

Planning Board Meeting Minutes
January 12, 1998

The Siler City Planning Board met on Monday, January 12, 1998 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:00 p.m. and Arnold Headen gave the invocation. Minutes of the December 8, 1997 meeting were unanimously approved by a motion from Roger Hinshaw and seconded by Joyce Siler .

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Joyce Siler
Roger Hinshaw
Leota B. Thompson,
Pat Lowman, Alternate
Steve Frazier, Alternate

Members Absent

James Edwards
James Patterson

Staff Present

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

Town Board Present

Charles Turner, Mayor Pro Tem
Helen Buckner, Town Commissioner
Sam Adams, Town Commissioner

BUSINESS SESSION

Agenda Item IV

Unified Development Ordinance - Text Amendment
A. Conditional Use District Rezoning

Joel Hunnicutt, Chairman, stated a joint public hearing was held on January 5, 1998, at the Town Board of Commissioners. The meeting concerned a proposed text amendment of the Town of Siler City Unified Development Ordinance. At the hearing there was no public comment.

Bernard Rogers, Planning Director, and William Morgan, Town Attorney, reviewed the proposed text amendment as follows:

§ 130
Conditional-Use Districts

- (a) The following conditional-use districts are hereby established: R-6-C, R-10-C, R-20-C, A-R-C, C-C-C, H-C-C, O-I-C, L-I-C, H-I-C, B-1-C, PUD-C.
- (b) Each district listed above in Subsection (a) is identical to its corresponding district found in Sections 125-128 of this Article except that a conditional-use permit is required as a prerequisite to any use or development, as provided for in Part II of Article XX.

Section II. That Article XX be amended to include Sections 327 through 335 as follows:

Part II. Conditional-Use District Rezoning

§ 327

Application Procedures

(a) In order to rezone a parcel of land to a conditional use district, an application must be submitted requesting rezoning to a conditional use district. The procedures and requirements for submittal of the application shall be the same as those specified in Section 314 of this Article.

(b) A conditional use permit application must accompany any request for conditional use district rezoning. The application shall be submitted to the Administrator and include information required generally of conditional use permit applications as set forth in section 44-47 of this Ordinance.

(c) The administrator may authorize deviations in the submittal requirements avoid duplications or may provide for one application that requires all of the information formally required for the zoning and conditional use permits.

(d) Both applications shall proceed simultaneously through the review process.

§ 328

Site Plan Required

(a) Every petition for the reclassification of property to a conditional use district shall be accompanied by a site plan, drawn to scale and all necessary supporting text as listed in Appendix A for all site plans required by this Ordinance. The Planning Board shall review the site plan to determine compliance with this Ordinance and all applicable regulations within the Siler City planning jurisdiction.

§ 329

Planning Board Review

The Planning Board shall review the application(s) and shall submit to the Board of Commissioners written recommendations on both the rezoning and conditional use permit applications.

§ 330

Action by the Board of Commissioners

(a) The Board of Commissioners shall simultaneously conduct a public hearing on the rezoning and conditional use permit application, in accordance with the procedures applicable to conditional use permit applications generally. (See Section 91-96)

(b) The notice required for such hearing shall be sufficient to comply with that required for both rezoning and conditional use permit applications.

(c) If the Board of Commissioners concludes, in the exercise of its legislative discretion, that the proposed rezoning would not be consistent with the public health, safety, or welfare, it may deny the application in accordance with the same procedures applicable to any ordinance amendment request.

(d) The Board of Commissioners may not approve the rezoning application unless it simultaneously approves a conditional use permit, in accordance with Section 50 of this Ordinance, subject to any reasonable conditions and requirements as set forth in Section 55.

§ 331

Effect of Approval

(a) Only those uses and structures indicated in the approved permit and site plan and shall be allowed within the conditional use district. Development in the district shall comply with all provisions of and conditions to the approved permit and site plan. Following the approval of the petition, the subject property shall be identified on the Zoning Maps by the appropriate district designation.

§ 332

Changes in Use

(a) Minor changes in the detail of the approved permit or site plan which will not alter the basic relationship of the proposed development to surrounding properties, to the standards and requirements of this Ordinance or to any conditions attached to the permit may be approved by the Zoning Enforcement Officer without going through the amendment process. The Zoning Enforcement Officer shall forward any application for major changes in detail to the site plan to the Planning Board and Board of Commissioners for their consideration as an amendment to the conditional use permit.

(b) Requested changes in use following rezoning and issuance of a conditional use permit shall be treated and processed as a new conditional use permit application. However, recognizing that the rezoning was effectuated based on the first permitted use only, there shall be a rebuttable presumption that the proposed new use will materially endanger the public health and safety and substantially injure the value of adjoining or abutting property. The change in use will therefore be authorized only by the applicant's rebuttal of said presumption by clear and convincing evidence, as well as establishing all other requirements of this ordinance applicable to conditional use permits generally.

§ 333

Revocation of a Conditional- Use Permit

(a) It is intended that property shall be reclassified to a conditional use district only in light of firm plans to develop the property. Therefore, the conditional use permit shall expire after two (2) years as provide in Section 58 of this Ordinance. If a conditional use permit is revoked, the Board of Commissioners shall begin the process to rezone the property to an appropriate general use district. The owner of the property or his duly appointed representative, may petition for a new conditional use permit under the procedures outlined in this section.

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Discussion

Joel Hunnicutt asked if there were any questions, if not, he would obtain a motion.

Joyce Siler made a motion to recommend to the Town Board for a text amendment of the Unified Development Ordinance. Leota Thompson seconded and majority approved and recommendation for approval to be heard at the Town Board Meeting on February 2, 1998

Project Update

Bernard Rogers introduced Kaye Graybeal, DSAntlantic Historic Resource Specialist who is going to be giving an informative presentation on National Register Nominations for the Town.

Ms. Graybeal explained the Town is requesting the nomination of its downtown area and homes on East Raleigh Street and East Fourth Street. She reported that effective January 1, 1998, taxpayers who receive the federal income tax credit for rehabilitating certified historic structures are allowed to take as a credit against North Carolina income taxes an amount equal to 20% of rehabilitation expenditures in addition to the existing 20% federal credit for a total of 40%. She also explained effective January 1, 1998, a building that is listed in the National Register or is a contributing building in a National Register historic district may be eligible for a 30% state income investment tax credit claimed against the costs of a qualified rehabilitation of the building. This credit applies only to nonincome-producing properties, including owner-occupied residential properties.

She reported the Town of Siler City retains several historically and architecturally significant individual resources and groups of resources that deserve recognition and protection. National Register listing can afford these benefits to designated properties. Nomination to the Register can heighten awareness of the significance of a property or area, and the thorough documentation is permanently filed at the State Historic Preservation office in Raleigh and with the National Park Service in Washington, DC. As far as protection, the potential effects on the property are reviewed if a Federally funded project, such as road or civic building construction will affect the property. If negative impacts are potential, then the government must find an alternative location for the project. Nomination does afford review of any local or private undertakings. In other words, changes undertaken by the owner are not reviewed or restricted.

