

**Planning Board Meeting Minutes
January 11, 1999**

The Siler City Planning Board met on Monday, January 11, 1999 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, called the meeting to order at 7:00 p.m. and Pat Lowman gave the invocation. Minutes of November 9, 1998 meeting were unanimously approved by a motion from Roger Hinshaw and seconded by Pat Lowman.

Members Present

Joel Hunnicutt, Chairman
Roger Hinshaw
Leota Thompson
Pat Lowman
Jimmy Pugh
Steve Frazier, Alternate
John Brown, Alternate

Members Absent

Arnold Headen, Vice Chairman
James Patterson

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager

BUSINESS SESSION

Agenda Item IV

**A. Conditional Use Permit Request/Preliminary Plat Review
CUP-001-99 - Siler City Lodging, LLC**

Bernard Rogers, Planning Director reported Siler City Lodging, LLC, requests a conditional use permit in order to construct a Country Hearth, 40 room hotel. The 2.26 acre parcel is zoned Highway-Commercial (H-C) and is located behind the Fuel Mate BP Station on Hwy. 64. All adjoining property is zone H-C except for a single family home to the east. All adjoining property is used for commercial purposes. The application, dated November 24, 1998 was reviewed and deemed complete by staff. Before you is the unofficial minutes from the joint public hearing that was conducted on January 4, 1999.

The applicant's preliminary site plan has been reviewed. Hotels are a permitted use in an H-C zone and the site plan complies with all requirements of the Siler City Unified Development Ordinance. Proposed parking facilities are more than adequate to meet the demand of the Hotel. Screening for the adjacent residence has also been addressed.

The site is currently served by sanitary water and sewer service. Upon review of the site plan, Terry Green, Public Works Director feels that the lot will be adequately served. Also, the proposed development will not place an unreasonable burden on sanitation, fire, and police services.

The original site plan was submitted to the Department of Transportation for their review. The comments received back was the hotel would have a minimal traffic impact and the current driveway will be sufficient to serve this future use.

Please note that the revised site plan includes a driveway behind the hotel, which is 10' from the hotel, and a fire hydrant that was requested by the Fire Chief. This will need to be change because the driveway needs to be 25' from the building because the drive has to be equal to height of the building. Also, the 30' easement does not match with the driveway and the access easement will have to be enlarged to accommodate existing drive.

The planning staff recommends approval of the applicant's request for a conditional use permit. Please review the applicant's site plan. You may agree with staff's recommendation or propose your own recommendation and conditions (refer to Section 55 of the UDO which pertains to adding conditions). For your convenience a CUP worksheet is attached. The worksheet will help you determine whether to deny or approve the proposed development.

A recommendation to the Town Board is requested

Planning Board Minutes
January 11, 1999
Page two

Discussion

Al Mulji representing *Country Hearth* presented the Board with photographs of a Country Hearth Hotel in Kentucky. Country Hearth is a new franchise hotel that caters to *country style feeling* for smaller cities. The hotel will have 40 rooms including suites and Jacuzzis. The hotel will offer a continental breakfast, toll free reservations and a web site. He explained that by having a nice hotel here, we would be keeping business in Siler City. They are currently having a study done for the exterior lights. The hotel will employ 10 to 12 people and the pay will reflect pay in Siler City. The rates will be \$45 to \$55 a night, suites will be \$10 to \$15 more. The hotel will project \$22,000.00 a year in property tax.

With no further discussion, Mr. Hunnicutt directed the board to their worksheet to go through each finding:

- Completeness of application - application was complete.
Motion made by Jimmy Pugh, Leota Thompson seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by Pat Lowman, Leota Thompson seconded, and majority approved.
- Consideration of proposed conditions - **road behind hotel to be 25' away from building and enlarged access easement to accommodate existing drive.**
- Granting the application - **application is granted**, subject to the conditions agreed upon.
Motion made by Jimmy Pugh, Roger Hinshaw seconded, and majority approved

Recommendation for approval to the Town Board.

Agenda Item V

New Business

Bernard Rogers asked the Board if they had any comments on the Manufactured Home Ordinance materials he had given them.

Joel Hunnicutt suggested some type of regulations for the R-6 district.


Jimmy Pugh suggested some type of protection for property owners.

Steve Frazier discussed differential between the on frame and off frame modular homes.

With no further business, Steve Frazier made a motion for adjournment at 7:55 p.m., a second from Roger Hinshaw and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:


Dee-Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
March 8, 1999**

The Siler City Planning Board met on Monday, March 8, 1999 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, called the meeting to order at 7:00 p.m. and Arnold Headen gave the invocation. Minutes of January 11, 1999 meeting were unanimously approved by a motion from Leota Thompson and seconded by Jimmy Pugh.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Roger Hinshaw
James Patterson
Leota Thompson
Pat Lowman
Jimmy Pugh

Members Absent

John Brown, Alternate

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item IV

**Rezoning Request/Zoning Map Amendment
A. REZ-001-99 Staff**

Bernard Rogers reported staff requests to rezone a 7.09 & 3.91 acre parcel of land from Residential-20 (R-20) to Light-Industrial (L-I). The sites are located on the west side of the Norfolk Southern Railroad between West Elk Street and Wrenn Brothers Inc. Lumber Co. Site one is owned by Chatham Novelties and site two is owned by Wrenn Bros Inc. A map detailing adjacent zoning and use is attached.

A public hearing was conducted on March 1, 1999. The following comment was recorded:

Harold Milholen – stated the rezoning would not have a negative impact on the neighborhood.

As early as 1948 the subject parcels were used for industrial purposes. A 1989 zoning map used to develop our most current map, shows a portion of the parcels as industrial. However, the small portion shown does not reflect the current extent of the parcel's use. Similarly, the current zoning map does not reflect the past or current use of the parcels. The attached photographs show the current use. Also note there are two parcels south of the subject parcels that are zoned Light-Industrial. These two parcels have neither historically or currently been used for industrial purposes. In fact the two parcels do not exist on the county tax maps. It is my opinion that the zoning (L-I) was mislocated during development of the current zoning map. Therefore, the parcels owned by Chatham Novelties and Wrenn Brothers Inc. should in my opinion have been zoned Light-Industrial.

Staff recommends rezoning both parcels to Light-Industrial to correct a previous map mistake. In contrast to the 1989 map, staff recommends rezoning each entire tract, rather than an arbitrary portion of the tracts. For your convenience a REZ worksheet is attached. The worksheet will help you determine whether to deny or approve the proposed rezoning.

A recommendation to the Town Board is requested.

Planning Board Minutes
March 8, 1999
Page two

Discussion

With no further discussion, Mr. Hunnicutt directed the board to their worksheet to go through each finding:

- Compliance with ordinance intent – The application is in compliance with the intent of the Unified Development Ordinance.
Motion made by Arnold Headen, Leota Thompson seconded and majority approved.
- Granting the application – The application is granted.
Motion made by James Patterson, Leota Thompson seconded and majority approved.

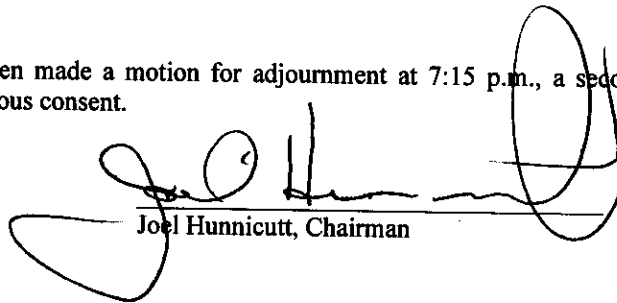
Recommendation for approval to the Town Board.

Agenda Item V

New Business

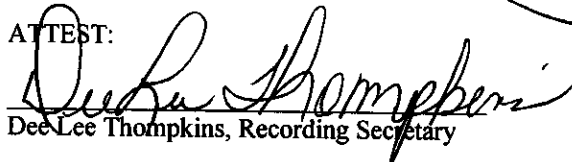
Bernard Rogers reported he will have his recommendation on Manufactured Home Community Regulations at our April Meeting.

