

**Planning Board Meeting Minutes
May 12, 2008**

The Siler City Planning Board met on Monday, May 12, 2008 at 7:00 p.m. Larry Mendenhall called the meeting to order and Arnold Headen gave the invocation. Mr. Mendenhall asked for a motion to approve the minutes of April 14, 2008. *Motion made by Ethel Coble, Harold Hart seconded, followed by unanimous consent.*

Members Present

Larry Mendenhall, Chairman
Ethel Coble, Vice Chair
Cindy Bray
Richard Caviness
Harold Hart
Arnold Headen
Mickey Pore
Dan McMasters, Alternate
Vicky Tobar, Alternate

Members Absent

Staff Present

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

BUSINESS SESSION

Agenda Item IV

Rezoning Request

A. REZ-01-08 – Evelyn V. Pettinelli

Mr. Meadows reported that Evelyn V. Pettinelli requests to rezone approximately 65.813 acres from Agricultural-Residential to Light-Industrial. The subject property is located along the eastern right-of-way of Airport Road approximately 1,600 feet south of the intersection of Airport Road and Gilliland Road. The subject property is further identified as Tax Parcel Number 13402.

Mr. Meadows explained that the subject property:

1. is owned by Evelyn V. Pettinelli;
2. is currently vacant;
3. does not have access to water and sewer;
4. is located outside of the Town's Corporate Limits;
5. has 2 intermittent streams located on the property with 50 foot vegetative buffers along both sides of the streams;
6. is surrounded by A-R zoning; and
7. is surrounded by the following land uses; vacant land and single family dwellings.

Mr. Meadows added that the average daily trips for Airport Road are 890.

Mr. Meadows explained that the Land Development Plan recommends agricultural/ rural residential and airport development area for the subject property.

1. Maintain the integrity of existing neighborhoods;
2. Preserve the existing density and scale of development in established residential neighborhoods by excluding the introduction of intensive, non-residential land uses into such neighborhoods;
3. Promote land uses that are compatible with the future growth and development of the Siler City Municipal Airport;
4. Encourage and promote commercial, office, and industrial uses that are compatible with airport operations;
5. Uses sensitive to noise are discouraged;
6. Continue to support and enforce the Airport Hazard Ordinance and Airport Hazard Map;
7. Onsite storm water controls are critical to minimize environmental impacts; and
8. Development should minimize built-upon area.

Mr. Meadows stated that the Town Board and Planning Board should consider the entire range of permitted, special, and conditional uses for the proposed zoning district as listed in the Table of Uses.

Discussion

Mr. Pettinelli asked if he could address the board. Mr. Mendenhall replied with that he could but reminded everyone that the public hearing was last Monday night. Mr. Pettinelli stated that he had talked to the family members of the adjoining property and had given them a map and pictures of the type of warehouse and office he would like to develop on this property. He stated that his long range plan is to develop this property into an airpark with offices and warehouses. Mr. Pettinelli explained that his property would not have any residential growth on it because of it being so close to the airport.

Delois Raye asked if she could address the board. She reported that her family was an adjoining property owner and this property has been in her family over 70 years. Mrs. Raye stated they owned 150 acres and have always maintained the property. She added that there were 12 family homes on this property and probably would be more in future years. Mrs. Raye stated she had concerns about property values, noise and the traffic. She added that her family was totally against the rezoning.

Al Craven another adjoining property owner spoke that he was against the rezoning. He also added that the road was not wide enough to handle all the traffic.

Several board members voiced their concerns about the road. Mr. Pettinelli stated that NCDOT has allotted \$250,000.00 for design. Mr. Meadows reported that at this time there was no current funding for the road. Mr. Pettinelli stated that sometime it takes growth to motivate DOT.

Mr. Mendenhall directed the board to their worksheets to go through each finding.

Rezoning Worksheet

Mr. Mendenhall asked for a motion to adopt staffs recommended Land Development Plan Consistency Statement. There was no motion made by the board members.