The properties being nominated are:

- The Central Business District
- The East Raleigh Street neighborhood
- The Third Street neighborhood
- City Hall
- Cad N. Bray House
- Snipes-Fox House
- The Boling Company Building
- The Siler City High School

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She explained there are several criteria and areas of significance under which these resources are eligible for National Register Listing. All resources are significant in the area of architecture. To quote the National Register Criteria: *they embody the distinctive characteristics of a type, method of construction, or that poseses high artistic values or as in the case of the district, that represent a significant and distinguishable entity whose components may lack individual distinction.*

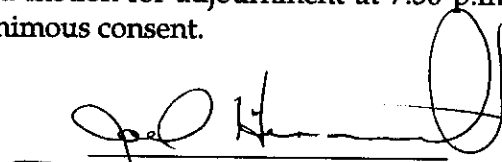
She stated the historic neighborhoods are also significant in the area of Community Development, because they exhibit the historic pattern of development which manifested in the emergence of suburban neighborhoods across the country in the early 20th century.

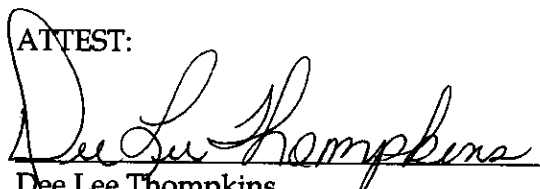
Ms. Graybeal gave a slide presentation of area homes of East Raleigh and East Fourth Street. She also gave a brief overview of more recent history of the development of Siler City.

New Business

Joel Hunnicutt welcomed Steve Frazier to the Board and explained he would be filling Leota Thompson's alternate seat.

With no further business, Joyce Siler made a motion for adjournment at 7:50 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
April 13, 1998**

The Siler City Planning Board met on Monday, April 13, 1998 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:00 p.m. and gave the invocation. Minutes of the January 12, 1998 meeting were unanimously approved by a motion from Leota Thompson and seconded by Roger Hinshaw .

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Roger Hinshaw
Leota B. Thompson
James Patterson
Pat Lowman
Steve Frazier, Alternate
John Brown, Alternate

Members Absent

Joyce Siler

Staff Present

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

Town Board Present

Alexander Graves, Town Commissioner
Sam Adams, Town Commissioner

BUSINESS SESSION

Agenda Item IV

A. Final Plat Review

CUP-002-94 - Autumn Estates - Owen Ventures

Bernard Rogers, Planning Director reported Owen Ventures is requesting final plat approval for first phase of Autumn Estates manufactured home development. The first phase will create 69 lots of the proposed 134 lots subdivision. The site is located adjacent to and north of Loves Creek Mobile Home Park off of Alston Bridge Road.

The original conditional use permit was approved at the October 19, 1994, Town Board meeting. The CUP authorized the applicant to proceed with physical improvements to the land. Owen Ventures has completed its streets and installed water and sewer lines for the first phase of the development. The Town's Public Works Director has approved these improvements. The CUP was approved with the conditions that the restrictive covenants will be recorded and a 30,000 foot minipark would be constructed. The restrictive covenants can not be recorded till Owen Ventures has final plat approval and the minipark will be constructed in phase three of the subdivision. Final plat approval will permit Owen Ventures to sell lots.

Staff recommends final plat approval for Autumn Estates with the conditions that the restrictive covenants be recorded and the minipark be designated on plat prior to final approval. A recommendation to the Town Board is in order.

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Discussion

Joel Hunnicutt asked Mr. Hudson if there was anything he wanted to add.

Mr. Hudson stated they wanted to change the name of Pony Farm Road to Autumn Estates Road or Street. He also noted the restrictive covenants were at his lawyer's office waiting to be recorded.

Steve Frazier asked if the board had reviewed the restrictive covenant?

Mr. Rogers explained they were the same covenants Mr. Evans drafted, who was the original developer. He reviewed the covenants with the board.

Mr. Frazier asked if they were going to allow fencing and utility building and if so, what type?

Mr. Hudson explained it would depend on the homeowner since these lots are being purchased.

Joel Hunnicutt asked if there were any questions or discussion, if not, he would obtain a motion for recommendation with Mr. Rogers conditions to the Town Board. Roger Hinshaw made the motion and Leota Thompson seconded. Majority approved and a recommendation for approval is to be heard at the Town Board Meeting.

Agenda Item V

A. Conditional Use Permit Request/Preliminary Plat Review CUP-002-98 - Mr. Richard Fox

Mr. Rogers reported Richard Fox requests to subdivide a 2.952 acre parcel , thus creating six single-family housing sites. The site is located on the southeast corner of the South Chatham Avenue and Olympia Street intersection. Mr. Fox's application, dated February 10, 1998 was reviewed and deemed complete by staff. The applicants response to the required findings is attached. A public hearing was conducted on April 6, 1998, to hear public concerns. There were no public comments recorded in regard to Mr. Fox's request.

Mr. Fox's preliminary site plan has been reviewed. The site plan 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 extend the town's water line to the proposed development. Upon review of Mr. Fox's site plan, Terry Green, Public Works Director, feels that the lots will be adequately served.

The planning staff recommends the approval of Mr. Fox's request for a conditional use permit. 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.

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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, Pat Lowman seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by Arnold Headen, James Patterson seconded, and majority approved.
- Consideration of proposed conditions - no proposed conditions
- Granting the application - application is granted
Motion made by Roger Hinshaw, Leota Thompson seconded, and majority approved.

Recommendation for approval to the Town Board.

Agenda Item VI

A. Rezoning Request/Zoning Map Amendments REZ-001-98 - Brewer Realty and Insurance Company

Mr. Rogers reported Brewer Realty and Insurance Company requests to rezone a 26 acre parcel of land from Light-Industrial to Agricultural-Residential. The site is located on the east side of North Chatham Avenue/Hamp Stone Road and across from Country Living Mobile Home Village. A public hearing was conducted on April 6, 1998. There was no public comment regarding this request.

The requested rezoning is compatible with adjacent zoning and is in line with the residential nature of the existing area. The attached map illustrates the residential zoning and uses which surround the property.

In order to maintain sound, stable, and desirable development within the planning jurisdiction of Siler City, it is intended that this 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

The staff recommends approval of the rezoning request. 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

Steve Frazier expressed concerns about a large pit that was on the property.

Mr. Rogers explained that on a rezoning application we just look at the zoning of the property. At this point the applicant has not brought in a proposal for the development of the property and when they do is when we would look at what is on the property.

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

- Compliance with the ordinance intent - The application is in compliance with the above intent of the Unified Development Ordinance.

Motion made by Roger Hinshaw, James Patterson seconded, and majority approved.

- Granting the application - The application is granted.

Motion made by Arnold Headen, Leota Thompson seconded, and majority approved.

Recommendation for approval to the Town Board.

Agenda Item VII

Project Update

Mr. Rogers asked if anyone had any questions about their project update.

Joel Hunnicutt questioned when renovation would begin on Paul Braxton School.

Mr. Rogers stated he had been contacted about an extension on their conditional use permit because it expires in May and they would like to extend it six more months. They have submitted construction plans to be reviewed, but he does not know the status of them with the Building Inspector.

Agenda Item VIII

New Business

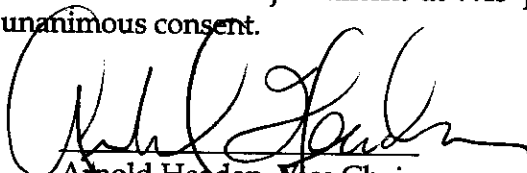
Mr. Rogers informed the board the North Carolina Chapter America Planning Associations Conference will be held May 20 & 21 in Greensboro. Deadline for registration is May 5, if anyone would like to attend to please let him know.