With no further business, Arnold Headen made a motion for adjournment at 7:15 p.m., a second from Roger Hinshaw and followed by unanimous consent.



Joel Hunnicutt, Chairman

ATTEST:



Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
April 12, 1999**

The Siler City Planning Board met on Monday, April 12, 1999 at 7:03 p.m. Minutes of March 8, 1999 meeting were unanimously approved by a motion from Leota Thompson and seconded by Arnold Headen.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Roger Hinshaw
Leota Thompson
Jimmy Pugh
John Brown, Alternate
Cindy B. Bray, Alternate

Members Absent

James Patterson
Pat Lowman

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

Town Board Present

Alexander Graves, Town Commissioner

BUSINESS SESSION

Agenda Item IV

A. Final Plat Review – Cedar Springs – David Ritter

Bernard Rogers reported Mr. David Ritter is requesting final approval for Phase II of Cedar Springs Subdivision. The proposed subdivision will add ten (10) single family residential lots to the existing twenty-one (21) lot subdivision. The site is located northeast of the Piney Grove Church Road (SR 1362) and Fellowship Church Road (SR 1314) intersection and south of US Highway 421.

The subdivision lies within the Towns watershed protection area. However, preliminary approval for the subdivision was granted prior to adoption of the Watershed Protection ordinance and further review is not required. Please note that the subdivision does meet current watershed regulations.

A six (6) inch Town water line has been constructed to serve the proposed lots and an eighteen (18) foot paved road has been completed for access. The Town's Public Works Director, Terry Green, has given approval on the water lines and DOT has approved the road. Mr. Ritter furnished a letter dated January 1, 1993 from the Chatham County Health Department granting preliminary approval of the lots for subsurface sewage disposal. The approval expired after five years. After talking with Kim Warren with the Chatham County Health Department, she feels like there will be no problem approving it again.

Staff recommends final plat approval for Phase II of Cedar Springs Subdivision subject to Chatham County Health Department approval of subsurface sewage disposal.

Discussion

Mr. Hunnicutt asked for a motion of recommendation to the Town Board. Arnold Headen made the motion with the condition of approval from the Chatham County Health Department of subsurface sewage disposal. Jimmy Pugh seconded, with majority approved.

Agenda Item V

Manufactured Home Park Ordinance

Bernard Rogers, Planning Director explained we need to come up with some specifics on regulations to include in our Manufactured Home Ordinance. Once we come up with the specifics then he can do a draft of the ordinance and have a public hearing and make a recommendation to the Town Board.

Planning Board Minutes
April 12, 1999
Page two

After comparing our ordinance to some other towns we have found out that ours is satisfactory. One area that we need to look at changing is individual lot development and this is single lot development in established neighborhoods. Mr. Rogers suggested stricter criteria such as:

- Home length not exceeding four times its width
- Set minimum roof pitch
- Siding of the home
- Brick or cement block foundation
- Tongue, axles, and transporting lights be removed
- Double-wide only
- Home facing street
- Special use permit

Also do we want to implement these strict criteria in R-6 and/or A-R zoning district.

Joel Hunnicutt asked for a motion to recommend on individual lot development to restrict to double-wide, brick foundation and home to face street.

Arnold Headen made a motion to amend our ordinance to restrict to double-wide on brick foundation in R-6 and A-R zoning district, home to face street, minimum required roof pitch, vinyl siding and to require a special use permit. Jimmy Pugh seconded with majority approved.

Mr. Rogers explained the other area in our ordinance that we need to look at changing is park development. Our ordinance calls for screening in park development and we might want to require a buffer along with screening. The difference between a buffer is that it leave a distance between lot line and screening is visual separation.

Joel Hunnicutt recommended we table the park development so the board could study and think about the changes they would like to recommend to the Town Board.

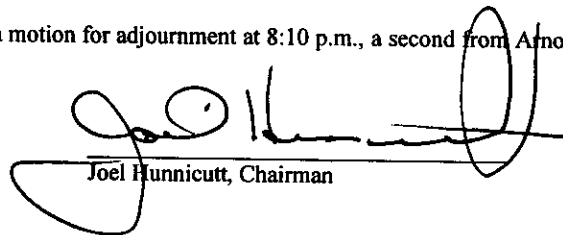
Agenda Item VI

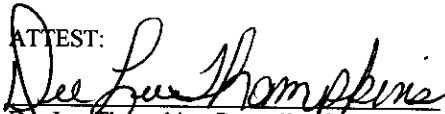
New Business

Bernard Rogers reported site work has started on Days Inn and Country Hearth. There has been no work started on Hampton Village. He also has had a lot of questions concerning the site work on the property at the intersection of Hwy 64 & 421. The property owner has been contacted informing him that he has to have a North Carolina Erosion Control Permit before clearing in excess of one acre.

Mr. Rogers informed the Board that Mr. Brower has sent a letter to the North Carolina Department of Transportation requesting for funds for the installation of a traffic island at the intersection of Alston Bridge Road and South Second Avenue.

With no further business, Leota Thompson made a motion for adjournment at 8:10 p.m., a second from Arnold Headen and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompson, Recording Secretary

**Planning Board Meeting Minutes
May 10, 1999**

The Siler City Planning Board met on Monday, May 10, 1999 at 7:10 p.m. Minutes of April 12, 1999 meeting were unanimously approved by a motion from Leota Thompson and seconded by Jimmie Pugh.

Members Present

Joel Hunnicutt, Chairman
Roger Hinshaw
James Patterson
Leota Thompson
Pat Lowman
Jimmie Pugh
John Brown, Alternate

Members Absent

Arnold Headen, Vice Chairman
Cindy B. Bray, Alternate

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item IV

A. Final Plat Review – Phase VIII Homewood Acres – Ernie Evans

Mr. Bernard Rogers, Planning Director reported Mr. Ernie Evans is requesting final approval for Phase VIII of Homewood Acres Subdivision. The proposed subdivision will add nineteen (19) single family residential lots to the existing twenty-one (21) lot subdivision. The site is located west of North Glenn Avenue and south of US Highway 64 as shown on the attached site map. The property is zoned Residential-10 (minimum lot width 80') and average lot size is 17,500 square feet.

A six (6) inch Town water and eight (8) inch sewer line has been constructed to serve the proposed lots and a twenty (20) foot paved road has been completed for access.

The Town's Public Works Director, Terry Green, has stated the applicant's improvements (water, sewer & road) are satisfactory.

Staff recommends final plat approval for Phase VIII of Homewood Acres Subdivision.

Discussion

With no discussion, Mr. Hunnicutt asked for a motion of recommendation to the Town Board. Roger Hinshaw made the motion, Jimmie Pugh seconded, with majority approved.

Recommendation for approval to the Town Board.

Agenda Item V

**A. Conditional Use Permit Request/Preliminary Plat Review
CUP-003-99 – Richard Fox**

Mr. Rogers explained Mr. Richard Fox requests to subdivide a seven (7) acre parcel, thus creating twelve (12) single-family housing sites. The site is located on the east side of South Tenth Avenue and north of the Chatham County Health Department. Mr. Fox's application dated April 15, 1999 was reviewed and deemed complete by staff. The applicant's response to the required finding is attached. A public hearing was conducted on May 3, 1999, to hear public concerns. You have before you the Town Board unapproved minutes from that meeting.

Mr. Fox's preliminary site plan has been reviewed. The site plan complies with all density and dimensional requirements of the Siler City Unified Development Ordinance. Each lot meets the 10,000 square foot minimum area and 80 foot minimum width required by the Unified Development Ordinance.

The applicant also plans to extend the town's water and sewer lines to the proposed development. Upon review of Mr. Fox's site plan, Terry Green, Public Works Director feels the lots will be adequately served.

Planning Board Minutes
May 10, 1999
Page two

The development will be served by two existing streets. However staff has requested a cul-de-sac at the end of Watkins Drive. Mr. Fox would like to delay construction of the cul-de-sac until he is ready to construct homes on Watkins Drive.

