

**Planning Board Meeting Minutes  
January 12, 2004**

The Siler City Planning Board met on Monday, January 12, 2004, at 7:00 p.m. Jimmie Pugh called the meeting to order and Jeff Brewer gave the invocation. Minutes of October 13, 2003, meeting were unanimously approved by a motion from Jeff Brewer and seconded by Larry Mendenhall.

**Members Present**

Jimmie Pugh, Chairman  
Don L. Tarkenton, Vice Chairman  
Leota Thompson  
Jeff Brewer  
Cindy Bray  
Larry Mendenhall  
Richard Caviness  
Harold Hart, Alternate  
Ethel Coble, Alternate

**Members Absent**

**Staff Present**

Jack Meadows, Planning Director  
Joel C. Brower, Town Manager  
William C. Morgan, Town Attorney

**BUSINESS SESSION**

**Agenda Item IV**

**Conditional Use Permit  
A. CUP-003-03 – Harvey Harman**

Mr. Meadows reported that Harvey Harman of Walk Softly, LLC, requests a conditional use permit for preliminary plat approval for a 57 lot architecturally integrated subdivision. The project is the product of two parcels totaling 51.4 acres. The subject area of this permit contains an area of 21.923 acres. Include with your agenda is a copy of the minutes from the joint public hearing.

The subject property is located:

- Off the eastern right-of-way of South Second Avenue, approximately 400 feet south of the intersection of South Second Avenue and Alston Bridge Road
- Within the Town's Corporate Limits
- Within the R-10 zoning district
  - Single family site built/ modular home (meets State Building Code) is a permitted use,
  - Duplex and multifamily residences require Board approval,
  - Manufactured or mobile home (meets Federal HUD Standards) is not permitted
- Outside of any floodplain

The proposed development includes:

- No change in the zoning classification (zoning will remain R-10)
- Extension of Town water and sewer
- Vegetative screening along the entire boundary of the subject property
- Restrictive covenants and a home owners association (*sample document attached*)
- Primary access off of South Second Avenue
- Emergency access road off of Green Hill Drive
- Internal walking trails
- Density of 2.6 dwellings per acre (57 lots/21.923 acres)
- 55 small lots totaling 6.363 acres (average of 5,038 square feet)

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- 57 lots totaling 11.848 acres (average of 9,054 square feet)
- 3.019 acres included within the proposed public road right-of-ways
- Required amount of open space equals 5.316 acres (1.096 acres + 4.22 acres)
- Proposed 7.056 acres of open space (no more than 50 percent of open space may lie within a floodplain)
  - Approximately 2.884 acres to be dedicated to the Town
- Minimum lot size of 4,800 square feet (a sample lot layout with footprint of a house is attached)
- Minimum lot frontage of 60 feet
- Minimum building setbacks
  - Front, street, and rear = 10 feet
  - Side = 6 feet

In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size, lot width, or setback restrictions except that:

- Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision, and
- Each lot must be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this ordinance.

The number of dwelling units in an architecturally integrated subdivision may not exceed the maximum density authorized for R-10 zoning. To the extent reasonably practicable, in residential subdivisions the amount of land "saved" by creating lots that are smaller than the minimum lot standards set forth for R-10 zoning shall be set aside as usable open space.

The maximum density authorized by R-10 zoning for a 21.923 acre tract is approximately 70 single family dwellings (3.2 dwellings per acre = 70 dwellings/ 21.923 acres) excluding open space, mini-park, and right-of-way requirements. The proposed development will save 4.22 acres (70 lots \* 10,000 square feet = 16.07 acres) - (57 lots \* 9,054 square feet = 11.848 acres) by developing lots less than the minimum size requirements for R-10 zoning.

There are approximately 40 single family dwellings within 1,000 feet of the proposed development. The lot sizes range from 13,000 square feet to 2 acres. The surrounding development to the:

- North includes Bray Park zoned R-10
- South is single family residential and vacant lots zoned R-10
- East is vacant lots zoned R-10 and A-R
- West is South Second Avenue and single family residential zoned R-10

The latest traffic counts by NCDOT has the trips per day at 600 on Alston Bridge Road and 1,540 trips per day on South Second Avenue. The applicant hired PM Traffic Services (Chapel Hill) to take a week long trip count on Alston Bridge Road and South Second Avenue between October 8 – 14, 2003. The daily trip count is provided in your packet. Below were the highest totals for each street:

- 1,850 trips were counted on South Second Avenue on Thursday, October 9, 2003.
- 4,819 trips were counted on Alston Bridge Road on Friday, October 10, 2003.

The proposed development could generate approximately 350 to 700 trips per day.

The Land Use Plan Map recommends general residential development for the subject property. Some of the objectives and goals recommended by the Land Development Plan for residential classified property are:

- Promote walkable interconnected neighborhoods
- Encourage affordable housing on individual lots

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- Higher density development be restricted to areas in which sufficient public water and sewer are available
- Limit single family residential density between 2 and 4 units per acre

**Staff Recommendation**

The application is complete, complies with all applicable requirements of the Unified Development Ordinance, and is in conformity with all plans officially adopted by the Town Board.

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

- Prior to any site work, developer must receive a notice to proceed from the Planning Director (must submit storm water, drainage, water, and sewer plans, tree survey, wetland survey, construction details, hydraulic analysis, NCDOT driveway permit, NCDENR erosion control permit)
- Prior to final plat approval
  - Install graveled emergency access, temporary turn a rounds or cul-de-sacs, water and sewer lines, pavement on streets, drainage swales, erosion controls, and grass seed and straw laid
  - Submit restrictive covenants and home owners association agreement

*No action is requested (discussion only).*

**Discussion**

Jimmie Pugh asked if R-10 has the same setbacks as an architecturally integrated subdivision?

Mr. Meadows responded that an architecturally integrated subdivision allows you to develop without regards to lot size, lot frontage, and setbacks but does not allow you to development anymore dense than in a R-10 subdivision.

Don Tarkenton stated that the Town wants to promote greenways, walkways, and parks. In order to promote this the town has allowed the option of developing architecturally integrated subdivision. The trade off for this is that the zoning would not change, but to entice developers to create greenways etc., they are offered relief to all restriction except for total density.

Mr. Morgan, Town Attorney stated that the architecturally integrated subdivision gives the developer the option of developing from the norm.

Mr. Harman reported that he would be meeting with the adjoining property owners this Friday (1-16) to discuss their concerns with this development. He then asked that his' Landscape Architects address the board to discuss some of the issues with the property.

David Swanson explained to the members that he has worked on several architecturally integrated subdivisions. He would be studying alternatives for this development. He reviewed with the members some drawings he had on the development explaining lot size, the different street designs, open areas, drainage, walkways, swale design, and buffering. He also told the members that they would be talking with the Town about connecting with the Town's drainage at Bray Park.

Hal House, Stormwater Consultant also explained to the members the system of collecting rainwater for recycling and managing stormwater.

Dr. Charles King and Susan Helmer, adjoining property owners voiced their concerns over lot size, overcrowding, traffic, drainage and safety.

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Phil Bors with Healthy Chatham spoke about the benefits of having a development that has space for bicycling and walking to get people more active.

