of the property;
  4. Install 4' concrete sidewalk along North Dogwood Avenue;
  5. Install Type C Screen along West 11<sup>th</sup> Street and North Dogwood Avenue;
  6. Install onsite stormwater controls per NC DWQ Stormwater BMP Manual;
  7. Limit built upon area to less than 70%;
  8. Prior to site work applicant must submit an engineer/surveyor approved:
    - a. Major Subdivision Construction Plan for Review;
    - b. storm water drainage plan;
    - c. wetland and stream survey;
    - d. construction details;
    - e. public water hydraulic analysis;
    - f. NC Division of Land Resources erosion control approval; and
    - g. NC Division of Water Quality stormwater approval.

*Motion made by Dan McMasters, Ethel Coble seconded followed by unanimous consent.*

4. The permit is recommended for approval with conditions

*Motion made by Harold Hart, Richard Caviness seconded, followed by unanimous consent*

#### **Conditional Use Rezoning Request**

##### **B. CUR-02-08 – Chatham Springs Apartments**

Mr. Meadows reported that Richard E. Fox requests a conditional use rezoning to rezone approximately 3.73 acres from Office-Institutional-Conditional Use to Residential-6-Conditional Use and to develop a 48 unit multifamily residential apartment complex for the elderly. The subject property is located at the southwest corner of Siler Business Drive and Village Lake Road.

Mr. Meadows added that the proposed development will include:

- One, 2 story building;
- Building footprint = 66'-6" x 434' = 31,648 sq.ft. - Total building area = 53,588 sq.ft.;
- 24 - 2 bedroom units and 24 - 1 bedroom units;
- Density
  - a. 14 units per acre allowed - 52 units / 3.73 acres
  - b. Proposed 12.9 units per acre - 48 units / 3.73 acres
- Mean roof height is less than 35 feet;
- Proposed minipark - 10,240 sq.ft. will include 8 foot paved walking trail, picnic tables, and benches - 9,408 sq.ft. required;
- Proposed 21,912 sq.ft. of open space - 8,124 sq.ft. required;
- 62 parking spaces and 4 handicap spaces - 48 required;
- Type C Screen along Siler Business Drive and Village Lake Road - required;
- Shade tree requirement is satisfied by screening requirements - required;
- Total disturbed area = 2.55 acres;
- Onsite storm water controls - required.

Mr. Meadows stated that the Land Development Plan recommends office-light industrial development for the subject property.

1. Promote walkable interconnected neighborhoods and use of sidewalks;
2. Multifamily residential developments are typically located adjacent to office-institutional developments;
3. Major residential growth is expected in the western portion of the planning region;
4. It is recommended that multifamily residential development be restricted to areas in which sufficient public water and sewer service is available and good access to larger thoroughfares;
5. Multi-family residential is recommended to be no more than 6 units per acre;
6. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels;
7. Encourage mixed-use development;

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8. Onsite storm water controls are critical to minimize environmental impacts;
9. Development should minimize built-upon area.

Mr. Meadows stated that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance. Based on the information received at this time, Staff recommends approval.

Mr. Meadows added that the following conditions are recommended:

1. After the date of approval, a progress report (detailing all work on the project) must be submitted to the Planning Director every six (6) months until the project is completed;
2. Install 8' paved walking trail along the southern and western property boundary;
3. Install onsite stormwater controls per NC DWQ Stormwater BMP Manual;
4. Limit built upon area to less than 70%;
5. Prior to site work applicant must submit an engineer/surveyor approved:
  - a. Major site plan for review;
  - b. storm water drainage plan;
  - c. wetland and stream survey;
  - d. construction details;
  - e. public water hydraulic analysis;
  - f. driveway plan per NCDOT Standards;
  - g. NC Division of Land Resources erosion control approval; and
  - h. NC Division of Water Quality stormwater approval.

### Discussion

Mr. Mendenhall directed the board to their worksheets to go through each finding.

