

Planning Board Meeting Minutes

January 22, 1996

The Siler City Planning Board met on Monday, January 22, 1996 at 7:00 p.m. in the Siler City Court Room at City Hall. James Larry Cheek called the meeting to order at 7:05 p.m. Butch Hudson gave the invocation. Mr. Cheek asked for a motion on the minutes of November 13, 1995. The minutes were unanimously approved upon a motion by Butch Hudson and a second from Byron Oldham.

Members Present

Larry Cheek, Chair
Butch Hudson, Vice Chair
Byron Oldham
Cindy Edwards
Joyce Siler

Members Absent

James Edwards
Louise Adcock
Roger Hinshaw, Alternate
Joel Hunnicutt, Alternate

Staff Present

James H. Graham, Jr., Planning Director
Sam Williams, Town Attorney
Joel Brower, Town Manager
Terry Green, Director Public Works & Utilities

Commissioners Present

Earl B. Fitts, Mayor
Pem Hobbs, Town Commissioner
Alexander Graves, Jr., Town Commissioner
Rev. Robert Siler, Town Commissioner

BUSINESS SESSION

Agenda Item V (A): Conditional Use Permit Requests/Preliminary Plat Review

Mr. Graham stated that on December 5, 1995, staff received Conditional Use Permit application #CUP-001-96 from Mr. Richard Fox. The proposed subdivision, to be known as "Lincoln Point", will create fourteen (14) single family residential sites from an existing 3.25 acre tract. Proposed residences will be greater than 1,000 square feet in size and comprise a mix of 1, 1-1/2, and 2 story homes.

The site is located on the south side of US Highway 64 East (East 11th Street) between 4th Avenue and East 9th Street. Mr. Fox is the owner of the land area as recorded in book 521 page 770 and book 528 page 571 of the Chatham County land registry. (See attached application and location map). The zoning for the property is Residential-6 (R-6). (see attached Town Board of Commissioners minutes and Town's Official Zoning Map)

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On January 2, 1996, a joint public hearing of the Town Board and Planning Board was conducted to solicit comments from adjacent property owners to the proposed development site. Listed below are comments received:

Mr. Richard Fox, applicant, spoke in favor of the project. He stated, referencing previous conversations with local Realtors and developers, that there is a strong need for new housing in Siler City. A set of photos from a Greensboro, NC residential subdivision was presented as an example of the proposed development home types. The cost of the homes will range from \$45,000 to \$60,000 each and the development will have paved streets and City water and sewer facilities. His present plans are to build three to four houses initially and then proceed as the market dictates.

Following is a synopsis of citizen and adjacent property owner comments from the Joint Public Hearing:

- *Ms. Madelaine Graves, 409 E. 11th Street, asked the size of the property and zoning designation. Mr. Fox stated the property to contain 3-1/3 acres. Staff responded Residential-6 (R-6). Mr. Fox stated he had petitioned to have the property rezoned to Commercial a few years ago, but the petition failed. Ms. Graves asked if the two existing mobile homes on or near the site were owned by Mr. Fox. Mr. Fox stated that one of the mobile homes was on his property and would be moved. The other mobile home was owned by someone else and located on another parcel of land. Ms. Graves stated she and other residents of the neighborhood thought that 15 units was too many.*
- *Ms. Glover, 511 E 6th Street, stated she welcomed progress, but she also thought 15 units was too many and that trouble would occur with overcrowding.*
- *Ms. Elizabeth Edwards, 335 E. 11th Street, stated she did not like the idea of the proposed homes backyards being visible from US Highway 64 and her front yard.*
- *Ms. Margarite Rodgers, 305 E. 11th Street, stated she did not like the idea of the houses backyards being visible from Hwy. 64 and her front yard.*
- *Mr. Donald Matthews, 910 E. 12th Street, stated the proposed street did not have a cul-de-sac, was a potential safety risk, and that there was only one entrance and exit to the site. Mr. Fox explained that the street would connect two existing streets and that a cul-de-sac was not necessary. Mr. Matthews stated vegetative screening was needed along US Hwy. 64 to block view of residents backyards.*
- *Mr. Anthony Moffitt, 1211 E. 11th Street, stated overcrowding was a problem and noted that the area had a slow police response rate. Children would not have a place to play. He further stated that Landrus Siler Park was full at late hours of the night and often persons relieved themselves without the use of restroom facilities. He stated that 15 units were too many for the site size.*

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Commissioner Bill Collins asked if the lots would be for sale and who would construct the proposed homes. Mr. Fox responded that he would sell the lots and hoped to do all home construction.

Town Attorney Sam Williams asked Mr. Fox if he had considered restrictive covenants for the development to address potential deviations from other home builders.

Mr. Larry Cheek, Planning Board Chair, asked staff to research the correct zoning for the property for presentation to the Planning Board at the board's next meeting.

Graham stated staff analysis finds the proposed permit application to be complete (see attached application), a benefit to public health and safety, and meets the land use, dimensional lot and building area requirements of the Unified Development Ordinance (UDO) of Siler City. Staff also finds that the proposed development would benefit with the provision of additional affordable housing in the City and economic and social development. Infrastructure services are adequately addressed through provision of water, sewer, road construction, and storm water drainage. As required by ordinance, the proposed lots, if approved, may be sold, leased, or rented upon construction and inspection of completed infrastructure improvements and vegetative buffer. The following staff comments were addressed:

- The applicant has a choice of constructing either an 18 foot wide asphalt road with drainage ditches or a 20 foot wide road with 1 foot on each road side of asphalt or concrete wedge curb.
- Proposed lots #6 & #7 may be improved with a slight realignment of the proposed 10th Street extension and road right of way. These lots would benefit by having a greater building area, making them more valuable to the owner/seller and buyer.
- The proposed subdivision name needs to be placed on the Preliminary Site Plan.
- Natural vegetative buffering should remain in place and be enhanced along U.S. Hwy. 64 for noise, traffic safety and visual buffering.

Graham asked Public Works Director Terry Green for comments in regard to the site plan. Green referred to letters (attached) from Will Buie, HUA and to John Dixon, Dixon Gibson Engineering, which addressed concerns in regard to proposed site plan. He said he had spoken with John Dixon and was assured concerns would be addressed.

Mr. Graham recommended approval of the request.

Larry Cheek stated he felt the public was concerned over the number of homes and zoning restriction. Residential-6 (R-6) zoning classification requires 6,000 square feet for each home; Fox's proposed subdivision provides 7,000 square. Sam Williams stated if Fox met legal requirements the Planning Board must grant request. Williams questioned sewer capacity. Green stated no problem.