Joel Hunnicutt welcomed John Brown to the Board and explained he would be filling Pat Lowman's alternate seat.


Steve Frazier asked if the town has any regulations concerning safe rental property in Siler City to assist renters.

Mr. Rogers explained our ordinance does have a minimum housing code and the Building Inspector can do inspections to see if the property complies with the ordinance.

With no further business, Roger Hinshaw made a motion for adjournment at 7:45 p.m., a second from James Patterson, and followed by unanimous consent.


Arnold Headen, Vice Chairman

ATTEST:


Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
May 11, 1998**

The Siler City Planning Board met on Monday, May 11, 1998 at 7:00 p.m. in the Siler City Court Room at City Hall. Arnold Headen, Vice Chairman, called the meeting to order at 7:00 p.m. and gave the invocation. Minutes of the April 13, 1998 meeting were unanimously approved by a motion from Leota Thompson and seconded by Pat Lowman.

Members Present

Arnold Headen, Vice Chairman
Joyce Siler
Leota B. Thompson
James Patterson
Pat Lowman
Steve Frazier, Alternate
John Brown, Alternate

Members Absent

Joel Hunnicutt, Chairman
Roger Hinshaw

Staff Present

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

Town Board Present

Sam Adams, Town Commissioner

BUSINESS SESSION

Agenda Item IV

A. Watershed Protection Ordinance Revision

Bernard Rogers, Planning Director, reported a public hearing was conducted May 4, 1998 to receive public comments. Some of the comments were:

Karl Ernst (711 Red Oak Drive) stated concerns about the lowering of the buffer for perennial waters from 100' to 30'. Mr. Ernst also wanted to know if this is a requirement or a recommendation by the Division of Water Quality. Mr. Ernst's concerns were caused by a misstatement of proposed changes to subsection 304 (A). There is no change in the required buffering of perennial waters. However, there is the deletion of a regulation which does not apply to the Town.

Mayor Earl Fitts (807 Driftwood Drive) wanted to know why subsection 307 (A) & (B) were deleted. The Mayor's concern was addressed by Brent McDonald of the NC Division of Water Quality. Mr. McDonald stated during a phone conversation, that subsections 307 (A) & (B) are optional changes. Subsection 307 (A) & (B) are in line with the spirit and intent of subsection 113(e) of the Town's Unified Development Ordinance.

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The North Carolina Division of Water Quality has required the Town to revise its Water Supply Watershed Protection Ordinance to meet the states most recently adopted (1995) standard.

The Town adopted a similar ordinance in 1993 due to the Water Supply Watershed Protection Act. This Act called for mandatory minimum statewide watershed protection requirements for all surface water used as a source for raw drinking water. The area, which includes a total of 2,258 acres north to the Towns corporate limits, is limited with regard to density and type of development permitted.

Major changes to the ordinance include more liberal density standards and a more streamlined review process.

The staff recommends approval of all revisions with the exception of subsections 307 (A) & (B). **A recommendation to the Town Board is requested.**

Discussion

Steve Frazier stated he was opposed to increasing 70% of the amount that can be developed. He feels we need to keep the watershed just as clear and clean as we can.

Mr. Rogers explained the revisions will not allow a person to develop 100% of their lot. The highest they can go is 70% but only 5% of the total balance of the watershed can be develop to that 70%. The revision will allow 10% of the balance of the watershed to be develop to 70% instead of the 5%.

Mr. Frazier wanted to know if 70% is what has always been allowed and would the revisions allow 10% instead of 5% of the total watershed area to be developed.

Mr. Rogers said that was correct.

Mr. Frazier stated he was still opposed to the revisions.

James Patterson asked how much area of the watershed has been developed.

Mr. Rogers explained there is 2,258 acres in the watershed. Most of the property is zoned Agricultural-Residential, with a portion zoned Industrial. There is a couple of subdivisions but they meet the watershed requirements. The total watershed area is sparsely populated.

Arnold Headen asked for a motion to recommend the revisions with the exception of subsections 307 (A) & (B) to the Watershed Protection Ordinance. Joyce Siler made the motion and Leota Thompson seconded. Four members approved with Steve Frazier and James Patterson voted in opposition. A recommendation for approval is to be heard at the Town Board Meeting on June 1, 1998.

Agenda Item V

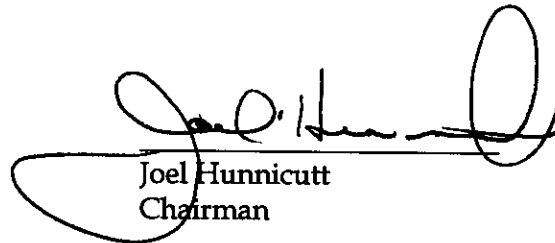
A. Mr. R. Christopher Sinclair - Manufactured Housing Institute

Arnold Headen introduced Mr. Christopher Sinclair, Director of Government Affairs with the North Carolina Manufactured Housing Institute.

Mr. Sinclair gave a brief overview and slide presentation on manufactured housing.

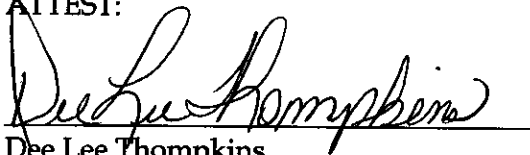
New Business

With no new business, Steve Frazier made a motion for adjournment at 7:55 p.m., a second from Joyce Siler, and followed by unanimous consent.



Joel Hunnicutt
Chairman

ATTEST:



Dee Lee Thompkins
Recording Secretary

**Planning Board Meeting Minutes
June 8, 1998**

The Siler City Planning Board met on Monday, June 8, 1998 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:00 p.m. and Joyce Siler gave the invocation. Mr. Hunnicutt noted a correction of the May 11, 1998 meeting, on page two in the third paragraph of discussion. It should read *Steve Frazier wanted to know if 70% is what has always been allowed and would the revisions allow 10% instead of 5% of the total watershed area to be developed.* With the correction noted, the minutes were unanimously approved upon a motion by James Patterson and a second by Joyce Siler.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Joyce Siler
Roger Hinshaw
Leota B. Thompson
James Patterson
Pat Lowman
Steve Frazier, Alternate
John Brown, Alternate

Staff Present

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

Town Board Present

Earl B. Fitts, Mayor

BUSINESS SESSION

Agenda Item IV

**A. Conditional Use Permit Request/Preliminary Plat Review
CUP-004-98 - Sunrise Hotel, Inc.**

Bernard Rogers, Planning Director, reported Sunrise Hotel, Inc., requests a conditional use permit in order to construct a Days Inn, 50 rooms bed and breakfast hotel with an outdoor swimming pool. The 1.5 acre parcel is zoned Highway-Commercial and is located adjacent to Chatham Square Shopping Center. The application, dated May 11, 1998 was reviewed and deemed complete by staff. A public hearing was conducted on June 1, 1998, to hear public concerns. Before you is an unofficial copy of the minutes from the public hearing. Also you have a copy of Mr. Arvind Maheshwari speech from the public hearing in your agenda.

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The applicant's preliminary site plan has been reviewed. The site plan complies with all density and dimensional requirements of the Siler City Unified Development Ordinance. The applicants has addressed all screening and parking requirements.

The site is currently served by sanitary water and sewer service. Upon review of the site plan, Terry Green, Public Works Director, feels that the lot will be adequately served.

