

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

The Siler City Planning Board met on Monday, January 14, 2008 at 7:00 p.m. Larry Mendenhall called the meeting to order and Richard Caviness gave the invocation. Minutes of December 10, 2007 meeting were unanimously approved by a motion from Richard Caviness and seconded by Dan McMasters.

Members Present

Larry Mendenhall, Chairman
Ethel Coble, Vice Chair
Cindy Bray
Richard Caviness
Dan McMasters, Alternate
Vicky Tobar, Alternate

Members Absent

Harold Hart
Mickey Pore
Arnold Headen

Staff Present

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

BUSINESS SESSION

Agenda IV

**Conditional Use Rezoning Request
A. CUR-03-07 – Quality Oil**

Mr. Meadows reported that Quality Oil Company, LLC requests a conditional use rezoning to rezone approximately 1.685 acres from Agricultural-Residential to Highway-Commercial Conditional Use and to sale goods, merchandise, gasoline, and with an attached accessory residential dwelling. The subject property is located along the northeast corner of US 64 West and Silk Hope Road. The subject property is further identified as Tax Parcel Number 14864.

Mr. Meadows explained that the subject property:

- is owned by Paul and Tonya Shelton;
- contains a single family dwelling addressed as 13418 US 64 West;
- has access to County water -no sewer;
- is located outside the Town's Corporate Limits;
- is surrounded mostly by A-R zoning, except for H-C zoning to the west; and
- is surrounded by the following land uses; vacant, single family dwellings, cemetery, home sales lot, agricultural, and County garbage collection center.

Mr. Meadows reported that the proposed development will include:

- 190 square foot sales space;
- 650 sqft attached accessory residential unit;
- 4,050 sqft gas pump canopy
- 2 parking spaces and 1 handicap parking space;
- opaque screening along the north and east property boundaries;
- broken screening along Silk Hope Road and US 64;
- 8 shade trees required for vehicle accommodation area;
- 40 foot building setback along Silk Hope Road and US 64;
- 25 foot building setback along north and east property boundaries;
- 68% built-upon area; and
- onsite storm water controls.

Mr. Meadows explained that the Land Development Plan recommends Agricultural/ Rural Residential for the subject property. The LDP recommends Mixed Use development for property located west of Silk Hope Road and Industrial/ Office development for property located south of US 64. Therefore, Town Staff identifies this property as a transitional area.

1. The property is suitable for a variety of land uses, including retail, where no dominant land use type has emerged.
2. The proposed use shall not place a heavy burden on public utilities or the environment, and have relatively few off-site impacts.
3. Onsite storm water controls are critical to minimize environmental impacts.
4. Due to the close proximity of the Rocky River and other tributaries, this property may be environmentally sensitive and any 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 explained that if the Planning Board finds that the application complies with all other provisions of the ordinance, it may still recommend denial of the permit if it concludes that the development more probably than not will:

1. Materially endanger the public health or safety;
2. Substantially injure the value of adjoining or abutting property;
3. Not be in harmony with the area in which it is located; or
4. Not be in conformity with the land development plan, thoroughfare plan, or other plan officially adopted by the Town Board.

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 an opaque screen along the northern and eastern property boundary
3. Install onsite stormwater controls
4. Limit built upon area to less than 70%
5. Prior to site work applicant must submit an engineered/surveyor approved:
 - a. storm water drainage plan;
 - b. tree survey;
 - c. wetland and stream survey;
 - d. construction details;
 - e. public water hydraulic analysis;
 - f. NCDOT driveway permit;
 - g. NCDENR erosion control permit; and
 - h. DWQ stormwater approval.

Discussion

Mr. Mendenhall stated that there were some concerns about the lights and Mr. Meadows added that the ordinance will address this issue.

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 Richard Caviness the statement was unanimously approved.

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

Conditional Use Worksheet

1. The application was complete
Motion made by Vicky Tobar, Dan McMasters seconded, followed by unanimous consent.

2. Application complies with all applicable requirements of the Unified Development Ordinance
Motion made by Dan McMasters, Vicky Tobar 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 (6) months until the project is completed
 2. Install an opaque screen along the northern and eastern property boundary
 3. Install onsite stormwater controls
 4. Limit built upon area to less than 70%
 5. Prior to site work applicant must submit an engineer/surveyor approved:
 - a. storm water drainage plan
 - b. tree survey
 - c. wetland and stream survey
 - d. construction details
 - e. public water hydraulic analysis
 - f. NCDOT driveway permit
 - g. NCDENR erosion control permit
 - h. DWQ stormwater approval*Motion made by Dan McMasters, Richard Caviness seconded followed by unanimous consent.*

4. The permit is recommended for approval with conditions
Motion made by Cindy Bray, Dan McMasters seconded, followed by unanimous consent

Agenda Item VI

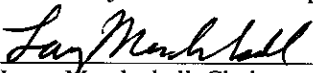
Planning Activity Update

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

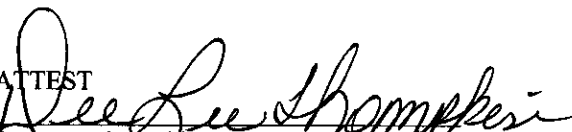
Agenda Item VIII

New Business

With no further business, Dan McMasters made a motion for adjournment at 7:30 p.m., with a second from Cindy Bray and followed by unanimous consent.



Larry Mendenhall, Chairman

ATTEST

Dee Lee Thompkins, Recording Secretary