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Byron Oldham questioned Fox in regard to buffer. Fox stated dirt would be added to bring lots to street level with the present ditch left intact and that he preferred to use a vegetative buffer rather than a fence, etc.

Jimmy Pugh, 300 Second Street, Siler City, NC was allowed to question Mr. Fox in regard to run-off of property. Fox stated run-off would be through US Highway 64 culvert which is presently in place. Graham stated engineer had addressed this and felt piping and drainage to be adequate. Fox stated the street would be 20' wide with built in wedge asphalt curb.

Cindy Edwards questioned possible covenants in regard to size and type of home to be built should lots be sold. Fox stated originally he had planned to build houses and assured members that prior to starting development restrictions would be written.

Joyce Siler questioned entrance to subdivision. Fox stated two entrances on Fourth and Tenth Streets.

With no further business Byron Oldham moved to approve request with Town engineer and Public Works Director's input. Butch Hudson seconded the motion with unanimous consent.

In regard to restrictions Byron Oldham requested a vegetative buffer along US Highway 64. Fox addressed the concern in regard to run-off and stated he would have ditch to take care of this problem.

Agenda Item VI. (A) Official Zoning Map Adoption

Graham stated there had been no changes therefore it was not necessary to adopt. Upon receipt of copies a fee schedule will be presented to the Planning Board for review prior to Town Board approval.

Agenda Item VIII. (A) Sign Ordinance - C-C District

(B) Sign Ordinance - Temporary Portable Signs

Graham stated recently, staff was confronted by sign permit requests for a business within the Central Commercial (C-C) Zoning District. The request was for a sign 7 feet by 15 feet (105 square feet). Both the applicant and staff had difficulty locating dimensional requirements for the C-C Zoning District.

After review of the Sign Ordinance, staff found the dimensional requirements for freestanding signs within the C-C Zoning District, at the end of the sign ordinance. The proposed text amendment, described below, relocates the dimensional requirements for freestanding signs within the C-C Zoning District from "no mans land" to Section 262 - the section for C-C dimensional requirements.

Text Amendment #1 - C-C Sign Dimensional Requirements

Section 262 - Signs Permitted in the C-C District

The C-C (downtown) district has diverse shops in close proximity to one another, and is oriented primarily to daytime pedestrian use. Flower boxes, benches, shake shingle roofs and natural plantings lend the area a distinctive appearance. Leisurely shopping is encouraged. The intent of this section is therefore, to promote the downtown as a shopping and gathering place and to enhance the village atmosphere. The use of wooden signs is encouraged, so as to contribute to the warmth, friendliness and natural beauty of the area.

(1) Advertising Signs

- a. Each business is permitted two (2) signs chosen from the following categories: attached, canopy, projecting. In no case may both signs be in the same category. Painted wall signs are prohibited in the C-C zone. Signs may be illuminated.
- b. Attached signs shall not exceed an area equal to the greater of 16 square feet or 1/2 square foot of sign area per linear foot of building frontage. As explanation buildings which are 32 feet across the front or less may have a 16 square foot attached sign. If the building is larger than 32 feet across the front permitted size would be determined by the formula, 1/2 square feet per linear foot of building. The maximum allowable square footage of attached sign is 48 square feet, regardless of building size.
- c. Projecting signs may not exceed sixteen (16) square feet in area.
- d. Canopy signs shall not exceed sixteen (16) square feet.
Canopy signs may be attached to the canopy at the face of, side of, or under canopy. No sign may be attached to the support structures. (Signs attached to the top of the canopy are considered attached signs and must meet the size requirements for attached signs.)
Signs which are suspended under a canopy and/or cantilevered roof shall be at least eight (8) feet above the sidewalk at their lowest point.
Signs which are attached to the face or side of a canopy may not exceed twelve (12) inches in height and no support structures shall be visible.
- e. To encourage uniqueness and originality, the canopy sign or projecting sign may be of an unusual shape. Examples of such signs would be: a shoe to identify a shoe store, an apothecary jar to identify a drug store, a camera to identify a photo store, etc. These signs must comply with all regulations as stated herein.
- f. All signs shall meet the additional requirements of Section 260.

Proposed Text Amendment

Section 271 - Businesses located in the C-C district may erect a freestanding sign provided that; be moved and incorporated into Section 262, as shown below:

Proposed Text Amendment (continued)

- (2) Freestanding Signs in the C-C District
- a. ~~All applicable requirements are met in Section 262 and;~~
 - g. b. A minimum of 40 10 feet (setback) is required between any building and a corresponding legal right-of-way, and;
 - h. e. No freestanding signs shall exceed 10 feet in height, and;
 - i. d. No freestanding sign shall exceed 16 square feet in area with no horizontal or vertical dimension exceeding 6 feet, and;
 - j. e. No sign shall be placed in a public right of way.

Cindy Edwards moved to remove Section 271 and place in Section 262 as requested by Mr. Graham. Byron Oldham seconded this motion with unanimous consent.

Sign Ordinance Text Amendment #2 - Temporary and Portable Signs

Graham stated he received complaints in regard to temporary portable signage. Problems throughout community with banners, wooden signs and yellow arrow directional signs with changeable face. These signs are illegal by ordinance since adoption of the UDO in 1993. Graham requested a specific time period to enforce ordinance. The ordinance was reviewed as follows:

Definitions

Portable Sign. Any sign designed or intended to be readily relocated. This shall include signs on wheels, trailers, truck beds, a-frames or any other device which is capable of/or intended to be moved from one location to another.

Temporary Sign. A sign or advertising display constructed of cloth, canvas, fabric, plastic, paper, plywood or other light material and intended to be displayed for a short period of time to inform the public of an unusual or special event. This shall include banners, balloons, flags, streamers, spinners, placards, pennants and other wind activated devices.

Section 257

Prohibited Signs

- c. No sign shall be erected which displays flashing, blinking or intermittent lights or lights of changing intensity. No moving signs or moving parts of signs will be allowed.
- d. Portable signs as defined in Section 255 are prohibited.
- e. Temporary signs as defined in Section 255, except those of temporary nature as per Section 266 are prohibited...
- o. No sign shall be placed in a public right-of-way.