Discussion was conducted by the board on the possibility of another school on North Second Avenue being built in the future and road improvements that would be needed to be addressed by NCOT for this area.

Mr. Morgan stated that if Mr. Harman plans change substantially he would have to have another public hearing.

Don Tarkenton made a motion to table CUP-003-03, seconded by Jeff Brewer, followed by unanimous consent.

**Agenda Item V**

**UDO Text Amendment – Moratorium on Landfill Proposals**

Mr. Meadows explained to the board the possibility of a landfill being located in Siler City has been a work in progress. Initially an application was made for a text amendment to the Table of Uses of the UDO. The request was to allow a reclamation landfill (inert debris – brick, concrete, soil, etc.) with a special use permit within the Heavy Industrial (H-I) zoning district. The application was removed at the request of the applicant. The applicant determined that the proposed use would not fall under reclamation landfill but instead under sanitary landfill. Sanitary landfill requires a conditional use permit within the H-I zoning district.

The applicant once again contacted me regarding the requirements to begin the conditional use process for a construction and demolition (C&D) landfill. A C&D landfill can be considered a sanitary landfill by definition under the North Carolina General Statutes. I informed the applicant that environmental impacts should be addressed. Mrs. Andrews allowed me to view a site plan of the proposed site, which is located across from the airport. We discussed visiting a C&D site. The Town Manager and myself visited a C&D site with Mrs. Andrews that was located near Shearon Harris Nuclear Plant in Wake County.

Staff decided to meet with Town Counsel to further discuss the matter. After reviewing the UDO with Town Counsel, it was determined that the UDO inadequately addressed the regulation of landfill development. Town Counsel recommended Staff make application for a moratorium on all landfill development within the Town's Planning Jurisdiction.

The moratorium process is not about whether a landfill should be approved. The moratorium is to allow Town Staff, Board of Commissioners, and Planning Board members an opportunity to:

- Define the various types of landfills,
- Determine which of these various types are appropriate within our various zoning districts,
- Establish a list of items an applicant must submit for an application, and
- Revise all other items necessary to make informed decisions on landfill proposals

A moratorium requires Staff to make an application for a text amendment to the UDO. The proposed text amendment would read as follows:

**Section 146 Landfills (All types) and Related Processing, Transfer and Similar Facilities**

Notwithstanding any provision in this Unified Development Ordinance to the contrary, no landfill of any type or related processing, transfer or similar facilities shall be permitted, and no application for any permit or approval to operate such a facility shall be accepted, processed, reviewed or considered by the Town. This section shall apply to all applications for a permit or approval, including any application which is pending as of the effective date hereof.

This Ordinance shall be effective immediately upon adoption, and shall remain in effect until 11:59:59 p.m. on May 31, 2004 unless sooner terminated by the Board of Commissioners, or unless extended for a period of not longer than three months by the Board of Commissioners acting prior to expiration.

A joint public hearing was held on January 5, 2004. Jennifer Andrews made the following comments:

- The client (a husband and wife) is proposing a construction and demolition (C&D) landfill to be located outside of the Town's Corporate Limits but within the Town's ETJ.
- The location is zoned Heavy Industrial and does not have access to water and sewer.
- A landfill will require conditional use permit approval from the Town and a franchise must be awarded by Chatham County.
- Client will offer incentives, recycle, and filter out usable items to give to Habitat or make as compost.
- The Board may apply conditions to conditional user permit applications.
- Treated wood and asbestos are not allowed in C&D landfill.
- State has a list of items that are allowed into a C&D landfill
- Tonnage restrictions may be applied.
- The Town and County currently export all C&D debris outside of the County.
- This proposed site will handle C&D debris from within Chatham County and the Triangle area.

**Discussion**

Mr. Meadows explained that he has concerns about the road or driveway to the site whether they need to be paved (dust control) or gravel. He stated he was under the impression that they were pits to be filled but actually there were tall mounds of dirt.

Jennifer Andrews, Attorney, explained that she has clients that plan to purchase property in Siler City ETJ. They would like to construct a C&D site on this property. She stated that the State of North Carolina and the North Carolina Department of Environmental Health and Natural Resources, and other agencies have rules and regulations they enforce regarding all types of landfill sites. She explained that she and her clients have a very substantial package of information she will submit when they apply for a conditional use permit at the end of January. She also reminded the board that when they are considering the conditional use permit they can impose conditions on her client at that time. She asked that the board not recommend a moratorium at this time.

Mr. Morgan explained that at the time our ordinance was written there were not near as much regulatory control whether on local or state levels on landfills as there is today. He also stated that we do not have a clear definition on landfills or solid waste. He explained that our ordinance needs to be more specific and that is why we need the moratorium. Staff needs time to look at the ordinance and see what needs to be changed so we can protect the Town.

Mr. Meadows stated that he would be contacting other planners and towns to gather information from their ordinance on landfills.

DonTarkenton made a motion to recommended to the Town Board a moratorium on landfill development until May 31, 2004 with a ninety (90) day extension if necessary, second from Larry Mendenhall and followed by unanimous consent.

**Agenda Item VI**

**New Business**

Mr. Meadow explained fifty years ago people left downtown for the suburbs and open spaces. Today people want to move back downtown. Why do people want to live downtown? The answer is convenience, nostalgia, and eccentricity (being different than the norm). Some people want to be closer to work (avoid commuting) and near places of entertainment (museums, art galleries, fine dining, shopping, and services). Others want the experience of living in an historic structures and/or not being responsible for a yard.

He stated a new use shall be added to the Table of Uses, downtown multi-family dwellings. The use shall require a conditional use permit within the C-C (central business zoning district). Downtown multi-family dwellings include (apartments for rent and condominiums for rent or purchase). Apartments are multiple dwelling units intended for renter occupancy only and that share means of egress and other essential facilities. Condominiums are multiple dwelling units intended for owner occupancy, where the interior space is individually owned but the land beneath each unit and all common area are owned proportionately by each unit owner in the development. Walls between units are constructed in accordance with state building code requirements. Town homes are multiple dwelling units intended for owner occupancy, where the ownership of land beneath each unit runs with that unit and where walls between the units are constructed in accordance with state building code requirements. Unit occupies a separate lot of land and a separate ground floor entrance. Units are attached and separated by property lines and with open space on at least two sides. No unit is located over another unit.

- Conditional use permit approval will be required for all downtown residential developments. The following items must be submitted with the conditional use permit application:
  - A site plan (produced by a registered land surveyor or NC certified engineer) including phasing, building height, landscaping, parking, etc.
  - Detailed floor plan (produced by a NC certified engineer) of each level of a structure to be utilized including separations, entrances, and exits
  - Illustration of the physical design features or themes used to unify the development and to provide compatibility to neighboring developments. Possible features used to unify the design include but are not limited to: building style, building materials, colors, windows, facades, signage, landscaping, and streetscape design
  - Minimum number of square foot per unit
    - One bedroom – 600
    - Two bedroom – 900
    - Three bedroom – 1,200
  - Each dwelling unit shall be self-sufficient and include the following rooms or items (complete kitchen, full bath, living, bed, and washer/dryer hookups). Community laundry facilities shall not be permitted. Laundry shall not be visible from adjoining property or right-of-way.
  - Each dwelling shall have central heating and air conditioning (window unit air conditions shall not be permitted). Mechanical equipment such as heat pumps, heating units, central air conditioning and the like must be screened from public view by means of fencing, berms, false facades, or dense landscaping.