The planning staff recommends approval of the applicant's request for a conditional use permit following formulation of a condition to address the timing of the proposed cul-de-sac. Please review the applicant's site plan. You may agree with staff's recommendation or propose your own recommendation and conditions (refer to Section 55 of the UDO which pertains to adding conditions). For your convenience a CUP worksheet is attached. The worksheet will help you determine whether to deny or approve the proposed development. **A recommendation to the Town Board is requested.**

Discussion

Jimmie Pugh asked Mr. Fox what is his thoughts were concerning the comments Mr. George made at the public hearing concerning the noise and traffic at Oneida.

Mr. Fox stated he thought Mr. George just wanted to be on record to protect Oneida in the future concerning the noise and traffic they generate.

With no further discussion, Mr. Hunnicutt directed the board to their worksheet to go through each finding:

- Completeness of application - application was complete.
Motion made by Roger Hinshaw, James Patterson seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by James Patterson, John Brown seconded, and majority approved.
- Consideration of proposed conditions – **proposed cul-de-sac shall be completed at the terminal end of Watkins Drive prior to issuing any building permit for lots with frontage on Watkins Drive.**
Motion made by John Brown, Roger Hinshaw seconded, and majority approved.
- Granting the application - **application is granted**, subject to the condition agreed upon.
Motion made by John Brown, Pat Lowman seconded, and majority approved

Recommendation for approval to the Town Board.

Agenda Item VI

- Rezoning Request/Zoning Map Amendment**
- A. REZ-006-99 – Staff**
- B. REZ-007-99 – Staff**

Mr. Rogers reported staff requests to rezone the following parcels to correct a zoning map error:

<u>Owner</u>	<u>PRC#</u>	<u>Zoning</u>
Jimmy Louis Price	B5-179-4	A-R to L-I
Mrs. Robert George	B4-96	L-I to A-R
Edward & Carolyn Brodie	B4-96A	L-I to A-R
Stella W. Siler	D4-95	L-I to A-R

All parcels are located south of the intersection of Bish Road and Stockyard Road. Site one was last occupied by a trucking company, which has a similar impact on the immediate area as a conventional industry. Therefore, it would have been best categorized as an industrial use. In contrast sites 2, 3, and 4 are vacant and covered by vegetation. Staff feels that an error was made during an attempt to designate the trucking company site as industrial.

A public hearing was conducted on May 3, 1999 and you have before you the Town Board unapproved minutes from that meeting.

Staff recommends rezoning Mr. Price's property to Light-Industrial and Mrs. George, Mr. and Mrs. Brodie and Ms. Siler to Agricultural-Residential to correct a previous map mistake. For your convenience a REZ worksheet is attached. The worksheet will help you determine whether to deny or approved the proposed rezoning. **A recommendation to the Town Board is requested.**

Planning Board Minutes

May 10, 1999

Page three

Discussion

Mr. Hunnicutt directed the board to their worksheet to go through each finding.

COMPLIANCE WITH THE ORDINANCE INTENT

In order to maintain sound, stable and desirable development within the planning jurisdiction of Siler City, it is intended that this ordinance not be amended except:

- To correct manifest error in the ordinance or zoning map; or,
 - Because of changed or changing conditions in a particular neighborhood or community as a whole; or,
 - To promote and forward the purposes of the adopted Siler City Land Development Plan
-
- Compliance with ordinance intent – The application is in compliance with the intent of the Unified Development Ordinance.
Motion made by John Brown, James Patterson seconded and majority approved.
 - Granting the application – The application is granted.
Motion made by Roger Hinshaw, Jimmie Pugh seconded and majority approved.

Recommendation for approval to the Town Board.

- C. REZ-008-99 – Staff**
- D. REZ-009-99 – Staff**

Mr. Rogers explained staff requests to rezone a portion of a 24.74 and 104 acre parcel of land from Light-Industrial (L-I) to Residential-20 (R-20) and Light-Industrial (L-I) to Agricultural-Residential (A-R) respectively. The sites are located on the west side of the Norfolk Southern Railroad corridor and south of Wrenn Brothers Inc. Lumber Company. Site one is owned by Wrenn Brothers Inc. (PRC#121-2-1) and site two is owned by B. M. Hancock Heirs (PRC#D6-109). During the Town Board's March 1 meeting, a zoning map mistake was corrected by rezoning property owned by Wrenn Brothers Inc. and Chatham Novelities. Staff feels the parcels that are the subject of the current request were mistaken for the two parcels that were corrected on March 1, during the development of the zoning map.

You have before you the Town Board unapproved minutes from the May 3, 1999 public hearing. Mr. Willis Wrenn of Wrenn Brothers who owns site 1 stated his company would like the zoning classification to stay Light-Industrial and to rezone the entire tract Light-Industrial. Mr. Rogers explained that Mr. Wrenn would have to do a rezoning request to rezone the entire tract.

Staff recommends rezoning the subject property back to the zoning that covers the majority of each lot. For your convenience a REZ worksheet is attached. The worksheet will help you determine whether to deny or approved the proposed rezoning.

A recommendation to the Town Board is requested.

Discussion

Mr. Morgan asked if site one was a separate parcel. Mr. Rogers explained site one is a portion of the R-20 tract owned by Mr. Wrenn and it is not shown as a separate parcel on the county tax map. Mr. Morgan stated that it was clear this is an error on the zoning map and it could present a problem in the future if we do not correct the error. He future explained that even though the map is adopted by our ordinance, there is no record of the rezoning. He suggested that we correct the error and Mr. Wrenn can request to rezone the whole parcel to Light-Industrial.

John Brown suggested talking to Mr. Wrenn again.

Jimmie Pugh suggested we go ahead act on the rezoning tonight and let Mr. Wrenn come back and correct the lines like he wants to have it rezone.

Joel Hunnicutt asked if there were any more question or discussion, if not, he would obtain a motion for recommendation to the Town Board. Jimmie Pugh made the motion to rezone site 1 from L-I to R-20, site 2 from L-I to A-R. and Leota Thompson seconded. Five voting in favor and John Brown opposed.

Recommendation for approval to the Town Board.

Planning Board Minutes

May 10, 1999

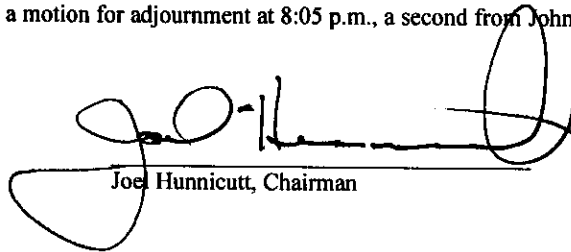
Page four

Agenda Item VII

New Business

Mr. Rogers reported Mr. Brower had received a letter from Mr. Will Garner, Division Traffic Engineer with the North Carolina Department of Transportation concerning a traffic island on Alston Bridge Road and South Second Avenue. *Mr. Garner stated a barrier island request is typically used where visibility of the right shoulder Stop sign is obstructed for various reasons is not the case at this intersection. There will be some improvements that can be made after July 1, 1999. The changes will include retracing the pavement markings, bring the double yellow centerline closer to South Second Avenue and placing a 24' wide white Stop Bar on Alston Bridge Road.*

With no further business, James Patterson made a motion for adjournment at 8:05 p.m., a second from John Brown and followed by unanimous consent.



Joel Hunnicutt, Chairman

ATTEST:



Dee Dee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
June 14, 1999**

The Siler City Planning Board met on Monday, June 14, 1999 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, called the meeting to order at 7:00 p.m. and gave the invocation. Minutes of May 10, 1999 meeting were unanimously approved by a motion from John Brown and seconded by James Patterson.