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Section 266

Temporary Signs

Temporary signs must conform to all regulations of this section. These signs shall not be required to obtain a sign permit but must be registered with the Town Planner. Information required to register a temporary sign will be name and address of sign owner, date of erection of sign, date for removal of sign and description of sign (size, shape and material of construction).

Signs for Special Events of a Religious, Charitable, Civic Fraternal or Political Nature -- It is the intent of this section to allow use of Community Marquee signs for the above purposes. Temporary signs as defined by Section 255 advertising special events of a religious, charitable, civic, fraternal or political nature may be erected provided that:

- a. The size of any such sign shall not exceed twenty four (24) square feet in area.
- b. The signs may not be illuminated.
- c. The signs may not be displayed earlier than thirty (30) days prior to the event to which they pertain and must be removed within seven (7) days after the event.
- d. Only one sign per premise is allowed, except during an election year when the display of political advertising shall be liberally allowed.

Graham stated the staff wishes to amortize the enforcement of the Town's Sign Ordinance to make all non-conforming portable signs illegal within a 60-day time period. This period is to give business owners time to sell existing non-conforming signs and to order, purchase, and place new conforming signs. Staff will conduct a survey of all existing non-conforming temporary signs and send a certified letter to each business with notification of the proposed amortization.

Discussion ensued in regard to proposal. Byron Oldham felt the Ordinance proposed in August 1993 allowed a time period for changeover. Sam Williams questioned the 60 day period. Graham stated this would be for temporary portable signs only. Business owners would be notified of non-compliance and action taken by the town if necessary. Butch Hudson stated he would like to see sign ordinance reviewed and have a workable solution for business and town alike. Cheek suggested a feasibility study and requested that the Town Board appoint a committee for this purpose.

Cindy Edwards moved to amortize the enforcement of the Town's Sign Ordinance to make all non-conforming portable signs illegal as of a 60-day time period. Byron Oldham seconded this motion with vote 4-1 with Butch Hudson voting in opposition.

Agenda Item IX (A) Historic Preservation Ordinance Review

Graham gave an overview of the draft copy and brochure (attached). He stated he would appreciate any comments prior to the Public Hearing on January 30 at 6:00 p.m. Joel Hunnicutt and Yvonne Petty have distributed copies to the downtown merchants.

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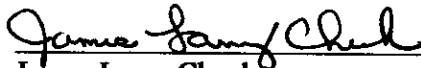
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Sam Williams questioned number of residents affected and amount of advertisement to make citizens aware of areas. Cindy Edwards stated presently only the downtown area being considered. Graham stated no paid advertisements due to limited funds. Edwards complimented Graham on the completed work and requested that copies be sent to the Historic Preservation Society in Raleigh for their information. Cheek thanked Oldham, Edwards and Graham for their work on this committee.

Agenda Item IX Planning Director's Report

Graham gave a brief overview of planning activities. He announced that Cathy Mason was no longer employed by the town.

With no further business, Mr. Larry Cheek called for a motion to adjourn at 8:08 p.m. The meeting was adjourned by unanimous consent upon a motion by Butch Hudson and a second from Byron Oldham.



James Larry Cheek
Chair

ATTEST:



Toni Hart
Recording Secretary

Attachments

Planning Board Meeting Minutes
Tuesday, March 12, 1996

The Siler City Planning Board met on Tuesday, March 12, 1996, at 7:00 p.m. in the Siler City Court Room at City Hall. James Larry Cheek called the meeting to order at 7:05 p.m. and gave the invocation. He then asked for a motion on the minutes of January 22, 1996. Cindy Edwards noted a correction in Section 266 Temporary Signs (page seven) paragraph six. The motion from Cindy Edwards should read *to amortize the enforcement of the Town's Sign Ordinance to make all non-conforming temporary and portable signs illegal as of a 60-day time period. The word "temporary and" was left out of the original wording.* With the correction noted the minutes were unanimously approved upon a motion by Byron Oldham and a second from Cindy Edwards. The minutes of the February 26, 1996, Special Session were unanimously approved upon a motion by Cindy Edwards and a second from Joyce Siler.

Members Present

Larry Cheek, Chairman
Butch Hudson, Vice Chairman
Byron Oldham
Joyce Siler
Cindy Edwards
Louise Adcock
James Edwards
Roger Hinshaw, Alternate
Joel Hunnicutt, Alternate

Members Absent

Staff Present

Joel Brower, Town Manager
J. Samuel Williams, Town Attorney
Charles McLaurin, Code Enforcement/Safety Officer

Town Board Present

Charles Turner, Mayor Protem
Pemberton Hobbs, Town Commissioner

BUSINESS SESSION

Agenda Item IV

Conditional Use Permit Requests/Preliminary Plat Review CUP-002-96- Bernie Morris

Joel Brower stated on February 19, 1996, the town received CUP-002-96 from Mr. Bernie Morris for approval of a 72 unit apartment complex to be named Cateland Place. A joint public hearing was held on March 4, 1996, to receive public comments. Following the hearing it was discovered that the Unified Development Ordinance had no provision for

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reduction in the minimum square footage requirements for multi-family housing. Mr. Brower stated he contacted Mr. Morris and explained that an amendment to the UDO would be necessary for him to move forward with the proposed 72 unit apartment complex as the present UDO would allow only 32 units on the 8 acre site. Mr. Morris withdrew his application. He plans to submit a new CUP later.

Brower explained that an amendment to the UDO would involve three meetings - joint public hearing, Planning Board review and final Town Board approval or denial.

Larry Cheek informed the Board that an amendment to the Unified Development Ordinance would have to be approved by the Town Board before review of another application.

Agenda Item #V

Rezoning Request/Zoning Map Amendments REZ-001-96 - Mr. Harold Hart

On February 14, 1996, we received Rezoning Application #001-96 from Mr. Harold Hart for approval to rezone a 0.34 acre tract of land from Residential-10 (R-10) to Highway-Commercial (H-C). The site is located on North Fifth Avenue between East Third Street and East Second Street.

Mr. Hart presently owns and operates a furniture warehouse on the adjacent property and proposes to use this property for parking and future growth of Hart Furniture Company, Inc.

Zoning Verification

The property is bounded on the north and west by Highway-Commercial and on the east and south by Residential-10 (See attached location map). In accordance with our current zoning map a portion of this parcel is zoned H-C. This rezoning effort would make the zoning consistent.

Staff and Planning Board Recommendation

Approve Rezoning Request #001-96

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Larry Cheek asked for questions or comments from the Board.

Cindy Edwards stated neighbors had expressed concern about truck traffic in the area and were worried that the possible expansion of the facility might cause more congestion. Harold Hart stated he had no immediate plans for expansion and planned to use the area for parking. At present any future expansion of his company would be focused in an area behind Elder Printing where he also owns property. Hart further stated he had instructed his truck drivers not to go in the neighboring area and that trucks from his company are using property he owns. He has no control over other truck drivers or companies. Joel Brower stated the area is posted "No Trucks", but this situation is difficult to control.

With no further discussion Butch Hudson moved for approval of the request with a second by Byron Oldham. The Board voted unanimously to send the request to the Town Board at their March 18, 1996 meeting.

Agenda Item VI

Site Plan Review - New Chatham Middle School

Mr. Brower gave a brief overview of the proposed Chatham Middle School site plan. Hank Graham, former planning director, reviewed the plan prior to leaving Siler City. Kenneth Underwood, Hayes & Howell, has added the following enhancements:

- proper shading to parking area
- adequate opaque screening for a buffer between the property and adjacent property owners.

Butch Hudson said he had spoken with engineers, architects and Dr. Mabe, Chatham County School Superintendent, and felt they would entertain a motion for building ball fields, etc. on the remaining property. Hudson suggested that the town manager or recreation director speak with them concerning this as recreation fields are greatly needed. The Planning Board asked that the Town Board address this issue.

Joel Brower introduced Dee Lee Thompkins the newly hired Administrative Assistant for the Planning and Inspections Department. Ms. Thompkins will begin her duties on March 18, 1996.

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With no further business the meeting was adjourned at 7:25 p.m. upon a motion by Byron Oldham and a second by Joyce Siler.



Larry Cheek, Chair

ATTEST:



Toni Hart, Recording Secretary

**Planning Board Meeting
Monday, April 8, 1996**

The Siler City Planning Board met on Monday, April 8, 1996, at 7:00 p.m. in the Siler City Court Room at City Hall. James Larry Cheek called the meeting to order at 7:10 p.m. and Joel Hunnicutt gave the invocation. He then asked for a motion on the minutes of March 12, 1996. The minutes were unanimously approved upon a motion by Butch Hudson and a second by Byron Oldham.

Members Present

Larry Cheek, Chairman
Butch Hudson, Vice Chairman
Byron Oldham
Cindy Edwards
Louise Adcock
James Edwards
Roger Hinshaw, Alternate
Joel Hunnicutt, Alternate

Members Absent

Joyce Siler

Staff Present

Joel Brower, Town Manager
J. Samuel Williams, Town Attorney

Town Board Present

Pemberton Hobbs, Town Commissioner

BUSINESS SESSION

Agenda Item IV

Consideration of Proposed Amendment of the Town of Siler City Unified Development Ordinance

Joel Brower stated a joint public hearing was held on April 1, 1996, at the Town Board of Commissioners meeting concerning a proposed amendment of the Town of Siler City Unified Development Ordinance. The proposal is as follows:

Existing text -

Section 168 (b) Two family attached residences shall be allowed as a permitted use by the administrator in the R-6, R-10, A-R, and O-I districts with a minimum lot area of 150% of the minimum square feet requirement for the respective district.

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Proposed Amendment --

Section 168 (b) Two family attached residences shall be allowed as a permitted use by the administrator in the R-6, R-10, A-R, and O-I districts with a minimum lot area of 150% of the minimum square feet requirement for the respective district. *With respect to multi-family development with three or more dwelling units, the minimum lot size shall be determined by adding an additional 50% of the required minimum square footage for each additional dwelling unit.*

*Example: Twenty unit multi-family complex R-10 zone
10,000 + (19 x 5000 square feet=95,000) =105,000 square feet required*

Application Requirements per Section 314 Siler City UDO

- A) A legal description (metes and bounds) of the property.
N/A
This amendment will apply to many areas of town where multi-family units are permissible.
- B) The alleged error in this ordinance, if any, which would be remedied by the proposed amendment.
The current UDO contains no provision for the increase of density or the reduction in the required minimum lot size square footage per dwelling unit. I feel that this was an omission or oversight on the part of the town. The previous zoning ordinance, which was enforced prior to the adoption of the UDO in 1993, had a provision which allowed the reduction in the minimum lot size for multi-family uses. I have checked with surrounding towns in regard to this question and found that their ordinances also provide for a reduction in the required minimum lot size square footage.
- C) The changed or changing conditions, if any, of neighborhoods or areas in the town which make the proposed amendment reasonably necessary in order to promote the public health, safety and general welfare.
The changing condition in Siler City that has occurred over the last several years is a shortage of housing overall. This housing shortage can be dealt with by several means which includes single family residences, mobile home parks, or multi-family housing and apartments. To provide proper growth and the general welfare of our citizens I feel that multi-family housing could be a part of the solution. A well-managed apartment complex could benefit our community.

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- D) The manner in which the proposed development will carry out the purposes of the adopted Land Use Plan.

Land Development objectives in the residential areas are as follows:

- *Maintain the residential integrity of existing neighborhoods*
- *Encourage multi-family residential development at a moderate density and in locations in which adequate support urban services are available.*
- *Encourage the continual development of affordable housing*

Siler City Land Development Plan identifies this area for general residential uses. This plan was adopted in October 1989.

- E) All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.

If the Town of Siler City hopes to obtain multi-family housing in any form, I feel there must be a concession in the required minimum lot size square footage per dwelling. Developers should not be expected to provide the same area of land for multi-family housing as is necessary for single family subdivisions. The proposed amendment will allow a 50% reduction in the required minimum square footage for whatever zone the proposed project might be located. This reduction applies to the second, third, fourth and so on units of the development. The first unit will require the full minimum square footage as a single family residence.

On April 1, 1996, a joint public hearing was conducted to solicit comments regarding this proposed ordinance amendment. Comments received were as follows:

- Dawn Allred (407 W. Tenth St, City) asked if the Town was "reducing the density". Mr. Brower responded "no", that the proposed amendment would decrease the minimum-required lot footage. Mrs. Allred then asked if the amendment would place a limitation on the maximum number of people who could live in apartment units. Mr. Brower told the audience that the amendment proposed tonight did not deal with that issue. Mrs. Allred asked for that factor to be considered.
- Kay Staley (1112 Perry Avenue, City) referenced "Section 319" of the UDO and indicated that she felt the recently discussed apartment complex application (CUP-002-96) could not be reconsidered for twelve months according to her interpretation of that section. Both Mr. Brower and Attorney Williams informed the audience that the "apartment application" was not the issue at hand for tonight's public hearing, and the proposed amendment is a separate matter altogether. Mr. Williams further noted that his contacts at the Institute of Government have indicated that the two issues are separate and have nothing to do with the other. Attorney Williams also stated that the proposed amendment before the Board tonight affected the entire town, not just one neighborhood. In closing, Mrs. Staley asked that the Board consider the residents (of her neighborhood) when making their decision on the UDO proposed amendment.