Mr. Mendenhall asked for a motion to approve or deny the rezoning. *Arnold Headen made a motion to deny the rezoning, Cindy Bray seconded, followed by unanimous consent.*

Agenda Item V

Conditional Use Request

A. CUP-02-08 – Jeff Schwartz

Mr. Meadows reported that Jeff Schwarz requests a conditional use permit for a special event ,circus, fair, carnival, or festival. The subject property is located at the northwest corner of West Third Street and the Railroad. The subject property is further identified as Tax Parcel Number 16071.

Mr. Meadows added that the subject property:

1. is owned by Commercial Holdings LLC - Jeff Schwarz;
2. contains an existing storage bin ~300 sq.ft.;
3. has access to City water and sewer;
4. is located within the Town's Corporate Limits;
5. is located within the 100 year flood plain and has a 100 foot vegetative buffer along Loves Creek Tributary 1;
6. is surrounded by L-I zoning, except for the residential property located along West 5th Street is zoned Residential-6 and the old Boling offices is zoned Central Commercial; and
7. is surrounded by the following land uses; vacant, offices, retail, and single family residential.

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Mr. Meadows explained that the proposed development will include:

1. 2.34 acres of special event area;
2. One special event between the months of January and December will last up to 2 weeks;
3. Fence around the perimeter of the special event area;
4. Hours of operation
 - a. Monday – Friday (6 p.m. to 11 p.m.)
 - b. Saturday – Sunday (1 p.m. to 11 p.m.);
5. 72 parking spaces including 4 handicap spaces onsite
 - a. The UDO does not provide a specific parking requirement for special events. Staff believes approximately 1 space per 4 persons is sufficient ~ 72 parking spaces;
 - b. At least 150 overflow parking spaces are located off site in the parking lot located in front of the old Boling Chair offices;
6. Type C Screen along West 3rd Street;
7. Type A vegetative Screen near the vegetative buffer for Loves Creek Tributary 1; and
8. Shade trees for required vehicle accommodation area required.

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

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

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

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

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

Mr. Meadows stated the following conditions are recommended:

1. Type A vegetative Screen near the vegetative buffer for Loves Creek Tributary 1;
2. Type C Screen along West 3rd Street;
3. Conditional Use Permit is for one special event only;
4. The special event must close by 11 p.m.;
5. Safety barrier must be installed around the existing loading/unloading ramp;
6. All demolition debris must be removed from the site;
7. Obtain Town electrical permit for power connections;

8. Set up a Town water account for water connection;
9. Make arrangements with the Town waste water treatment plant to dispose of waste water; and
10. Prior to site work applicant must submit an engineer/surveyor approved:
 - a. Major site plan for review; and
 - b. Construction details.

Discussion

Mr. Mendenhall directed the board to their worksheets to go through each finding.

Conditional Use Worksheet

1. The application was complete
Motion made by Harold Hart, Richard Caviness seconded, followed by unanimous consent.
2. Application complies with all applicable requirements of the Unified Development Ordinance
Motion made by Cindy Bray, Ethel Coble seconded, followed by unanimous consent.
3. Conditions as recommended by Staff
 1. Type A vegetative Screen near the vegetative buffer for Loves Creek Tributary 1;
 2. Type C Screen along West 3rd Street;
 3. Conditional Use Permit is for one special event only;
 4. The special event must close by 11:00 p.m.;
 5. Safety barrier must be installed around the existing loading/unloading ramp;
 6. All demolition debris must be removed from the site;
 7. Obtain Town electrical permit for power connections;
 8. Set up a Town water account for water connection;
 9. Make arrangement with the Town waste water treatment plant to dispose of waste water; and
 10. Prior to site work applicant must submit an engineer/surveyor approved:
 - a. Major site plan for review;
 - b. construction details;*Motion made by Harold Hart, Mickey Pore seconded, followed by unanimous consent.*
4. The permit is recommended for approval with conditions
Motion made by Cindy Bray, Harold Hart seconded, followed by unanimous consent

Agenda Item VI

Planning Activity Update

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

Agenda Item VII

New Business

With no further business, *motion made by Harold Hart, Cindy Bray seconded, followed by unanimous consent for adjournment at 7:50 p.m.*


Ethel Coble, Vice Chair

ATTEST

Dee Lee Thompkins, Recording Secretary