Members Present

Joel Hunnicutt, Chairman
Roger Hinshaw
James Patterson
Leota Thompson
John Brown, Alternate
Cindy B. Bray, Alternate

Members Absent

Arnold Headen, Vice Chairman
Pat Lowman
Jimmie Pugh

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager

BUSINESS SESSION

Agenda Item IV

Airport Hazard Ordinance Review

Bernard Rogers explained you have before you the Town's proposed Airport Hazard Ordinance. He stated the Siler City Airport Authority and Tom Godwin of Hobbs, Upchurch and Associates has reviewed and approved the proposed Hazard Ordinance. The ordinance will establish and enforce height restrictions and other regulations to prevent "hazard to take-offs and landing in the vicinity of the airport". The language of this ordinance is standard based on FAA requirements. He explained the five different zones around the airport and the height limitations in these zones. Mr. Rogers will administrate this ordinance but anytime we have an application you will be made aware whether or not this ordinance will come into play. Also, the Board of Adjustments will hear the appeals if anyone wants to appeal his decision based on this ordinance. He stated the sighting of cellular towers would be governed by this ordinance.

Your preliminary review is requested prior to scheduling a public hearing.

Discussion

Joel Hunnicutt explained this ordinance will give the Planning Department a tool to use when permits are apply for so they will not run into problems with take-offs and landing in the vicinity of the airport.

John Brown made a motion to recommend initiate the process to the Town Board for this ordinance. Roger Hinshaw seconded, and majority approved.

Agenda Item V

Manufactured Home Park Ordinance Review

Bernard Rogers stated the Town Attorney is doing a review of the Town Unified Development Ordinance for any mistakes that were made when it was developed. Mr. Morgan has suggested we allow him to include the changes we want to make on manufactured homes with his changes instead of having two separate processes.

Planning Board Minutes
June 14, 1999
Page two

He informed the Board they have before them the ordinance changes requested by the Planning Board, regarding manufactured homes on individual lots. The strikethrough denotes text that has been deleted and underlines denote text that has been added. The effect of the changes is to allow manufactured homes as defined by our ordinance on individual lots only after obtaining a special use permit. The above requirement is proposed for A-R and R-6 zoning districts.

Additionally the Board may wish to continue its discussion of regulatory changes for manufactured home parks. While researching this topic I found that parks are the most common location for singlewide homes, rather than individual lots. Another common practice is the use of buffers and/or screens to separate MHP's visually.

Discussion

Cindy Bray expressed concerns about not allowing single-wide homes in the A-R districts.

Joel Hunnicutt suggested tabling discussion until Jimmie Pugh is present.

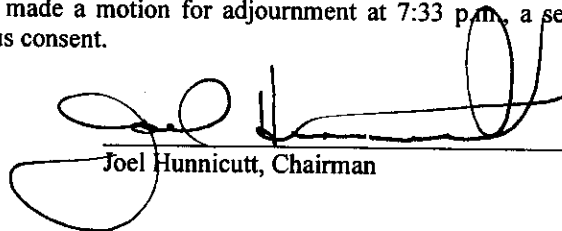
Agenda Item VI


New Business

Mr. Rogers reminded the Board they would be nominating a chairman and vice chairman at the July meeting.

Joel Hunnicutt thanked Roger Hinshaw for his time serve on the Board.

With no further business, James Patterson made a motion for adjournment at 7:33 p.m., a second from Leota Thompson and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary

Planning Board Meeting Minutes
July 12, 1999

The Siler City Planning Board met on Monday, July 12, 1999 at 7:00 p.m. Joel Hunnicutt called the meeting to order and Pat Lowman gave the invocation. Minutes of June 14, 1999 meeting were unanimously approved by a motion from John Brown and seconded by Leota Thompson.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Leota Thompson
Pat Lowman
Jimmie Pugh
John Brown
Cindy B. Bray, Alternate

Members Absent

James Patterson

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item IV

A. Conditional Use Permit Request/Preliminary Plat Review
CUP-004-99 – T&S Investors

Mr. Bernard Rogers, Planning Director reported T&S Investors requests a conditional use permit in order to develop a manufactured home community on an 11acre tract of land. The community will include seven manufactured home lots in addition to three existing lots. The site is located at the intersection of SR2113 and SR1176 between Norfolk Southern Railroad and SR1176. T&S Investors' application dated May 26, 1999 was reviewed and deemed complete by staff. The applicants' response to the required findings is attached. The property is zoned Agricultural-Residential which normally requires a minimum lot size of 40,000 square feet. However, T&S proposes to set aside permanent open space in exchange for smaller lots as permitted under §172 of the UDO. Private water and sewer will service the community. Access to SR1176 is by way of an existing concrete roadway. The roadway will remain in private ownership and will be maintained by the developer.

A public hearing was conducted on June 21, 1999, to hear public concerns. There was no public comment regarding this request.

The proposed development meets the minimum requirements with regard to density, lot size. Terry Green, Public Works Director, feels the road is sufficient. However, the driveway that opens to SR1176 & the proposed cul-de-sac will have to be paved to Town specifications. Also note, Belle Road the existing concrete roadway is longer than the UDO's recommended maximum for a dead end road. Staff has recommended that the developer attempt to obtain NCDOT permission for access to SR2113. Thus the dead end will be eliminated.

The developer has provided more than enough open space, however its sufficiency is questionable. The open area within the right-of-way is a proposed walking trail. This area may not meet the criteria for usable open space under §182 of the UDO

The planning staff recommends approval of the applicants' request for a conditional use permit with following conditions:

- Environmental Health must approve water and sewer.
- 35,000 square feet of usable open space must be provided as defined in §182 of the UDO.
- Driveway at SR1176 and proposed cul-de-sac must be paved according to specifications in Appendix C of the UDO.
- NCDOT approval or denial of access to SR2113.
- Belle Road determined to be an abandoned right-of-way.
- Developer must maintain all open space and roadways.

Please review the applicants' site plan. You may agree with staff's recommendation or propose your own recommendation and conditions. For your convenience a CUP worksheet is attached. The worksheet will help you determine whether to deny or approve the proposed development. **A recommendation to the Town Board is requested.**

Planning Board Minutes
July 12, 1999
Page two

Discussion

Pem Hobbs stated Ann Lowery with Environmental Health would be contacting Mr. Rogers with the approval for the private water and sewer. Also, he has spoken with Wayne Whorton with the NCDOT and he did not feel like DOT will allow them access to SR2113.

Dennis Sawyer told the Board he has own the property since 1976 and has decided he wants to develop the property. He already has three singlewide mobile homes and would like to put seven more homes on the property. Tenants will have to sign a rental contract and abide by the rules and regulations. A barricade will be put at the end of Belle Road and they would like to wait on paving till they get all the mobile homes moved in.

Jimmy Pugh asked about the run-off from the highway and layout of the homes.

Mr. Rogers explained the developer has not made any changes as far as any grading or drainage to the property.

Mr. Sawyer stated they have put the drainpipes and rock under Belle Road and the run-off will run into a creek. As far as the layout will be determined by environmental health specialist because of the septic lines. The homes should be parallel or perpendicular to existing road.

Joel Hunnicutt asked about the feasible of removing the old road or covering it with dirt and panting grass.

Mr. Sawyer explained they would be cleaning it up and a barricade will be installed.

Mr. Hunnicutt stated he has visited the property and is real please with the current screening along the railroad and highway.

With no further discussion, Mr. Hunnicutt directed the board to their worksheet to go through each finding:

- Completeness of application - application was complete.
Motion made by John Brown, Jimmie Pugh seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by John Brown, Pat Lowman seconded, and majority approved.
- Consideration of proposed conditions –
 - **Environmental Health must approve water and sewer.**
 - **35,000 square feet of usable open space must be provided as defined in §182 of the UDO.**
 - **Driveway at SR1176 and proposed cul-de-sac must be paved according to specifications in Appendix C of the UDO.**
 - **NCDOT approval or denial of access to SR2113.**
 - **Belle Road is determined to be an abandoned right-of-way by NCDOT.**
 - **Developer must maintain all open space and roadways.**
 - **Proposed cul-de-sac must be barricaded.**
- Granting the application - **application is granted**, subject to the conditions agreed upon.
Motion made by John Brown, Arnold Headen seconded, and majority approved

Recommendation for approval to the Town Board.

Agenda Item V

Appointment of Planning Board/Board of Adjustment Chairman and Vice Chairman

Joel Hunnicutt asked for a nomination for Chairman. Arnold Headen nominated Joel Hunnicutt, Pat Lowman seconded and was unanimously approved by board members.