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Staff Comments

There is currently a shortage of housing in Siler City. This shortage will encourage the development of all types of housing in our town. Single family residential as well as mobile home park development may be utilized to provide this needed housing. The proposed multi-family development may also be used to fill this void. As our town continues to grow well-managed apartments can be an asset to our community and provide for housing diversity.

Brower recommended approval of proposed amendment to the Unified Development Ordinance.

Larry Cheek thanked our Town Manager for a fine job on the agenda packet and asked for discussion of proposed amendment.

Mr. Cheek questioned order of approval of units. Brower stated information contain in UDO Section 137 (b) indicates the developments of less than five (5) dwelling units must be pursuant to a zoning permit, developments of five (5) or more but less than thirteen (13) dwelling units need a Special Use Permit, and developments of thirteen (13) or more dwelling units require a Conditional Use Permit.

Byron Oldham stated that of the five towns that sent materials only one of the towns restricts where you could build multi-family housing. He also noted Elon College updated their density requirements in April 1996. He stated with the proposed change to 1500 sq. ft., 72 units, 2 persons per bedroom (re: Section 8 HUD) which would allow 336 people on 8 1/2 acres. He would like some input on how many people you can put in a small area.

Joel Brower stated that the proposed amemdment would allow a unit number of 64 on 8-1/2 acres tract.

Butch Hudson stated that the land density just give the developer quidelines to the start the process. The developer then has to get a special use permit or conditional use permit depending on the size of his apartment complex. Each member of this board can put any restrictions on him as far as setbacks, open areas, buffers and height of buildings at the time the permit is heard before the Board. It all in the UDO and there are no restrictions stating

PROJECT UPDATE

Joel Brower reported that the city had been awarded a \$15,000.00 grant from the North Carolina Department of Cultural Resources, Division of Archives and History for preparation of National Register Nomination for the downtown area.

Chatham Middle School bids are being received and will be opened Tuesday April 30, 1996, at 3:00pm in Pittsboro.

Lincoln Point - Richard Fox - clearing and stump removal completed. Utility plans have been reviewed and sent to Raleigh for state approval.

Hunter Court - Doug Ellis - West Third Street water and sewer lines have been installed; road work has not been completed because the weather has been a problem.

Loves Creek Mobile Home Park utilities has been completed and installed. Paving has not been done because of weather.

Autumn Estates utility plans have been reviewed, approved and forwarded to Raleigh.

Cedar Creek, North Chatham Avenue - plans have been reviewed, presently awaiting approval from Raleigh.


Following the project update Larry Cheek asked for other business.

Butch Hudson said he had talked to Dr. Larry Mabe, Chatham County School Superintendent, about an extension on Dowd Street. He was enlightened to find that if the school has to build the road for a new school or existing school they are reimbursed by the state. He felt a need to coordinate with the school system and NCDOT Thoroughfare Plan on long range plans.

With no further business the meeting was adjourned at 7:45 p.m. upon a motion by Byron Oldham and a second by Louise Adock.


Larry Cheek, Chairman

ATTEST:


Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting
Monday, May 13, 1996**

The Siler City Planning Board met on Monday, May 13, 1996, at 7:00 p.m. in the Siler City Court Room at City Hall. Larry Cheek called the meeting to order at 7:03 p.m. and Byron Oldham gave the invocation. He then asked for a motion on the minutes of April 8, 1996. The minutes were unanimously approved upon a motion by Byron Oldham and a second by Cindy Edwards. Mr. Cheek then welcomed our new Planning Director on board.

Members Present

Larry Cheek, Chairman
Butch Hudson, Vice Chairman
Byron Oldham
Cindy Edwards
Louise Adcock
James Edwards
Joyce Siler
Joel Hunnicutt, Alternate

Members Absent

Roger Hinshaw, Alternate

Staff Present

Joel Brower, Town Manager
J. Samuel Williams, Town Attorney

Town Board Present

Pemberton Hobbs, Town Commissioner
Robert Siler, Town Commissioner

BUSINESS SESSION

Agenda Item IV

**Conditional Use Permit Requests/Preliminary Plat Review
CUP-003-96 - Mr. Bernie Morris**

Mr. Bernard Rogers, Planning Director, stated Mr. Bernard Morris of March Properties, Inc. wishes to construct a 64 unit multi-family apartment complex. The proposed apartments will be constructed on an approximate 8 acre tract and will be named Cateland Place Apartments. The complex will be composed of eight (8) buildings with eight (8) units of two and three bedroom apartments.

The applicant has entered into a land purchase agreement with Mr. Ernie Evans, current owner, and will purchase the property if awarded a Conditional Use Permit. The site in question is located on the north side of US Highway 64 West between the Norfolk Southern Railway corridor and Perry Avenue (map attached).

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JOINT PUBLIC HEARING

A joint public hearing was held on May 6, 1996, to receive public comments regarding the proposed construction. The following is a brief listing of the comments:

- *Roy Robinson* (1109 Perry Avenue, City) told the Commissioners and Planning Board members that he did not receive a letter from the Town concerning the CUP request. Town Manager Brower responded that Mr. Robinson's property was not within the required area which would mandate official notification by the Town.
- *Linuel Efird* (403 W. Tenth Street, City) stated that "safety" is a factor to be considered when deciding about CUP approval. He mentioned that "health problems caused by people who are not familiar with our lifestyle" can also create problems for neighbors in the surrounding area.
- *Ed Clark* (405 W. Tenth Street, City) agreed that the Town needed housing but expressed dissatisfaction with the proposed "\$25,000 salary cap" placed on the proposed apartment complex. He stated that many of his middle-income co-workers had to find suitable housing out of town due to the lack of available apartments and affordable housing.
- *Edwina Kay Staley* (1112 Perry Avenue, City) expressed concern for her hometown. She asserted that the proposed complex is "low-income housing" and "will not bring 'pride' to" Siler City. Additionally, she indicated that the low-income facility will bring "drug deals, crime and disease" to the town and conveyed that "growth" should be accomplished through "moderate housing". A letter from Forrest Campbell, an attorney in Greensboro, was read by Mrs. Staley. The letter expressed an opinion about Section 319 of the UDO pertaining to a "one-year limitation" on subsequent requests for conditional use permits. (*Schedule 25-A*). In closing, Mrs. Staley reminded the elected officials that the concerned citizens opposed to the location of the proposed apartments would remember their decision at the next local election.
- *Bernie Morris* (applicant; 919 Hill Street, Greensboro) told the Board that his company had checked the local market and had found a need for an apartment complex such as the one proposed as "Cateland Place". He noted that the income caps are set by the North Carolina Finance Agency. On-site management is proposed which means a day-manager would be utilized. However, Mr. Morris indicated if the situation warranted a change, then 24-hour on-site management would be initiated. All applicants will be screened, and "verification-of-income" forms would have to be submitted.
- *Evelyn Smith* (418 W. Tenth Street, City) objected to the location of the proposed apartments and requested that the Board "vote this down for our sake".

