

**TOWN OF SILER CITY**

The Siler City Board of Commissioners met in Regular Session on **Monday, June 1, 2020** at 7:00pm in City Hall Courtroom and Remote Electronic Meeting (Zoom) with Mayor Grimes presiding. Commissioner Brown gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Fadely recited the Town of Siler City Mission Statement and Mayor Grimes recited the Town of Siler City Vision Statement.

**ELECTED TOWN OFFICIALS PRESENT:** In Courtroom: Cindy Bray, Curtis Brown, Lewis Fadely, Bill Haiges, Thomas “Chip” Price, and Tony Siler, and Electronic (Zoom): John Grimes

**TOWN STAFF PRESENT:** In Courtroom: Town Manager Roy Lynch, Planning Director Jack Meadows, Human Resources Director Nancy Darden, Public Works Director Chris McCorquodale, WWTP Superintendent Brittany York, Police Chief Mike Wagner, Grant Administrator Nancy Hannah, and Town Clerk Jenifer Johnson and Electronic (Zoom): Parks and Recreation Director Jack Clelland.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

Lynch asked to add Neighborhood Revitalization Program Request for Proposals for Grant Administration Services under New Business.

***A motion to approve the agenda as amended was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.***

**CONSENT**

none

**PRESENTATIONS**

2018/2019 Audit Report – Chad Cook – Dixon Hughes Goodman

Chad Cook presented the 2018/2019 Audit Report. The Board of Commissioners thanked him for the presentation.

**OLD BUSINESS**

Wallick Asset Management, LLC requests a conditional use district rezoning to rezone ~15.141 acres from Heavy-Industrial (H-I) to Office-Institutional-Conditional Use (O-I-C). The proposed conditional use is an 84-unit multifamily residential apartment development for persons of low or moderate-income. The subject property is located at 226 Campus Dr. and is identified as a portion of tax parcel # 14380.

Meadows stated Wallick Asset Management, LLC requested a conditional use district rezoning to rezone ~15.141 acres from Heavy-Industrial (H-I) to Office-Institutional-Conditional Use (O-I-C). The proposed conditional use is an 84-unit multifamily residential apartment development for persons of low or moderate-income. (Incorporation by reference as if fully set forth herein Schedule B)

Meadows stated that the subject property is located at 226 Campus Dr. and is identified as a portion of tax parcel # 14380. The subject property is:

1. owned by Chatham County; and
2. located inside the Town’s Corporate Limits.

Meadows shared the size of tract:

1. Subject tract is 15.141 acres and includes 1 property owner and 1 tax parcel
2. Size of surrounding tracts is an average of 20.02 acres

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

1. Mixed use for the subject property.
2. These 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. Mixed use objectives and strategies
  - a. Limit impacts of development of 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 following information on infrastructure:

- 1. The property is served by public water and sewer.
- 2. Area streets:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
Campus Drive	948	2	County	35	NA
Progress Boulevard	NA	2	County	35	NA
Technology Way	NA	2	County	35	NA
US 64	NA	5	NCDOT	55	22,000 (2017)
Alston Bridge Road	NA	2	NCDOT	55	2,200 (2018)

- 3. 2005 Traffic Impact Analysis (TIA) report for Central Carolina Business Campus
  - a. Estimated the trip generation to be 18,088 trips.
  - b. The recommendations in the report for turning lanes at Alston Bridge Road and US 64 were completed at the time the development was constructed.
  - c. The recommendation for a traffic light at US 64 is currently under construction.
  - d. Per NCDOT, the recommendation for reducing the vertical curve at Alston Bridge Road was not constructed.
- 4. Estimated vehicle trips per day within the Central Carolina Business Campus:

Use	Estimated Weekday Vehicle Trips Per Day per ITE Trip Generation App
Wastewater Treatment Plant	57
Central Carolina Community College	483
Chatham Hospital	769
UNC Primary Care at Chatham	530
Carolina Dialysis Center	317
Chatham Youth Development Center	42
Cut thru traffic	Unknown*
Total	2,198*