Mr. Hunnicutt asked for nomination for Vice-Chairman. Jimmie Pugh nominated Arnold Headen, Leota Thompson seconded and was unanimously approved by board members.

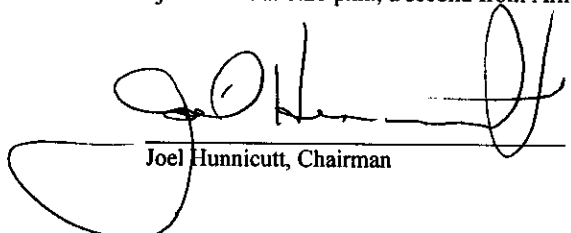
Planning Board Minutes
July 12, 1999
Page three

Agenda Item VII

New Business

Joel Hunnicutt congratulated Bernard Rogers on his certification of AICP.

With no further business, Jimmie Pugh made a motion for adjournment at 8:20 p.m., a second from Arnold Headen and followed by unanimous consent.



A large, stylized handwritten signature in black ink, appearing to read 'Joel Hunnicutt', is written over a horizontal line.

Joel Hunnicutt, Chairman

ATTEST:



A handwritten signature in black ink, appearing to read 'Dee Lee Thompkins', is written over a horizontal line.

Dee Lee Thompkins, Recording Secretary

Planning Board Meeting Minutes
August 9, 1999

The Siler City Planning Board met on Monday, August 9, 1999 at 7:00 p.m. Joel Hunnicutt called the meeting to order and Jimmie Pugh gave the invocation. Minutes of July 12, 1999 meeting were unanimously approved by a motion from Leota Thompson and seconded by Jimmie Pugh.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Leota Thompson
Jimmie Pugh
John Brown (seated at 8:05 p.m.)
Cindy B. Bray, Alternate

Members Absent

James Patterson
Pat Lowman

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item IV

A. Rezoning Request/Zoning Map Amendments
REZ-012-99 – Steven Lanning and David Raymer

Mr. Bernard Rogers, Planning Director reported Steven Lanning and David Raymer request to rezone 8 tracts of land totaling 195 acres from Agricultural-Residential to Heavy-Industrial. The property is located on SR1100 across from the Siler City Municipal Airport. The property owners are taking a proactive step toward preparing their land for future industrial development.

A public hearing was conducted on August 2, 1999. You have before you the Town Board unapproved minutes from that meeting.

The subject property is within an area described as a "Development" zone in the Town's Land Development Plan. Among other things the zone is recommended for future industrial areas. In addition, the nature of the area surrounding the airport will be guided and stimulated by the airport's existence and growth. This is to say industrial development is very compatible with an airport. An additional asset to industry is the proposed thoroughfare linking the airport to US Hwy 421.

Staff recommends approval of the proposed rezoning, based on its conformity to the Land Development Plan and due to the nature of the area. For your convenience a REZ worksheet is attached. The worksheet will help you determine whether to deny or approved the proposed rezoning.

A recommendation to the Town Board is requested.

Discussion

Mr. Hunnicutt directed the board to their worksheet to go through each finding.

COMPLIANCE WITH THE ORDINANCE INTENT

In order to maintain sound, stable and desirable development within the planning jurisdiction of Siler City, it is intended that this ordinance not be ordinance not be amended except:

- To correct manifest error in the ordinance or zoning map; or,
 - Because of changed or changing conditions in a particular neighborhood or community as a whole; or,
 - To promote and forward the purposed of the adopted Siler City Land Development Plan
-
- Compliance with ordinance intent – The application is in compliance with the intent of the Unified Development Ordinance.
Motion made by Arnold Headen, Leota Thompson seconded and majority approved.
 - Recommendation for Approval – The Planning Board recommends approval.
Motion made by Arnold Headen, Leota Thompson seconded and majority approved.

Recommendation for approval to the Town Board.

B. Rezoning Request/Zoning Map Amendments
REZ-011-99 – Harold J. Milholen and William F. Milholen

Mr. Rogers reported Harold J. Milholen and William F. Milholen request to rezone a 3.05 acre parcel of land from Residential-20 to Residential-10. The site is located on the northwest side of West Raleigh Street between Lakewood Drive and George Street. A public hearing was conducted on August 2, 1999. You have before you the Town Board unapproved minutes from that meeting.

The subject property is in proximity to a 71 acre parcel currently zoned R-10. Thus R-10 would not be out of character for the area. The property's frontage along a major state thoroughfare SR1006 also makes it better suited for higher density development.

The staff recommends approval of the rezoning request. For your convenience a REZ worksheet is attached. The worksheet will help you determine whether to deny or approve the proposed rezoning. **A recommendation to the Town Board is requested.**

Discussion

Joel Hunnicutt asked Hal Milholen to address the board.

Mr. Milholen explained they are planning to construct an upscale townhouse development with six buildings and 4 units per building. The homes will be owner occupied with restrictive covenants and will sale from \$115,000.00 to \$135,000.00. They feel the land is ideal suited for this type of development and it will be a development that they and Siler City can be proud of. Mr. Milholen stated they are willing to meet with the adjoining property owners to address any concerns they may have.

Mr. Hunnicutt stated the application meets two of the criteria of a rezoning request. The Siler City Land Development Plan promotes diverse housing and we do not have this type of housing in Siler City. Also R-10 is along George Street and runs all the way to Wade Paschal Road. Mr. Hunnicutt added that he had received a phone call from Loretta Beane Dunn stating she had removed her name from the petition after talking with the Milholens and is not opposed to this development and feels like there is a need in Siler City for this type of housing.

Mr. Morgan, Town Attorney cautioned the board to focus on the rezoning and what is permissible in the R-10 district, not the future plans for the property. He reminded everyone that the applicants would have to apply for a conditional use permit to develop townhouses and they will have to meet all of our ordinance requirements.

Jimmie Pugh noted that we only hear concerns from our citizens when they are against a project and we do not hear when they are for one.

Arnold Headen stated with all the concerns from the neighbors that he did not want to force something on them and it makes him uneasy.

With no further discussion, Mr. Hunnicutt directed the board to their worksheet to go through each finding.

COMPLIANCE WITH THE ORDINANCE INTENT

In order to maintain sound, stable and desirable development within the planning jurisdiction of Siler City, it is intended that this ordinance not be ordinance not be amended except:

- To correct manifest error in the ordinance or zoning map; or,
 - Because of changed or changing conditions in a particular neighborhood or community as a whole; or,
 - To promote and forward the purposed of the adopted Siler City Land Development Plan
- Compliance with ordinance intent – The application is in compliance with the intent of the Unified Development Ordinance.
Motion made by Jimmie Pugh, Leota Thomspen seconded and three voting in favor with Arnold Headen opposed.
 - Recommendation for Approval – The Planning Board recommends approval.
Motion made by Leota Thompson, Jimmie Pugh seconded and three voting in favor with Arnold Headen opposed.

Recommendation for approval to the Town Board.

Agenda Item V

A. Conditional Use Permit Request/Preliminary Plat Review
CUP-006-99 – Ricky Spoon Builders Inc.

Mr. Rogers reported Ricky Spoon Builders, Inc., requests a conditional use permit to construct a ninety-six unit multi-family apartment complex in tow phases. The 11.3 acre parcel is located at the dead-end of South Tenth Avenue. Mr. Spoon's plans propose a connection between South Tenth Avenue and Cardinal Street. Adjoining uses include the Chatham County Health Department, Oneida Molded Plastic Products and Loves Creek Mobile Home Park. The applicant's application, dated July 1, 1999 was reviewed and deemed complete by staff. Mr. Spoon's response to the required findings is attached. A public hearing was conducted on August 2, 1999. You have before you the Town Board unapproved minutes from that meeting. *Commissioner Helen Buckner stated that the officials from Brookwood Farms had told her that while they are not opposed to the apartment complex, they wanted to be on record that the company maintains a pretreatment facility, which at times emits an odor.*

Mr. Spoon preliminary site plan has been reviewed. The site plan complies with all density and dimensional requirements of the Siler City Unified Development Ordinance except for the applicant's park areas. The applicant has provided 5,000 square feet of mini park space. This figure is nearly 20,000 square feet less than the UDO requires.