I spoke with Mr. Will Gardner with North Carolina Department of Transportation, in regards to the impact this development would have on the shopping center. He stated there would be an impact because there is no traffic signal at the entrance but it's only a minor impact because there is a turn lane.

The planning staff recommends the approval of applicant request for a conditional use permit. Pursuant to approval of site drainage by Hobbs, Upchurch and Associates. You may agree with staff's recommendation or propose your own recommendation and conditions. **A recommendation to the Town Board is requested.**

Discussion

Mr. Hunnicutt asked Mr. Arvind Maheshwari to address the board.

Mr. Maheshwari explained he was the President of Sunrise Hotel, Inc. a newly formed North Carolina corporation to pursue the development of a 50 room Days Inn in Siler City. The franchise rights from Days Inn have already been secured to develop this hotel. The construction of the hotel will not only meet North Carolina Building Codes but will also be required to meet or exceed Days Inn national standards. The proposed hotel should provide 15 persons with employment and add 1.5 million to the tax base.

James Patterson stated he had attended the public hearing and there were some concerns raised about a fence and wondered if they would be able to meet this requirement.

Mr. Maheshwari responded that he did not feel like this would be a problem and that he would be asking for input from the church with regards to a vegetative buffer.

Steve Frazier wanted to know in regards to the pool, if they will have a time at night that it will be closed and do children under a certain age have to be accompanied by an adult.

Mr. Maheshwari explained that the pool was a big responsibility and safety of the pool will affect their insurance. He stated the pool will be 5' deep and will be locked after 10:00 p.m. and will be located behind the registration office which has windows and someone will always be there and to keep an eye on the area. Also, the entrance to the pool area will have a lock on it and a child would have to be 48" tall to unlock.

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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 Roger Hinshaw, Leota Thompson seconded, and majority approved.
- Compliance with the ordinance requirements - application complies with all applicable requirements of Unified Development Ordinance.
Motion made by Joyce Siler, James Patterson seconded, and majority approved.
- Consideration of proposed conditions - upon approval of site drainage by Hobbs, Upchurch and Associates.
Motion made by Roger Hinshaw, James Patterson seconded, and majority approved.
- Granting the application - **application is granted**, subject to the condition agreed upon.
Motion made by Roger Hinshaw, Leota Thompson seconded, and majority approved.

Recommendation for approval to the Town Board.

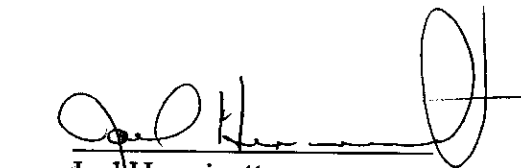
Agenda Item V

New Business

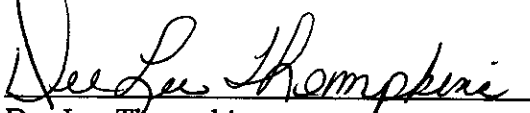
Mr. Rogers informed the board they would be nominating a chairman and vice chairman at the July meeting .

Joel Hunnicutt and Mayor Earl Fitts presented Joyce Siler with a plaque of appreciation for eight years of faithful service to the board and town.

With no new business, Roger Hinshaw made a motion for adjournment at 7:27 p.m., a second from Joyce Siler, and followed by unanimous consent.


Joel Hunnicutt
Chairman

ATTEST:


Dee Lee Thompkins
Recording Secretary

Planning Board Meeting Minutes July 13, 1998

The Siler City Planning Board met on Monday, July 13, 1998 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:00 p.m. and James Patterson gave the invocation. Minutes of the June 8, 1998 meeting were unanimously approved by a motion from Arnold Headen and seconded by Leota Thompson.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
James Patterson
Leota B. Thompson
Pat Lowman
Jimmy Pugh
Steve Frazier, Alternate

Members Absent

Roger Hinshaw
John Brown, Alternate

Staff Present

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

Town Board Present

Earl Fitts, Mayor
Sam Adams, Town Commissioner
Robert Siler, Town Commissioner
Guy Smith, Town Commissioner

BUSINESS SESSION

Agenda Item V

A. Rezoning Request/Zoning Map Amendment REZ-003-98 - Lodestar Properties, Inc.

Bernard Rogers, Planning Director, reported Lodestar Properties, Inc. requests to rezone a 36 acre parcel of land from Agricultural-Residential (A-R) to Highway-Commercial (H-C). The site is located at the southeast quadrant of the Hwy. 421 and 64 intersection. A public hearing was conducted on June 29, 1998. The following comments were recorded:

Joe Looney - (Lodestar President, Davidson, NC) who asked for the Town's favorable consideration of the rezoning request. He stated that his company is interested in constructing a shopping center anchored by a "superstore" which may produce approximately 300 jobs, \$2.5 million in sales tax receipts, and \$100,00 in yearly property tax revenues.

Virginia Leviner (64 Pearlman Teague Road, City) inquired how many shops would be available in the center and if they had any specific names of possible tenants. Mr. Looney responded that Phase I would produce, in addition to the anchor store, two rows of shops totaling approximately 28- to 29,000 square feet of retail space. Mrs. Leviner noted that Siler City already has several shopping centers with vacant space available for retailers and wondered if the Town really needs an additional retail complex.

Marion G. Wren (14150 US 64 West, City) asked for a specific location for the shopping center. Mr. Looney stated the property extends approximately 1,200 feet from the intersection of Highways 64 and 421. The Wren property starts about 1,200 to 1,400 feet from the same intersection. Therefore, the center will not be directly across from her residence.

The staff recommends approval of the rezoning request. A recommendation to the Town Board is requested.

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Discussion

Joel Hunnicutt informed the Board members they have in front of them a letter from Chatham Investors, Inc., supporting the rezoning and he had also received a letter from Linda and Henry Smith who live directly in front of the property and stating they have no objection to the rezoning. He then directed the Board to their rezoning worksheet and explained in order to maintain sound, stable and desirable development within the planning jurisdiction of Siler City, it is intended that this 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 purposes of the adopted Siler City Land Development Plan.* Mr. Hunnicutt stated he personally feels the land use in this particular area has been Highway-Commercial. It is now zoned Agricultural-Residential and he does not see that is suitable for any type of agricultural or residential use. He asked the Board if there were any other comments or questions regarding the rezoning. With no further discussion he asked for a motion to either granted or deny the application. Steve Frazier made a motion to recommend to the Town Board approval of the rezoning request. James Patterson seconded with majority approved.

Agenda Item VI

A. Conditional Use Permit Request/Preliminary Plat Review CUP-003-98 - Earnest E. and Shirley D. Suits

Planning Director Bernard Rogers reported Earnest E. and Shirley D. Suits request a conditional use permit in order to develop a manufactured home community on a 170 acre tract of land. The property is zoned Agricultural-Residential which normally requires a minimum lot size of 40,000 square feet. However, the Town's Manufactured Home Community Ordinance permits 10,000 square foot lots for manufactured home communities. Mr. and Mrs. Suits propose to develop 449 rental lots in 11 phases. The site is located on Alston Bridge Road between Autumn Estates Drive and 421 By-pass. Sanitary sewer and water service will be extended throughout the development and dedicated to the Town for maintenance. The applicants are also requesting voluntary annexation. Therefore, the applicants request all streets within the development be dedicated to the Town for maintenance.

