

**TOWN OF SILER CITY**

The Siler City Board of Commissioners met in Regular Session on **Monday, March 21, 2022**, at 6:30pm in Multipurpose at the Wrenn Memorial Library with Mayor Pro Tem Price presiding. Commissioner Fadely gave the invocation with the recitation of the Pledge of Allegiance. Commissioner Haiges recited the Town of Siler City Mission Statement and Commissioner Siler recited the Town of Siler City Vision Statement.

**ELECTED TOWN OFFICIALS PRESENT:** Norma Boone, Cindy Bray, Curtis Brown, Lewis Fadely, Bill Haiges, Thomas "Chip" Price, and Tony Siler

**TOWN STAFF PRESENT:** Town Manager Roy Lynch, Planning Director Jack Meadows, Public Works Director Chris McCorquodale, HR Director Nancy Darden, Finance Director Tina Stroupe, Parks and Recreation Director Jack Clelland, and Town Clerk Jenifer Johnson

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

*A motion to approve the agenda as presented was made by Commissioner Fadely, seconded by Commissioner Brown and unanimously.*

**CONSENT**

*A motion to approve the consent agenda which includes James Underwood Retirement Resolution (Incorporation by reference as if fully set forth herein Schedule A), Juneteenth Event Street Closure Request (Incorporation by reference as if fully set forth herein Schedule B), CDBG-NR -Asbestos Inspection and Lead-Based Paint Inspection Services (Incorporation by reference as if fully set forth herein Schedule C) was made by Commissioner Haiges, seconded by Commissioner Fadely, and unanimously approved.*

**PRESENTATION**

Recognize James M. Underwood on His Retirement

Mayor Pro Tem Price presented the retirement resolution to James Underwood and thanked him for his service to the town. (Incorporation by reference as if fully set forth herein Schedule A)

**LEGISLATIVE PUBLIC HEARING**

Bryce Terrell Horton proposes to rezone 7.592 acres from Agricultural-Residential (A-R) to Highway-Commercial-Conditional (H-C-C). The proposed uses are motor vehicle (repair, maintenance, painting, and body work), trucking business garage, truck parking, exterior truck part storage, automobile graveyard, junkyard, and salvage yard. The subject property is identified as 140 Silk Hope Rd. and parcel # 14159, 91443, 91444.

Mayor Pro Tem Price opened the public hearing for Bryce Terrell Horton proposal to rezone 7.592 acres from Agricultural-Residential (A-R) to Highway-Commercial-Conditional (H-C-C). The proposed uses are motor vehicle (repair, maintenance, painting, and body work), trucking business garage, truck parking, exterior truck part storage, automobile graveyard, junkyard, and salvage yard. The subject property is identified as 140 Silk Hope Rd. and parcel # 14159, 91443, 91444 at 6:39pm. (Incorporation by reference as if fully set forth herein Schedule D)

Meadows stated that the subject property is identified as 140 Silk Hope Rd. and parcel # 14159, 91443, 91444. The subject property is owned by: Kimberly Horton, Trustee, or her successor in Trust, under the Bryce Terrell Horton and Andrea Nicole Horton irrevocable trust agreement, is used for Bryce T. Horton

Trucking, LLC, located outside the Town's Corporate Limits, and covered by two hundred feet vegetative buffer.

Meadows shared the size of the tract:

1. Subject tract is 7.592 acres and includes two property owners and three tax parcels
2. Size of surrounding tracts is an average of 18.5 acres

Meadows shared the compatibility with the existing comprehensive Land Development Plan:

1. Mixed use for the subject property.
2. Mix use areas are often near major streets and highways, or in the central business district, and contain a variety of commercial, public, and residential land uses. Commercial uses could include retail shops and shopping centers, convenience stores, restaurants, offices, medical services, and automobile dealerships, among others. Public facilities such as City Hall and the Police Department are also often in these areas. Residential uses in these areas are typically at a high density and may be standalone residential structures or in a shared structure with a commercial use.
3. Objectives and Strategies
  - a. Limit impacts of development on the environment and promote sustainability.
  - b. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
  - c. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
  - d. Encourage the continued commercial, retail, service, and office development of the central business district, as well as encouraging compatible residential uses.
  - e. Improve the appearance of properties.
  - f. Limit the proliferation of single-purpose highway-oriented commercial areas and encourage mixed-use development.
  - g. Allow redevelopment of single-purpose commercial sites into mixed-use sites over time.
  - h. Promote downtown Siler City as an active, attractive community that accommodates multiple uses such as the arts, small businesses, and residential.
  - i. Encourage the development of affordable housing.
  - j. Encourage close proximity of higher-density residential uses to mixed-use areas and compatible industrial areas.
  - k. Encourage efficient use of transportation networks.
  - l. Urban development densities should be restricted to areas in which sufficient water and sewer service is available.
  - m. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.
  - n. Preserve the existing housing stock by vigorously enforcing the minimum housing code and providing financial assistance to rehabilitate and stabilize deteriorating housing.
  - o. Require that as a condition of receiving public water and/or sewer service, all new developments be incorporated into the Town limits.
  - p. Promote cluster development with usable open space and amenities.
  - q. Preserve the general character and intensity of the central business district.
  - r. Ensure quality aesthetics in developments through appropriate landscaping, lighting, parking, and signage standards.
  - s. Encourage planned developments.
  - t. Develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways.