The applicant also plans to extend the town's water and sewer lines to the proposed development. Upon review of the site plan, Terry Green, Public Works Director feels that the development will be adequately served, but requests a hydraulic analysis to insure adequate fire flows. In addition, the Town Fire Chief has requested fire hydrants at the entrance to each parking lot.

In regards to the traffic currently South Tenth Avenue is classified by Department of Transportation as a residential collector street and that is a street that directs residential flow to East Raleigh Street, which is a major thoroughfare. Looking at the amount of traffic this development will generate I feel like the street will be adequate to handle the amount of traffic. South Tenth Avenue is a state maintained street therefore at such time this street does reach it's capacity the Department of Transportation will address any needs that will arise.

The staff recommends approval of the conditional use permit request with the following conditions:

- 23,000 square feet of mini park space must be provided.
- Hydraulic analysis must be conducted.
- Adequate number of hydrants must be provided and approved by Fire Chief.

You may agree with staff's recommendation or propose your own recommendation and conditions. For your convenience a CUP worksheet is attached. The worksheet will help you determine whether to deny or approve the proposed development. **A recommendation to the Town Board is requested.**

Discussion

Mr. Hunnicutt asked Mr. Spoon to address the Board.

Ricky Spoon explained he would be building twelve buildings with 8 units each. He will construct two building first and depending on the demand will determine the number of future buildings. The development will be a family business and there will be an onsite management office. He advised the board that Chatham County Health Department has just contacted him about buying a one acre parcel from this site and depending on the outcome from this proposal there could be a major change to the development.

Joel Hunnicutt expressed concerns about the mini parks. He would like for Mr. Spoon to do a mini park with Phase I or at least Phase II because with two building eight units each in Phase I there will probably be some children living in some of the units.

With no further discussion, Mr. Hunnicutt directed the board to their worksheet to go through each finding:

- Completeness of application - application was complete.
Motion made by Arnold Headen, Leota Thompson seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by Jimmie Pugh, Leota Thompson seconded, and majority approved.

Planning Board Minutes

August 9, 1999

Page four

- Consideration of proposed conditions –
 - **23,000 square feet of mini park space must be provided with a portion provided in Phase I.**
 - **Hydraulic analysis must be conducted prior to development.**
 - **Adequate number of hydrants must be provided and approved by Fire Chief.**
 - **Department of Transportation evaluation of traffic impact of the development.**

Motion made by Arnold Headen, Jimmie Pugh seconded, and majority approved.
- Recommendation for Approval – The Planning Board recommends approval, subject to the conditions agreed upon.

Motion made by Jimmie Pugh, Arnold Headen seconded, and majority approved

Recommendation for approval to the Town Board.

B. Conditional Use Permit Request/Preliminary Plat Review CUP-007-99 – Pecan Grove – Richard Fox

Mr. Rogers reported Mr. Richard Fox requests a conditional use permit to subdivide a one acre parcel into three single family housing sites. The site is located on the northwest side of East Raleigh Street between Red Oak Drive and Sheffield Drive. The property is zoned R-10 which requires a 10,000 square foot minimum lot size. Mr. Fox's lot average 14,472 square feet. Mr. Fox's application, dated July 6, 1999 was reviewed and deemed complete by staff. The applicant's response to the required findings is attached. A public hearing was conducted on August 2, 1999. You have before you the Town Board unapproved minutes from that meeting. *Karl Ernst stated that he was not opposed to the development but he wanted Mr. Fox to be aware of the drainage problem when there is a heavy rain.*

Mr. Fox's preliminary site plan has been reviewed. The site plan complies with all density and dimensional requirements of the Siler City Unified Development Ordinance.

The applicants also plan to extend the town's sewer line to the proposed development. Upon review of the site plan, Terry Green, Public Works Director feels that the development will be adequately served.

All proposed lots will access existing Town maintained streets.

The staff recommends approval of the conditional use permit request. You may agree with staff's recommendation or propose your own recommendation and conditions refer to Section 55 of the UDO which pertains to adding conditions. For your convenience a CUP worksheet is attached. The worksheet will help you determine whether to deny or approve the proposed development. **A recommendation to the Town Board is requested.**

Discussion

Mr. Hunnicutt asked Mr. Fox to address the board.

Mr. Fox advised the board he would do whatever to correct the drainage problem. He is planning to shoot some evaluations and install a ditch between the two houses that are already there. Any grading he does will hopefully improve the situation.

With no further discussion, Mr. Hunnicutt directed the board to their worksheet to go through each finding:

- Completeness of application - application was complete.

Motion made by Arnold Headen, Jimmie Pugh seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.

Motion made by Jimmie Pugh, Arnold Headen seconded, and majority approved.
- Consideration of proposed conditions –
 - **Solutions for pre-existing drainage problem must be approved by the Public Works Director.**
- Recommendation for Approval – The Planning Board recommends approval, subject to the condition agreed upon.

Motion made by Arnold Headen, Jimmie Pugh seconded, and majority approved

Recommendation for approval to the Town Board.

Agenda Item VI

A. Unified Development Ordinance – Text Amendment

Mr. Rogers reported Mr. Chad Langley proposes an amendment to Article X – Permissible Use of the Unified Development Ordinance. The amendment will allow auto paint and body repair shops in Light-Industrial zoning districts. The underlined text in Attachment A shows the amendment as it will appear in the UDO. A joint public hearing was conducted for this amendment the Town Board's August 2, 1999 meeting. You have before you the Town Board unapproved minutes from that meeting. *Emily Carter stated that she did not believe this type of use should be permitted in the downtown area near the railroad tracks.* Staff has received information from Lenoir, Salisbury, Conover, Matthews, Greensboro, Stanley County, Davie, Rowan County, and Rosewell, Georgia that supports the idea of auto paint and body repair shops in industrial zones. Most stated the impact of the use would be very similar to and suited for an industrial area.

Discussion

Mr. Hunnicutt asked Mr. Langley to address the board.

Mr. Langley explained he would like to operate a vehicle repair and paint shop in his grandfather building on Old US Hwy 421. All his equipment will be new and by the code.

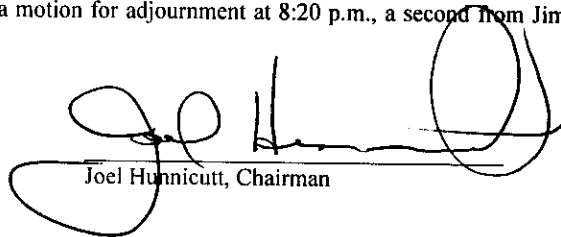
Mr. Hunnicutt suggested they we required a special use permit for auto paint and body repair shops in Light-Industrial zoning districts.

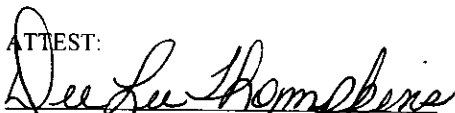
With no further discussion Mr. Hunnicutt asked for a motion. Jimmie Pugh motion to allow auto paint and body repair shops in Light Industrial with a special use permit. Leota Thompson seconded and majority approved.

Agenda Item VII

New Business

With no further business, Leota Thompson made a motion for adjournment at 8:20 p.m., a second from Jimmie Pugh and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
September 13, 1999**

The Siler City Planning Board met on Monday, September 13, 1999 at 7:00 p.m. Joel Hunnicutt called the meeting to order and John Brown gave the invocation. Minutes of August 9, 1999 meeting were unanimously approved by a motion from Leota Thompson and seconded by Jimmie Pugh.

Members Present

Joel Hunnicutt, Chairman
Leota Thompson
Pat Lowman
Jimmie Pugh
John Brown

Members Absent

Arnold Headen, Vice Chairman
Cindy B. Bray, Alternate
James Patterson

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item IV

A. Final Plat Review – Pecan Grove – Richard Fox

Bernard Rogers reported Mr. Richard Fox is requesting final plat approval for Pecan Grove. The proposed development will create three single family residential sites from an existing one acre parcel. The site is located on the northeast side of East Raleigh Street between Red Oak Drive and Sheffield Drive.