### Rezoning Worksheet

Mr. Mendenhall asked for a motion to adopt staffs recommended Land Development Plan Consistency Statement. Upon a motion by Richard Caviness and seconded by Harold Hart the statement was unanimously approved.

A motion was made by Ethel Coble to approve the rezoning in order to promote and forward the purposes of the adopted Siler City Land Development Plan. Mickey Pore seconded and all members voted to approve.

### Conditional Use Worksheet

1. The application was complete  
*Motion made by Harold Hart, Dan McMasters seconded, followed by unanimous consent.*
2. Application complies with all applicable requirements of the Unified Development Ordinance  
*Motion made by Dan McMasters, Mickey Pore seconded, followed by unanimous consent.*
3. Conditions as recommended by Staff
  1. After the date of approval, a progress report -detailing all work on the project- must be submitted to the Planning Director every six months until the project is completed;
  2. Install 8' paved walking trail along the southern and western property boundary;
  3. Install onsite stormwater controls per NC DWQ Stormwater BMP Manual;
  4. Limit built upon area to less than 70%;
  5. Prior to site work applicant must submit an engineer/surveyor approved:
    - a. Major site plan for review;
    - b. storm water drainage plan;
    - c. wetland and stream survey;
    - d. construction details;
    - e. public water hydraulic analysis;
    - f. driveway plan per NCDOT Standards;
    - g. NC Division of Land Resources erosion control approval; and
    - h. NC Division of Water Quality stormwater approval

*Motion made by Ethel Coble, Harold Hart seconded followed by unanimous consent.*

5. The permit is recommended for approval with conditions

*Motion made by Harold Hart, Dan McMasters seconded, followed by unanimous consent*

**Conditional Use Rezoning Request**

**C. CUR-03-08 – Stonecrest Apartments – Phase 2**

Mr. Meadows reported that Dino Hackett requests a conditional use rezoning to rezone approximately 8.594 acres from Residential-10 to Residential-6-Conditional Use and to develop an additional 24 unit multifamily residential apartment complex. The subject property is located at 320 West Eleventh Street. The name of the project is Stonecrest Apartments Phase 2.

Mr. Meadows stated that the proposed development will include:

- One, 3 story building;
- Building footprint = 80' x 148' = 11,840 sq.ft. - Total building area = 27,600 sq.ft.;
- Six - 3 bedroom units and 18 - 2 bedroom units;
- Density
  - a. 14 units per acre allowed - 122 units / 8.594 acres
  - b. Proposed 11.2 units per acre - 96 units / 8.594 acres
- Mean roof height of 34 feet;
- Proposed minipark - 20,550 sq.ft. will include volleyball court, picnic area with grills and covered tables, and bark park-dog friendly area 20,517 sq.ft. required;
- Proposed 59,182 sq.ft. of open space - 18,718 sq.ft. required;
- 59 parking spaces and 3 handicap spaces - 60 required;
- Type A Screen along the railroad right-of-way - required;
- 8 shade trees for vehicle accommodation area - required;
- Total disturbed area = 2 acres;
- Onsite storm water controls -required.

Mr. Meadows reported that the Land Development Plan recommends general residential development for the subject property.

1. Promote walkable interconnected neighborhoods and use of sidewalks;
2. Major residential growth is expected in the western portion of the planning region;
3. It is recommended that multifamily residential development be restricted to areas in which sufficient public water and sewer service is available and good access to larger thoroughfares;
4. Multi-family residential is recommended to be no more than 6 units per acre;
5. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels;
6. Maintain the integrity and encourage infill development in established residential areas;
7. Onsite storm water controls are critical to minimize environmental impacts; and
8. Development should minimize built-upon area.

Mr. Meadows stated that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance. Based on the information received at this time, Staff recommends approval.