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- Every bedroom must have a rescue window. If roof access is allowed a fire escape must be installed. If building is located in primary fire district it must meet all applicable requirements. One use shall not be allowed to ingress or egress through another use.
- At least thirty-three percent or 1,200 square feet, which ever is greater, of the first floor space (located along the street front) must be reserved for commercial or office use
- Must meet ADA requirements including ADA-compliant curb ramps.
- The on-site pedestrian circulation system must be lighted to a level where residents can safely use the system at night. Such lighting shall be subject to the lighting standards.
- Sufficient garbage disposal facilities are required and shall be properly screened. Outdoor storage shall not be permitted (junk, trash, or debris shall not be visible from an adjoining property or right-of-way).
- Landscaping and open space required were applicable (ex. In parking lot, community garden, etc.).
- Parking requirements are applicable.
- A property maintenance code must be submitted that details responsibility and restrictive covenants.
- Historic preservation procedures should be ensured for properties designated on the National Register of Historic Places.
- Final plat, Site plan, building plan, zoning permit, and building permit approval by Town Staff shall be required prior to any construction.

**Discussion**

Leon Tongret, NC Arts Incubator CEO told the members this would be a great idea and it would bring more business downtown. He further explained that it would be wonderful to see lights on at night and weekends, with people living and working downtown.

Jeff Brewer stated that this needs to happen and directed staff to start the text amendment process.

With no further business, Jeff Brewer made a motion for adjournment at 9:00 p.m., with a second from Larry Mendenhall and followed by unanimous consent.

  
\_\_\_\_\_  
Jimmie Pugh, Chairman

ATTEST:

  
Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes  
February 9, 2004**

The Siler City Planning Board met on Monday, February 9, 2004, at 7:00 p.m. Jimmie Pugh called the meeting to order and Larry Mendenhall gave the invocation. Minutes of January 12, 2004, meeting were unanimously approved by a motion from Jeff Brewer and seconded by Ethel Coble.

**Members Present**

Jimmie Pugh, Chairman  
Don L. Tarkenton, Vice Chairman  
Leota Thompson  
Jeff Brewer  
Larry Mendenhall  
Richard Caviness  
Ethel Coble, Alternate

**Members Absent**

Cindy Bray  
Harold Hart

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager  
William C. Morgan, Town Attorney

**BUSINESS SESSION**

**Agenda Item IV**

**Rezoning Request**

**A. REZ-001-04 – Clinton McLaurin**

Mr. Meadows reported that Clinton McLaurin requests a rezoning of approximately .856 acres (37,287 square feet) from A-R (Agricultural-Residential) to H-C (Highway-Commercial).

Mr. Meadows explained that the subject property is located:

- at the northwest corner of U.S. 64 and Silk Hope Road
- approximately 3,700 feet east of Town's Corporate Limits

The lot has the following features:

- no access to public water or sewer (private well and septic service will be proposed)
- a perennial stream crosses through the property (the stream is accommodated by a 54 inch pipe that is located underground below the subject property and U.S. 64)

The surrounding development to the:

- north includes single-family dwelling zoned A-R
- south is U.S. 64 and a vacant lot zoned A-R
- east is Silk Hope Road and a single-family dwelling zoned A-R
- west is Exterior Designs & Fence zoned A-R

The Land Development Plan recommends mixed use (commercial) development for the subject property. Utility extensions should be a priority and on site storm water controls are critical due to the proximity to the Rocky River and adjoining streams.

Mr. Meadows reminded the Planning Board that they should consider the entire range of permitted, special, and conditional uses for the proposed zoning district as listed in the Table of Uses. Attached is a copy of the uses that are allowed within the H-C zoning district.

Staff recommends approval of the rezoning.

**Discussion**

Don Tarkenton asked Mr. McLaurin about the propose gas tanks of any seepage? Mr. McLaurin explained that the new tanks have double walls and the come with an alarm system.



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Jimmy Pugh asked about the perennial stream. Mr. McLaurin explained that there was no a stream on the property that there is a drainage ditch. Mr. Meadows explained that the USGS map identifies a perennial stream on the property and the stream is currently accommodated by a 54" pipe.

Mr. Pugh directed the Board to review all the uses that are permissible in the H-C zoning districts.

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

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

It is the further intent of this ordinance that if amended it will promote the general health, safety and welfare of the citizens of Siler City.

*Motion made by Don Tarkenton, Richard Caviness seconded, and majority approved*

The Planning Board recommends approval.

*Motion made by Jeff Brewer, Larry Mendenhall seconded, and majority approved.*

**Agenda Item V**

**UDO Text Amendment**

**A. Multi-family Downtown Developments**

Mr. Meadows reported that he had been approached by individuals that want to renovate buildings in our downtown for residential purposes. Currently our Ordinance does not allow residential development in our downtown. Therefore, text amendments to our Ordinance are required.

At the joint public hearing, comments were made concerning parking.

**Text Amendment**

**Article X - Permissible Uses**

- Section 136 - Definitions
  - Residence, Multi-family Downtown Apartments. Multiple dwelling units located within the central business district intended for renter occupancy only and that share means of egress and other essential facilities.
  - Residence, Multi-family Downtown Condominiums. Multiple dwelling units located within the central business district intended for owner occupancy, where the interior space is individually owned but the land beneath each unit and all common areas are owned proportionately by each unit owner in the development. Walls between units are constructed in accordance with state building code requirements.

• Table 1: Table of Permissible Use

		<b>Zoning Districts</b>
		C-C
1.35	Multifamily Downtown Apartments	C
1.36	Multifamily Downtown Condominiums	C

**Article XI – Supplementary Use Regulations**

- Section 153 – Multi-family Downtown Development
  - Conditional use permit approval will be required for all downtown residential developments. The following items are required and must be submitted with the conditional use permit application:
    1. A site plan (produced by a registered land surveyor or NC certified engineer) including phasing, building height, landscaping, parking, etc