During its August 16, 1999 meeting the Town Board approved a conditional use permit for the above mentioned development. The CUP authorized the applicant to proceed with physical improvements to the land. Mr. Fox has installed an eight inch sewer line and Town water and sewer now serve all of the lots. Final plat approval will permit Mr. Fox to construct homes and sell lots.

Staff recommends final plat approval for Pecan Grove.

Discussion

Jimmie Pugh asked about the drainage problem

Mr. Rogers explained the driveway pipe had been clean out and a drainage swale has been constructed between the two existing homes to carry the water to the ditch on Raleigh Street.

With no discussion, Mr. Hunnicutt asked for a notion of recommendation to the Town Board. John Brown made the motion, Jimmie Pugh seconded, with majority approved.

Recommendation for approval to the Town Board.

Agenda Item V

A. Airport Hazard Ordinance

Mr. Rogers explained you have before the Town's proposed Airport Hazard Ordinance. The Siler City Airport Authority, the Siler City Planning Board, and Tom Godwin of Hobbs, Upchurch and Associates have reviewed the proposed ordinance. The ordinance will establish and enforce height restrictions to prevent "hazards to take-offs and landings in the vicinity of the airport". The language of this ordinance is standard and based on FAA guidelines. While the FAA has the ability to establish guidelines and determine possible hazards, it is not able to stop the construction of a hazardous structure. Therefore, a local ordinance is needed to restrict construction heights and protect the future of the Town's airport. Maps of the restricted area have been developed by Hobbs, Upchurch and Associates, and will be available for viewing during the meeting.

A public hearing was conducted on September 7, 1999 to hear public concerns. There was no public comment regarding this request.

A recommendation to the Town Board is requested.

Planning Board Minutes
September 13, 1999
Page two

Discussion

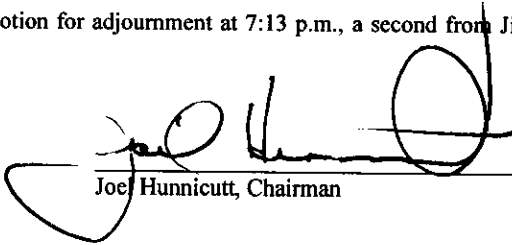
Joel Hunnicutt stated the ordinance would be a beneficial tool for the Town to have for the future growth of the airport.

Jimmie Pugh made a motion to recommend adoption of the ordinance to the Town Board. Pat Lowman seconded, and majority approved.


Agenda Item VI

New Business

With no further business, John Brown made a motion for adjournment at 7:13 p.m., a second from Jimmie Pugh and followed by unanimous consent.



Joe Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
October 11, 1999**

The Siler City Planning Board met on Monday, October 11, 1999 at 7:00 p.m. Joel Hunnicutt, called the meeting to order at 7:00 p.m. and gave the invocation. Minutes of September 13, 1999 meeting were unanimously approved by a motion from Leota Thompson and seconded by Jimmie Pugh.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
James Patterson
Leota Thompson
Pat Lowman
Jimmy Pugh
Cindy Bray, Alternate

Members Absent

John Brown

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item IV

**Rezoning Request/Zoning Map Amendment
A. REZ-013-99 Marion Wren**

Bernard Rogers reported Marion G. Wren requests to rezone a .6 acre parcel of land from Residential-10 to Central-Commercial. The site is located at 216 East Fourth Street PRC#SC102-1-1. Mrs. Wren's application dated September 13, 1999 was reviewed and deemed complete by staff.

A public hearing was conducted on October 4, 1999 to hear public comments. There were no public comments recorded.

The subject property adjoins Highway-Commercial property on one side and Central-Commercial on the other. Thus, the character of the block with regard to zoning is commercial. Currently, the Matthews-Wren House constructed in 1916, is located on the site. The home is included in a proposed historic district. The board should consider, whether commercial zoning will promote the demise of this historic structure, or promote its renovation.

For your convenience a REZ worksheet is attached. The worksheet will help you determine whether to deny or approve the proposed rezoning.

A recommendation to the Town Board is requested.

Discussion

Jeff Brewer, Realtor explained to the Board that one of the conditions on the sale of this house is that it will be a Bed and Breakfast. The Unified Development Ordinance will only allow a Bed & Breakfast in a C-C zoning district and this is why they are asking that the property be rezoned.

Joel Hunnicutt stated the home is an important historic structure and allowing the home to produce some type of revenue would help to maintain the home. He also added Mr. Bobby Sizemore who resides across the street contacted him to say he is not opposed to the rezoning.

Planning Board Minutes
October 11, 1999
Page two

With no further discussion, Mr. Hunnicutt directed the board to their worksheet to go through each finding:

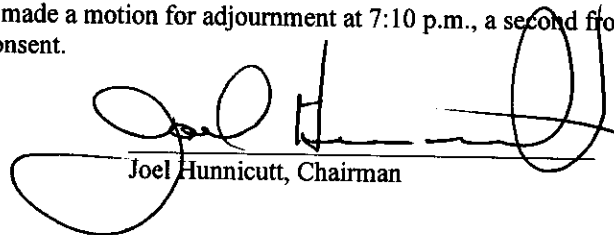
- Compliance with ordinance intent – The application is in compliance with the intent of the Unified Development Ordinance.
Motion made by Arnold Headen, James Patterson seconded and majority approved.
- Recommendation for approval – The Planning Board recommends approval.
Motion made by Jimmie Pugh, Pat Lowman seconded and majority approved.


Recommendation for approval to the Town Board.

Agenda Item V

New Business

With no further business, Arnold Headen made a motion for adjournment at 7:10 p.m., a second from Leota Thompson and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
November 8, 1999**

The Siler City Planning Board met on Monday, November 8, 1999. Joel Hunnicutt, called the meeting to order at 7:00 p.m. and Arnold Headen gave the invocation. Minutes of October 11, 1999 meeting were unanimously approved by a motion from Arnold Headen and seconded by Jimmie Pugh.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
James Patterson
Pat Lowman
Jimmy Pugh
John Brown
Cindy Bray, Alternate

Members Absent

Leota Thompson

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item IV

Final Plat Review – Glenwood – Richard Fox

Bernard Rogers reported Mr. Richard Fox is requesting final plat approval for Glenwood Subdivision. The proposed subdivision will create twelve single family residential sites from an existing seven acre parcel. The site is located on the east side of South Tenth Avenue and north of the Chatham County Health Department.

During its June 7, 1999 meeting the Town Board approved a conditional use permit for the above mentioned development. The CUP authorized the applicant to proceed with physical improvements to the land. Mr. Fox has installed water and sewer lines as approved by the Town's Public Works Director. Final plat approval will permit Mr. Fox to construct homes and sell lots. However, no building permits will be issued for homes accessing Watkins Street pending construction of a cul-de-sac.

Staff recommends final plat approval of CUP-003-99 Glenwood.

Discussion

Mr. Hunnicutt asked for a motion of recommendation to the Town Board. Jimmie Pugh made the motion of approval, a second from John Brown and followed by unanimous consent.

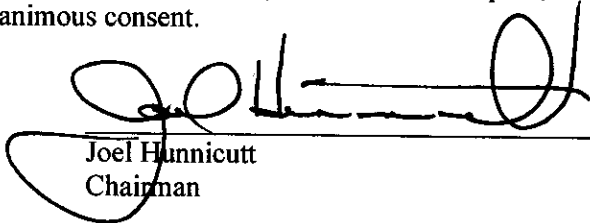
Recommendation for approval to the Town Board.

Planning Board Minutes
November 8, 1999
Page two

Agenda Item V


New Business

With no further business, Arnold Headen made a motion for adjournment at 7:07 p.m., a second from James Patterson and followed by unanimous consent.