A joint public hearing was conducted on June 29, 1998, and the following comments were recorded.

J. Samuel Williams (95 Pinewood Dr., City), attorney for the Suits, who stated that the proposed park is "a need and necessity for providing affordable housing under controlled and safe circumstances". Phase I will create 60 or less spaces and is planned for the northeast section of the site. Road construction will be completed according to Town specifications. The area has access to Town water and sewer, and a private contractor will provide garbage collection. The park will maintain several natural areas of greenery, and several mini-parks will be provided. Mr. Williams indicated that Mr. and Mrs. Suits have spent much time, money and effort in developing the plans for Hampton Village. In fact, they acquired the services of an independent engineer to conduct traffic surveys on South Second Avenue and Alston Bridge Road. As read by Mr. Williams, the report indicates "the existing highway system currently providing access to the site is more than adequate to serve the traveling public and no improvements are required to improve highway capacity due to" the construction of the manufactured home park. In addition, the report also states "the existing highway system that serves the area will not be impacted to a significant degree by the proposed development. No additional lanes or traffic signals are" needed and the public "should not experience . . . congestion through a ten-year period." Mr. Williams discussed the possible impact on surrounding property values. He stated that the surrounding land values "have already been impacted" due to an existing mobile home park and other manufactured homes in the area. He further stated that the addition of Mr. Suits' housing park would not significantly affect the adjoining property owners' land values. Under the Town's *Unified Development Ordinance*, the proposed park is in harmony with the area and conforms to the Land Use Plan.

Mr. Williams indicated that the management will screen all applicants (criminal investigation checks) and will enforce a strict code of regulations. "*Community Rules & Regulations*" have been developed and will be a part of the Resident Lease Agreement which will be signed by all renters. Concerning tax revenues, Mr. Williams stated that although it is currently unknown how much additional tax revenue will be produced by the park if annexed, he emphasized that the amount will certainly be more than is currently being generated.

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Kevin Bisby, (Barbara H. Mulkey Engineering Inc. of Raleigh, 559 Jones Franklin Road), was retained by the Suits to perform independent traffic studies to determine what impact, if any, the proposed 449 manufactured homes would have on the surrounding transportation system. He stated that "tube counts" were conducted at various times on Alston Bridge Road. His results indicate a "B" level of service, or "very good" on that roadway. (As stated in his written report and according to the *Highway Capacity Manual, Transportation Research Board Special Report*, "Level of Service for a two-lane highway is defined in terms of percent time delay". There are six levels categorized "A" through "F" with "A" being the optimum class.) A three-percent projected growth rate of the proposed development over a ten-year period was applied, and his firm concluded that the "level of service" would decline to a "C". The study included an analysis of the Alston Bridge Road and Autumn Estates Drive intersection over a ten-year period and, once again, the conclusion placed the "level of service" at "B". Mr. Bisby concluded that based on the report findings, "nothing" is required to improve the current highway system. In response to a question from Planning Board Chairman Hunnicutt concerning traffic flow patterns to and from shopping and educational centers from the area of Alston Bridge Road, especially "South Sixth Avenue", Mr. Bisby admitted that his study only included the immediate area of the proposed park. He confirmed the study focused halfway between South Second Avenue and Autumn Estates Drive.

Diane Stokes (395 Bill Thomas Road, Moncure, NC), a real estate appraiser, was asked by Mr. Suits to study the proposed development area and assess its affect on surrounding property values. Her conclusion is that the creation of Hampton Village will not have a significant affect. She concluded that the area is already impacted by the existence of Loves Creek Mobile Home Park. She also indicated that there is a huge need in Chatham County for "affordable housing", and that "it is good to have those parks in one area" of town.

In response to a question from Planning Board Member Steve Frazier, Eddie Suits (developer) affirmed that the park will contain "rented spaces" only. Persons wishing to reside in Hampton Village will buy their own home. Commissioner Helen Buckner asked how the management planned to control the number of people living in each home. Mr. Suits responded that the residence regulations will allow four people in a two-bedroom unit and five people in a three-bedroom home. Commissioner Sam Adams inquired if these strict rules "follow the property" after a change of ownership. In response, Mr. Suits said that the rules could be changed at any time. Attorney Williams said that the rules are an addendum to each lease.

Concerning recreational and vegetative areas, Mr. Suits noted that the existing pond on the property will be eliminated. Six mini-parks are scheduled for construction. Several "green" areas are indicated on the plat, and Mr. Suits noted these natural areas will be maintained if possible.

Susan Quinn (4007 Alston Bridge Road, City) said that she first believed "Autumn Estates Drive" would connect with either Highway 64 or South Second Avenue Extension. Now, she fears that the road's intersection with Alston Bridge Road, in the vicinity of a hazardous curve, will be the only entrance to the Autumn Estates and Hampton Village developments. Her major concern with Mr. Suits' proposal is the lack of at least one more additional access to the development from another street to ease traffic flow. She noted that emergency vehicles may have difficulty maneuvering the turn onto Autumn Estates Drive and into the park. In response, Mr. Suits pointed out that there are two proposed entrances to the park—one on Autumn Estates Drive and the other on Alston Bridge Road. The "emergency response" factor was deemed adequate by Town staff per UDO regulations.

Mrs. Quinn also asked if water and sewer utility lines would extend to Alston Bridge Road. Mr. Suits stated that the lines would extend "partially up" Autumn Estates Drive and be located throughout the development.

Paul G. Braxton (owner - 3853 Alston Bridge Road, City; resides in Summerfield) inherited the property on Alston Bridge Road from his father, Paul Braxton, a former Siler City principal and well-known community figure. He asked for a more specific description of the term "significant impact" and emphatically noted that with the addition of 450 manufactured homes across the road, he cannot accept the statement from the appraiser that his property value will not decrease. Attorney Williams issued a vague response by indicating "certified appraisers" have the responsibility of making these property value determinations. Mr. Braxton then asked Mr. Suits what segment of the market is being targeted with the development. In response, Mr. Suits noted that rental fees for singlewide homes will be \$130 per month while renters with doublewide homes will be charged \$145. Mr. Suits was then asked who would be responsible for enforcing the rules outlined in the lease agreement. Mr. Suits introduced his wife and four children, noting that all are a part of the family-owned business and would be involved in enforcement of park regulations. In closing, Mr. Braxton emphasized that he was against the development of Hampton Village. He noted that he can not accept the fact that its construction will not have an additional impact on surrounding properties.

Planning Board Minutes

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Page four

Lavernia Harris (3766 Alston Bridge Road, City), noting the presence of Loves Creek and Autumn Estates, expressed concern for increased traffic in the neighborhood. She indicated that she purposely moved to Alston Bridge Road for the "rural" atmosphere and expressed that she would not feel "comfortable" having a manufactured home park located so close to her property, saying that "people confiscate things." She closed her remarks by stating, "I am against it" and stated her belief that the park will devalue the surrounding properties.

W.C. Carnes (1710 E. 11th Street, City) congratulated Mr. Suits for his planned development. He stated that the targeted area is already impacted and that Hampton Village "may enhance" his property.

Butch Hudson (108 Hudson Road, City) expressed misgivings with the proposed manufactured home park and stated that "traffic" and "property valuation" are his two main concerns. In reference to his Autumn Estates development, he noted that his company has delayed processing loans and deeds pending action by the Town on the Suits proposal, indicating that Owen Ventures, Inc. may decide to change their subdivision into a "139-space mobile home park" simply by following the rules of the *Unified Development Ordinance*. He reminded the Town and Planning Boards that they may place conditions on the CUP such as turning lanes on Alston Bridge Road and buffers along adjoining property lines. Noting the immensity of the proposed project, he indicated that it would devalue property. He reminded the audience that Autumn Estates Drive was constructed according to State specifications to accommodate his 139-lot subdivision but indicated that the drive may not be able to handle another 449 home sites. Noting that the school system is very interested in completing Autumn Estates Drive (a.k.a. Pony Farm Road) as part of a loop to connect Highway 64 with South Second Avenue (near the new Chatham Middle School), he offered the Town 3,200 feet of completed roadway to finish the route. He closed by saying he was reserving his opinion on the proposed development pending the recommendation of the Planning Board. According to Mr. Hudson, their decision will affect the future use of the Autumn Estates development.

Diane Price (3844 Alston Bridge Road, City) has lived in the community since 1975. She stated that she enjoyed the tranquillity and pastoral nature of the area and is, therefore, against the development of another mobile home park.

Mr. and Mrs. Suits' application is complete and the proposed use is in compliance with the density requirements of town ordinances. On average the applicant exceeds the minimum lot sizes, mini-park area and open space requirements of the Town's Unified Development Ordinance. All park and open area will be maintained by the applicant. The applicant has addressed concerns regarding adjacent property value and traffic impact by employing independent professionals to study these concerns. According to Diane Stokes, Real Estate Appraiser, there will be no significant decrease in property values. Ms. Stokes concluded that any effect on property value has already occurred due to existing manufactured home communities, and would not be significantly impacted by the proposed development. I have an East Carolina University study in my office which investigates the impact of manufactured housing on adjacent site-built homes. The above study concludes there is no significant impact in the areas studied.

The applicant has also addressed traffic impact. The study concludes that the proposed development will contribute to an increase in the level of service on Alston Bridge Road. The resulting level of service is "C" on a scale of A to F (A is the lowest traffic level). According to the North Carolina Department of Transportation, a "C" level of service is adequate.

Staff recommends approval of Mr. and Mrs. Suits' conditional use permit. with the following conditions:

1. Applicant must request voluntary annexation.
2. Mini-parks must be completed, prior to lease of lots within phases which include a park.
3. Applicant must obtain DOT Driveway Access Permit prior to leasing any lots.

You may agree with staff's recommendation or propose your own recommendation and conditions.

A recommendation to the Town Board is in order.

Discussion

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

- I. **Completeness of application - application was complete**
Motion made by James Patterson, Steve Frazier seconded, and majority approved.

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II. Compliance with the ordinance requirements.

Mr. Hunnicutt reviewed §55 of the Unified Development Ordinance to the Board to see if application complies with all applicable requirements of our Ordinance

The application complies with applicable requirements of the Unified Development Ordinance.

Motion made by Steve Frazier, Pat Lowman seconded, and majority approved.

III. Consideration of proposed conditions.

Joel Hunnicutt recommended to the Board to adding the conditions Mr. Rogers suggested to the CUP. He then asked for discussion on consideration of any conditions the Board would like to add to the CUP.

Mr. Pugh wanted to know how many homes would be in the first phase. Mr. Suits responded there was 28 lots in phase one, 20 lots in phase two and 22 lots in phase three and he might develop phase one, two and three together. Mr. Pugh asked if there would be any type of turning lane. Mr. Suits stated the traffic survey showed that it was not necessary. Sam Williams (Suits' Attorney) added the Department of Transportation will be addressing this issue when Mr. Suits applies for a DOT Driveway Access Permit. Mr. Rogers informed Mr. Suits that he would like for him to go ahead and apply for his DOT Driveway Access Permit as soon as possible so he would know what DOT is going to require.

Steve Frazier wanted to know if Autumn Estate Drive has been accepted by the state. Mr. Rogers stated he would be talking with the DOT tomorrow (7-14-98) but he did not know if they would be able to give him an answer then. Mr. Morgan added he had become concerned after the public hearing because there could be potential space of time when neither the town, state or developer would maintain the road as the area grows. After consulting with the staff he feels that the road should be a town street until the state takes it over. He suggested an appropriate condition would be that all streets be voluntary annexed. Joel Hunnicutt suggested that one of the conditions be, all the roads and Autumn Estate Drive be voluntary annexed.

Steve Frazier stated the developer said the streets would be build to town and state specification and he wanted to know if the town and state specifics require curb and gutter. Mr. Morgan referred Mr. Frazier to §193 of the UDO. He explained it would depend on the street classification and that is based on the number of dwelling units and trips per day and the classification would determine the specification. Joel Brower added that the town and state specification were the same. Mr. Morgan suggested with the development that is already there and with the future development that Autumn Estates Drive should be changed from subcollector to a collector classification and under our ordinance that would require upgrading the road. He stated the board could consider one of the conditions of the CUP is that the developer has to upgrade Autumn Estates Drive to collector status when a certain number of lots has been leased.

Joel Hunnicutt informed Mr. Suits that lot 54 & 55 access Alston Bridge Road and that will need to be changed. Mr. Rogers explained that under our ordinance you could not have lots directly to an arterial street.

Butch Hudson asked the Board if a buffer is required. Joel Hunnicutt responded that the UDO requires some type of buffering along Ms. Harris and the Price property. To buffer along Autumn Estates Drive and Alston Bridge Road would require it to be one of the conditions of the CUP. Steve Frazier stated if the Board require buffering along Alston Bridge it could be a safety hazard. After discussion among the members it was agreed to just require buffering along Autumn Estates Drive. Mr. Rogers explained the ordinance required either Type A- opaque screen, Type B - semi-opaque screen, or Type C - broken screen. Joel Hunnicutt and Steve Fraizer both felt like Type C would be adequate.

Joel Hunnicutt reviewed the following conditions:

- Applicant must request voluntary annexation - Autumn Estates Drive and all roads voluntary annexed.
- Mini-parks must be completed, prior to lease of lots within phases which include a park.
- Applicant must obtain DOT Driveway Access Permit prior to leasing any lots.
- Upgrade Autumn Estates Drive north to point it connect to Hampton Street to collector status at the point when 70th lot is leased.
- Lot 53 and 54 have access change to in the park.
- Type "C" buffer along Autumn Estates Drive.

Mr. Hunnicutt asked for a motion of recommendation to the Town Board with the above conditions. Steve Frazier made the motion, Leota Thompson seconded, with majority approved.

Agenda Item IV

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

Joel Hunnicutt asked for a nomination for Chairman. Arnold Headen nominated Joel Hunnicutt, Leota Thompson seconded and was unanimously approved by Board Members.

Mr. Hunnicutt asked for nomination for Vice-Chairman. Jimmy Pugh nominated Arnold Headen, Pat Lowman seconded and was unanimously approved by Board Members.

Agenda Item VII

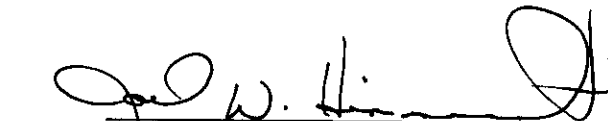
New Business

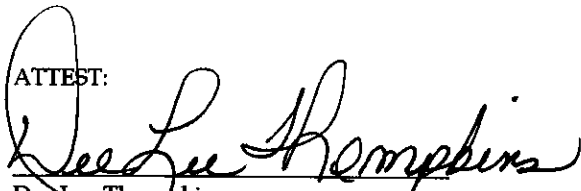
Joel Hunnicutt suggested the Town Attorney, Staff and himself work on updating the Town's Mobile Home Ordinance.