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2. Detailed floor plan (produced by a NC certified engineer) of each level of a structure to be utilized including separations, entrances, and exits
3. Illustration of the physical design features or themes used to unify the development and to provide compatibility to neighboring developments. Possible features used to unify the design include but are not limited to: building style, building materials, colors, windows, facades, signage, landscaping, and streetscape design.
4. Minimum number of square foot per unit
  - a. One bedroom – 600
  - b. Two bedroom – 900
  - c. Three bedroom – 1,200
5. Each dwelling unit shall be self-sufficient and include the following rooms or items (complete kitchen, full bath, living, bed, and washer/dryer hookups). Community laundry facilities shall not be permitted. Laundry shall not be visible from adjoining property or right-of-way.
6. Each dwelling shall have central heating and air conditioning (window unit air conditions shall not be permitted). Mechanical equipment such as heat pumps, heating units, central air conditioning and the like must be screened from public view by means of fencing, berms, false facades, or dense landscaping.
7. Every bedroom must have a rescue window. If roof access is allowed a fire escape must be installed. If building is located in primary fire district it must meet all applicable requirements. One use shall not be allowed to ingress or egress through another use.
8. At least thirty-three percent or 1,200 square feet, which ever is greater, of the first floor space (located along the street front) must be reserved for commercial or office use.
9. Must meet ADA requirements including ADA-compliant curb ramps.
10. The on-site pedestrian circulation system must be lighted to a level where residents can safely use the system at night. Such lighting shall be subject to the lighting standards.
11. Sufficient garbage disposal facilities are required and shall be properly screened. Outdoor storage shall not be permitted (junk, trash, or debris shall not be visible from an adjoining property or right-of-way).
12. One parking space for each bedroom. Each space shall be restricted to the appropriate residence. Signage designating restricted parking shall be installed. A 10 year contractual agreement for parking must always be maintained if the residential development is to continue operation.
13. Parking lot must be paved.
14. Parking lot must be shaded by deciduous trees that are at least 12 inches in diameter when fully mature.
15. Broken screen Type C is required along all streets.
16. A property maintenance code must be submitted that details responsibility and restrictive covenants.
17. Historic preservation procedures should be ensured for properties designated on the National Register of Historic Places.
18. Final plat, site plan, building plan, zoning permit, and building permit approval by Town Staff shall be required prior to any construction.
19. All other applicable development regulations provided in the UDO shall apply.

Staff recommends approval of the text amendments.

### Discussion

Jimmie Pugh asked about how many occupants would there be? Mr. Meadows explained that it would depend on the market and the first proposal shows six apartments. Mr. Meadows further stated the size of the building would limit the number. Don Tarkenton stated that he thought it would be a maximum of 20 dwellings and that other people will not want to live downtown until people associated with the incubator start occupying the apartments.

Jeff Brewer asked about screening and parking. Mr. Meadows explained the requirements of the ordinance concerning the screening. He directed the members to a map that he had passed out showing the downtown area and the existing parking and the potential parking that exist. He informed the members that there is some discussion with the art incubator and Boling Chair, which would help with the parking.

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

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

It is the further intent of this ordinance that if amended it will promote the general health, safety and welfare of the citizens of Siler City.

The Planning Board recommends approval.

*Motion made by Jeff Brewer, Ethel Coble seconded, and majority approved.*

**Agenda Item VI**

**New Business**

With no further business, Don Tarkenton made a motion for adjournment at 7:30 p.m., with a second from Larry Mendenhall and followed by unanimous consent.

  
\_\_\_\_\_  
Jimmie Pugh, Chairman

ATTEST:

  
\_\_\_\_\_  
Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes  
April 12, 2004**

The Siler City Planning Board met on Monday, April 12, 2004, at 7:00 p.m. Jimmie Pugh called the meeting to order and Richard Caviness gave the invocation. Minutes of February 9, 2004, meeting were unanimously approved by a motion from Jeff Brewer and seconded by Richard Caviness.

**Members Present**

Jimmie Pugh, Chairman  
Donald Tarkenton, Vice Chairman  
Leota Thompson  
Jeff Brewer  
Cindy Bray  
Richard Caviness  
Harold Hart, Alternate

**Members Absent**

Larry Mendenhall  
Ethel Coble, Alternate

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager  
William C. Morgan, Town Attorney

**Town Board Present**

Guy D. Smith, Commissioner

**BUSINESS SESSION**

**Agenda Item IV**

**Conditional Use Request**

**A. CUP-001-04 – Micah and Sherry Dark**

Mr. Meadows reported that Micah and Sherry Dark request a conditional use permit to allow preliminary plat approval for a four lot residential subdivision. He explained that the subject property has a total of 8.5 acres with a minimum lot size of 1.75 acres. The property is located at the southwest corner of Piney Grove Church Road and Grady Siler Road and is outside of the 100 Year Floodplain and is within the balance of the watershed.

Mr. Meadows stated that the application is complete and staff recommends approval of the Conditional Use Permit with the following conditions:

- Prior to final plat approval
  - Submit restrictive covenants and/or home owners association agreement

**A recommendation to the Town Board is requested.**

**Discussion**

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

- I. The application was complete.  
*Motion made by Don Tarkenton, Harold Hart seconded, and majority approved.*
- II. The application complies with all applicable requirements of the Unified Development Ordinance.  
*Motion made by Harold Hart, Jeff Brewer seconded, and majority approved.*
- III. If the permit is recommended for approval, it will be subject to the following conditions:
- IV. Prior to final plat approval
  - Submit restrictive covenants and/or home owners association agreement
- V. The permit is recommended for approval, approval with conditions  
*Motion made by Don Tarkenton, Jeff Brewer seconded, and majority approved.*
- VI. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Town Board. Any significant deviations from the permit issued will require the submittal of a new application.

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### Conditional Use Request

#### B. CUP-021-04 – Eddie Suits

Mr. Meadows reported that Eddie Suits request a revision to conditional use permit (CUP-003-98) to allow preliminary plat approval for a twenty-one (21) lot manufactured home subdivision within Hampton Village Manufactured Home Park. The subject property is located off of Pony Farm Road. He explained the Town Board approved a 444 unit manufactured home rental community (Hampton Village) on September 21, 1998. The first phase of Hampton Village has been developed. Phase one includes approximately 57 manufactured home spaces for rent.

Mr. Meadows informed the board that the application is complete and staff recommends approval of the Conditional Use Permit with the following conditions:

- Prior to any site work the developer must receive a Notice to Proceed from the Planning Director (must submit storm water, drainage, water, and sewer plans, tree survey, wetland survey, construction details, hydraulic analysis, NCDENR erosion control permit)
- Prior to final plat approval
  - Install water and sewer lines, pavement on streets, drainage swales, erosion controls, and grass seed and straw laid
  - Submit restrictive covenants, road maintenance agreement, community guidelines, and/or home owners association agreement

**A recommendation to the Town Board is requested.**

#### Discussion

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

- I. The application was complete.  
*Motion made by Jeff Brewer, Richard Caviness seconded, and majority approved.*
- II. The application complies with all applicable requirements of the Unified Development Ordinance.  
*Motion made by Don Tarkenton, Harold Hart seconded, and majority approved.*
- III. If the permit is recommended for approval, it will be subject to the following conditions:
  - Prior to any site work the developer must receive a Notice to Proceed from the Planning Director (must submit storm water, drainage, water, and sewer plans, tree survey, wetland survey, construction details, hydraulic analysis, NCDENR erosion control permit)
  - Prior to final plat approval
    - Install water and sewer lines, pavement on streets, drainage swales, erosion controls, and grass seed and straw laid
    - Submit restrictive covenants, road maintenance agreement, community guidelines, and/or home owners association agreement
- IV. The permit is recommended for approval, approval with conditions  
*Motion made by Don, Tarkenton, Harold Hart seconded, and majority approved.*
- V. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Town Board. Any significant deviations from the permit issued will require the submittal of a new application.

#### Agenda Item V

##### UDO Text Amendment

###### A. Landfills

Mr. Pugh informed the board that we have before a draft copy of the minutes from the public hearing with the public comments that was held on April 15, 2004. He stated that what we would be doing tonight is deciding if we would be recommending the text amendment to the Town Board or adding to the amendment or asking the staff to do some more research on the amendments.

Staff recommends approval of the text amendments.

**Discussion**

Jeff Brewer stated that he had a few questions that he would like to ask. The first being about the maximum overlay height of the airport district. Mr. Brower, Town Manager explained that the Town has a map showing the height and where you are located determines the height. Mr. Brewer then asked who sets the amount for the financial security for closure of the landfill. Mr. Morgan, Town Attorney responded that the Town Board and Jack Meadows added that the amount would be included with the conditional use permit application.

Mr. Brewer asked about the location of the landfill being 1,000 feet, how was this determined? Mr. Morgan answered that staff and he had look at other ordinances and decide that this was a reasonable distance. The board members discussed the 1,000 feet distance with majority of the members stating that the distance should be more. Mr. Morgan added that we cannot restrict a landfill completely but we can put tighter restrictions on the amendments.

Don Tarkenton reminded everyone that the Town has a moratorium on landfills until May 31, 2004. He asked that the members not to confuse the amendments to the ordinance with being opposed to a landfill. That the purpose of the amendments is so we can restrict where a landfill can go. He also stated that the State would regulate the operations and the Town would regulate the ordinance. Mr. Tarkenton added that when the Town does get an application for a landfill, the board can put conditions on the CUP.

With no further discussion, Mr. Pugh directed the board to their worksheet.

The Planning Board recommends approval.

*Motion made by Don Tarkenton, Jeff Brewer seconded, and Jimmie Pugh, Cindy Bray, Harold Hart, Richard Caviness, and Leota Thompson all opposed.*

Jeff Brewer then made a second motion to recommend approval and suggested to the Town Board that the amendment **G-5 LOCATION OF LANDFILL (1)** be changed from one thousand (1,000) feet to two thousand (2,000) feet. Don Tarkenton seconded and was followed by unanimous consent.

**Agenda Item VI**

**New Business**

With no further business, Don Tarkenton made a motion for adjournment at 8:10 p.m., with a second from Cindy Bray and followed by unanimous consent.

  
\_\_\_\_\_  
Jimmie Pugh, Chairman

ATTEST:  
  
Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes  
May 10, 2004**

The Siler City Planning Board met on Monday, May 10, 2004, at 7:10 p.m. Jimmie Pugh called the meeting to order. Minutes of April 12, 2004, meeting were unanimously approved by a motion from Jeff Brewer and seconded by Don Tarkenton.

**Members Present**

Jimmie Pugh, Chairman  
Donald Tarkenton, Vice Chairman  
Leota Thompson  
Jeff Brewer  
Larry Mendenhall  
Richard Caviness  
Harold Hart, Alternate  
Ethel Coble, Alternate

**Members Absent**

Cindy Bray

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager  
William C. Morgan, Town Attorney

**BUSINESS SESSION**

**Agenda Item IV**

**Conditional Use Request**

**A. CUP-003-03 – Harvey Harman**

Mr. Meadows reported that Harvey Harman of Walk Softly, LLC, requests a conditional use permit for preliminary plat approval for a 54 lot architecturally integrated subdivision. The project is the product of two parcels totaling 51.4 acres. The subject area of this permit contains an area of 21.923 acres. Since the planning board meeting on January 12, 2004, at least three meetings were held at Town Hall between the applicant and surrounding property owners.

Mr. Meadows reported the proposed development includes:

- Density of 2.5 lots per acre (54 lots/21.923 acres)
  - 2.6 lots per acre (57 lots/21.923 acres) for original proposal
- 53 small lots totaling 7.6 acres (average of 6,239 square feet)
  - 55 small lots totaling 6.363 acres (average 5,038 square feet) on original proposal
- 54 lots totaling 9.95 acres (average of 8,026 square feet)
  - 57 lots totaling 11.848 acres (average 9,054 square feet) on original proposal
- 3.82 acres included within the proposed public road right-of-ways
  - 3.019 on original proposal
- Required amount of open space equals 4.232 acres [1.096 acres (open space) + 0.689 acres (minipark) + 2.447 acres (land saved)]
  - 3.022 acres on original proposal
- Proposed 8.0 acres of open space (Approximately 2.66 acres to be dedicated to the Town)
  - 7.056 acres on original proposal
- Minimum lot size of 4,816 square feet (Lot 26)
  - 4,800 square feet on original proposal
- Maximum lot size is 2.36 acres (Lot 54) and 9,735 square feet (Lot 2)
  - 3.053 acres (Parcel A) and 6,871 square feet (Lot 55) on original proposal
- Minimum lot frontage of 57.5 feet
  - 60 feet on original proposal

Mr. Meadows stated there are approximately 40-50 single family dwellings within 1,000 feet of the proposed development. The lot sizes range from 9,000 square feet to 4.5 acres. The surrounding development to the:

## Planning Board Minutes

May 10, 2004

Page two

Mr. Meadows added that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance. Staff recommends approval unless the Board finds that the project will:

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

The following conditions should be attached:

- I. Prior to any site work, developer must receive a notice to proceed from the Planning Director (must submit engineered approved storm water drainage, water and sewer plans, tree survey, wetland survey, construction details, hydraulic analysis, NCDOT driveway permit, and NCDENR erosion control permit)
- II. Prior to final plat approval
  - o Install graveled emergency access, temporary turn a rounds or cul-de-sacs, water and sewer lines, pavement on streets, drainage swales, erosion controls, and grass seed and straw laid
  - o A screen type A buffer should be installed around the perimeter of the development
  - o Submit restrictive covenants and home owners association agreement

**A recommendation to the Town Board is requested.**

### Discussion

Don Tarkenton asked if the neighbors had received the revised maps. Mr. Harman responded that he had given them copies of the revised plan and met with the neighbors on three different occasions to hear their concerns. Susan Helmer and Eddie Gaines stated that Mr. Harman revised plans were better but they still had concerns over the density, air quality, traffic and water run off. Mr. Tarkenton responded that maybe with the traffic increasing on South Second Avenue might create motivation for DOT to make some improvements with the interchange off of Alston Bridge Road. Mr. Harman added that the density for his development is 2.5 dwelling per acre, which is less dense than what is required for R-10 zoning.

Jeff Brewer asked Mr. Harman who did the appraisal? Mr. Harman stated that he had Diane Stokes do an appraisal because of the concerns the neighbors had with their property values. Mr. Harman added that Mr. Meadows had a letter from Ms. Stokes with the appraisal. Richard Caviness asked if Mr. Harman only had one appraisal done. Mr. Harman stated that he did. Jeff Brewer added that Mr. Stokes is a certified appraiser.

