

**Planning Board Meeting Minutes
January 10, 2000**

The Siler City Planning Board met on Monday, January 10, 2000 at 8:00 p.m. Minutes of December 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
Leota Thompson
Pat Lowman
Jimmie Pugh
John Brown
Cindy B. Bray, Alternate

Members Absent

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. Rezoning Request/Zoning Map Amendments
REZ-001-00 – Steven Lanning**

Mr. Bernard Rogers, Planning Director reported Steven Lanning requests to rezone approximately 236 acres 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.

A public hearing was conducted on January 4, 2000 to hear public comments. There were no public comments recorded.

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. Dave Watts, representative for the rezoning stated he has spoken with the North Carolina Department of Commerce and if this rezoning is approved then they will be eligible for the State Mega-Site Program.

John Brown made the motion for approval and Arnold Headen seconded with majority approved.

Recommendation for approval to the Town Board.

Agenda Item V

**A. Conditional Use Permit Requests/Preliminary Plat Review
CUP-005-99 – Harold J. Milholen and William F. Milholen**

Mr. Rogers reported Harold J. Milholen and William F. Milholen request a conditional use permit in order to develop a private multi-family townhome complex. The 3.05 acre parcel is located on the west of Raleigh Street between Lakewood Drive and George Street. The developer proposes to construct five buildings containing four units each. Homes will range from 1300 square feet to 1800 square feet. Each will have a single car garage and two additional parking spaces.

A public hearing was conducted on January 4, 2000. There were no public comments recorded.

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

The development will be served by Town water and sewer. The Towns Public Works Director has given preliminary approval of the proposed design. Further studies will be required prior to final design. The proposed development will generate less than 200 (128) additional trips per day. Raleigh Street is a major thoroughfare and is far below capacity. Therefore, the additional traffic is not a burden. All common areas and paved area within the complex will be maintained by a homeowners association. The Town Attorney has look at the Homeowner's Association documentation and found it adequate. The three park areas provided by the developers exceed the requirement for a complex of its size. Additionally, the proposed complex will be bordered by a six foot fence and vegetative buffer to physically separate it from adjoining single family residences. The architect has given me an updated plan showing all the screening requirements that our ordinance requires.

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

- Homeowner's Association must be established prior to issuance of zoning and building permits.
- NCDOT Driveway Permit must be issued prior to issuance of zoning and building permits.
- Parking lot must be lighted for safety.
- Hydraulic analysis should be conducted prior to issuance of zoning and building permits.

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

Hal Milholen informed the Board that they had taken Mr. Titrington concerns into consideration and made that end of the property the must open. Also, they have changed their plans to 20 instead of 28 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 Jimmie 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 Cindy Bray, Arnold Headen seconded, and majority approved.
- Consideration of proposed conditions –
 - Homeowner's Association must be established prior to issuance of zoning and building permits.
 - NCDOT Driveway Permit must be issued prior to issuance of zoning and building permits.
 - Parking lot must be lighted for safety.
 - Hydraulic analysis should be conducted prior to issuance of zoning and building permits.
Motion made by John Brown, Jimmie Pugh seconded, and majority approved.
- Recommendation for Approval – The Planning Board recommends approval, **subject to the conditions agreed upon.**
Motion made by Pat Lowman, Jimmie Pugh seconded, and majority approved.

B. Conditional Use Permit Requests/Preliminary Plat Review CUP-010-99 – Aston Properties

Mr. Rogers reported Aston Properties requests a conditional use permit to construct a Carolina Power & Light Sub-Station Facility. The structure will be located on a 7.54 acre parcel behind the Siler Crossing Shopping Center on US Hwy 64. The above location will place the sub-station over 1133 feet from the US Hwy 64 right-of-way. Access to US Highway 64 is by way of an existing easement across the Siler Crossing property. The proposed sub-station and all associated structures will be enclosed in a fenced area. A public hearing was conducted on January 4, 2000 to hear public comments.

All boundaries are screened by existing trees except the southern boundary, which faces the Siler Crossing loading docks. The character of the area around the site is rural and commercial. Therefore, the impact of the sub-station on the public should be minimal. Traffic generated by the proposed use will also be minimal and will be composed of mostly maintenance vehicles when necessary.

As shown on the applicant's site plan the site is adjacent to a 100 year floodplain of Indian Creek. CP&L plans to exceed our ordinance requirements by elevating the site a minimum of two feet above the 100 year flood elevation. Staff feels the elevation is warranted, due to the importance of this public utility. Staff also feels the health of Indian Creek is an issue, due to oil contained in transformers and regulators on the site. CP&L Project Engineer, Robert Pitts, has provided an assessment of the impact of an oil spill. CP&L concluded there is no anticipated impact, due to a containment system that will be constructed on site.

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

- Erosion Control Plan has to be approved by NCDENR prior to any site work.
- Site must be elevated above base flood elevation as stated in letter dated 1-4-2000.

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 conditional use permit.

A recommendation to the Town Board is requested.

Discussion

Katherine K. Thomas, Manger-Community Relations for Carolina Power and Light distributed pictures of what the sub-station facility will look like. She also stated that this was an ideal location for the sub-station with the screening of the shopping center and the natural barriers. They are willing to work with the Town on any additional screening that we might require.

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

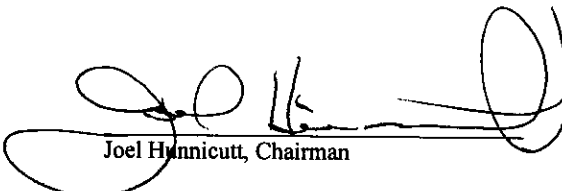
- Completeness of application - application was complete.
Motion made by Arnold Headen, Cindy Bray seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by Jimmie Pugh, Leota Thompson seconded, and majority approved.
- Consideration of proposed conditions –
 - Erosion Control Plan has to be approved by NCDENR prior to any site work.
 - Site must be elevated above base flood elevation as stated in letter dated 1-4-2000.
 - Oil containment system must be constructed as stated in letter date 1-4-2000.
Motion made by Jimmie Pugh, Arnold Headen seconded, and majority approved.
- Recommendation for Approval – The Planning Board recommends approval, **subject to the conditions agreed upon.**
Motion made by Jimmie Pugh John Brown seconded, and majority approved


Agenda Item VI

New Business

Joel Hunnicutt informed the Board there will be a meeting of the Chatham Historic Society at City Hall Courtroom on Sunday, February 13 at 3:00 p.m. to present information for the Historic District.

With no new business, Leota Thompson made a motion for adjournment at 8:30 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
February 14, 2000**

The Siler City Planning Board met on Monday, February 14, 2000 at 7:00 p.m. Joel Hunnicutt called the meeting to order and John Brown gave the invocation. Minutes of January 10, 2000 meeting were unanimously approved by a motion from Leota Thompson and seconded by Jimmie Pugh. Chairman Hunnicutt welcome alternate Don Tarkenton to the board.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Leota Thompson
Jimmie Pugh
John Brown
Cindy B. Bray, Alternate
Donald L. Tarkenton, 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-002-99-W. Howard & Margie Horney – REZ-003-99-Chatham Land & Timber Management, LLC – REZ-004-99-Cynthia B. Bray – REZ-005-99-Arthur Long, St.

Alternate Cindy B. Bray asked to be excused from the rezoning discussion and vote because she is one the rezoning applicants. Leota Thompson made a motion to excuse Mrs. Bray, a second from John Brown, followed by unanimous consent.

Bernard Rogers, Planning Director reported the following property owners' request to rezone land from Agricultural-Residential (A-R) to Heavy-Industrial (H-I):

- W. Howard & Margie Horney – 441 acre parcel- REZ-002-99
- Chatham Land & Timber Management, LLC-12.50 acre parcel- REZ-003-99
- Cynthia B. Bray-16.607 acre parcel-REZ-004-99
- Arthur Long, Sr.-11 acre parcel- REZ-005-99

The sites are located east of Hwy. 421 and west of the Rocky River between 64 and Alston Bridge Road.

A public hearing was conducted on February 7, 2000 hear public comments. You have before you the Town Board unapproved minutes from that meeting.

Together, the parcels fit universally accepted criteria for a good industrial site. These criteria include but are not limited to the following:

- Proximity to highways for truck service and to minimize travel through residential areas. Also provides ease of access for employees.
- Large level sites are preferable to limit grading costs; and provide adequate area for storage and buffers if need.
- Utilities available or near the site.
- Compatible surrounding uses.
- 100 to 1,000 plus acre sites are more attractive for planned Industrial Development (Industrial Parks).

The proposed rezoning sites are currently zoned Agricultural-Residential and are designated for rural residential use in the Town's Land Development Plan. Changing conditions have made this site conducive to urban scale development.

In addition, the Siler City Land Development Plan encourages industrial development that will stimulate the economy and which is located in areas where necessary urban services are available. The plan also identifies as a major land use issue the preservation of adequate industrial land in the US421 and US64 area.

Recommendation

It is my opinion that the proposed rezoning promotes the goals of the Land Development Plan by preserving land best suited for industrial development. For your convenience REZ worksheets are attached. The worksheets will help you determine whether to deny or approved the proposed rezoning.

A recommendation to the Town Board is requested.

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Discussion

John Brown questioned access to Hwy. 421 & 64.

Mr. Rogers stated it would definitely be a requirement that there be direct access to the one of the major highways and not let the traffic filter back on Alston Bridge Road.

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

REZ-002-99 – W. Howard & Margie Horney

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 Thompson seconded and majority approved.
 - Recommendation for Approval – The Planning Board recommends approval.
Motion made by Don Tarkenton, Jimmie Pugh seconded and majority approved.

Recommendation for approval to the Town Board.

REZ-003-99 – Chatham Land & Timber management, LLC

- Recommendation for Approval – The Planning Board recommends approval.
Motion made by Jimmie Pugh, John Brown seconded and majority approved.

Recommendation for approval to the Town Board.

REZ-004-99 – Cynthia B. Bray

- Recommendation for Approval – The Planning Board recommends approval.
Motion made by Jimmie Pugh, John Brown seconded and majority approved.

Recommendation for approval to the Town Board.

REZ-005-99 – Arthur Long, Sr.

- Recommendation for Approval – The Planning Board recommends approval.
Motion made by Don Tarkenton, Jimmie Pugh seconded and majority approved.

Recommendation for approval to the Town Board.

Agenda Item V

**A. Conditional Use Permit Requests/Preliminary Plat Review
CUP-009-99 – Jackie Franks and Bobby Steele**

Mr. Rogers reported Jackie Franks and Bobby Steele request a conditional use permit in order to develop a manufactured home rental community on a 26 acre parcel of land. The site is located on the east side of North Chatham Avenue/Hamp Stone Road and across from Country Living Mobile Home Village. The property is also bounded by Chatham Charter School to the north and a 200' railroad right-of-way to the east. The developer proposes to provide sixty-one home sites. The development will be served by Town water, sewer and public streets and will be constructed in two phases.

A public hearing was conducted on February 7, 2000 hear public comments. You have before you the Town Board unapproved minutes from that meeting.

Based on preliminary analysis the proposed water and sewer design is adequate. The proposed twenty foot streets and fifty foot right-of-ways are also adequate enough to handle expected traffic within the development. Similarly, Hamp Stone Road has excess capacity to handle traffic generated by the development. Recent traffic counts show 1140 vehicles per day. NCDOT's design capacity for Hamp Stone Road is 9000 vehicles per day. The proposed development could potentially add less than 300 vehicles.

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The proposed development could potentially be impacted by a future thoroughfare that will connect the municipal airport to the US421 bypass. Staff met with NCDOT representatives, regarding the proposed major thoroughfare. During our meeting the following conclusions were reached:

- While the total project is not currently funded, it is highly probable that funding will come in later years.
- The Town should plan for the thoroughfare based on the probability that it will be constructed rather than the probability that it will not be completed.
- Allowing the proposed rental community to develop will not hinder future development of the thoroughfare or jeopardize the Town's standing on the State Transportation Improvement Program (TIP).

NCDOT representative Alyseh Patel recommended conducting a functional design study to better pinpoint the location of the proposed roadway for future developments. The Town's Thoroughfare Plan and the State TIP's location of the future roadway are preliminary. Final siting can vary 500 to 1000 feet from the location shown in either of the above documents. A functional design study will provide horizontal and vertical alignment of a corridor for the future roadway. You have before you a letter from NCDOT providing you with their conclusions and recommendations concerning the proposed thoroughfare.

Park and open space in the development will be maintained by the developer. The one park proposed for the development is shown in the second phase but will be completed prior to final approval of the first phase. The developer has reserved a 25'X1900' buffer along the front property boundary as open space. Staff feels the ordinance is unclear on whether the area qualifies as open space. The Planning Board will need to resolve this issue prior to making a recommendation.

Staff Recommendation

Staff recommends approval of the conditional use permit with the following conditions:

- An Erosion control Plan must be approved by NCDENR prior to starting any site work.
- A DOT Driveway Permit must be approved by NCDOT prior to starting any site work.
- The property must be developed as a rental community to minimize its impact on the future thoroughfare, that will connect the Airport to US 421 bypass.

You may agree with staff's recommendation or propose you 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 in order.

Discussion

John Brown asked about the open space.

Mr. Rogers replied they are using the 1900 feet road frontage by 25 feet deep for their open space.

Joel Hunnicutt reviewed with the Board §182(b)(4) of the ordinance. He is not convinced that something that is 25'X1900' qualifies for open space, it more like a vegetative buffer.

Mr. Morgan stated it is definitely hard to define what is good and what is bad open space. The open space showing on these plans is unusual shape for open space. Mr. Morgan stated that it was up to the Board whether it meets the ordinance requirements or not. Open space is meant to be something the park can use and enjoy. The Board might want to require a walking trail, which would be a nice amenity for the park.

Don Tarkenton, Jimmie Pugh, Joel Hunnicutt and Cindy Bray raised safety concerns due to the minipark being near the railroad tracks. Mr. Morgan also raised concerns over the park being construct with Phase I of the development because the children will have to go through the construction of Phase II to get to the park. Suggestions were made concerning relocating the minipark.

Mr. Franks responded that the play area is a 100' from the railroad and there is a fence that runs along the railroad tracks. They will be happy to fence in the play area and put a 5' or 6' chain link fence with barbed wire and plant trees in front of the fence.

Jimmie Pugh commented he had visited the property and it looks very hilly and has a lot of gullies and wonders about the drainage.

Mr. Franks replied that the look of the land will completely change with the grading they will be doing.

Don Tarkenton expressed that he would like to see all mobile home parks to be the same quality of Loves Creek Mobile Home Park and he has concerns with the vegetation. He would like to see a planting program so the park will be more aesthetically pleasing to the eye.

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Mr. Franks stated this park would be more of a showplace. Mr. Steele is working full time at the park now and as soon as the weather breaks they will be working on reseeded the yards and planting shrubbery at Country Living. Loves Creek Mobile Home Park was a wooded area and Country Living was a cow pasture. The new park is a wooded area and they will be trying to save as many of the trees as possible.

Don Tarkenton asked how the proposed thoroughfare would affect this property?

Mr. Rogers replied, as of now there is no specific location of the thoroughfare. After meeting with DOT representatives, he has learned the siting can vary from 500' to 1000' from where it shows on the thoroughfare plan and with that much of a range the thoroughfare could go right through the middle of the property or could just go on the edge of the property.

Joel Hunnicutt suggested to the developers having their plans redesigned.

Mr. Morgan suggested to the Board that they table the CUP and let the developers have their engineers to redraw their plans. If there is sufficient change to the plans then there will have to be another public hearing.

Mr. Steele asked the board to table the CUP so their engineer can address the concerns with the minpark and open space.

Don Tarkenton asked the staff to contact other towns concerning how they address development of property adjacent to a railroad.

John Brown made the motion to table the conditional use permit. Jimmie Pugh seconded followed by unanimous consent.

B. Conditional Use Permit Requests/Preliminary Plat Review
CUP-001-00 – Earnest E. and Shirley D. Suits

Mr. Rogers reported Earnest E. and Shirley D. Suits request to subdivide an approximately two hundred acre parcel into twenty-four tracts for residential homesites. The remaining +/- 130 acres will be reserved for future development. The site is located in the ETJ along SR-1102 between SR-1107 and SR-1103. Each lot will be served by Chatham County water and private sewage systems.

A public hearing was conducted on February 7, 2000 hear public comments. You have before you the Town Board unapproved minutes from that meeting.

The developer proposes that all subdivision lots will have direct access to Coleridge Road. Following discussion with NCDOT, the conclusion is that NCDOT cannot restrict access of residential lots on Coleridge Road. The Town's Unified Development Ordinance can restrict access to the road, but only in subdivisions that create new streets. However, if the Board desires to restrict access, it can be achieved by attaching conditions. Please review section 55 of the UDO for guidance. Staff is currently reviewing NCDOT accident statistics for Coleridge Road and will report any findings during our meeting.

Chatham County Water has confirmed that an 8 inch water line is accessible to all lots. Additionally, a study has been conducted to identify soils suitable for subsurface sewerage disposal. Proposed lots were configured around suitable soils. Regarding the adequacy of proposed lot sizes for sewerage disposal, Chatham County Environmental Health states that size does not matter. The adequacy of the soils determines the type and size of the disposal system. The Town's ordinance requires that Environmental Health approve each lot prior to final plat approval, by the Board of Commissioners.

The issue of previously recorded restrictive covenants has been resolved in favor of the developer. Mr. Suits' attorney, Sam Williams, and the Town's attorney have both concluded that covenants, recorded with lots west of the subject property, do not apply to the proposed subdivision. With the above in mind Allan Bell and Rosali Reyess owners of property bound by the above mentioned restrictions, submitted a letter to the Board of Commissioners. The letters request that Mr. Suits be bound by the subject covenants to protect their property value.

Staff, pending review of accident statistics, recommends approval of the conditional use permit with the following conditions:

- Restrictive covenants, provided (by the applicant) during the 2-7-00 public hearing, must be recorded prior to final plat approval.
- An Erosion Control Plan must be approved by NCDENR prior to starting any site work.
- Provide written final approval, from Chatham County Water, that it has adequate capacity to serve 24 lots.

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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. Suits asked to address the Board. He explained that the reason the lots are so deep is so the homes will not have an impact on the adjoining property owners. He also added that if the Board will not allow him access off of Coleridge Road he will have to put in an interior street and extend water and sewer. If he does the street and extends the water and sewer he will have to make his lots a lot smaller to cover the expense.

Don Tarkenton stated he has a problem with all the lots directly accessing Coleridge Road and 300+ acres being develop with a septic system and not city sewer.

Jimmie Pugh expressed a safety concern with all the lots having driveways onto Coleridge Road.

Mr. Hunnicutt suggested to Mr. Suits that he have his plans redrawn showing an interior road.

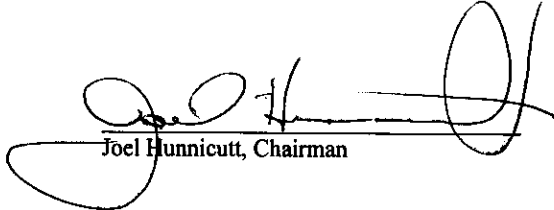
Mr. Morgan suggested to the Board they table the conditional use permit and let the developer redraw and resubmit his plans.

Jimmie Pugh made the motion to table the conditional use permit. John Brown seconded followed by unanimous consent.

Agenda Item VI

New Business

With no new business, Jimmie Pugh made a motion for adjournment at 9:00 p.m., a second from Cindy Bray and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
March 13, 2000**

The Siler City Planning Board met on Monday, March 13, 2000 at 7:00 p.m. Joel Hunnicutt called the meeting to order and Jimmie Pugh gave the invocation. Minutes of February 14, 2000 meeting were unanimously approved by a motion from Leota Thompson and seconded by Cindy Bray.

Members Present

Joel Hunnicutt, Chairman
James Patterson
Leota Thompson
Pat Lowman
Jimmie Pugh
John Brown
Cindy B. Bray, Alternate
Donald L. Tarkenton, Alternate

Members Absent

Arnold Headen, Vice Chairman

Staff Present

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

BUSINESS SESSION

Agenda Item IV

**A. Conditional Use Permit Requests/Preliminary Plat Review
CUP-001-00 – Earnest E. and Shirley D. Suits**

Mr. Rogers reported Earnest E. and Shirley D. Suits request to subdivide an approximately 204 acre parcel into eight tracts for residential homesites. The average lot size is 5.3 acres. The remaining +/- 160 acres will be reserved for future development. The site is located in the ETJ along SR-1102 between SR-1107 and SR-1103. Each lot will be served by Chatham County water and private sewage systems.

A public hearing was held for the subject CUP request on February 7, 2000. However, the applicants' plan was revised following the Planning Board's February 14, 2000 review. The revised plan warrants a new public hearing. During its review, the Planning Board expressed concern regarding the safety of the proposed design. Particularly, the Board felt that consecutive individual driveways, along Coleridge Road, would not be a safe or acceptable design for a major subdivision. The Planning Board directed the applicant to develop a plan that includes an interior street. The applicant has instead provided a revised plan that reduces the number of proposed lots to eight. Each lot if approved will have direct access to Coleridge Road.

A public hearing was conducted on March 6, 2000 to hear public comments. There were no public comments recorded.

The proposed development is low density and exceeds Town requirements regarding minimum lot size. While the configuration of lots is contrary to the Planning Board's suggestion, the applicant has the right to propose a layout of his choosing for consideration. The applicant has also provided a letter from NCDOT saying the layout will not create a hazard. It should be noted that the previously proposed 24 lots were also acceptable to NCDOT. The Planning Board must determine for itself whether the new layout is acceptable.