Joel Hunnicutt
Chairman

ATTEST:



Dee Lee Thompkins
Recording Secretary

**Planning Board Meeting Minutes
December 13, 1999**

The Siler City Planning Board met on Monday, December 13, 1999 at 7:00 p.m. Joel Hunnicutt called the meeting to order and James Patterson gave the invocation. Minutes of November 8, 1999 meeting were unanimously approved by a motion from Arnold Headen and seconded by Leota Thompson.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
James Patterson
Leota Thompson
Pat Lowman
Jimmie Pugh
John Brown
Cindy B. Bray, Alternate

Members Absent

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

Town Board Present

Helen Buckner, Town Commissioner

BUSINESS SESSION

Agenda Item IV

**A. Rezoning Request/Zoning Map Amendments
REZ-014-99 – Steven Lanning**

Mr. Bernard Rogers, Planning Director reported Steven Lanning requests to rezone a 75.62 acre parcel of land from Agricultural-Residential to Heavy-Industrial. The property is located on SR1100 across from the Siler City Municipal Airport. The property owners are taking a proactive step toward preparing their land for future industrial development. You have before you a letter from the North Carolina Department of Commerce giving you some evidence of the work this group is attempting in becoming a part of the state Mega-Site Program. The Mega Site Program is a list of large tract of land suitable for industrial development. These sites are shown to potential industrial tenants

The subject property is within an area described as a "Development" zone in the Town's Land Development Plan. Among other things the zone is recommended for future industrial areas. In addition, the nature of the area surrounding the airport will be guided and stimulated by the airport's existence and growth. This is to say industrial development is very compatible with an airport. An additional asset to industry is the proposed thoroughfare linking the airport to US Hwy 421.

Staff recommends approval of the proposed rezoning based on its conformity to the Land Development Plan and due to the nature of the area. For your convenience a REZ worksheet is attached. The worksheet will help you determine whether to deny or approved the proposed rezoning.

A recommendation to the Town Board is requested.

Discussion

Mr. Hunnicutt directed the board to their worksheet to go through each finding.

COMPLIANCE WITH THE ORDINANCE INTENT

In order to maintain sound, stable and desirable development within the planning jurisdiction of Siler City, it is intended that this ordinance not be ordinance not be amended except:

- To correct manifest error in the ordinance or zoning map; or,
 - Because of changed or changing conditions in a particular neighborhood or community as a whole; or,
 - To promote and forward the purposed of the adopted Siler City Land Development Plan
- Compliance with ordinance intent – The application is in compliance with the intent of the Unified Development Ordinance.
Motion made by Jimmie Pugh, Arnold Headen seconded and majority approved.
 - Recommendation for Approval – The Planning Board recommends approval.
Motion made by Arnold Headen, Pat Lowman seconded and majority approved.

Recommendation for approval to the Town Board.

Planning Board Minutes

December 13, 1999

Page two

**B. Rezoning Request/Zoning Map Amendments
REZ-015-99 – Tribek Properties**

Joel Hunnicutt, Planning Chairman asked the Board to please excuse him from the process because of a personal conflict. He will continue to chair the proceeding but will not be involved in the discussion nor the vote. Arnold Headen made the motion to excuse Mr. Hunnicutt. Jimmie Pugh seconded with majority approved.

Mr. Hunnicutt stated we will be opening the hearing to public comments but will limit the hearing to fifteen minutes to each side for and against. He also called the Board's attention to a letter they have before them from Attorney Jennifer Andrews asking the Board to defer their recommendation until the January 10, 2000 meeting.

Ms. Andrews stated she has been retained to represent Mrs. Marion Wren and this rezoning request will have some serious ramification for Mrs. Wren. She explained they understand the process of the public hearing but it does not allow parties opposing the rezoning sufficient time to prepare and present a reasonable and thoughtful opposition. If the Board will defer their recommendation to the January 10, 2000 meeting it will give Mrs. Wren sufficient time to prepare and present to the Board written documentation of the effects the rezoning will have on her property value.

Mr. Sam Williams representing Tribek Properties stated the public hearing has already been held. It was advertised and sufficient time was given to all adjoining property owners. He explained that the public hearing is for the Board to hear all the comments for and against the rezoning. Mr. Williams stated that Mrs. Wren was prepared and was well represented at the public hearing and there is nothing-new tonight being presented to change the Board's mind. He explained that the Board's own rules have been met and this was just a delay tactic.

William Morgan, Town Attorney stated it is certainly within the Board's discretion if they chose to delay their recommendation. It is essentially a matter of whether or not the Board feels like they have enough information from what was presented at the public hearing to make their recommendation to the Town Board. He also added a rezoning request is not a quasi-judicial decision like a conditional use permit request where property values is a factor.

Jimmie Pugh asked what additional information could be presented that was not presented at the public hearing.

Denis de St. Aubin stated that they did bring up at the public hearing the loss of value of the property and they would like to prove that to the Board. They are having an appraisal done to show in monetary terms the loss.

Jimmie Pugh asked if everyone was notified.

Mr. Rogers stated that the letters to the adjoining property owners were mailed on November 22, 1999, which was two weeks before the public hearing.

James Patterson stated he had given a lot of consideration to this item after hearing all the information that was presented at the public hearing and he has heard nothing tonight to justify the Board delaying their recommendation to the Town Board. He made a motion not to grant the request for the continuance of the rezoning. Jimmie Pugh seconded, with six voting in favor and one opposed.

Mr. Hunnicutt opens the floor to public comments.

Jennifer Andrews passed out written documentation for the Board to review.

Mr. Hunnicutt informed the Board they have before them a letter from Tribek Properties and one from Attorney Marsh Smith.

Mr. Hunnicutt then turned the meeting over to Bernard Rogers, Planning Director.

Mr. Rogers reported Tribek Properties request to rezone 21.60 acre parcel of land from Agricultural-Residential to Highway-Commercial. The site is located northeast of the Hwy. 421 and 64 intersection.

The Town's Land Development Plan describes the area as a future development area. According to the plan, the area follows no current development trend, but is suitable for residential, commercial or industrial development. Staff feels the intersection of Highway 421 and Highway 64 is a prime location for planned commercial development. While there is no current development trend, the northwest, southwest, and southeast quadrants of the intersection have some highway-commercial zoning. A future Wal-Mart is currently being constructed in the southwest quadrant.

Staff recommends approval of the proposed rezoning due to its conformity to the Land Development Plan. For your convenience a REZ worksheet is attached. The worksheet will help you determine whether to deny or approved the proposed rezoning.

A recommendation to the Town Board is requested.

Mr. Hunnicutt directed the board to their worksheet to go through each finding.

COMPLIANCE WITH THE ORDINANCE INTENT

In order to maintain sound, stable and desirable development within the planning jurisdiction of Siler City, it is intended that this ordinance not be amended except:

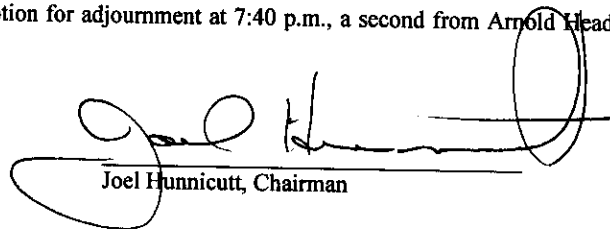
- To correct manifest error in the ordinance or zoning map; or,
 - Because of changed or changing conditions in a particular neighborhood or community as a whole; or,
 - To promote and forward the purposed of the adopted Siler City Land Development Plan
- Compliance with ordinance intent – The application is in compliance with the intent of the Unified Development Ordinance.
Motion made by Jimmie Pugh, James Patterson seconded and majority approved.
 - Recommendation for Approval – The Planning Board recommends approval.
Motion made by Jimmie Pugh, Leota Thompson seconded and majority approved.

Recommendation for approval to the Town Board.

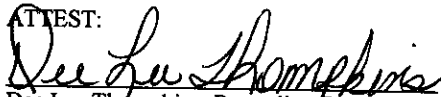
Agenda Item V

New Business

With no new business, Jimmie Pugh made a motion for adjournment at 7:40 p.m., a second from Arnold Headen and followed by unanimous consent.



Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary