

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, March 20, 2017** at 7:00pm in City Hall Courtroom with Mayor John Grimes presiding. Commissioner Fadely gave the invocation with the recitation of the Pledge of Allegiance following. Mayor Grimes recited the Town of Siler City Mission Statement and Commissioner Haiges recited the Town of Siler City Vision Statement.

ELECTED TOWN OFFICIALS PRESENT: Cindy Bray, Larry Cheek, Mike Constantino, Lewis Fadely, John Grimes, Bill Haiges, Thomas "Chip" Price and Tony Siler.

TOWN STAFF PRESENT: Town Manager Bryan Thompson, Town Attorney William Morgan, Planning Director Jack Meadows, Police Chief Gary Tyson, Human Resources Director Nancy Bullins, Interim Finance Director Denise Bell, and Town Clerk Jenifer Everage.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Thompson requested the addition of the following items: Introduction of Interim Finance Director Denise Bell, Jordan-Matthews Rising Senior Ruby Ocampo under Presentations, and closed session for §143-318.11(a)(5) Employment.

A motion to approve the agenda with the additions was made by Commissioner Constantino, seconded by Mayor Pro Tem Cheek and unanimously approved.

PUBLIC COMMENT

none

PRESENTATIONS

Siler City Development Organization Block Party

Nita Dukes with Siler City Development Organization shared information concerning the SCDO Block Party with a British Game Theme. (Incorporation by reference as if fully set forth herein Schedule D)

The street closing request is for Saturday, April 8, 2017 and the requested the following street closed: North Chatham Avenue from Beaver Street to Raleigh Street for 8:30 am to 5:00 pm.

Thompson stated that the North Carolina Department of Transportation (NCDOT) approved the street closure on March 1, 2017 with the following conditions:

The Town of Siler City will provide for the following:

- Adequate law enforcement personnel and traffic control devices along all effected roadways.
- Notify all emergency services and other responders of any impending closures.
- Should the event end early, all effected routes should be opened immediately.
- Written support, or endorsement by the Town of Siler City.
- Written acknowledgement and approval by the Town of Siler City Police Department.

and the Sponsoring Organization; Nita Dukes and Siler City Development Organization, will provide for the following:

- Assume responsibility for any claims or damages associated with any actions or closures resulting from this event.
- Secure appropriate insurance prior to initiating any road closures for the event.

Dukes asked if the Board of Commissioners would waive the Fire Inspection Fee for the event.

Prepared by: Jenifer J Everage, Town Clerk

The Board of Commissioners discussed the street closing including the fees for fire inspection. Thompson stated that the Board of Commissioners would need to be a sponsor of the event to waive any fees.

A motion for the Town of Siler City to sponsor the SCDO Block Party on Saturday, April 8 was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

Milo Holt Festival

Thompson shared a street closing request for Saturday, June 3, 2017 from Linda Holt Lehman with the Milo Holt Festival. (Incorporation by reference as if fully set forth herein Schedule E)

Lehman requested street closures are on North and South Chatham Avenue from Third Street, North Birch, and South Birch from West Second Street. The street closure requested is for the following times:

Lehman stated that the North Carolina Department of Transportation (NCDOT) approved the street closure on February 6, 2017 with the following conditions:

The Town of Siler City will provide for the following:

- Adequate law enforcement personnel and traffic control devices along all effected roadways.
- Notify all emergency services and other responders of any impending closures.
- Should the event end early, all effected routes should be opened immediately.
- Written support, or endorsement by the Town of Siler City.
- Written acknowledgement and approval by the Town of Siler City Police Department.

and

Linda Holt Lehman and Milo Holt Festival, will provide for the following:

- Assume responsibility for any claims or damages associated with any actions or closures resulting from this event.
- Secure appropriate insurance prior to initiating any road closures for the event.

A motion to approve the NCDOT conditions for the Town and the street closure of North and South Chatham Avenue from Third Street, North Birch, and South Birch from West Second Street for Saturday, June 3, 2017 from 10:00am to 5:00pm for the Milo Holt Festival was made by Commissioner Constantino, seconded by Commissioner Haiges and unanimously approved.

Chatham County Comprehensive Plan

Angela Birchett and Cara Coppola with the Chatham County Planning Department shared the draft Chatham County Comprehensive Land Use Plan (Incorporation by reference as if fully set forth herein Schedule F) with the Board of Commissioners.

The Board of Commissioners discussed the draft plan, the ETJ of the Town, bonafide farms, and the time line of the plan. The Board of Commissioners asked staff to draft a response letter to present at the next meeting.

Introduction of Interim Finance Director

Thompson introduction Interim Finance Director Denise Bell.

Introduction of Jordan-Matthews Rising Senior Ruby Ocampo

Prepared by: Jenifer J Everage, Town Clerk

Thompson introduction Jordan-Matthews student Ruby Ocampo.

PUBLIC HEARINGS

Town of Siler City proposes text amendments to §147 table of permissible uses (multi-family residences allowed within the O-I zoning district)

Mayor Grimes opened the public hearing for the Town of Siler City proposes text amendments to §147 table of permissible uses (multi-family residences allowed within the O-I zoning district) (Incorporation by reference as if fully set forth herein Schedule G) at 7:53pm.

Meadows stated that the Town of Siler City proposes text amendments to §147 table of permissible uses (multi-family residences allowed within the O-I zoning district). Attached documents: draft ordinance amending Article 10, final draft ordinance amending Article 10, and worksheet.

Meadows shared the compatibility with existing comprehensive Land Development Plan:

1. Modifying the development ordinances to be more user friendly where possible.
2. Permit multi-family residential development at a moderate density with good access to larger thoroughfares.
3. Multi-family residential density is recommended to be no more than 6 units per acre.
4. Preserve the sites best suited for office and industrial development by (i) identifying such areas; (ii) placing the areas within an industrial zoning classification; and (iii) excluding all other uses (except for desired uses from the area).
5. Prevent the conversion of residences to other land uses unless such conversion will assist in stabilizing the larger residential neighborhood or unless such conversion will preserve the unique quality or architectural significance of residences.
6. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.
7. Encourage through zoning requirements, planned general commercial development rather than small, individual lot development.
8. Encourage planned, mixed-use development instead of incremental, small lot development.

Meadows shared the Planning Board recommendations from the March 13, 2017 meeting:

1. The amendment is consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:
 - a. Modifying the development ordinances to be more user friendly where possible.
 - b. Permit multi-family residential development at a moderate density with good access to larger thoroughfares.
 - c. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.
2. Approve the amendment: To correct manifest error with the zoning ordinance.

Mayor Grimes closed the public hearing at 7:55pm.

A motion that the text amendment for Town of Siler City UDO to §147 table of permissible uses (multi-family residences allowed within the O-I zoning district) is consistent with the adopted Land Development Plan and any other officially adopted plan because the LDP recommends modifying the development ordinances to be more user friendly where possible, permit multi-family residential development at a moderate density with good access to larger thoroughfares, and continue to

promote a variety of housing types to meet the demand of citizens from various economic levels was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

A motion that the text amendment for Town of Siler City UDO to §147 table of permissible uses (multi-family residences allowed within the O-I zoning district) is reasonable and in the public interest because to correct manifest error with the ordinance and to promote and forward the purposes of the adopted Siler City Land Development Plan was made by Mayor Pro Tem Cheek, seconded by Commissioner Price and unanimously approved.

A motion to approve the text amendment for Town of Siler City UDO to §147 table of permissible uses (multi-family residences allowed within the O-I zoning district) to correct manifest error with the ordinance was made by Mayor Pro Tem Cheek, seconded by Commissioner Haiges and unanimously approved.

Weaver-Kirkland Development, LLC requests a conditional-use district rezoning to rezone 4.52 acres from R-6-C & L-I to O-I-C and to develop a 48 dwelling multifamily apartment for the elderly. The subject property is identified as parcel # 80724, 80725, 16070 and located at the southwest corner of Siler Business Dr. & Village Lake Rd.

Mayor Grimes opened the public hearing for the Weaver-Kirkland Development, LLC requests a conditional-use district rezoning to rezone 4.52 acres from R-6-C (Residential-6,000-Conditional-use) & L-I (Light-Industrial) to O-I-C (Office-Institutional-Conditional-use) and to develop a 48 dwelling multifamily apartment for the elderly, the subject property is identified as parcel # 80724, 80725, 16070 and located at the southwest corner of Siler Business Dr. & Village Lake Rd (Incorporation by reference as if fully set forth herein Schedule H) at 7:56pm

Mayor Grimes administered the following oath "Do you solemnly swear (or affirm) that the testimony you are about to give at this hearing is the truth, and nothing but the truth, under penalty of perjury? to:

Jack Meadows	907 Woodland Drive	Siler City, NC 27344
Richard Fox	157 Joe Fox Road	Siler City, NC 27344
Lindsay Narzisso	8401 Key Blvd	Greensboro, NC 27407

Meadows stated that the subject property is:

1. owned by Richard Fox;
2. located inside the Town's Corporate Limits;
3. located within Central Chatham fire district;
4. located within the Duke Energy Progress electric service district;
5. not located within a watershed protection area; and
6. not located within a special flood hazard area.

Meadows shared the size of tract:

1. Subject tract is 4.52 acres and includes 1 property owner and 3 tax parcels
2. Size of surrounding tracts is an average of 4.1 acres

Meadows shared the compatibility with existing Comprehensive Land Development Plan:

1. Industrial development for the subject property. Industrial goals, objectives, and strategies:
 - a. Attracting diverse industrial development that will stimulate the economy.
 - b. Encouraging industrial development that is environmentally friendly.

- c. Encouraging industrial land uses that require appropriate amounts of public water for their manufacturing processing.
 - d. Identifying adequate land for future industrial development
 - e. Supporting existing industry
 - f. Preserving the sites best suited for office and industrial development by (i) identifying such areas; (ii) placing the areas within an industrial zoning classification; and (iii) excluding all other uses (except for desired uses from the area).
 - g. Making the extensions of water and sewer service to identified industrial areas a top priority.
 - h. Continuing to review industrial zoning use limitations based upon a Standard Industrial Code classification system in order to eliminate incompatible industries.
 - i. Developing zoning standards that address screening and buffering between industrial and adjacent dissimilar land uses.
 - j. Requiring that, as a condition of receiving public water and/or sewer service, all new industrial developments are incorporated into the Town limits.
 - k. Encouraging warehousing and assembly uses.
 - l. Encouraging water reuse and industrial recycling for new and existing industry.
 - m. Developing an industrial incentive policy and program.
2. General residential development for the adjacent property. Residential goals, objectives, and strategies:
- a. These areas are suitable for general residential development at densities supported by public utilities
 - b. Promote the development of high quality housing in varying types and costs to meet the demands of all income levels and age groups.
 - c. Maintain the integrity of existing neighborhoods.
 - d. Promote walkable interconnected neighborhoods.
 - e. Permit multi-family residential development at a moderate density with good access to larger thoroughfares.
 - f. Encourage the continual development of affordable housing on individual lots.
 - g. The major residential growth is expected in the southwestern and western portions of the planning region. These areas should be preserved for residential use and the extension of public water and sewer to these areas should be a top priority.
 - h. It is recommended that higher residential densities be restricted to areas in which sufficient public water and sewer service is available.
 - i. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.
 - j. Single-family residential density is recommended to be at a density of between 2 and 4 units per acre in the general residential category.
 - k. Multi-family residential density is recommended to be no more than 6 units per acre.
 - l. 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 and by avoiding the rezoning of established residential areas to a higher density.
 - m. Encourage in-fill development in established residential areas. New development should meet yard and dimensional standards of the existing zone as closely as possible.
 - n. Preserve the existing housing stock by vigorously enforcing the minimum housing code and providing financial assistance to rehabilitate and stabilize deteriorating housing. Prevent the conversion of residences to other land uses unless such conversion will assist in stabilizing the larger residential neighborhood or unless such conversion will preserve the unique quality or architectural significance of residences.

- o. Require that as a condition of receiving public water and/or sewer service, all new residential developments be incorporated into the Town limits.
- p. Develop a manufactured housing zoning district for manufactured housing parks with appropriate design standards.
- q. Develop a local street plan to ensure adequate street planning and internal circulation in all developing residential areas.
- r. Revise zoning and subdivision ordinance standards to promote interconnectivity of neighborhoods and use of sidewalks.
- s. Promote cluster development with usable open space and amenities.

Meadows stated that the property is served by public water (8") and sewer. Street/road frontage:

Street/Road	Road Frontage (feet)	Travel Lanes	Pavement Width (feet)	Maintenance	Speed Limit (mph)	Average Daily Trips
Siler Business Dr.	417	2	24	Town	35	NA
Village Lake Rd.	423	2	24	Town	35	NA

Meadows shared the impact on landowners, immediate neighbors, and surrounding community: The residential building is 2 floors with a maximum height to the ridge of 28'. Gross overall building is 60,793 square feet (Energy Star 2.0 construction). All units are restricted to elderly persons (55+). Six units are fully accessible with 3 of those units including roll in showers. Residential unit mix:

Unit Type	Total number	Minimum Square Feet
One bedroom	27	695
Two bedroom	21	921

Meadows shared the site amenities which included:

1. 9,845 square feet of usable open space (9,845 required)
2. 9,147.6 square feet minipark area (9,147.6 required) including active recreational activities such as:
 - a. Gazebo and picnic shelter
 - b. 3 outdoor seating areas with benches with backs
 - c. 860' of existing walking trail
 - d. 925' of new walking surface
 - e. 440 square feet indoor multiple activity room
 - f. 120 square feet indoor flex fitness room
 - g. 144 square feet screened sitting porch
3. 1,400 square feet multipurpose room with kitchen
4. 16 square feet of storage room for each tenant
5. Covered drive-thru with 13' clearance for drop off and pick up at entry
6. Computer center with 2 computers

Meadows stated that 50 parking spaces are proposed (48 are required). 8 handicap spaces are proposed (2 are required). Minimum parking space size is 9'x19' and minimum drive isle width is 24'. All vehicle accommodation areas will be paved. All buildings, facilities, parking area, street, etc. are connected by a minimum 5' wide sidewalk. Average weekday driveway volume for the proposed development is 167 vehicles.

Meadows stated that the preliminary disturbed area is 3.8 acres. Erosion control and stormwater approval will be obtained from NCDEQ. A 100' foot vegetative buffer is shown along the pond and 50' buffer along the creek and will be left undisturbed. Type C screen (small trees planted 50' on center)

within a 10 feet wide bufferyard is required along the streets. Shade trees will be installed within the vehicle accommodation area.

Meadows stated that he developer will coordinate water pressure with Town Public Works & Utilities Director. Fire sprinkler back flow (RPZ) devices will be located in hot boxes @ locations designated by the Town.

Meadows stated that the project will employ 2 full time staff members (site manager and maintenance caretaker). The estimated number of construction jobs for this project is 150. The total cost of the project is estimated at \$5,700,000 (\$27,360 revenue per year). Proposed water and sewer use is 11,250 gallons per day (\$6,450 revenue per month).

Zoning District	O-I	L-I	R-6
Minimum lot size (square feet)	8,000	0	6,000
Minimum lot width	80'	100'	60'
Front/street building setback	25'	30'	25'
Side/rear building setback	10'	20'	9'
Height limitation	35'	90'	35'

Meadows shared the relationship of uses:

1. Current use of subject property is vacant.
2. Surrounding land uses include; vacant, office, senior living, and single family residential
3. Surrounded by L-I, O-I-C, and A-R (Agricultural-Residential) zoning.

Meadows shared the staff recommendation on conditional use permit:

The application is complete. The proposal meets the development criteria of the Unified Development Ordinance. If the Board grants the application, then Staff recommends the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board, a copy of which is filed in the City Hall; and
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect; and
3. Prior to site work obtain: NCDEQ, Town site plan, and Town zoning permit approval; and
4. Minipark area shall include active recreational activities such as gazebo and picnic shelter, 3 outdoor seating areas with benches with backs, 860' of existing walking trail, 925' of new walking surface, 440 square feet indoor multiple activity room, 120 square feet indoor flex fitness room, 144 square feet screened sitting porch; and
5. All buildings, facilities, parking area, street, etc. are connected by a minimum 5' sidewalk.

Meadows shared the Planning Board recommendations from the March 13, 2017 meeting:

1. The amendment is consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:
 - a. General residential development for the adjacent property.
 - b. These areas are suitable for general residential development at densities supported by public utilities
 - c. Promote the development of high quality housing in varying types and costs to meet the demands of all income levels and age groups.
 - d. Promote walkable interconnected neighborhoods.
 - e. Multi-family residential density is recommended to be no more than 6 units per acre.

2. Approve the amendment:
 - a. Because of changed or changing conditions in a particular or neighborhood as a whole; and
 - b. To promote and forward the purposes of the adopted Siler City Land Development Plan.
3. The application is complete
4. The application complies with all applicable requirements of the UDO
5. The application is granted, subject to the following conditions:
 - a. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board, a copy of which is filed in the City Hall; and
 - b. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect; and
 - c. Prior to site work obtain: NCDEQ, Town site plan, and Town zoning permit approval; and
 - d. Minipark area shall include active recreational activities such as gazebo and picnic shelter, 3 outdoor seating areas with benches with backs, 860' of existing walking trail, 925' of new walking surface, 440 square feet indoor multiple activity room, 120 square feet indoor flex fitness room, 144 square feet screened sitting porch; and
 - e. All buildings, facilities, parking area, street, etc. are connected by a minimum 5' sidewalk.

Mayor Grimes closed the public hearing at 8:14pm.

A motion that the map amendment for the Weaver-Kirkland Development, LLC requests a conditional-use district rezoning to rezone 4.52 acres from R-6-C (Residential-6,000-Conditional-use) & L-I (Light-Industrial) to O-I-C (Office-Institutional-Conditional-use) and to develop a 48 dwelling multifamily apartment for the elderly, the subject property is identified as parcel # 80724, 80725, 16070 and located at the southwest corner of Siler Business Dr. & Village Lake Rd is consistent with the adopted Land Development Plan and any other officially adopted plan because it promotes and forwards the purposes of the adopted Siler City Land Development Plan and it promotes the general health, safety and welfare of the citizens of Siler City was made by Commissioner Haiges, seconded by Mayor Pro Tem Cheek and unanimously approved.

A motion that the map amendment for the Weaver-Kirkland Development, LLC requests a conditional-use district rezoning to rezone 4.52 acres from R-6-C (Residential-6,000-Conditional-use) & L-I (Light-Industrial) to O-I-C (Office-Institutional-Conditional-use) and to develop a 48 dwelling multifamily apartment for the elderly, the subject property is identified as parcel # 80724, 80725, 16070 and located at the southwest corner of Siler Business Dr. & Village Lake Rd is reasonable and in the public interest because it promotes and forwards the purposes of the adopted Siler City Land Development Plan and it promotes the general health, safety and welfare of the citizens of Siler City was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

A motion to approve the map amendment for the Weaver-Kirkland Development, LLC requests a conditional-use district rezoning to rezone 4.52 acres from R-6-C (Residential-6,000-Conditional-use) & L-I (Light-Industrial) to O-I-C (Office-Institutional-Conditional-use) and to develop a 48 dwelling multifamily apartment for the elderly, the subject property is identified as parcel # 80724, 80725, 16070 and located at the southwest corner of Siler Business Dr. & Village Lake Rd to promote and forward the purposes of the adopted Siler City Land Development Plan and to promote the general health, safety and welfare of the citizens of Siler City was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

A motion to that the application for the Weaver-Kirkland Development, LLC requests a conditional-use district rezoning to rezone 4.52 acres from R-6-C (Residential-6,000-Conditional-use) & L-I (Light-Industrial) to O-I-C (Office-Institutional-Conditional-use) and to develop a 48 dwelling multifamily apartment for the elderly, the subject property is identified as parcel # 80724, 80725, 16070 and located at the southwest corner of Siler Business Dr. & Village Lake Rd is complete was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

A motion that the application for the Weaver-Kirkland Development, LLC requests a conditional-use district rezoning to rezone 4.52 acres from R-6-C (Residential-6,000-Conditional-use) & L-I (Light-Industrial) to O-I-C (Office-Institutional-Conditional-use) and to develop a 48 dwelling multifamily apartment for the elderly, the subject property is identified as parcel # 80724, 80725, 16070 and located at the southwest corner of Siler Business Dr. & Village Lake Rd complies with all applicable requirement of the Unified Development Ordinance was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

A motion that the application for the Weaver-Kirkland Development, LLC requests a conditional-use district rezoning to rezone 4.52 acres from R-6-C (Residential-6,000-Conditional-use) & L-I (Light-Industrial) to O-I-C (Office-Institutional-Conditional-use) and to develop a 48 dwelling multifamily apartment for the elderly, the subject property is identified as parcel # 80724, 80725, 16070 and located at the southwest corner of Siler Business Dr. & Village Lake Rd is granted, subject to the following conditions: the applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in City Hall, if any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect, and the conditions recommended by Staff and the Board of Commissioners was made by Mayor Pro Tem Cheek, seconded by Commissioner Siler and unanimously approved.

Jeff Shaw requests to rezone 0.525 acres from H-C to B-1. The subject property is identified as 1405 E. 11th St. and parcel # 83034.

Mayor Grimes opened the public hearing for the Jeff Shaw request to rezone 0.525 acre from H-C (Highway-Commercial) to B-1 (Neighborhood-Business). The subject property is identified as 1405 E. 11th St. and parcel # 83034 (Incorporation by reference as if fully set forth herein Schedule I) at 8:17pm.

Meadows stated that the subject property is:

1. owned by Shaw Investment Properties;
2. located inside the Town's Corporate Limits;
3. located within Central Chatham fire district;
4. located within the Duke Energy Progress electric service district;
5. not located within a watershed protection area; and
6. not located within a special flood hazard area.

Meadows shared the size of tract:

1. Subject tract is 0.525 acre and includes 1 property owner and 1 tax parcel
2. Size of surrounding tracts is an average of 9.1 acres

Meadows shared the compatibility with Existing Comprehensive Land Development Plan:

1. General commercial development for the subject property. Commercial goals, objectives, and strategies:

Prepared by: Jenifer J Everage, Town Clerk

- a. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
- b. Improve the appearance of commercial properties abutting major thoroughfares by providing landscaping to buffer parking lots and service areas and by controlling signs.
- c. Encourage through zoning requirements, planned general commercial development rather than small, individual lot development.
- d. Develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways.
- e. These areas are generally located along major thoroughfares that contain a variety of commercial uses.
 - i. Retail uses include shopping centers, convenience stores, restaurants and services catering to the traveling public.
 - ii. Heavier uses may include automobile dealerships and repair shops, min-warehouses and contractor's yards with appropriate landscaping and buffer requirements.