Chatham County Water has confirmed that an 8-inch water line is accessible by all lots. Additionally, a soil evaluation has been conducted to identify soils suitable for subsurface sewerage disposal. Proposed lots are configured around suitable soils. The Town's development ordinance will also require Environmental Health subsurface disposal approval for each lot, prior to final plat approval by the Board of Commissioners.

The applicant has provided a list of covenants that among other things, prohibits singlewide manufactured homes, and requires masonry underpinning on doublewide homes. Letters have been submitted by adjacent property owners, requesting that the proposed development adhere to restrictive covenants recorded with their property. The adjacent property owners feel their requested action will protect their property value.

Staff has determined that the development meets minimum ordinance requirements, and recommends approval of the conditional use permit with the following conditions:

- Restrictive covenants, provided by the applicant during the 2-7-00 public hearing, must be recorded prior to final plat approval.
- An Erosion Control Plan must be approved by NCDENR prior to starting any site work.
- Provide written final approval, from Chatham County Water, that it has adequate capacity to serve 8 lots.

You may agree with staff's recommendation or propose your own recommendation. 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. Suits informed the Board that from the top of the hill going east there was 1400' visibility and from the curve going west 1150'.

Mr. Hunnicutt stated he does not like the plan and would like to see an interior road with two access points to help the appearance of the neighborhood and for safety reasons.

Cindy Bray stated that she thought everyone was in agreement from the last meeting that the development needs an interior road. Also, how many more driveways will there be with future development of the property.

Don Tarkenton stated he does not perceive this as being 40-60 acre subdivision and he believes this is a phase of a 300 acre subdivision and the only way for this to be accomplished is with an interior road.

Jimmie Pugh asked Mr. Suits what is his stand on the interior road?

Mr. Suits replied that the expense is a problem and DOT did not find the development to be a hazard without the interior road.

John Brown commented that he did not see anything wrong with what Mr. Suits is proposing with the visibility at each end of the development.

Mr. Morgan stated that with regards to the requirement of a road system you do need to have it related to a finding and it will have to be a condition because our ordinance does not require a road. Mr. Morgan reviewed §55 and §50 of the ordinance with the board. He also stated we should not engage in speculation of future development plans of the property and it would not be proper for the board to deny this application because of future development. He added that the Planning Board is just making a recommendation to the Town Board who will give final approval.

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 Jimmie 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 Jimmie Pugh, James Patterson seconded, and majority approved.
- **Consideration of proposed conditions –**
 - Restrictive covenants, provided (by the applicant) during the 2-7-00 public hearing, must be recorded prior to final plat approval.
 - An Erosion Control Plan must be approved by NCDENR prior to starting any site work.
 - Provide written final approval, from Chatham County Water, that it has adequate capacity to serve 8 lots.

Motion made by John Brown, Jimmy Pugh seconded, and majority approved.

- Access road running parallel to Coleridge Road with access points north and south of proposed lots with plan submitted and approved by Planning Director.

Motion made by Jimmie Pugh, James Patterson seconded, and six voting in favor with John Brown opposed.

- Provide a vegetative buffer between Coleridge Road and access road.

Motion made by Cindy Bray, Jimmie Pugh seconded, and majority approved.

- Leave as much wooded area as possible within the development.

Motion made by Leota Thompson, 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, Cindy Bray seconded, and majority approved.

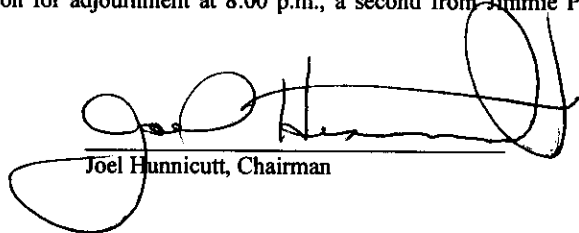
Agenda Item VI

New Business


Mr. Hunnicutt suggested putting a one or two year moratorium on approving any mobile home rental parks until we can take a look at our ordinance.

Mr. Morgan stated he would look into it and do a memo to the Town Board concerning the moratorium.

With no new business, John Brown made a motion for adjournment at 8:00 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
April 10, 2000**

The Siler City Planning Board met on Monday, April 10, 2000 at 7:10 p.m. Minutes of March 13, 2000 meeting were unanimously approved by a motion from Don Tarkenton and seconded by Leota Thompson.

Members Present

Joel Hunnicutt, Chairman
James Patterson
Leota Thompson
Pat Lowman
Jimmy Pugh
John Brown
Don L. Tarkenton, Alternate

Members Absent

Arnold Headen, Vice Chairman
Cindy Bray, Alternate

Staff Present

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

BUSINESS SESSION

Agenda Item IV

**Rezoning Request/Zoning Map Amendment
A. REZ-002-00 – Barbara Marsh/Alston**

Bernard Rogers reported Barbara Marsh/Alston requests to rezone a .45 acre parcel of land from Highway-Commercial (H-C) to Office-Institutional (O-I). The site is located at 610 North Second Avenue. Mrs. Alston's application dated March 7, 2000 was reviewed and deemed complete by staff.

A public hearing was conducted on April 3, 2000 to hear public comments. There were no public comments recorded.

Staff has attached two maps that show the zoning and existing use of surrounding property. The proposed rezoning is not out of character and will not have an adverse affect on surrounding property. Staff makes the above conclusion due to proximity of existing office uses and zoning districts. In addition the applicant requests a less intense zoning which will have less impact on adjoining residential property.

Staff recommends approval of the rezoning due to its conformity with the existing character 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

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 Jimmie Pugh, James Patterson seconded and majority approved.
- Recommendation for approval – The Planning Board recommends approval.
Motion made by John Brown, Jimmie Pugh seconded and majority approved.

Recommendation for approval to the Town Board.

Agenda Item V

Conditional Use Permit Request/Zoning Map Amendment
A. CUP-009-99 – Jackie Franks and Bobby Steele

Mr. Rogers, Planning Director reported Jackie Franks and Bobby Steele request a conditional use permit in order to develop a manufactured home rental community on a 26-acre parcel of land. The site is located on the east side of North Chatham Avenue/Hamp Stone Road and across from Country Living Mobile Home Village. The property is also bounded by Chatham Charter School to the north and a 200' railroad right-of-way to the east. The developer proposes to provide fifty-nine to sixty-three home sites. The development will be served by Town water, sewer and private streets and will be constructed in two phases.

A public hearing was held for the subject CUP request on February 7, 2000. However, the applicants' plan has been revised following the Planning Board's February 14th review. The revised plan requires a new public hearing. During its review the Planning Board noted concerns regarding the location of the minpark and the usefulness of the provided 25'X1900' open space. The Board was also interested in finding out how other communities address developments adjacent to a railroad prior to making a recommendation. The applicants have provided three options for park and open space placement.

A public hearing was conducted on March 6, 2000 to hear public comments. There were no public comments recorded.

Based on preliminary analysis the development can be adequately served by water and sewer. The proposed twenty-foot streets and fifty-foot right-of-ways are also adequate enough to handle expected traffic within the development. Similarly, Hamp Stone Road has excess capacity to handle traffic generated by the development. Recent traffic counts show 1140 vehicles per day. NCDOT's design capacity for Hamp Stone Road is 9000 vehicles per day. The proposed development could potentially add less than 300 vehicles.

All park and open space in the development will be maintained by the developer. Two plan options retain the narrow 25'X1900' open space along the street right-of-way. If acceptable, both plans will meet the development ordinance's minimum requirement for park and open space. The third plan meets the open space requirement without the use of the buffer along North Chatham Avenue. Park and open space is, for the most part, centrally located. The Planning Board should choose an option for location of common areas and make a recommendation to the Town Board.

Staff feels that no barrier between the proposed community and the railroad tracks will be 100% effective. Any barrier will essentially be a deterrent, rather than a fail-safe mechanism, to playing on the tracks. During the March 6th public hearing the applicants proposed a chain link fence and trees as their barrier. Staff feels the proposed measures will provide an effective deterrent.

The proposed development could potentially be impacted by a future thoroughfare that will connect the municipal airport to the US421 bypass. Staff met with NCDOT representatives, regarding the proposed major thoroughfare. During our meeting the following conclusions were reached:

- While the total project is not currently funded, it is highly probable that funding will come in later years.
- The Town should plan for the thoroughfare based on the probability that it will be constructed rather than the probability that it will not be completed.
- Allowing the proposed rental community to develop will not hinder future development of the thoroughfare or jeopardize the Town's standing on the State Transportation Improvement Program .

Planning Board Minutes
April 10, 2000
Page three

NCDOT representative Alysesh Patel recommended conducting a functional design study to better pinpoint the location of the proposed roadway for future developments. The Town's Thoroughfare Plan and the State TIP's location of the future roadway are preliminary. Final siting can vary 500 to 1000 feet from the location shown in either of the above documents. A functional design study will provide horizontal and vertical alignment of a corridor for the future roadway. Attached is a letter from NCDOT that recaps the topics discussed during our meeting.

Staff feels the third option, drawn by Absolute Land Surveying and Mapping, addresses all of the Planning Board's concerns adequately. Staff recommends approval of the CUP-009-99 with the following conditions:

- An Erosion Control Plan must be approved by NCDENR prior to starting any site work.
- A DOT Driveway Permit must be approved by NCDOT prior to starting any site work.
- The property must be developed as a rental community to minimize its impact on the future thoroughfare, that will connect the Airport to US 421 bypass.

You may agree with staff's recommendation or propose you 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 in order.

Discussion

Joel Hunnicutt, Jimmie Pugh and Don Tarkenton thanked the developers for addressing the concerns of the Board with their new plan.

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 Don Tarkenton, 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, Don Tarkenton seconded, and majority approved.
- Consideration of proposed conditions –
 - An Erosion Control Plan must be approved by NCDENR prior to starting any site work.
 - A DOT Driveway Permit must be approved by NCDOT prior to starting any site work.
 - The property must be developed as a rental community to minimize its impact on the future thoroughfare that will connect the Airport to US 421 bypass.
 - A hydraulic analysis of the water system must be conducted prior to starting site work.
 - Install a five foot chain link fence with three strands of barbwire along railroad right-of-way.
 - Install opaque type screening (leyland cypress) along railroad right-of-way.
 - Install broken type screening (leyland cypress) along Hamp Stone Road.*Motion made by Jimmie Pugh, Don Tarkenton seconded, and majority approved.*
- Recommendation for Approval – The Planning Board recommends approval, **subject to the conditions agreed upon.**
Motion made by Don Tarkenton, Jimmie Pugh seconded, and majority approved.

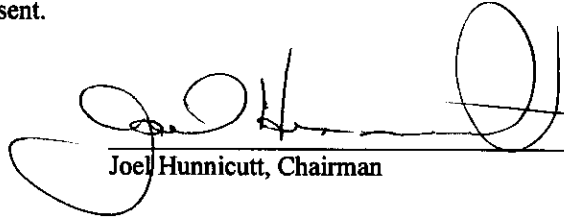
Recommendation for approval to the Town Board.

Planning Board Minutes
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Agenda Item VI

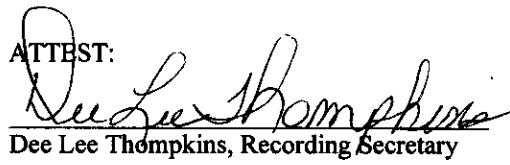
New Business

With no further business, Jimmie Pugh made a motion for adjournment at 7:45 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
May 8, 2000**

The Siler City Planning Board met on Monday, May 8, 2000 at 7:00 p.m. Joel Hunnicutt called the meeting to order and Arnold Headen gave the invocation. Minutes of April 10, 2000 meeting were unanimously approved by a motion from James Patterson and seconded by Jimmie Pugh.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
James Patterson
Leota Thompson
Jimmy Pugh
John Brown
Don L. Tarkenton, Alternate

Members Absent

Pat Lowman
Cindy Bray, Alternate

Staff Present

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

BUSINESS SESSION

Agenda Item IV

**Rezoning Request/Zoning Map Amendment
A. REZ-003-00 – Lee Lambert**

Bernard Rogers reported Lee Lambert requests to rezone approximately 12 ½ acres of land from Agricultural-Residential and Residential-10 to Residential-6. The site is located on the east side of North Chatham Avenue between Hwy. 64 and Norfolk Southern Railroad. All adjoining property owners were notified and a public hearing was conducted on May 1, 2000. There were a number of comments recorded.

In the past staff has not recommended rezoning property where no other parcels in proximity are zoned similarly. This is a conservative policy that is not always followed in residential rezoning cases due to the similarity of uses permitted in different residential zoning districts. However staff feels the existing neighborhood adjoining the subject property should be considered. The proposed R-6 zoning, which permits manufactured homes, is in close proximity to existing site-built homes. The above could potentially disrupt the existing character of the established neighborhood. While manufactured homes are not the planned use for the property, they must be considered.

Staff recommends denial of the proposed rezoning based on the fact that the area the applicant wishes to rezone is currently a single family site built subdivision. 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 and Jimmie Pugh expressed concerns with rezoning the property to R-6 with the current character of the neighborhood.

Arnold Headen made a motion to recommend denial to the Town Board because the rezoning is not compatible with the current character of the neighborhood. Jimmie Pugh seconded, followed by unanimous consent.

Recommendation for denial to the Town Board.

Agenda Item V

Conditional Use Permit Request/Zoning Map Amendment
A. CUP-002-00 – E. F. Construction Co. Inc.

Mr. Rogers, Planning Director reported E. F. Evans Construction Co. Inc., requests a conditional use permit to construct a ten building seventy-three unit multi-family apartment complex. The 8.577 acre parcel is located on the north side of US Highway 64 between the Norfolk Southern Railway corridor and Perry Avenue. Adjoining uses include Cateland Place Apartments, North Glenn Apartments, a church and the railroad. The applicant's application, dated March 21, 2000 was reviewed and deemed complete by staff. Mr. Evans response to the required findings is attached. All adjoining property owners were notified and a public hearing was conducted on May 1, 2000. There were no public comments recorded.

Mr. Evans preliminary site plan has been reviewed. The site plan complies with all density and dimensional requirements of the Siler City Unified Development Ordinance. The applicant has provided adequate open space and mini park space.

Following a determination as to whether adequate capacity is available, the applicant also plans to extend the town's water and sewer lines to the proposed development. The proposed development will access a major US Highway and should not affect its carrying capacity. Direct access to a major thoroughfare limits the impact of the proposed development on smaller residential streets. NCDOT will review the proposed access and determine its design. As stated above there are two existing multifamily complexes in close proximity. Thus, there will be minimal impact on the character of the area.

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

- An Erosion Control Plan must be approved by NCDEHR prior to starting any site work.
- A hydraulic analysis of the water system must be conducted prior to starting site work.
- A DOT Driveway Permit must be approved by NCDOT prior to starting any site work.
- Detailed water and sewer plans and specifications must be approved prior to starting any site work.

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.

Discussion

Mr. Evans addressed the Board that the apartment complex would be ten buildings with ten three bedrooms and sixty-three two bedrooms. There will be on site management and the complex will be free market rent with not be government subsidy. Mr. Evans stated he would be running a fence along the railroad right-of-way and the playground would be fence also.

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 Jimmie Pugh, Arnold Headen 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.
- Consideration of proposed conditions –
 - An Erosion Control Plan must be approved by NCDENR prior to starting any site work.
 - A hydraulic analysis of the water system must be conducted prior to starting site work.
 - A DOT Driveway Permit must be approved by NCDOT prior to starting any site work.
 - Detailed water and sewer plans and specifications must be approved prior to starting any site work
 - Developer must use same grade of playground equipment presented during 5-8-00 meeting.

Planning Board Minutes

May 8 2000

Page three

- Fence to run along railroad right-of-way with maximum height of six feet along front setback and meet ordinance requirements.
Motion made by Don Tarkenton, Jimmie Pugh seconded, and majority approved.
- Recommendation for Approval – The Planning Board recommends approval, **subject to the conditions agreed upon.**
Motion made by John Brown, Leota Thompson seconded, and majority approved.

Recommendation for approval to the Town Board.

Conditional Use Permit Request/Zoning Map Amendment B. CUP-004-00 – Richard Fox

Mr. Rogers reported Mr. Richard Fox requests to subdivide a two acre parcel, thus creating five single-family housing sites. The site is located on Watkins Drive between South Tenth Street and Central Avenue. Mr. Fox's application dated April 10, 2000 was reviewed and deemed complete by staff. The applicant's response to the required finding is attached. All adjoining property owners were notified and a public hearing was conducted on May 1, 2000, to hear public concerns. There were no public comments recorded.

Mr. Fox's preliminary site plan has been reviewed and it 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 serve all lots with town's water and sewer. The proposed lots are expected to have minimal impact on the existing road and are in keeping with the character of the existing neighborhood.

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. 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

Don Tarkenton raised concerns about the water line ending in the cul-de-sac. After discussion with the Town Manager the Board decide the Town Manager, Public Works Director and developer would work together to address this issue.

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, Leota Thompson seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by Arnold Headen, Jimmie Pugh seconded, and majority approved.
- Consideration of proposed conditions –
 - Detailed water and sewer plans and specifications must be approved prior to starting site work.
Motion made by Jimmie Pugh, John Brown seconded, and majority approved.
- Recommendation for Approval – The Planning Board recommends approval, **subject to the conditions agreed upon.**
Motion made by Arnold Headen, Don Tarkenton seconded, and majority approved.

Recommendation for approval to the Town Board.

Agenda Item VI

**UDO – Admendment
A. Sexually Oriented Businesses**

Mr. Rogers reported the proposed text amendment to the Unified Development Ordinance for licensing and regulation of sexually oriented businesses. He explained that the Board needs to look at the type of permit this ordinance will require, zoning districts that will permit this type of business and separation requirements between this type of use and other uses. It is proposed that sexually oriented businesses will require a special use permit, issued by the Board of Adjustment. Mr. Rogers referred the Board to the proposed §152 that states; *All sexually oriented business must comply with the requirements set forth in the "Ordinance to Regulate Sexually Oriented Business" found in Appendix F.* Also to the Table of Permissible Uses under section 24.0 Sexually Oriented Businesses allow in Highway-Commercial with a special use permit.

Mr. Rogers referred the Board to *Section XII-Location of Sexually Oriented Businesses.* He explained in this section it shows the type of uses a sexually oriented business has to be separated from and how far. He told the Board the ordinance would require that a sexually oriented businesses not be within 2000 feet of a church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities, also any public or private educational facility, or property line of a lot devoted to a residential use.

Don Tarkenton asked if an analysis been performed using these setbacks?

Mr. Morgan, Town Attorney stated the town could not set up the ordinance so that no sites are available. Mr. Rogers demonstrated to the Board on the map which sites would be possible locations for SOB's. After the demonstration the Board decided to go with the 2000 feet separation from any education, recreational, religious, and ABC licensed facilities and 500 feet from residential uses.

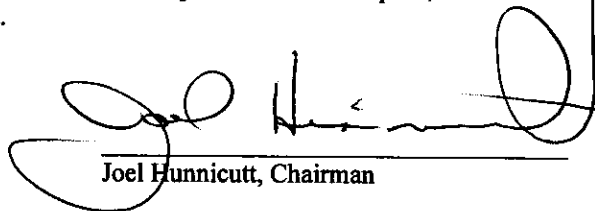
Following discussion with the Town Attorney, Town Manager and Planning Director the Board decided to require the Town's conditional use permit process instead of a special use permit because of the potential impact this type of businesses would have on the Town.

Jimmie Pugh made a motion to recommend to the Town Board to approve the Sexually Oriented Businesses Ordinance with the requirement of a conditional use permit and 2000 feet separation from educational, recreational, religious, and ABC licensed facilities and 500 feet from residential uses. Seconded by John Brown and followed by unanimous consent.


Agenda Item VII

New Business

With no further business, Jimmie Pugh made a motion for adjournment at 8:45 p.m., a second from Arnold Headen and followed by unanimous consent.



Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
June 12, 2000**

The Siler City Planning Board met on Monday, June 12, 2000 at 7:10 p.m. Minutes of May 8, 2000 meeting were unanimously approved by a motion from Leota Thompson and seconded by John Brown.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
James Patterson
Leota Thompson
Pat Lowman
Jimmy Pugh
John Brown
Cindy Bray, Alternate
Don L. Tarkenton, Alternate

Members Absent

Staff Present

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

BUSINESS SESSION

Agenda Item IV

**Conditional Use Permit Request/Preliminary Plat Review
A. CUP-003-00 – Harvey Harman**

Bernard Rogers reported Harvey Harman requests a conditional use permit to subdivide a 19-acre parcel into 15 single-family home sites. The parcel is located between Hillcrest Road and Harold Andrews Road. Mr. Harman's application dated April 3, 2000 was reviewed and deemed complete by staff. The applicant's response to the required finding is attached. A public hearing was conducted on June 5, 2000 to hear public comments. There were no public comments recorded.

Mr. Harman's preliminary subdivision plat has been reviewed. The plat complies with all density and dimensional requirements of the Siler City Unified Development Ordinance.

The development will consist of two phases, the first of which will consist of lots 10, 11 and 12. Each lot in the first phase will be served by an individual well and septic system. The above three lots will share a graveled access to SR1374. Lots in the first phase exceed minimum density for A-R lots.

The second phase will consist of the remaining 12 lots. Mr. Harman proposes to develop the 2nd phase as an "Architecturally Integrated Subdivision" in accordance with section 173 of the Town's Unified Development Ordinance. In summary, the developer is providing 3.9 acres of open space in exchange for smaller lots and setbacks. The subdivision plat provides maximum building lines on each lot, which are essentially the developer's building setbacks.

Each lot will be served by Chatham County water and individual septic system. An 18' wide paved street will be extended into phase two from the dead end of existing SR 1315.

Planning Board Minutes

June 12, 2000

Page two

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

- NCDOT inspection and approval of proposed street is require prior to final plat approval.
- An Erosion Control Plan must be approved by NCDENR prior to starting any site work.
- Provide written approval, from Chatham County Water, that it has adequate capacity to serve all lots in phase two, prior to starting site work.
- Provide written confirmation, from Chatham County water, that proposed water line has been adequately installed, prior to final plat approval.

Please review the applicant's 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.

Discussion

Mr. Harman explained to the Board that he had four goals for this development. One is for all homes to have passive solar heating, second is for local food production, the third is for community spaces and fourth is for the development to be environmental friendly.

Don Tarkenton expressed concerns with the development being served by septic systems.

Mr. Harman stated he could have tie into the Town's water but he would also be required to tie into the Town's sewer and the cost would have been to extraordinary.

Mr. Morgan, Town Attorney suggested that the restrictive covenants be revised to comply with the Town's Unified Development Ordinance prior to final plat approval.

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 Jimmie Pugh, James Patterson seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by John Brown, Jimmie Pugh seconded, and majority approved.
- Consideration of proposed conditions –
 - NCDOT inspection and approval of proposed street is require prior to final plat approval.
 - An Erosion Control Plan must be approved by NCDENR prior to starting any site work.
 - Provide written approval, from Chatham County Water, that it has adequate capacity to serve all lots in phase two, prior to starting site work.
 - Provide written confirmation, from Chatham County Water that proposed water line has been adequately installed, prior to final plat approval.
 - Recorded restrictive covenants must be revised to comply with the Town's Unified Development Ordinance prior to final plat approval.
Motion made by Jimmie Pugh, Leota Thompson seconded, and majority approved.
- Recommendation for Approval – The Planning Board recommends approval, **subject to the conditions agreed upon.**
Motion made by Arnold Headen, Leota Thompson seconded, and majority approved.

Recommendation for approval to the Town Board.

Agenda Item V

Final Plat Review – South Chatham Avenue Triangle – T&S Investors

Mr. Rogers, Planning Director T&S Investors is requesting final plat approval for South Chatham Avenue Triangle. The proposed manufactured home community is on an eleven acre parcel and will create 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.

During its August 2, 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. The applicant has satisfied all conditions attached to the CUP. Final plat approval will permit the applicant to apply for mobile home permits and begin using the lots.

Staff recommends final plat approval of CUP-004-99 South Chatham Avenue Triangle.

Discussion

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

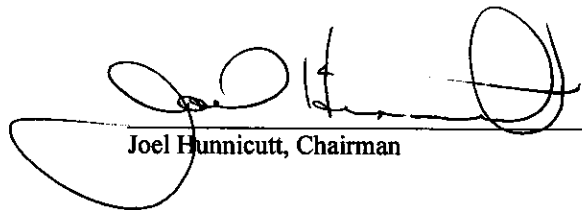
Agenda Item VI

New Business

Mr. Rogers, Planning Director informed the Board that he will be working on the Town Land Development Plan. He explained that the plan was adopted in 1989 and should be revised every ten years. Board and citizens participation will be need in revising the plan for future growth.

Chairman Joel Hunnicutt suggested a workshop for the Board at the end of summer.

With no further business, Jimmie Pugh made a motion for adjournment at 8:05 p.m., a second from Arnold Headen and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
August 14, 2000**

The Siler City Planning Board met on Monday, August 14, 2000. Joel Hunnicutt, called the meeting to order at 7:00 p.m. and Leota Thompson gave the invocation. Minutes of June 12, 2000 meeting were unanimously approved by a motion from Jimmie Pugh and seconded by Leota Thompson. Chairman Joel Hunnicutt welcomed alternate Jeff C. Brewer to the Board.

Members Present

Joel Hunnicutt, Chairman
Jimmy Pugh, Vice Chairman
Leota Thompson
Pat Lowman
John Brown
Donald L. Tarkenton
Jeff C. Brewer, Alternate

Members Absent

Arnold Headen
Cindy Bray, Alternate

Staff Present

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

BUSINESS SESSION

Agenda Item IV

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

Joel Hunnicutt asked for a nomination for Chairman. Don Tarkenton nominated Joel Hunnicutt, Leota Thompson seconded and was unanimously approved by board members.

Mr. Hunnicutt asked for nomination for Vice-Chairman. Leota Thomspson nominated Jimmie Pugh, Don Tarkenton seconded and was unanimously approved by board members.

Agenda Item V

Final Plat Review – Glenwood – Richard Fox

Bernard Rogers, Planning Director reported Mr. Richard Fox is requesting final plat approval for CUP-004-00. The proposed subdivision will create five (5) single family residential sites from an existing two (2) acre parcel. The sites are located at the terminal end of Watkins Drive.

During its June 5, 2000 meeting the Town Board approved a conditional use permit (CUP) 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 to serve each lot as approved by the Town's Public Work Director. Each lot has direct access to a paved street, due to the construction of a cul-de-sac at the end of Watkins Drive. Final plat approval will permit Mr. Fox to construct homes and sell lots.

A recommendation to the Town Board is requested.

Discussion

Mr. Hunnicutt asked for a motion of recommendation to the Town Board. Leota Thompson made the motion of approval, a second from Pat Lowman and followed by unanimous consent.

Recommendation for approval to the Town Board.

Planning Board Minutes
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Agenda Item VI

Mr. Rogers reported Bruce Hall requests to rezone a portion of a 1.374 acre parcel of land from Office-Institutional (O-I) to Central-Commercial (C-C). The site is located on Chestnut Street between South Chatham Avenue and South Second Avenue. Mr. Hall's application dated July 6, 2000 was reviewed and deemed complete by staff.

A public hearing was conducted on August 7, 2000 to hear public comments. The following comment was recorded:

Cindy Edwards stated she is not opposed to the rezoning but hoped the Board of Adjustment would consider limiting operating hours when Mr. Hall requests a special use permit for the site.

The attached aerial photo shows the surrounding zoning and land uses. Adjacent uses include a vacant lot (north), residential (east), residential and vacant (south) and commercial (west).

Currently the site is arbitrarily zoned O-I. The site is a portion of a larger lot and the O-I zoning doesn't follow any physical or legal boundary. Staff feels the site would be more appropriately zoned the same as the rest of the lot. The area is currently a transitional area where the downtown commercial area begins to taper off and residential areas start. However, this area is better suited for commercial use and is designated so in the Town's Land Development Plan. The property is bordered by two major thoroughfares and is more attractive for a commercial use. The current nature of the area is commercial and the proposed rezoning will not have a detrimental effect on adjacent property.

Staff recommends approval of the rezoning due to its conformity with the existing character of the area and the long range plan for 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 explained to the Board after discussion on the proposed outdoor entertainment center that all the concerns would be addressed when Mr. Hall comes before the Board for his special use permit. He further stated that tonight the Board should just concentrate on the proper zoning of the property.

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 John Brown, Jimmie Pugh seconded and majority approved.
- Recommendation for Approval – The Planning Board recommends approval.
Motion made by Don Tarkenton, Leota Thompson seconded and majority approved.

Recommendation for approval to the Town Board.