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

- I. The application was complete.  
*Motion made by Jeff Brewer, Larry Mendenhall seconded, and majority approved.*
- II. The application complies with all applicable requirements of the Unified Development Ordinance.  
*Motion made by Don Tarkenton, Jeff Brewer seconded, and majority approved.*
- III. If the permit is recommended for approval, it will be subject to the following conditions:
  - Prior to any site work, developer must receive a notice to proceed from the Planning Director (must submit engineered approved storm water drainage, water and sewer plans, tree survey, wetland survey, construction details, hydraulic analysis, NCDOT driveway permit, and NCDENR erosion control permit)
  - Prior to final plat approval
    - o Install graveled emergency access, temporary turn a rounds or cul-de-sacs, water and sewer lines, pavement on streets, drainage swales, erosion controls, and grass seed and straw laid
    - o A screen type A buffer should be installed around the perimeter of the development
    - o Submit restrictive covenants and home owners association agreement



## Planning Board Minutes

May 10, 2004

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*Motion made by Don Tarkenton, Jeff Brewer seconded, and majority approved*

- IV. The permit is recommended for approval with conditions

*Motion made by Don Tarkenton, Larry Mendenhall seconded, and majority approved.*

- V. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Town Board. Any significant deviations from the permit issued will require the submittal of a new application.

### Agenda Item V

#### UDO Text Amendment

##### A. Temporary Vehicle Storage

Mr. Meadows reported that Daniel Gunner Heaton request text amendments to the Unified Development Ordinance. The text amendment is to create and define temporary vehicle storage, accessory use. Temporary vehicle storage, accessory use will be allowed within the central business (C-C), highway commercial (H-C), and light industrial (L-I) zoning districts with a special use permit. He stated that the Board of Adjustment must grant or deny special use permits.

Mr. Meadows explained that the following topics were discussed at the Joint Public Hearing:

- Will existing businesses be grand fathered?
- Is a 10 foot bufferyard to large?
- Should fencing be allowed within the bufferyard?
- Should paving be required?
- How will staff enforce the 90 day limit on vehicle storage?

Mr. Meadows added that temporary vehicle storage, accessory use must be an accessory to motor vehicle sales, repair, maintenance, bodywork, and/ or painting. Temporary vehicle storage shall not be operated as the primary use.

Mr. Meadows informed the board that after receiving the application, Staff has researched and developed the following proposed text amendments:

1. Add two definitions
  - a. Bufferyard
  - b. Temporary vehicle storage, accessory use
2. Add Temporary vehicle storage, accessory use to the Table of Uses
3. Add supplementary use regulations for temporary vehicle storage, accessory use

The proposed text amendments are attached.

Staff recommends approval of the text amendments as submitted.

Mr. Meadows stated that the applicant recommends approval with the following changes:

1. Allow fencing to be located within the bufferyard and
2. Allow gravel surface instead of asphalt and concrete.

**A recommendation to the Town Board is requested.**

#### Discussion

Jimmie Pugh asked about the paving. Mr. Meadows responded that all new construction have to be paved.

Mr. Tarkenton stated that he has a problem with allowing the fencing within the bufferyard. He stated by allowing the fencing within the buffer is defeating the purpose of the buffer. He added that the purpose of the buffer is to screen the fencing.

Mr. Brower, Town Manager asked about existing business is there anyway we could require them to comply with the ordinance regarding screening. The suggestion was made for staff to contact the businesses by letter asking them if they would consider doing some type of screening.

**Planning Board Minutes**

**May 10, 2004**

**Page four**

With no further discussion, Mr. Pugh directed the board to their worksheet.

II. The Planning Board recommends approval.

*Motion made by Jeff Brewer, Larry Mendenhall seconded, and majority approved.*

**Agenda Item VI**

**New Business**

With no further business, Jeff Brewer made a motion for adjournment at 8:15 p.m., with a second from Richard Caviness and followed by unanimous consent.

  
\_\_\_\_\_  
Jimmie Pugh, Chairman

ATTEST:

  
Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes  
June 14, 2004**

The Siler City Planning Board met on Monday, June 14, 2004, at 7:10 p.m. Jimmie Pugh called the meeting to order and Don Tarkenton gave the invocation. Minutes of May 10, 2004, meeting were unanimously approved by a motion from Larry Mendenhall and seconded by Ethel Coble.

**Members Present**

Jimmie Pugh, Chairman  
Donald Tarkenton, Vice Chairman  
Leota Thompson  
Larry Mendenhall  
Richard Caviness  
Ethel Coble, Alternate

**Members Absent**

Jeff Brewer  
Cindy Bray  
Harold Hart, Alternate

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager  
William C. Morgan, Town Attorney

**BUSINESS SESSION**

**Agenda Item IV**

**UDO Text Admendment**

**A. Hospital within H-C and O-I zoning district**

Mr. Meadows reported that hospitals, clinics, and other medical treatment facilities in excess of 10,000 square feet of gross floor area is listed in the Town's Table of Permissible Uses. However, the use is not specifically designated within any of the Town's zoning districts.

Staff request that hospitals, clinics, and other medical treatment facilities in excess of 10,000 square feet of gross floor area be allowed within the H-C (highway commercial) and O-I (office institutional) zoning districts with a conditional use permit.

Chatham Hospital is currently zoned O-I. The Michael Brough model ordinance recommends large hospitals be located within the H-C zoning district. Both zoning districts can accommodate a large hospital.

**Text Amendment**

**Table 1: Table of Permissible Use**

		H-C	O-I
6.1	Hospitals, clinics, or other medical treatment facilities in excess of 10,000 square feet of floor area	C	C

Staff recommends approval of the text amendments.

**A recommendation to the Town Board is requested.**

**Discussion**

With no further discussion, Mr. Pugh directed the board to their worksheet.

II. The Planning Board recommends approval.

*Motion made by Don Tarkenton, Larry Mendenhall seconded, and majority approved.*

**Planning Board Minutes**

**June 14, 2004**

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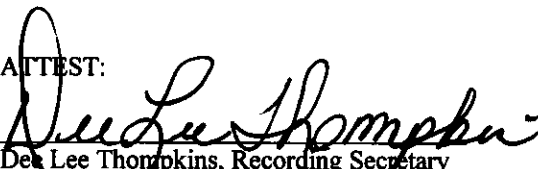
**Agenda Item VI**

**New Business**

With no further business, Ethel Coble made a motion for adjournment at 7:10 p.m., with a second from Richard Caviness and followed by unanimous consent.

  
\_\_\_\_\_  
Jimmie Pugh, Chairman

ATTEST:

  
Dee Lee Thompson, Recording Secretary

**Planning Board Meeting Minutes  
July 12, 2004**

The Siler City Planning Board met on Monday, May 10, 2004, at 7:05 p.m. Jimmie Pugh called the meeting to order. Minutes of June 14, 2004, meeting were unanimously approved by a motion from Jeff Brewer and seconded by Richard Caviness.

**Members Present**

Jimmie Pugh, Chairman  
Donald Tarkenton, Vice Chairman  
Leota Thompson  
Jeff Brewer  
Larry Mendenhall  
Richard Caviness  
Ethel Coble  
Harold Hart, Alternate  
Arnold Headen, Alternate

**Members Absent**

Cindy Bray

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager  
William C. Morgan, Town Attorney

**BUSINESS SESSION**

**Agenda III**

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

Jimmie Pugh asked for a nomination for Chairman. Jeff Brewer nominated Don Tarkenton, Ethel Coble seconded and was unanimously approved by board members.