Meadows stated that the property is served by public water (10") and sewer (8"). Street/road frontage:

Street/Road	Road Frontage (feet)	Travel Lanes	Pavement Width (feet)	Maintenance	Speed Limit (mph)	Average Daily Trips
E. 11 th St.	0	5	60	State	45	19,000

Meadows shared the impact on landowners, immediate neighbors, and surrounding community:

Zoning District	H-C	B-1
Minimum lot size (square feet)	10,000	8,000
Minimum lot width	100'	80'
Front/street building setback	10'	25'
Side/rear building setback	0'	5'
Height limitation	60'	35'

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

Meadows shared the relationship of uses:

1. Current use of subject property is sales.
2. Surrounding land uses include; multi-family residential, storage, distribution center, restaurant, and sale of motor vehicle parts and accessories.
3. Surrounded by H-I (Heavy-Industrial), H-C, and R-6 (Residential-6,000) zoning.

Meadows shared the Planning Board recommendations from the March 13, 2017 meeting:

1. The amendment is consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:
 - a. General commercial development for the subject property.
 - b. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
 - c. Encourage through zoning requirements, planned general commercial development rather than small, individual lot development.

2. Approve the amendment:

a. Because of changed or changing conditions in a particular or neighborhood as a whole; and To promote and forward the purposes of the adopted Siler City Land Development Plan.

Mayor Grimes closed the public hearing at 8:19pm.

A motion that the map amendment for the Jeff Shaw request to rezone 0.525 acre from H-C (Highway-Commercial) to B-1 (Neighborhood-Business). The subject property is identified as 1405 E. 11th St. and parcel # 83034 is consistent with the adopted Land Development Plan and any other officially adopted plan because it promotes and forwards the purposes of the adopted Siler City Land Development Plan and it promotes the general health, safety and welfare of the citizens of Siler City was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

A motion that the map amendment for the Jeff Shaw request to rezone 0.525 acre from H-C (Highway-Commercial) to B-1 (Neighborhood-Business). The subject property is identified as 1405 E. 11th St. and parcel # 83034 is reasonable and in the public interest because it promotes and forwards the purposes of the adopted Siler City Land Development Plan and it promotes the general health, safety and welfare of the citizens of Siler City was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

A motion to approve the map amendment for the Jeff Shaw request to rezone 0.525 acre from H-C (Highway-Commercial) to B-1 (Neighborhood-Business). The subject property is identified as 1405 E. 11th St. and parcel # 83034 to promote and forward the purposes of the adopted Siler City Land Development Plan and to promote the general health, safety and welfare of the citizens of Siler City was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

OLD BUSINESS

Agreement to Trade and Convey Property – 130 of Chatham

Thompson shared an Agreement to Trade and Convey Property. (Incorporation by reference as if fully set forth herein Schedule J) Thompson stated that this agreement is pursuant to discussions the Town has had with 130 of Chatham regarding a potential trade of properties located within the Central Carolina Business Campus. The Town property under consideration is located on Progress Blvd., across from the Town of Siler City Wastewater Treatment Plant. The 130 of Chatham property under consideration is located on Campus Dr. The parcel identification numbers (PIN) are 80788 and 90720, respectively. The subject 130 of Chatham property is the same property that was bought by 130 of Chatham from Chatham County two years ago. The proposed trade is for portions of each of the two properties. The area of land for each property under consideration for trade is approximately 18 acres. Thompson asked the Board of Commissioners to refer to Exhibit D of the agreement, which provides an illustration of the properties under consideration included in the proposed trade are certain easements for access to the Rocky River and for future utilities from the Wastewater Treatment Plant. Thompson also shared an access and utility easement.

Thompson stated that the subject agreement serves as an agreement to trade properties. The agreement does not effectuate a conveyance of land. If approved and executed, a survey of both properties will be completed according to the specifications noted in this agreement. Following the

completion of the survey, this item will be brought before the Board of Commissioners, once again, for final approval.

Thompson stated that the portion of the property identified to be traded to the Town has a higher use potential for future development, while the land owned by the Town in consideration for trade to 130 of Chatham has a highly reduced use potential owing to topography and property dimensions. 130 of Chatham, through this proposed trade, seeks to reserve site control along the riverbanks on both properties.

Thompson stated that the proposed agreement is an acre-for-acre exchange with no monetary compensation to either party.