PETITION AND INFORMATION CONCERNING CUP #003-96

As the memo, dated May 6, 1996, states Mrs. Edwenta Staley has furnished a letter from the law firm of Short, Campbell & Ferguson. In this letter (see attachment) Mr. Forrest E. Campbell states that in his opinion Bernard Morris cannot re-submit an application for a conditional use permit prior to a one year waiting period. Mr. Campbell cites the text in section 319 of the Unified Development Ordinance. On March 26, 1996 staff received a letter from the Institute of Government (University of North Carolina at Chapel Hill). In the letter Mr. Richard D. Ducker, Assistant Director, states that section 319 "applies to petitions to amend the ordinance, not to applications for a conditional use permit".

Staff has also received a petition protesting the construction of the 64 unit multi-family apartment complex. As I stated in the May 6, 1996 memo (see attachment) the petition does not meet the requirements of section 320 of the Unified Development Ordinance. Thus, petition will have no effect on the Board of Commissioners' voting majority.

Also sent to the planning staff was a police report listing disturbances at two Gibsonville apartment complexes. Both complexes are managed by JAG Management, Inc.. This same company will manage the proposed (CUP #003-96) Cateland Place Apartments. Mr. Bernard Morris stated that JAG Management, Inc. took management to the Gibsonville apartments because of improper management by a previous company. Deleno Flynn, Town Manager of Gibsonville, also stated that JAG Management was not the original management. Mr. Flynn feels that the concentration of low income apartments is the problem rather than management.

STAFF ANALYSIS

The zoning for the property is Residential-10 (R-10). The application as proposed, is in compliance with the density requirements of the Unified Development Ordinance. Adequate parking for a moderate income development has also been provided as required in section 279 of the Unified Development Ordinance. The location of the proposed development is suited for multi-family use. There is a compatible multi-family complex (North Glen Apartments) directly opposite the proposed development. The North Glen Apartments, a vegetative buffer and natural topography (large berm) provide an ample buffer between the proposed development and existing single family homes on the south side of US Highway 64. There are two single family homes on lots adjacent to the proposed site. A proper buffer as described in Article XIX of the Unified Development Ordinance can minimize any adverse effect that the proposed apartments may have.

Staff received a fax from the Asheboro planning department concerning a Conditional Use Permit which their City Council approved. Reynolds Neely,

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Director of Planning, stated that conditions #5 and #9(see attachment), concerning on site full time management and buffers, made the project more appealing to area citizens.

The applicant's response(italics) to the Four Required Findings are as follows.

That the use will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.

The use of the proposed site for a multifamily development of not to exceed 64 units should not endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved. The proposed development is residential and will be developed in full compliance with all state and local building requirements. Access to Highway 64 from the proposed development will be fully coordinated with the N.C. State Department of Transportation and local transportation authorities.

That the use meets all requirements (use, dimensional, parking/loading) established by this ordinance.

The proposed development will comply with all state and local requirements established by their respective ordinances. The developer has developed similar communities as the proposed in other areas in N. C. providing full compliance to all state and local requirements.

That the use will not constitute a nuisance or hazard from the generation of people, vehicles, noise, or other pollutants, and the use will not be detrimental to the use or development of adjacent properties and will not substantially injure the value of adjoining property, or that the use is a public necessity.

The development of multifamily housing in the proposed location should not create a hazard or nuisance from the generation of people, vehicles, noise or other pollutants. The site is located on the outskirts of city limits and not situated on top of any other significant concentration of other family dwellings. A similar low density multifamily development is located just south of the proposed site. The proposed development will be attractively landscaped with architecturally pleasing construction that will allow it to blend attractively into the existing streetscape of Highway 64. Recent market studies indicate that multifamily housing is in tight supply in Siler City.

That the location and character of use, if developed according to plans submitted and approved, does not adversely affect the general plans for the physical

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development of the Town as embodied in this ordinance and in any plan or portion thereof adopted by the Planning Board of Commissioners.

Discussions with local planning officials indicate that the proposed development should not adversely affect the general plans for the physical development of the Town. Existing multifamily development south of the proposed site seems to blend into the existing neighborhood and appears to not create any adverse affect upon the Town of Siler City.

STAFF COMMENTS

- The preliminary site plan currently does not identify the source for water and sewer services. The applicant will need to indicate that extensions will be necessary from existing lines on North Garden Avenue. These extensions will be undertaken at the applicant's expense with approval by the town.
- NCDOT has indicated that the widening of US Highway 64 will be underway in 1999. This widening will relieve any congestion due to traffic flow into and out of the proposed development. Thus, requiring a turning lane is unnecessary.
- The applicant needs to address the issue of storm water drainage required by sections 246 and 248 of the Unified Development Ordinance. The applicant must provide an adequate drainage system to prevent the undue retention of surface water. Section 247 of the Unified Development Ordinance states that a proposed development must also be constructed so that adjacent properties are not unreasonably burdened with surface waters as a result of such development.
- The applicant has proposed a 50' buffer around this development. Existing vegetation will be maintained, however, additional screening may be considered. The UDO requires a semi-opaque screen Type B when single family residential and multi-family join.
- According to sections 180 Miniparks are required in all residential developments. Based upon section 180's standards, the proposed development will require 17,947 square feet of minipark space.