Mr. Meadows reported that the following conditions are recommended:

1. After the date of approval, a progress report - detailing all work on the project must be submitted to the Planning Director every six months until the project is completed;
2. Install 4' concrete sidewalk along West 11<sup>th</sup> Street;
3. Install onsite stormwater controls per NC DWQ Stormwater BMP Manual;
4. Limit built upon area to less than 70%;
5. Install thermoplastic striping of existing turn lane taper on West 11<sup>th</sup> Street as required by NCDOT;
6. Relocate existing street light - located near the turn lane taper behind the ditch line as required by NCDOT;
7. Prior to site work applicant must submit an engineer/surveyor approved:

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- a. Major site plan for review;
- b. storm water drainage plan;
- c. wetland and stream survey;
- d. construction details;
- e. public water hydraulic analysis;
- f. NC DOT driveway permit and encroachment agreement;
- g. NC Division of Land Resources erosion control approval; and
- h. NC Division of Water Quality stormwater approval.

### Discussion

Mr. Mendenhall questioned the installing of the 4' concrete sidewalk along West 11<sup>th</sup> Street. Mr. Hackett stated the he was considering a walking trail around the complex that could connect to the sidewalk.

Mr. Mendenhall directed the board to their worksheets to go through each finding.

### Rezoning Worksheet

Mr. Mendenhall asked for a motion to adopt staffs recommended Land Development Plan Consistency Statement. Upon a motion by Dan McMasters and seconded by Harold Hart the statement was unanimously approved.

A motion was made by Mickey Pore to approve the rezoning in order to promote and forward the purposes of the adopted Siler City Land Development Plan. Richard Caviness seconded and all members voted to approve.

### Conditional Use Worksheet

1. The application was complete  
*Motion made by Harold Hart, Dan McMasters seconded, followed by unanimous consent.*
2. Application complies with all applicable requirements of the Unified Development Ordinance  
*Motion made by Ethel Coble, Mickey Pore seconded, followed by unanimous consent.*
3. Conditions as recommended by Staff
  1. After the date of approval, a progress report -detailing all work on the project- must be submitted to the Planning Director every six months until the project is completed;
  2. Install 4' concrete sidewalk along East 11<sup>th</sup> Street
  3. Install onsite stormwater controls per NCDWQ Stormwater BMP Manual;
  4. Limit built upon area to less than 70%
  5. Install thermoplastic striping of existing trun lane taper on West 11<sup>th</sup> Street as required by NCDOT;
  6. Relocate existing street light – located near the turn taper behind the ditch line as required by NCDOT;
  7. Prior to site work applicant must submit an engineer/surveyor approved:
    - a. Major site plan for review;
    - b. storm water drainage plan;
    - c. wetland and stream survey;
    - d. construction details;
    - e. public water hydraulic analysis;
    - f. driveway plan per NCDOT Standards;
    - g. NC Division of Land Resources erosion control approval; and
    - h. NC Division of Water Quality stormwater approval*Motion made by Dan McMasters, Ethel Coble seconded followed by unanimous consent.*
4. The permit is recommended for approval with conditions  
*Motion made by Harold Hart, Richard Caviness seconded, followed by unanimous consent*

**Agenda Item V**

**Conditional Use Permit Request**  
**A. CUP-01-08 – Sportsman Lanes Hotel/Motel**

Mr. Meadows reported that Nick Rai requests a conditional use permit to develop a hotel/motel. The subject property is located at 210 East Eleventh Street. The subject property is further identified as Tax Parcel Number 14971. The name of the project is Sportsman Lanes.

Mr. Meadows added that the proposed development will include:

- Use of the existing one story brick building - building to be upfitted per State Building Code;
- 24 hotel/motel rooms;
- 13' x 42' meeting room;
- 10' x 18' breakfast area;
- internal access only to all rooms;
- 39 parking spaces and 2 handicap spaces - 24 required;
- Type C Screen along East 11<sup>th</sup> Street - required;
- Type A vegetative Screen - with green coated 4' chain link fence - along property boundaries near existing residential dwellings - recommended;
- 7 shade trees for vehicle accommodation area - required;
- Driveway alterations on East 11<sup>th</sup> Street per NCDOT;
- Total disturbed area = 0 acres.