Agenda Item VII

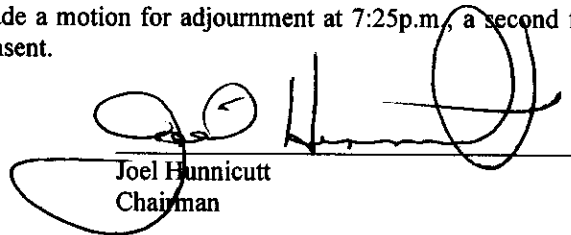
New Business

Mr. Rogers updated the Board that construction is underway on the Food Lion site, the first phase of Hampton Village is completed and Hyatt Park first phase is also completed.

Don Tarkenton suggested that the Planning Board recommend to the Town Board to seek authorization to extend the ETJ east of Siler City beyond the Rocky River Bridge to a reasonable point. Joel Hunnicutt asked for a motion of recommendation to the Town Board. Don Tarkenton made the motion to recommend to the Town Board extending of the ETJ, a second from Jimmie Pugh and followed by unanimous consent.

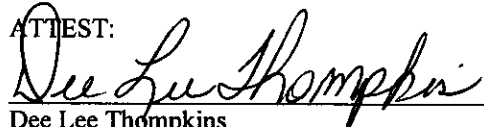
Joel Hunnicutt suggested that the Board have a workshop in the near future for our new members.

With no further business, John Brown made a motion for adjournment at 7:25p.m., a second from Leota Thompson and followed by unanimous consent.



Joel Hunnicutt
Chairman

ATTEST:



Dee Lee Thompkins
Recording Secretary

**Planning Board Meeting Minutes
September 11, 2000**

The Siler City Planning Board met on Monday, September 11, 2000. Joel Hunnicutt, called the meeting to order at 7:00 p.m. and Pat Lowman gave the invocation. Minutes of August 14, 2000 meeting were unanimously approved by a motion from John Brown and seconded by Leota Thompson

Members Present

Joel Hunnicutt, Chairman
Jimmie Pugh, Vice Chairman
Leota Thompson
Pat Lowman
John Brown
Donald L. Tarkenton
Jeff C. Brewer, Alternate

Members Absent

Arnold Headen
Cindy Bray, Alternate

Staff Present

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

BUSINESS SESSION

Agenda Item IV

Gary Anderson, Chatham County Planning Board Chairman

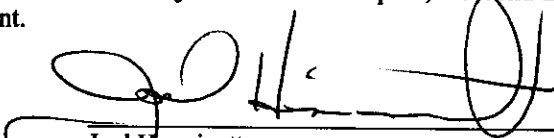
Joel Hunnicutt, Planning Chairman introduced Mr. Gary Anderson, Chairman of the Chatham County Planning Board.

Mr. Anderson explained to the Board that he was here tonight to involve the individual communities by setting up a task force to find out what each community wants for a fair and consistent Chatham County Land Development Plan. Joel Hunnicutt asked Jimmie Pugh and Don Tarkenton to represent the Siler City Planning Board at these meetings. Don Tarkenton suggested that there be two elected officials from the Town Board also to be present.

Agenda Item V

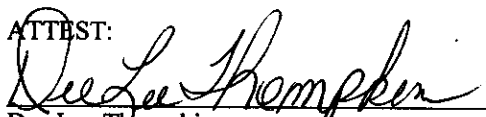
New Business

With no further business, Jimmie Pugh made a motion for adjournment at 7:25 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
October 9, 2000**

The Siler City Planning Board met on Monday, October 9, 2000. Joel Hunnicutt, called the meeting to order at 7:00 p.m. and John Brown gave the invocation. Minutes of September 11, 2000 meeting were unanimously approved by a motion from Jimmie Pugh and seconded by Leota Thompson

Members Present

Joel Hunnicutt, Chairman
Jimmie Pugh, Vice Chairman
Arnold Headen
Leota Thompson
John Brown
Donald L. Tarkenton

Members Absent

Cindy Bray, Alternate
Jeff C. Brewer, Alternate

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 – CUP0003-00 - Harvey Harman

Bernard Roger, Planning Director reported Mr. Harvey Harman is requesting final plat approval for Phase 1 of the Greentree Community. Phase 1 of the subdivision creates three (3) single family residential sites. The parcels are located off Fletcher Siler Road.

During its June 19, 2000 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. Access to the lots is by way of a gravel road Greentree Lane. Each lot has been inspected and approved for a private well and septic tank. Final plat approval will permit Mr. Harman to construct homes and sell lots.

A recommendation to the Town Board is requested.

Discussion

Joel Hunnicutt asked for a motion to the Town Board. Arnold Headen made the motion of recommendation and Jimmie Pugh seconded, with majority approved.

Agenda Item V

Unified Development Ordinance – Text Amendment

Mr. Rogers reported Phillip H. Woodward, representing Fidelity Bank, requests an amendment to Article XVII – Sign Regulations of the Unified Development Ordinance. The proposed amendment will allow a business in the Highway-Commercial Zoning District to erect an additional freestanding sign when the business has multiple street frontage. This request stems from Fidelity Bank's desire to post an additional freestanding sign at the rear entrance of their new office on Highway 64. A current example that predates the Town's sign ordinance is Exxon at the corner of Highway 64 and East Third Street. Attachment A shows the amendment as it will appear in the UDO.

A public hearing was conducted on October 2, 2000 to hear public comments. There were no public comments recorded.

A recommendation to the Town Board is requested.

Discussion

Don Tarkenton stated the Town Board expressed concerns with signs being high rise and oversize.

Don Tarkenton made a motion of recommendation to the Town Board that §263 (1) b read *Each business is permitted two signs which may be of any type, however no more than one canopy sign per business. An additional freestanding sign with maximum height of 5' with a total square footage of 25' shall be permitted for those businesses with frontage along multiple street right-of-way.* Jimmie Pugh seconded, with majority approved.

Agenda Item VI

Street Re-naming

Upon request by the Chatham County Emergency Operations Director, Tony Tucker, I am initiating the renaming of the following streets in the Autumn Estates Manufactured Home Subdivision, located north of Loves Creek Mobile Home Park,:

Spring Place
Sunset Place
Autumn Estates Drive

Each of the above streets has been determined to be unacceptably similar to a preexisting street within the area. Renaming the above streets is an important step toward assuring proper dispatching of emergency personnel. Please be prepared to suggest optional names during our October 9, 2000 meeting.

A public hearing was conducted on October 2, 2000 to hear public comments. There were no public comments recorded.

A recommendation to the Town Board is requested.

Discussion

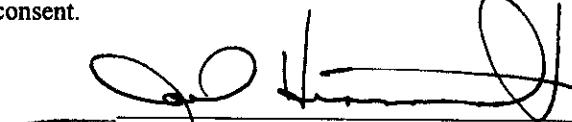
Don Tarkenton made a motion for Mr. Rogers to work with the developer on new names for the streets to present to the Town Board. Jimmie Pugh seconded, with majority approved.

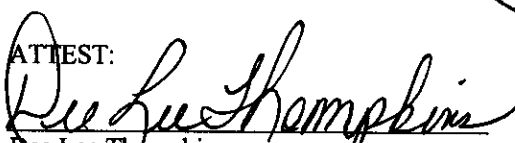
Agenda Item VII

New Business

Joel Hunnicutt reviewed with the board the different topics that were discussed at the workshop.

With no further business, Don Tarkenton made a motion for adjournment at 7:35 p.m., a second from Jimmie Pugh and followed by unanimous consent.


Joel Hunnicutt
Chairman

ATTEST:

Dee Lee Thompkins
Recording Secretary