RECOMMENDATION

The proposed development will provide needed median income housing. If proper conditions are imposed to protect the interests of adjacent property owners, the proposed project will be an asset to the community. As I stated previously, attached are some conditions which were imposed in the City of Asheboro. These may be helpful as a reference when considering CUP #003-96. I feel that those conditions which provide for a full time on site manager and adequate buffering are important, because they address citizen concerns.

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The Planning staff recommends approval of CUP #003-96.

Discussion

Mr. Cheek thanked the Planning Director for a fine job on the agenda packet and noted that this was not a public hearing, but that the board would be asking Mr. Bernie Morris questions concerning his application.

Mr. Cheek had contacted Mr. Quinn with North Carolina Housing Authority Office in Raleigh and he shared some information concerning income not exceeding these amounts:

- 1 Person Family - \$21,320.00
- 2 Person Family - \$24,360.00
- 3 Person Family - \$27,360.00
- 4 Person Family - \$30,420.00
- 6 Person Family - \$35,285.00

According to Chatham County maximum income limits for affordable housing developed under section 42 of the IRS code, maximum expense for rent and utilities is as follows:

2 Bedroom - Rent	\$614.00	Estimated Utilities - \$70.00	Not to exceed \$684.00
3 Bedroom - Rent	\$701.00	Estimated Utilities - \$90.00	Not to exceed \$791.00

Mr. Cheek then questioned Mr. Morris if he was planning to develop the whole unit as 100% housing subsidy or to split it as 60% housing subsidy and 40% regular income.

Cindy Edwards said she had called Chatham County Schools and that a new teacher moving into this area with no experience would only be making \$20,600.00 a year. They would barely qualify to get into these units. The concern is that a lot of people who do not have housing would like to have housing but do not fall into this category. Edwards expressed a desire to have regular and low income housing.

Mr. Morris said at this time he was planning for it to be 100% North Carolina Housing Financing property. The minimal income is \$18,000.00 to qualify and rent and utilities cannot exceed 40% of your income.

Mrs. Edwards also stated that a single person with an income of \$25,000.00 could not qualify for a one bedroom because a one person income could not exceed \$21,320.00 with the NC Housing Financing Property.

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Mr. Morris said that could very well be, on one hand you are saying that someone is making not enough to qualify and then someone is making too much. This is focused on a certain group of people and it is referred to as low-moderate income to fill a certain void. This is not to say that it is going to be a "be-all to end-all" here in Siler City. The tax credits are the incentive for a developer to build in a community the size of Siler City; they normally would not look a city this size.

Larry Cheek wanted himself and the other board members to look and see if we are supplying a need to all the people of Siler City or to a certain group.

Cindy Edwards then asked Mr. Morris about the setbacks and the proposed US Hwy. 64 expansion. She wanted to know if this had been taken into account on the site plan.

Mr. Morris said that he had been in touch with DOT and they sent him a preliminary design of the highway that had been incorporated with the site plan (City and DOT approval required).

Mr. Cheek asked Mr. Morris if he had to have the Conditional Use Permit to file an application with the North Carolina Housing Finance Agency.

Mr. Morris said that we are requesting a Conditional Use Permit in order to build a 64 unit apartment complex that will be a North Carolina Housing Financing property. The process, therefore, is that we have to submit our application and then they have to approve it and will send us a letter of the tax allocation.

Mrs. Edwards then wanted to know if North Carolina Housing Finance Agency has ever given approval to any projects where there were a certain percentage to regular housing and low income housing.

Mr. Morris said there were situations like that where there was 40-60 split and fairly typical.

Mr. Cheek then asked the board if they had further questions. He then closed the discussion and asked the board if they had any conditions they wanted to consider at this time.

Mr. Byron Oldham said he had several conditions he wanted the board to consider.

1. Water and sewer extensions from North Garden Avenue shall be undertaken at the applicant's expense.
2. A turning lane shall be provided to relieve congestion, due to traffic flow into the proposed development.
3. The total number of units shall not exceed 64.

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4. Site to be developed as shown on plans.
5. No outside pets allowed.
6. Should require buffer to comply with UDO type B.
7. On-site full time resident manager shall be required.
8. Applicant must provide adequate drainage system.
9. Miniparks shall be provided in accordance with section 180 of the UDO.
10. Night lighting of parking and walkways areas shall be required.
11. Project must observe North Carolina Minimum Housing Code.
12. 60% would be low income subsidized and 40% regular housing.

Mr. Morris stated that he was requesting to be allowed to build as tax credit property. If town is going to tell us that we can only do so many then we would probably want to pull our application. We want this to be a North Carolina Tax Credit property and we have never had a Town Board to come back to us and dictate that we have to have a certain percentage. I request that you consider us at 100%.

Mr. Cheek asked what would happen if a single person qualifies, moves in and marries, and has two incomes. Does he have to move?

Mr. Morris stated that once you qualify and meet all the requirements of the rules and regulations you cannot be asked to move because your income changes and rent are not governed by your income. Rent can go up by 2 to 3 percent but rent is not tied to your income and rent is the same for everyone.

Larry Cheek then asked for the motion to recommend the proposal to the Town Board with said conditions. Byron Oldham made the motion and Cindy Edwards seconded. Five members approved and Butch Hudson and James Edwards voted in opposition. This item will be heard at the Town Board Meeting on May 20, 1996.

PROJECT UPDATE

Bernard Rogers reported that J. H. Allen has been named the general contractor for Chatham Middle Schools. They have applied for temporary water tap and should begin site work sometime next week. The Plumbing Contract has been awarded to Cam-Ful Industries, HVAC Contract to T. R. Driscoll and Electrical Contract to Robeson Electric.

Lincoln Point - Richard Fox - water and sewer permit have been approved.

Hunter Court - Doug Ellis - West Third Street - No progress.

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Loves Creek Mobile Home Park - Driveway piles have been put in place, roads have been paved, inspected and meet requirements Water and sewer have been tested and open.

Autumn Estates - Water and sewer have been approved.

Cedar Creek - North Chatham Avenue - No progress.

OTHER BUSINESS

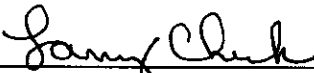
Following the project update Larry Cheek asked for other business.

Butch Hudson said he had been approached concerning our building permits fees. He also stated that our fees were reasonable but we might want to consider a cap on them.

Joel Brower said he had been told that our fees were reasonable but if he could offer a suggestion that we might want to check with surrounding towns.


Larry Cheek suggested that he would like for our planner to check with surrounding towns and present a proposal to the board at our next meeting to review.