Thompson stated that the Town Attorney and Staff have reviewed the documents and have checked the same for consistency with prior Board direction on this matter. Staff recommends approval and execution of the proposed agreement.

A motion to approve the agreement to Trade and Convey Property, by and between 130 of Chatham, LLC and the Town of Siler City and authorize the Town Manager to execute was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

Braxton Manor Agreement Modifications

Thompson stated that nearly one year ago, Staff was contacted by Braxton Manor Limited Partnership, with whom the Town has an existing ground lease, deed of trust, and promissory note. Braxton Manor Limited Partnership desired to modify these instruments to reflect the new name of the Braxton Manor interest, Braxton Manor Apartments LLC. In review of this request, Staff found that Braxton Manor Limited Partnership failed to adhere to the provisions of the promissory note, specifically making annualized payments to the Town. This was brought to the attention of Braxton Manor Apartments, who agreed to work with the Town to ensure such payments would be properly restored through the modification process. Thompson shared three documents: 1) Modification of Ground Lease; 2) Modification of Deed of Trust; and 3) Amended and Restated Promissory Note. (Incorporation by reference as if fully set forth herein Schedule K)

Thompson stated, as earlier noted, the primary modifications to these documents serve the purpose of changing the name of the Tenant/Grantor/Borrower from Braxton Manor Limited Partnership to Braxton Manor Apartments LLC. In addition the value of principal amount of indebtedness has been increased to account for the lack of payments to the Town since 2001.

Thompson stated that the Board of Commissioner is requested to consider approving the subject Modification of Ground Lease, the Modification of Deed of Trust and Amended and Restated Promissory Note. Thompson stated that the documents have been reviewed by the Town Attorney and Staff and Staff recommends approval.

A motion to approve the Braxton Manor Apartments Modification of Ground Lease, Modification of Deed of Trust and Amended and Restated Promissory Note was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

NEW BUSINESS

Dumpster Location Agreement, Farmers Alliance

Thompson stated that the Town of Siler City seeks to enter into an agreement with the Farmers Alliance to locate a dumpster upon the Farmers Alliance property, specifically upon a portion of the rear parking lot adjoining the Farmers Alliance store in Downtown Siler City. Doing so will enable additional parking along the alley within this block of businesses and it will help facilitate the establishment of a drive through window at Hometown Grill.

Thompson shared an agreement between Farmers Alliance Store, Inc. and the Town of Siler City for the stated purpose. (Incorporation by reference as if fully set forth herein Schedule L)

Thompson stated once the dumpster is relocated, the remainder of work can begin to facilitate the window at Hometown Grill.

Thompson stated that the Town Attorney and Staff have reviewed this document, as well as the governing body of Farmers Alliance. Thompson stated that Staff recommends approval of this agreement.

A motion to approve the Dumpster Location Agreement by and between Farmers Alliance Store, Inc. and the Town of Siler City was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

MANAGERS REPORT

Town Manager Thompson updated the Board of Commissioners on the following items:
Moving the regular meeting from Monday to Tuesday to attend the County meeting.
Building Integrated Communities awarded to the Town.
Met with Judge Bryan concerning appearance program in Carrboro.

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

none

CLOSED SESSION

A motion to go into § 143-318.11(a)(4) closed session, to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved at 9:21pm.

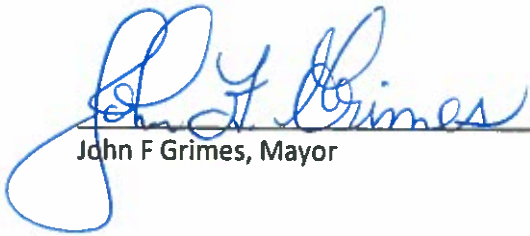
A motion to come out of closed session was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved at 9:45pm.

A motion to go into § 143-318.11(a)(6) closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved at 9:47pm.

A motion to come out of closed session was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved at 10:03pm.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 10:05pm.



John F Grimes, Mayor

ATTEST:



Jenifer J Everage, Town Clerk