Steve Frazier suggested to Mr. Rogers to approach the Town Board to return the 400 and 500 block of Martin Luther King Boulevard to a two way street with parking on both side.

Mr. Frazier also suggested that the Town look into extending sidewalks from the 300 block of East Third Street to Eleventh Street and from the 600 block of East Raleigh Street to Eleventh Street with the increasing pedestrian traffic along this area.

With no new business, Steve Frazier made a motion for adjournment at 8:50 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 10, 1998**

The Siler City Planning Board met on Monday, August 10, 1998 at 7:55 p.m. Minutes of the July 13, 1998 meeting were unanimously approved by a motion from Steve Frazier and seconded by Leota Thompson.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Roger Hinshaw
Leota B. Thompson
Jimmie Pugh
Steve Frazier, Alternate
John Brown, Alternate

Members Absent

Pat Lowman
James Patterson

Staff Present

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

BUSINESS SESSION

Agenda Item III

A. Final Plat Review

Olympia Place - Richard Fox

Bernard Rogers reported Mr. Richard Fox is requesting final plat approval for Olympia Place Subdivision. The proposed subdivision will create six (6) single family residential sites from an existing 2.952 acre parcel. Proposed residences will be greater than 1,000 square feet in size and comprise a mix of 1, 1 1/2, and 2 story homes. The site is located on the southeast corner of the South Chatham Avenue and Olympia Street intersection.

During its May 4, 1998 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 a six inch water line and all of the lots are now served by Town water and sewer. Final plat approval will permit Mr. Fox to construct homes and sell lots.

Staff recommends final plat approval for Olympia Place.

Discussion

Mr. Hunnicutt asked for a motion of recommendation to the Town Board. Arnold Headen made the motion, Roger Hinshaw seconded, with majority approved.

Recommendation for approval to the Town Board.

Agenda Item IV

A. Rezoning Request/Zoning Map Amendment

REZ-004-98 - Precision Steel & Welding, Inc.

Bernard Rogers reported Precision Steel & Welding, Inc. requests to rezone a .574 acre parcel of land from Agricultural-Residential (A-R) to Light-Industrial (L-I). The site is located at 3173 Hamp Stone Road between Old US Hwy 421 and the Norfolk Southern Railroad corridor on the west side of Hamp Stone Road. Tax Map #8752-00-58-7785.

Adjacent property zoning and use are as follows:

- North - A-R (Church)
- South - L-I (Industrial)
- East - H-I (Industrial)
- West - L-I (Industrial)

There were no public comment regarding this request.

The requested rezoning is compatible with adjacent zoning and is in line with the light-industrial nature of the existing area. The attached map illustrates the industrial zoning and uses which surround the property.

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The staff recommends approval of the rezoning request. 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

Rick Bowers, Vice President of Precision Steel, informed the Board, Precision Steel had purchased the house and adjacent property for expansion of office space.

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

- Compliance with the ordinance intent - The application is in compliance with the above intent of the Unified Development Ordinance.
Motion made by Roger Hinshaw, Jimmy Pugh seconded, and majority approved.
- Granting the application - The application is granted.
Motion made by Jimmie Pugh, Arnold Headen seconded, and majority approved.

Recommendation for approval to the Town Board.

Agenda Item V

New Business

Mr. Hunnicutt informed everyone of concerned citizens present at tonight's meeting from Colony Street wanting to address the Board.

Several citizens expressed concerns that their neighborhood is zone R-10 which allows modular homes. There has been two recently set up in their neighborhood and they feel like they are double-wides not modulars. They also have concerns that it is affecting their property values.

Mr. Rogers explained the Town's ordinance allows manufactured homes in the A-R and R-6 zone and in R-10 it allows for modular homes. Modular homes are built to the North Carolina State Building Code which are the same standards as a site built home and a manufactured home is built to HUD standards.

Mr. Brower, Town Manager, reported that the Building Inspector has checked both of the modular homes in question and they are stamped modular units.

Mr. Hunnicutt asked Mr. Rogers to have the Building Inspector to reported back to the Planning Board on the building standards for a modular home.

A. Manufactured Home Park Ordinance

Joel Hunnicutt commented about how thorough our ordinance was after comparing ours with some of the other Towns Manufactured Home Ordinance.

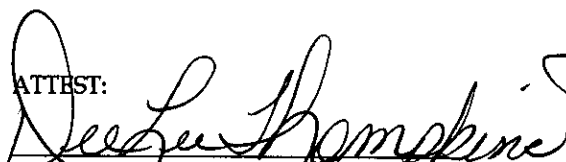
Steve Frazier suggested to have a workshop for reviewing our ordinance. Joel Hunnicutt asked Mr. Rogers to work on setting a time for such a workshop in mid-September.

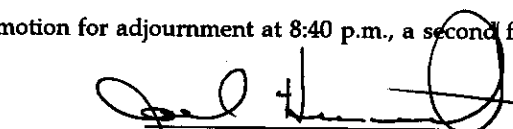
B. Other Business

Steve Frazier suggested that the Planning Board recommend to the Town Board to return the 400 and 500 block of Martin Luther King Boulevard to a two way street with parking on both sides.

With no further business, Steve Frazier made a motion for adjournment at 8:40 p.m., a second from John Brown, and followed by unanimous consent.

ATTEST:


Dee Lee Thompkins, Recording Secretary


Joel Hunnicutt, Chairman

**Planning Board Meeting Minutes
September 14, 1998**

The Siler City Planning Board met on Monday, September 14, 1998, at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:00 p.m. and Pat Lowman gave the invocation. Minutes of the August 10, 1998 meeting were unanimously approved by a motion from Roger Hinshaw and seconded by Arnold Headen.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Roger Hinshaw
Leota B. Thompson
Pat Lowman
Jimmy Pugh
Steve Frazier, Alternate

Members Absent

James Patterson
John Brown, Alternate

Staff Present

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

BUSINESS SESSION

Agenda Item IV

**Unified Development Ordinance - Text Amendment
A. Special Exception Permit**

Bernard Rogers reported a joint public hearing was conducted for this amendment during the Town Board's September 8, 1998 meeting. There were no public comments recorded. As you are aware you initiated this amendment to § 83 (d)(1) of the Unified Development Ordinance. The Special Exception Permit was added to the UDO in March 3, 1997, as an alternative to a variance. The effect of the SEP is to allow up to 50% encroachment of a residence's side setbacks. § 83 (d)(1) requires that a residence must have "existed for at least five years prior to the application for the special exception permit". The proposed amendment will reduce the above waiting period to three years.

A recommendation to the Town Board is in order.

Discussion

Joel Hunnicutt stated he personally did not like changing the ordinance everytime a situation arise, but he feels like this change would bring our ordinance more in line .

Jimmy Pugh asked what was the criteria for setting the five years.

Joel Hunnicutt responded that the discussion was *"if a developer was building a home and knew he could not meet the setbacks that he would have to wait the five years before he could apply for a special exception permit."*

Joel Hunnicutt asked if there were any more questions, if not, he would obtain a motion. Roger Hinshaw made a motion to recommend to the Town Board for a text amendment of the Unified Development Ordinance. Leota Thompson seconded and majority approved.