Jimmie Pugh asked for a nomination for Vice-Chairman. Larry Mendenhall nominated Jeff Brewer, Don Tarkenton seconded and was unanimously approved by board members.

**Agenda Item IV**

**Present Certificate of Appreciation**

Mr. Meadows presented Jimmie Pugh with a certificate of appreciation for his years of service on the Planning Board. Don Tarkenton and board members thanked Mr. Pugh for his dedication to the Planning Board.

Mr. Meadows welcomed Arnold Headen as our new city alternate. Ethel Coble will be filling the vacant city seat on the board.

**Agenda Item V**

**Conditional Use Request**

**A. CUP-003-03 – Harvey Harman**

Mr. Meadows reported that Harvey Harman of Walk Softly, LLC, requests a conditional use permit for preliminary plat approval for a 54 lot architecturally integrated subdivision. The project is the product of two parcels totaling 51.4 acres. The subject area of this permit contains an area of 21.924 acres.

Mr. Meadows reported the subject property is located:

- Off the eastern right-of-way of South Second Avenue, approximately 400 feet south of the intersection of South Second Avenue and Alston Bridge Road
- Within the R-10 zoning district
  - Single family site built/ modular home (meets State Building Code) is a permitted use,
  - Duplex and multifamily residences require Board approval,
  - Manufactured or mobile home (meets Federal HUD Standards) is not permitted
- Outside of any floodplain

Mr. Meadows explained the proposed development includes:

- No change in the zoning classification (zoning will remain R-10)
- Extension of Town water and sewer
- Restrictive covenants and a home owners association
- Primary access off of South Second Avenue
- Emergency access road off of Green Hill Drive
- Internal walking trails
- Density of 2.5 lots per acre (54 lots/21.924 acres)
  - “The number of dwelling units in an architecturally integrated subdivision may not exceed the maximum density authorized for R-10 zoning.”
    - The maximum density authorized by R-10 zoning for a 21.924 acre tract is approximately 70 single family dwellings (3.2 dwellings per acre = 70 dwellings/ 21.923 acres) excluding open space, mini-park, and right-of-way requirements.
- 53 small lots totaling 7.6 acres (average of 6,239 square feet)
- 54 lots totaling 9.95 acres (average of 8,026 square feet)
- 3.82 acres included within the proposed public road right-of-ways
- Required amount of open space equals 4.232 acres [1.096 acres (open space) + 0.689 acres (minipark) + 2.447 acres (land saved)]
  - “To the extent reasonably practicable, in residential subdivisions the amount of land "saved" by creating lots that are smaller than the minimum lot standards set forth for R-10 zoning shall be set aside as usable open space.”
    - The proposed development will save 2.447 acres (54 lots \* 10,000 square feet = 12.397 acres) - (54 lots \* 8,026 square feet = 9.95 acres) by developing lots less than the minimum size requirements for R-10 zoning.
- Proposed 8.0 acres of open space (Approximately 2.66 acres to be dedicated to the Town)
- Minimum lot size of 4,816 square feet (Lot 26)
- Maximum lot size is 2.36 acres (Lot 54) and next largest is 9,735 square feet (Lot 2)
- Minimum lot frontage of 60 feet
- Minimum building setbacks
  - Front, street, and rear = 10 feet
  - Side = 6 feet
- “In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size, lot width, or setback restrictions except that:
  - Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision, and
  - Each lot must be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this ordinance.”

Mr. Meadows reported the application is complete and the proposal meets the development criteria of the Unified Development Ordinance. He recommends approval unless the Board finds that the project will:

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

Mr. Meadows stated that the following conditions should be considered:

- I. Prior to any site work, developer must receive a notice to proceed from the Planning Director (must submit engineered approved storm water drainage, water and sewer plans, tree survey, wetland survey, construction details, hydraulic analysis, NCDOT driveway permit, and NCDENR erosion control permit)
- II. Prior to final plat approval
  - Install graveled emergency access, temporary turn a rounds or cul-de-sacs, water and sewer lines, pavement on streets, drainage swales, erosion controls, and grass seed and straw laid
  - Screen type A buffer should be installed around the perimeter of the development
  - Submit recorded restrictive covenants and home owners association agreement

**A recommendation to the Town Board is requested.**

**Discussion**

Arnold Headen asked to be sustain from the voting because this was his first meeting. Harold Hart made a motion to sustain Mr. Headen from the voting. Larry Mendenhall seconded, followed by unanimous consent.

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

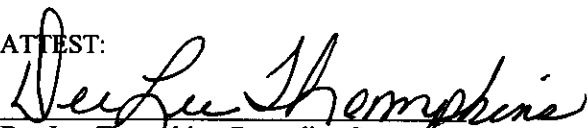
- I. The application was complete.  
*Motion made by Jeff Brewer, Larry Mendenhall seconded, followed by unanimous consent.*
- II. The application complies with all applicable requirements of the Unified Development Ordinance.  
*Motion made by Jeff Brewer, Ethel Coble seconded, followed by unanimous consent.*
- III. If the permit is recommended for approval, it will be subject to the following conditions:
  - Prior to any site work, developer must receive a notice to proceed from the Planning Director (must submit engineered approved storm water drainage, water and sewer plans, tree survey, wetland survey, construction details, hydraulic analysis, NCDOT driveway permit, and NCDENR erosion control permit)
  - Prior to final plat approval
    - Install graveled emergency access, temporary turn a rounds or cul-de-sacs, water and sewer lines, pavement on streets, drainage swales, erosion controls, and grass seed and straw laid
    - A screen type A buffer should be installed around the perimeter of the development
    - Submit restrictive covenants and home owners association agreement*Motion made by Jeff Brewer, Larry Mendenhall seconded, followed by unanimous consent.*
- IV. The permit is recommended for approval with conditions  
*Motion made by Larry Mendenhall, Jeff Brewer seconded, followed by unanimous consent.*
- V. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Town Board. Any significant deviations from the permit issued will require the submittal of a new application.

**Agenda Item VI**

**New Business**

With no further business, Harold Hart made a motion for adjournment at 7:25 p.m., with a second from Jeff Brewer and followed by unanimous consent.

  
\_\_\_\_\_  
Don Tarkenton, Chairman

ATTEST:  
  
\_\_\_\_\_  
Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes  
October 11, 2004**

The Siler City Planning Board met on Monday, October 11, 2004, at 7:05 p.m. Don Takenton called the meeting to order and Larry Mendenhall gave the invocation. Minutes of July 12, 2004, meeting were unanimously approved by a motion from Jeff Brewer and seconded by Richard Caviness.

**Members Present**

Donald Tarkenton, Chairman  
Jeff Brewer, Vice Chairman  
Leota Thompson  
Cindy Bray  
Larry Mendenhall  
Richard Caviness  
Ethel Coble

**Members Absent**

Harold Hart, Alternate  
Arnold Headen, Alternate

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager

**BUSINESS SESSION**

**Agenda IV**

**Discussion**

- **§173 & §203-Architecturally Integrated Subdivision**

Planning Director Jack Meadows and Planning Board Members discussed and reviewed the *Architecturally Integrated Subdivision* in our Unified Development Ordinance. After reviewing the similarities and regulations on cluster subdivision, Jeff Brewer then made a motion to recommend to the Town Board to eliminate all reference to architecturally integrated subdivision from the Unified Development Ordinance. Ethel Coble seconded, followed by unanimous consent.

