

## **Planning Board Meeting Minutes December 8 2008**

The Siler City Planning Board met on Monday, December 8, 2008 at 7:05 p.m. Ethel Coble called the meeting to order. Ms. Coble asked for a motion to approve the minutes of November 10, 2008. *Motion made by Richard Caviness, Harold Hart seconded, followed by unanimous consent.*

### **Members Present**

Ethel Coble, Chair  
Harold Hart, Vice Chair  
Richard Caviness  
Dan McMasters  
Vicky Tobar  
JP Joyner, Alternate  
Patty Poe, Alternate

### **Members Absent**

Arnold Headen  
Mickey Pore

### **Staff Present**

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

## **BUSINESS SESSION**

### **Agenda Item IV**

#### **UDO Text Amendment Request TA-01-08 Reoccurring Special Event**

Mr. Meadows reported that Jeff Schwarz proposes text amendments to the Town's Unified Development Ordinance.

1. Article X – Permissible Uses - § 136 Definitions – Reoccurring Special Events
2. Article XI – Supplementary Use Regulations - § 156 Reoccurring Special Events
3. Table of Permissible Uses – 5.27 Reoccurring Special Events

Mr. Meadows explained on June 2, 2008, Mr. Schwarz received conditional use permit approval to operate a special event at 120 West Third Street located where the Boling Chair building was recently demolished. The conditional use permit approval allowed only one special event.

Mr. Meadows reported that Mr. Schwarz would like to operate reoccurring special events each year at the above location. Town staff advised Mr. Schwarz's staff to make application for a text amendment.

Mr. Meadows stated that Town staff with the help of William C. Morgan Jr. and Mike Brough assisted in scripting the proposed text amendments.

Mr. Meadows reported that on December 1, 2008, a joint public hearing was held.

Mr. Meadows stated that board review and action is requested.

### **Discussion**

Ms. Coble directed the board to their worksheets to go through each finding.

### **Text Amendment Worksheet**

Ms. Coble asked for a motion to promote and forward the purposes of the adopted Land Development Plan. *Upon a motion by Harold Hart and seconded by JP Joyner the amendment was unanimously approved.*

**Agenda Item V**

**Conditional Use Request**  
**A. CUP-02-08 – Jeff Schwartz**

Mr. Meadows reported that Jeff Schwarz requests a conditional use permit for a reoccurring special event. The subject property is located at 202 West Third Street. The subject property is further identified as Tax Parcel Number 16071.

Mr. Meadows added that the subject property:

1. contains an existing storage bin enclosed by a 5 feet tall chain link fence;
2. has access to Town water and sewer;
3. is located within the Town's Corporate Limits;
4. is located within the 100 year flood plain and has a 100 foot vegetative buffer along Loves Creek Tributary 1;
5. is surrounded by L-I zoning, except for the residential property located along West 5<sup>th</sup> Street is zoned Residential-6 and the old Boling offices is zoned Central Commercial; and
6. is surrounded by the following land uses; vacant, offices, retail, and single family residential.

Mr. Meadows explained that the proposed development will include:

1. *both carnivals and circuses*;
2. ~ 2.34 acres of special event area;
3. Orange construction screening around the perimeter of the special event area;
4. 35 rides (20-25 rides for kids) per event;
5. 250 persons +/-per night;
6. 5 portable toilets including 1 handicap; and
7. 72 parking spaces including 4 handicap spaces onsite

Mr. Meadows stated that the Land Development Plan recommends mixed use development for the subject property.

1. This redevelopment area is appropriate for uses compatible with the downtown district;
2. Promote downtown as an active, attractive community that accommodates multiple uses such as the arts, small businesses and residential;
3. Explore the development of a downtown civic center that would strengthen downtown by providing a central location to house meetings and community entertainment events;
4. Increase pedestrian safety in the downtown area through improvement of sidewalks and handicapped accessibility;
5. Improve availability of downtown parking;
6. Encourage attractive commercial development in appropriate locations suitable for commercial purposes;
7. Improve the appearance and aesthetics of commercial properties abutting major thoroughfares by providing landscaping to buffer parking lots and service areas and by controlling signs;
8. Improve vehicular access to commercial areas;
9. Require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways;
10. Onsite storm water controls are critical to minimize environmental impacts;
11. Development should minimize built-upon area.

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

Mr. Meadows added that if the Board finds that the application complies with all other provisions of the ordinance, it may still recommend denial of the permit if it concludes that the development more probably than not will:

1. Materially endanger the public health or safety;
2. Substantially injure the value of adjoining or abutting property;

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3. Not be in harmony with the area in which it is located;
4. Not be in conformity with the land development plan, thoroughfare plan, or other plan officially adopted by the Town Board.

Mr. Meadows recommended that following conditions:

1. Weeds, grass, or other noxious vegetation shall not exceed eight inches in height;
2. Remove existing storage bin and related piping from site; and
3. Replace temporary orange construction fence with permanent five feet tall chain link fence around the perimeter of the special event area.

On December 1, 2008, a joint public hearing was held.

Board review and action is requested.

**Discussion**

Ms. Coble directed the board to their worksheets to go through each finding.

**Conditional Use Worksheet**

1. The application was complete  
*Motion made by Patty Poe, Dan McMasters seconded, followed by unanimous consent.*
2. Application complies with all applicable requirements of the Unified Development Ordinance  
*Motion made by Richard Caviness, JP Joyner seconded, followed by unanimous consent.*
3. Conditions as recommended by Staff
  1. Weeds, grass, or noxious vegetation shall not exceed eight inches in height;
  2. Remove existing storage bin and related piping from site; and
  3. Replace temporary orange construction fence with permanent five feet tall chain link fence around the perimeter of the special event area.*Motion made by Dan McMasters, Harold Hart seconded, followed by unanimous consent.*
4. The permit is recommended for approval with conditions  
*Motion made by Harold Hart, JP Joyner seconded, followed by unanimous consent*

**Agenda Item VI**

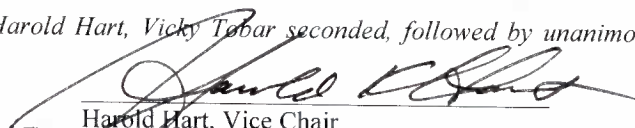
**Planning Activity Update**

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

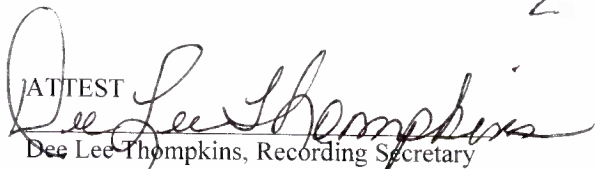
**Agenda Item VII**

**New Business**

With no further business, *motion made by Harold Hart, Vicky Tobar seconded, followed by unanimous consent for adjournment at 7:25 p.m.*

  
Harold Hart, Vice Chair

ATTEST

  
Dee Lee-Thompkins, Recording Secretary