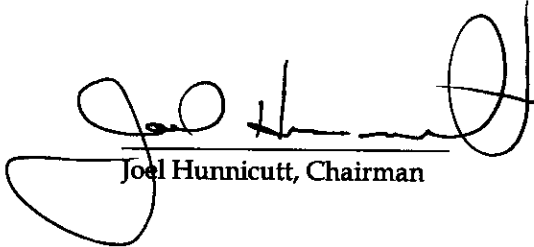
Planning Board Minutes
September 14, 1998
Page two

Agenda Item V

New Business

Joel Hunnicutt informed everyone Mr. Rogers would do his findings on building standards for modular homes during the Board of Adjustment meeting.

With no further business, Arnold Headen made a motion for adjournment at 7:05 p.m., a second from Pat Lowman, and followed by unanimous consent.



Joel Hunnicutt, Chairman

ATTEST:



Des Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
October 12, 1998**

The Siler City Planning Board met on Monday, October 12, 1998, at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:00 p.m. and Jimmy Pugh gave the invocation. Minutes of the September 14, 1998 meeting were unanimously approved by a motion from Roger Hinshaw and seconded by Leota Thompson.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Roger Hinshaw
Leota B. Thompson
Pat Lowman
Jimmy Pugh
James Patterson

Members Absent

Steve Frazier, Alternate
John Brown, Alternate

Staff Present

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

BUSINESS SESSION

Agenda Item IV

**Rezoning Request/Zoning Map Amendment
A. REZ-005-98 - Harold Hart**

Bernard Rogers reported Harold Hart requests to rezone a .939 and .917 acre parcel of land from Agricultural-Residential to Highway-Commercial. The tracts are located on the south side of Hwy. 64 between Hwy. 421 and the Town's corporate limits. A public hearing was conducted on October 5, 1998. The following comments were recorded:

Sam Williams - 95 Pinewood Drive - attorney for Mr. Hart, stated that Mr. Hart purchased the property from W.C. Carnes. Parcel A will be continually used for storage of mobile homes for future sales and Parcel B may be used in the future for parking of trucks.

W.C. Carnes PO Box 2 - stated he had no objections to the request.

The Town's Land Development Plan describes the parcels as general commercial area. According to the plan, the general commercial land classification includes land used for retail, wholesale, office and business services as well as adjoining land which would be a logical expansion of existing commercial areas. The subject parcels are a logical expansion of Mr. Hart's adjoining highway commercial property.

The staff recommends approval of the rezoning request. You have a REZ worksheet for your convenience. The worksheet will help you determine whether to deny or approve the proposed rezoning. A recommendation to the Town Board is requested.

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 amended except::

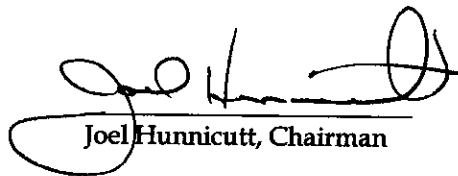
- To correct manifest error in the ordinance or zoning map; or,
 - Because of changed or changing conditions in a particular neighborhood or community as a whole; or,
 - To promote and forward the purposed of the adopted Siler City Land Development Plan
-
- Compliance with the ordinance intent - The application is in compliance with the above intent of the Unified Development Ordinance.
Motion made by James Patterson, Pat Lowman seconded, and majority approved.
 - Granting the application - The application is granted.
Motion made by Arnold Headen, Jimmy Pugh seconded, and majority approved.


Recommendation for approval to the Town Board.

Agenda Item V

New Business

With no further business, Roger Hinshaw made a motion for adjournment at 7:07 p.m., a second from James Patterson, and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:

Dee Lee Thompkins, Recording Secretary

**Planning Board Meeting Minutes
November 9, 1998**

The Siler City Planning Board met on Monday, November 9, 1998, at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:07 p.m. and gave the invocation. Minutes of October 12, 1998 meeting were unanimously approved by a motion from Roger Hinshaw and seconded by Leota Thompson.

Members Present

Joel Hunnicutt, Chairman
Arnold Headen, Vice Chairman
Roger Hinshaw
Leota B. Thompson
Jimmy Pugh
Steve Frazier, Alternate

Members Absent

James Patterson
Pat Lowman
John Brown, Alternate

Staff Present

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

BUSINESS SESSION

Agenda Item IV

**Unified Development Ordinance - Text Amendment
A. Table of Permissible Uses**

Bernard Rogers, Planning Director reported staff proposes an amendment to Article X - Permissible Uses of the Unified Development Ordinance. The amendment will define and identify airplane hangars as a permitted use on Agricultural - Residential (A-R) lots that adjoin the Siler City Municipal Airport. Amendments include a definition of "Airplane Hangars" and a new line in the "Table of Permissible Uses". The underlined text in Attachment A and Attachment B Show the Amendments as they will appear in the UDO. A joint public hearing was conducted for this amendment during the Town Board's November 2, 1998 meeting. There were no public comments recorded.

After reviewing our ordinance staff recommends hangars be permissible in Light - Industrial, Heavy - Industrial and Agricultural - Residential districts. Allowing hangars in these districts will be consistence with our ordinance regarding the location of airports. Staff recommends approval to amendment to Article X - Permissible Use of the Unified Development Ordinance. **A recommendation to the Town Board is in order.**

Discussion

Steve Frazier asked how the airport is zoned, what are other municipal airport zoned and can we control the growth around the airport with its current zoning.

Mr. Rogers responded that the airport is zoned Agricultural - Residential and there are some specific airport overlay zoning district that other municipalities might use. He stated the Airport Authority feels like the hangars are needed at the airport and will not be anymore of an impact than the airport already is on the area.

Jimmy Pugh asked how far does the adjoining property go.

Mr. Rogers explained it is just the property that adjoins a municipal airport.

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Mr. Morgan stated he anticipates the development of hangars only on lots surrounding the airport. He added the reason behind this being a permissible use item is so the Planning Director can approve or deny the request and he feels like there will not be a great demand for hangars.

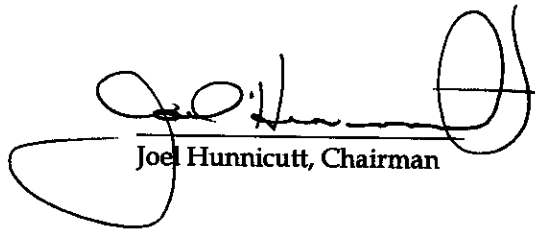
Joel Hunnicutt asked if there were any more questions or discussion, if not, he would obtain a motion for recommendation to the Town Board. Steve Frazier motioned for airplane hangars be permissible in Agricultural - Residential (A-R), Light - Industrial (L-I) and Heavy - Industrial (H-I), Roger Hinshaw seconded and majority approved.

Agenda Item V

New Business

Bernard Rogers reported for a median to be place at Sound Second Avenue and Alston Bridge Road that a request would need to be made by the Town to The Department of Transportation. They then would do a study to see if a median is warranted Mr. Rogers has informed the Public Works Director of this request.

With no further business, Steve Frazier made a motion for adjournment at 7:34 p.m., a second from Arnold Headen, and followed by unanimous consent.


Joel Hunnicutt, Chairman

ATTEST:


Dee Lee Thompkins, Recording Secretary