Mr. Meadows reported that the Land Development Plan recommends general commercial development for the subject property.

1. Generally located along major thoroughfares that contain a variety of commercial uses;
2. Encourage attractive commercial development in appropriate locations suitable for commercial purposes;
3. Includes uses and services that cater to the traveling public;
4. Improve the appearance and aesthetics of commercial properties abutting major thoroughfares by providing landscaping to buffer parking lots and service areas and by controlling signs;
5. Encourage the continued development of major shopping centers along major thoroughfares;
6. Improve vehicular access to commercial areas;
7. Require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways;
8. Encourage planned general commercial development rather than small, individual lot development;
9. Promote use of sidewalks;
10. Onsite storm water controls are critical to minimize environmental impacts; and
11. Development should minimize built-upon area.

Mr. Meadows added that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance. Based on the information received at this time, Staff recommends approval.

Mr. Meadows reported that the following conditions are recommended:

1. After the date of approval, a progress report - detailing all work on the project - must be submitted to the Planning Director every six) months until the project is completed;
2. Install Type A vegetative Screen - with green coated 4' chain link fence - along property boundaries near existing residential dwellings;
3. Install 4' concrete sidewalk along East 11<sup>th</sup> Street;
4. Prior to site work applicant must submit an engineer/surveyor approved:
  - a. Major site plan for review;
  - b. construction details;
  - c. public water hydraulic analysis; and
  - d. NC DOT driveway permit and encroachment agreement;

**Discussion**

Mr. Mendenhall informed the board that at the public hearing there was a lot of opposition to this conditional use permit because of the economic conditions of Siler City. He added that the board is to base their decision on the Land Development Plan for Siler City.

Mr. Mendenhall directed the board to their worksheets to go through each finding.

**Conditional Use Worksheet**

1. The application was complete  
*Motion made by Dan McMasters, Richard Caviness seconded, followed by unanimous consent.*
2. Application complies with all applicable requirements of the Unified Development Ordinance  
*Motion made by Harold Hart, Dan McMasters seconded, followed by unanimous consent.*
3. Conditions as recommended by Staff
  1. After the date of approval, a progress report -detailing all work on the project- must be submitted to the Planning Director every six months until the project is completed;
  2. Install Type A vegetative Screen – with green coated 4’ chain link fence along property boundaries near existing residential dwellings;
  3. Install 4’ concrete sidewalk along East 11<sup>th</sup> Street
  4. Prior to site work applicant must submit an engineer/surveyor approved:
    - a. Major site plan for review;
    - b. construction details;
    - c. public water hydraulic analysis;
    - d. NCDOT driveway permit and encroachment agreement;*Motion made by Dan McMasters, Harold Hart seconded followed by unanimous consent.*
4. The permit is recommended for approval with conditions  
*Motion made by Ethel Coble, Dan McMasters seconded, followed by unanimous consent*

**Agenda Item VI**

**Planning Activity Update**

Mr. Meadows reviewed the planning activity update with the members.

**Agenda Item VII**

**New Business**


Mr. Meadows informed the board that Quality Oil will be pulling their option for the property located on the northeast corner of US 64 West and Silk Hope Road. They could not meet DOT requirements.

Mr. Harold Hinson asked if he could address the board. He stated that he had concerns about the Dogwood Downs property. He wanted the board to know that this property is filled in with tree stumps and waste. He is worried about land sides with this property. Mr. Mendenhall and Mr. Meadows assured Mr. Hinson that this property will have to pass a compaction test before any building can be done on this property. They also added that the duplexes will be built to the North Carolina State Building Code.

With no further business, Ethel Coble made a motion for adjournment at 7:55 p.m., with a second from Mickey Pore and followed by unanimous consent.

  
Larry Mendenhall, Chairman

ATTEST

  
Dee Lee Thompkins, Recording Secretary