- u. Develop specific standards for those properties abutting major highway corridors, to place more stringent controls on building setbacks and height, vehicular access, sign size and location, and buffering of parking and service areas.
- v. Preserve the sites best suited for office and industrial development by identifying such areas and excluding non-supportive uses from those sites.
- w. Designate areas of the Town’s planning jurisdiction as growth areas and give priority to utility extensions in those areas.
- x. Expand the greenway system of trails for bicyclists and pedestrians, and the Town’s sidewalk network, in accordance with the Town’s Pedestrian Plan.
- y. Explore the option of allowing developer fees-in-lieu for park facilities and other public facilities.
- z. Support development of public and private improvements in Central Business District in accordance with the Town’s Downtown Master Plan.
- aa. Develop a planting plan for street trees along public rights-of-way.
- bb. Modify the development ordinances to be more user friendly where possible.
- cc. Develop policies to encourage maintenance of structures.
- dd. Develop policies to promote mixed-use development and redevelopment of commercial areas, including integrated residential uses.
- ee. Implement recommendations from the Town’s 2016 Natural Resource and Conservation Study.
- ff. Develop flexible zoning standards that accommodate mixed uses in the CBD, which will assist in the adaptive reuse of buildings.

Meadows shared the existing infrastructure improvements at the location:

1. County public water is located along Silk Hope Rd
2. Served by a private well and septic system
3. Streets:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
Silk Hope Road (SR 1003)	650	2	NCDOT	55	2,800 (2018)

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

1. Proposed Uses:
  - a. Motor vehicle repair and maintenance not including substantial body work, vehicle storage inside or outside completely enclosed structure
  - b. Motor vehicle painting and body work
  - c. Trucking business garage
  - d. Exterior truck part storage
  - e. Salvage yard, junkyard, automobile graveyard
2. Hours of operation: 7 days a week, 9a to 6p
3. Maximum number of employees on site is three
4. The project will be built in one phase.
5. Septic approvals from Environmental Health prior to site plan approval
6. A Knox box will be provided for fire department access.
7. Lighting shall be provided at the driveway, drives, parking area, and entrance to building that is sufficiently illuminated to ensure security of property and safety of persons
8. Vegetative Buffer

- a. Remove all items that are located within the 200' vegetative buffer (as identified in Plat Book 2016, Page 121) prior to site plan approval
  - b. Obtain replanting and re-seeding plan approval for the disturbed vegetative buffer area prior to site plan approval.
  - c. Provide seed mixture types and quantity (types shall be beneficial to wildlife, native annual grains appropriate for the season, native riparian grass, and native forested plants)
  - d. Replant and re-seed all disturbed areas within the 200' vegetative buffer (as identified in Plat Book 2016, Page 121) prior to site plan approval
9. 193,947 square feet of new impervious area (for truck parts and truck parking)
- a. Shall use infiltration practices (e.g., rain gardens, parking lot bioretention areas, increased sheet flow instead of ditching, and disconnect impervious areas) instead of detention ponds to maintain predevelopment hydrographic conditions, including base flow during low flow conditions.
  - b. Provide certified survey of the total area of imperviousness (proposed and since March 17, 2003).
  - c. Calculation to determine percent of new impervious area = new impervious area divided existing pervious area
  - d. Provide stormwater management plan and calculations showing pre and post development runoff rates
10. 301,636 square feet of disturbance proposed
- a. Provide certified survey of the total area of disturbance (proposed and since February 2, 2009)
  - b. Provide copy of NCDEQ post-construction stormwater management permit approval prior to site plan approval
11. The wash water from washing trucks and trailers shall not drain into the adjacent stream
12. Obtain NCDOT driveway permit approval to extend driveway pipe to accommodate tractor trailers
13. Pave driveway turnouts at least 15' from the edge of Silk Hope Rd.
14. No new driveways are proposed
15. No garbage dumpster proposed
16. Install tall evergreen trees staggered planted with branches touching the ground along Silk Hope Rd and the southern boundary.
17. Preserve existing vegetation and forest along the northern and eastern property boundaries.
18. Zoning Districts:
- a. H-C district - designed to accommodate the widest range of commercial activities including businesses that primarily draw from and provide services to major thoroughfares.
  - b. A-R district - designed to accommodate agricultural and residential uses normally associated with:
    - i. agricultural uses with large tracts of uninhabited land near the fringe of urban areas.
    - ii. single-family residential development in areas not served by town or county water and sewer facilities and that are not yet appropriate for development at higher densities. Some types of manufactured homes are allowed to be used for single-family residential purposes in this district.
  - c. Dimensional Standards:

Zoning District	H-C	A-R
Minimum lot size (square feet)	0	40,000
Recommended minimum lot width	100'	100'

Front/street building setback	10'	40'
Side/rear building setback	20'	20'
Height limitation	60'	40'

Meadows shared the relationship of uses:

1. Current use of subject property is a trucking business garage
2. Surrounding land uses include:
  - a. agriculture
  - b. single family residential
  - c. cemetery
  - d. County recycling center
3. Surrounded by A-R zoning.