- **Temporary Signs-Special and Promotion**

Chairman Don Tarkenton discussed with Planning Board Members and Planning Director Jack Meadows the comments he has received concerning our temporary sign ordinance.

Mr. Meadows stated that he had contacted other towns to see how they handle temporary signs. He reviewed with the members his findings. He also reported how many temporary signs permits were issued in 2002, 2003 and 2004.

After reviewing and discussing the temporary sign ordinance Jeff Brewer made a motion to recommend to the Town Board to change the size of temporary signs from shall not exceed twenty four (24) square feet to thirty two (32) square feet and the signs may be displayed for a period of ten (10) days to sixty (60) days. Ethel Coble seconded, followed by unanimous consent.




**Planning Board Minutes**  
**October 11, 2004**  
**Page two**

**Agenda Item V**

**New Business**

With no further business, Jeff Brewer made a motion for adjournment at 7:50 p.m., with a second from Richard Caviness and followed by unanimous consent.

  
\_\_\_\_\_  
Don Tarkenton, Chairman

ATTEST:  
  
\_\_\_\_\_  
Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes  
November 8, 2004**

The Siler City Planning Board met on Monday, November 8, 2004, at 7:00 p.m. Don Tarkenton called the meeting to order and Richard Caviness gave the invocation. Minutes of October 11, 2004, meeting were unanimously approved by a motion from Jeff Brewer and seconded by Richard Caviness.

**Members Present**

Don L. Tarkenton, Chairman  
Jeff Brewer, Vice Chairman  
Leota Thompson  
Richard Caviness  
Ethel Coble  
Harold Hart, Alternate  
Arnold Headen, Alternate

**Members Absent**

Cindy Bray  
Larry Mendenhall

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager  
William C. Morgan, Town Attorney (by phone)

**BUSINESS SESSION**

**Agenda Item IV**

**Rezoning Request**

**A. REZ-002-04 – Jeff C. Brewer**

Jeff Brewer asked to be exempt from discussion due to a conflict of interest. Harold Hart made a motion to exempt Jeff Brewer from the discussion and voting on REZ-002-04. Leota Thompson seconded followed by unanimous consent.

Mr. Meadows reported that Jeff C. Brewer request to rezone approximately 12.1 acres from Agricultural-Residential (A-R) to Highway-Commercial (H-C). The property is owned by Chatham Investors.

Mr. Meadows stated the subject property is located:

- along the southern right-of-way of US 64 and the western bank of the Rocky River.
- approximately 380 feet east of Town's Corporate Limits

Mr. Meadows reported that the lot has the following features:

- approximately 650 feet of road frontage
- reasonable access to public water or sewer
- 200 foot vegetative buffer along the Rocky River and Loves Creek
- portion of the property is located within the 100 year floodplain

Mr. Meadows stated the surrounding development to the:

- north is a single-family dwelling zoned A-R
- south is the Town's Waste Treatment Plant zoned A-R
- east is a Harris Grove Church zoned A-R
- west is Wal-Mart Supercenter zoned H-C

Mr. Meadows reported that the Land Development Plan recommends general commercial development for the subject property. He also added the average daily trips (ADT) are approximately 15,000 trips on US 64.

Staff recommends rezoning the subject property.

**Discussion**

Don Tarkenton stated a public hearing was held on November 1, 2004 and asked if the board had any questions.

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

**Planning Board Minutes**

**November 8, 2004**

**Page two**

A motion was made by Harold Hart to approve the rezoning in order to promote and forward the purposes of the adopted Siler City Land Development Plan. Ethel Coble seconded and all members voted to approve.

**Agenda Item V**

**Old Business**

Don Tarkenton asked that the board take a minute to review the handouts on Temporary Signs. Mr. Meadows then reviewed with the members the handouts. He explained that the text with the strikethrough is what will be deleted and the text that is shaded is to be added to our ordinance. He added that all signs require permits except political signs, which are now in a separate category.

Mr. Tarkenton then asked the members to review the handouts on Architecturally Integrated Subdivision. Mr. Meadows reviewed the handouts with the board. He explained that Architecturally Integrated has been changed to Multi-family Residential, which will allow town home subdivisions but not single family home subdivisions.

Mr. Tarkenton asked for a motion to recommend to the Town Board for a Joint Public Hearing to approve the text amendments. A motion was made by Jeff Brewer, with a second from Harold Hart and followed by unanimous consent.

**Agenda Item VI**

**New Business**

Mr. Tarkenton welcomed David Poe with Chatham County Chamber of Commerce.

With no further business, Ethel Coble made a motion for adjournment at 7:30 p.m., with a second from Leota Thompson and followed by unanimous consent.

  
\_\_\_\_\_  
Don Tarkenton, Chairman

ATTEST:

  
\_\_\_\_\_  
Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes  
December 13, 2004**

The Siler City Planning Board met on Monday, December 13, 2004, at 7:00 p.m. Don Tarkenton called the meeting to order and Ethel Coble gave the invocation. Minutes of November 8, 2004, meeting were unanimously approved by a motion from Ethel Coble and seconded by Leota Thompson.

**Members Present**

Donald Tarkenton, Chairman  
Jeff Brewer, Vice Chairman  
Leota Thompson  
Larry Mendenhall  
Richard Caviness  
Ethel Coble  
Harold Hart, Alternate  
Arnold Headen, Alternate

**Members Absent**

Cindy Bray

**Staff Present**

Jack Meadows, Planning Director  
Joel J. Brower, Town Manager  
William C. Morgan, Town Attorney (by phone)

**BUSINESS SESSION**

**Agenda Item IV**

**UDO Text Amendment**

**A. §173 & §203 Architecturally Integrated Subdivision**

Mr. Tarkenton explained a public hearing was held on December 6, 2004. The Planning Board discussed the amendments at their October 11 and November 8, 2004 meetings. He asked if there was any questions or comments. With no discussion, Mr. Tarkenton then directed the board to their worksheet for a recommendation to the Town Board.

A motion was made by Jeff Brewer to approve the text amendment §173 & §203 in order to promote and forward the purposes of the adopted Siler City Land Development Plan. Larry Mendenhall seconded and all members voted to approve.

**B. §266 & §267 Temporary Signs – Special Sales and Promotion**

Mr. Tarkenton asked if there was any questions or comments. With no discussion Mr. Tarkenton directed the board to their worksheet for a recommendation to the Town Board.

A motion was made by Harold Hart to approve the text amendment §173 & §203 in order to promote and forward the purposes of the adopted Siler City Land Development Plan. Richard Caviness seconded and all members voted to approve.

**Agenda Item V**

**New Business**

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

  
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Donald Tarkenton, Chairman

ATTEST:

  
\_\_\_\_\_  
Dee Lee Thompkins, Recording Secretary