With no further business the meeting was adjourned at 8:10 p.m. upon a motion by Butch Hudson and a second by Byron Oldham.



Larry Cheek,
Chairman

ATTEST:



Dee Lee Thompkins,
Recording Secretary

**Planning Board Meeting Minutes
Monday, June 10, 1996**

The Siler City Planning Board met on Monday, June 10, 1996, at 7:00 p.m. in the Siler City Court Room at City Hall. Larry Cheek called the meeting to order at 7:00 p.m. and gave the invocation. He then asked for a motion on the minutes of May 13, 1996. The minutes were unanimously approved upon a motion by Cindy Edwards and a second by Bryon Oldham.

Members Present

Larry Cheek, Chairman
Butch Hudson, Vice Chairman
Byron Oldham
Cindy Edwards
Louise Adcock
James Edwards
Joyce Siler
Joel Hunnicutt, Alternate
Roger Hinshaw, Alternate

Members Absent

Staff Present

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

Town Board Present

Pemberton Hobbs, Town Commissioner

BUSINESS SESSION

Agenda Item IV

**A. REZONING PERMIT - REZ-002-96
Mr. JERRY B. WOOD, III**

Mr. Bernard Rogers, Planning Director, stated Mr. Jerry B. Wood III, Franklin Wood Properties LLC, requests the rezoning of two (2) tracts of land, totaling 51.54 acres, from Agricultural - Residential to Residential - 20 (map in June 3, 1996 Joint Public Hearing Packet). Mr. Wood wishes to subdivide this land for single family residential use. The property is located on the northeast corner of the SR1366 and SR1006 intersection (Lot #1- 1.81 acres); north of SR1366 and SR1006 adjacent to the Eden Hills Subdivision (Lot #2 - 49.73 acres).

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On June 3, 1996 a joint Town Board/ Planning Board public hearing was conducted. The following public comments were recorded:

Joint Public Hearing

A joint public hearing was held on June 3, 1996, to receive public comments regarding the proposed construction. The following is a brief listing of the comments:

James Patterson (3060 Old Hwy 421 North, City) owns a lot on the back of his property. He asked if this particular lot would be accessible from the proposed subdivision. He further noted that Siler City needs "complexes" such as "condos" and townhouses for people his age.

Russell Lawson (Old Hwy 421 North, City) inquired about the square-footage requirements for "R-20" zoning. He was told that the minimum lot size would be 20,000 square feet.

Jerry B. Wood, III (Pineforest, Siler City) stated that he and Betty sensed a need for single-family housing in Siler City and promised quality construction which should enhance the property values of the neighbors.

Delores Collins (363 Eden Hills, City) welcomed the development and asked if a "sign" advertising the neighborhood would be erected at its entrance. She also suggested that part of the area be designated a "walking trail".

Jack Walker (302-D Lindsay Street, High Point, NC) Letter attached.

Staff Analysis

Mr. Wood's application is complete and complies with all applicable requirements of the Unified Development Ordinance. The proposed rezoning is compatible with the existing Eden Hills Subdivision, which is also zoned R - 20, and is in accordance with the Town's Land Development Plan.

Staff recommends approval of REZ - 002 - 96.

Following review and discussion a recommendation to the Town Board is requested.

Dicussion

Larry Cheek asked Mr. Rogers to explain to the board about the letter he had received from Mr. Walker.

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Mr. Rogers stated that Mr. Walker was a representative for the owner Peters Enterprises, Inc., who owns 120 acres adjacent to Mr. Wood's property and that four years ago they had applied for a rezoning permit on their property and was turned down. He had learned through this rezoning case that there has been another treatment plant built and sewer capacity has increased. Therefore he is requesting that they be given the same consideration in the future if any requests are made by Peters Enterprises, Inc., to rezone. He would like to also offer to the proposed developers a possible cost sharing of water and sewer extension where their property adjoins.

Byron Oldham stated he remembered when the board was restricted on sewer capacity as there was a sewer moratorium.

Larry Cheek wanted to know about sharing the cost of water and sewer.

Sam Williams stated that Mr. Walker would need to take the steps in redoing his application and then if he gets approved and if Mr. Woods is approved then they would address sharing the cost of water and sewer.

Cindy Edwards stated that Mr. Wood indicated that he was willing to run sewer lines and was wondering if we needed to include this in our recommendation.

Butch Hudson said that it would not be considered under rezoning that it would be addressed when Mr. Wood brings his Major Subdivision Plans for approval.

Mr. Cheek then asked if there were any questions or discussion, if not then he would obtain a motion to approve recommendation to the Town Board. Butch Hudson made the motion and Bryon Oldham seconded. Majority approved and a recommendation for approval to be heard at the Town Board Meeting on June 17, 1996.

B. REZONING PERMIT - REZ-003-96

Bernard Rogers reported that staff has initiated a request for the rezoning of multiple tracts of land, totaling 2.85 acres, from Light - Industrial (L-I) to Central - Commercial (C-C). The site is located west of the Norfolk Southern Railroad corridor and east of Dogwood Avenue, between West Second Street and West Raleigh Street (excluding property adjacent to railroad corridor, owned by Golden Poultry Co., Inc.). Staff became aware of the aforementioned site, following a property owner's request to rezone a parcel on the above referenced block.

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Joint Public

No one was present with comments, and the hearing closed.

Staff Analysis

Article XX Section 311 of the Town's Unified Development Ordinance will allow amendments to the ordinance: Because of changed or changing conditions in a particular neighborhood or community as a whole. Commercial uses currently occupy the property and the character of the neighborhood is predominantly commercial. Staff's rezoning request is in accordance with the Unified Development Ordinance, and the Land Development Plan.

Staff recommends approval of REZ-003-96.

Following review and discussion a recommendation to the Town Board is requested.

Discussion

Cindy Edwards wanted to know if the whole block was zoned as Light-Industrial and if the little warehouse behind Country Mart would fall into Central-Commercial.

Mr. Oldham stated that Chatham Grocery used to be there and that is what the zoning was taken off of.

Butch Hudson asked if the map was wrong because the board would not have approved a skating ring in a L-I and if a person had wanted to rezone why didn't they rezone.

Mr. Rogers explained that if they wanted to rezone one parcel of land that would have been spot zoning which is not a good practice. The predominate character of the neighborhood has changed to C-C and it would be fitting to correct and rezone the entire block.

Larry Cheek asked if there was any more discussion. Butch Hudson made a motion for the board to approve and Byron Oldham seconded and all approved.