Meadows shared the Planning Board recommendations from the March 14, 2022, meeting:

Recommended by a vote of 6 to 1 that the amendment is approved including the conditions consented by the applicant, and the action is consistent with the adopted land development plan and any other officially adopted plan because the land development plan recommends:

1. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
2. Improve the appearance of properties.
3. Encourage efficient use of transportation networks.
4. Ensure quality aesthetics in developments through appropriate landscaping, lighting, parking, and signage standards.
5. Develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways.

Meadows shared additional information gathered by Staff during the Planning Board meeting:

1. Several citizens were concerned about:
  - a. Appearance,
  - b. sightliness,
  - c. loose trash,
  - d. stormwater runoff,
  - e. wash water runoff,
  - f. petroleum,
  - g. pride of ownership, and
  - h. about the applicant meeting current regulations before seeking further approval.
2. Federal, State, and County regulations and permits shall be complied with regarding wash water
3. Land Development Plan Industrial Land Use Classification:
  - a. These areas are suitable for a variety of manufacturing and warehouse/distribution uses.
  - b. This category may also include office/flex space development in a planned business park type of setting.
4. The existing driveway, fencing, and landscaping at Marsh Auto Parts on Greensboro Avenue is a good template for similar type businesses.
5. The current ordinance does not require a landscape screen along the eastern boundary. A cemetery is located just east of the eastern boundary.

The Board of Commissioners asked questions of Meadows and discussed the request.

Bryce Horton, 129 Hwy 64, Siler City, NC 27344

Mr. Horton stated that his business has grown a lot over the years and he was just taking advantage of opportunities. The shop is messy and it is a lot messier than he would like it to be. He does not have the time to clean it up to where it needs to be, and he is thankful that this is happening so we can get it together. The area might look junky, but there is a lot of money sitting there in parts that helps with repairs to keep his business operating. He does a lot of work for Mountaire, and they have been wonderful to work with. He would like to get it cleaned up and get it in the ordinance with the town.

The Board of Commissioners asked Mr. Horton what his timeline is for getting the property cleaned up. Mr. Horton stated that he had already begun the clean up and hope to have it done soon.

Doug Foster, 754 Cedar Creek, Asheboro, NC

Mr. Foster stated that he owned a farm out in this community and plan to make it his home place. We noticed the rezoning request and have no problem with Mr. Horton and his business growth. As this business has grown the neighbors and the graveyard in to be considered. He would like to see some vegetative buffers on the property and the timeline for growing them is going to take many years. He thinks Mr. Horton can do it and supports him.

TyAnn Penn, 311 Silk Hope Road, Siler City, NC

Penn stated that Mr. Horton is her neighbor and she supports him and his business.

The Board of Commissioners asked questions of staff and the applicant and asked staff to bring back additional information to another meeting.

***A motion to recess the public hearing for Bryce Terrell Horton proposed to rezone 7.592 acres from Agricultural-Residential (A-R) to Highway-Commercial-Conditional (H-C-C). The proposed uses are motor vehicle (repair, maintenance, painting, and body work), trucking business garage, truck parking, exterior truck part storage, automobile graveyard, junkyard, and salvage yard. The subject property is identified as 140 Silk Hope Rd. and parcel # 14159, 91443, 91444 until April 18, 2022, at 6:30pm at the Wrenn Memorial Library was made by Commissioner Brown, seconded by Commissioner Haiges, and unanimously approved.***

#### OLD BUSINESS

none

#### NEW BUSINESS

none

#### MANAGER'S REPORT

Lynch shared the following with the Board of Commissioners:

- LPA is getting closure to moving to the temporary mobile unit
- Introduced Bill Zell, the Interim Town Manager
- Last meeting and he has really enjoyed working with the Board and staff

**TOWN ATTORNEY INFORMATION**

none

**GOVERNING BODY COMMENTS**


Commissioner Haiges thanked Lynch for everything that he had done for the town.

**CLOSED SESSION**

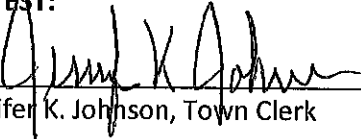
none

**ADJOURNMENT**

With no further business the Board of Commissioners adjourned at 8:04pm.

  
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Thomas K. Price, Mayor Pro Tempore

**ATTEST:**

  
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Jenifer K. Johnson, Town Clerk