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

1. 147 parking spaces
2. All sidewalks adjacent to parking spaces shall be 6.5' wide
3. Active recreational facilities provided: 14,615 square feet
  - a. Playgrounds: 3,248 square feet
    - i. 2-5 years (1,568 square feet)
    - ii. 5-12 year (1,680 square feet)
  - b. Picnic shelter area (12'x18' shelter, grill, ADA table, standard table, trash receptacle): 595 square feet
  - c. Community garden: 507 square feet
  - d. Pedestrian path (3' clearance on both sides) and seating: 8,863 square feet
  - e. Clubhouse: 1,402 square feet
    - i. Computer room: 137 square feet
    - ii. Community room, kitchen, and bathrooms: 1,100 square feet
    - iii. Outdoor patio and seating area: 165 square feet
4. Payment in lieu of providing active recreational facilities: 6,268 square feet x \$3/square foot = \$18,804.00
5. Increasing payment in lieu by not providing the pedestrian path (\$26,589) or the 2-5 year old playground (\$4,704)
6. 550,000 square feet (12.74 acres) of open space
7. Water line will be a looped system back to Campus Drive
8. Ability to modify the design to reduce the number of sewer connections to Technology Way
9. Phasing Plan (combining successive phases is acceptable)
  - a. Phase 1: certificate of occupancy for clubhouse
    - i. Site infrastructure improvements (driveways, first layer of parking lots, temporary pavement markings, curb and gutter, ADA parking, storm sewer, sanitary sewer, waterlines, fire hydrants)
    - ii. All active recreation facilities
    - iii. Complete all pedestrian paths adjacent to the clubhouse
    - iv. Dumpster pad and access by building #2
    - v. Water service, fire protection, sanitary sewer service, telephone, electrical service for clubhouse
    - vi. Provide performance guarantee for remaining requirements of the UDO
  - b. Phase 2: certificate of occupancy for apartment building #1
    - i. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #1
    - ii. northern pedestrian path adjacent to building #1 and connection to Campus Drive
  - c. Phase 3: certificate of occupancy for apartment building #2
    - i. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #2
    - ii. Southern pedestrian path adjacent to building #2
  - d. Phase 4: certificate of occupancy for apartment building #3
    - i. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #3
    - ii. Southern pedestrian path adjacent to building #3
    - iii. Dumpster pad and access by building #3
  - e. Phase 5: certificate of occupancy for apartment building #4
    - i. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #4

- ii. Southern pedestrian path complete
- iii. Complete site lighting
- f. Phase 6: release performance guarantee
  - i. final layer of pavement
  - ii. pavement markings
  - iii. repair damaged sidewalk and curb and gutter
  - iv. all landscaping
  - v. dumpster enclosures including fencing
  - vi. remove erosion control devices
  - vii. install stormwater management facility
  - viii. as-built stormwater survey
  - ix. record stormwater maintenance agreement
  - x. punch list walk for public watermain
  - xi. record easement for public watermain
- 10. Authorize the Planning Director to process and approve all proposed performance guarantees without further Town Board approval.
- 11. Active recreational facilities required: 20,883 square feet
- 12. Building #1, #2, and #3: 24 unit, 3 story each (27,845 square feet each)
- 13. Building #4: 12 unit, 3 story (14,689 square feet)
- 14. 1-bedroom: 18 units (676 square feet)
- 15. 2-bedroom: 45 units (900 square feet)
- 16. 3-bedroom: 21 units (1,150 square feet)
- 17. 18 units will be accessible units for handicap, with 10 of such units equipped with an accessible work space and grab bars
- 18. Community Building (2,386 square feet)
- 19. 356,000 square feet (8.17 acres) of disturbed area
- 20. 103,000 square feet (2.36 acres) of new impervious area (15.6% impervious)
- 21. Staff: 1 full time manager and 1 full time maintenance supervisor
- 22. Water and Sewer usage: 22,800 gallons per day
- 23. Construction cost: \$10,354,454.00
- 24. Area Median Income (AMI) for a family of 4 in Siler City per HUD = ~\$90,000
- 25. Low to Moderate Income (30% - 80% of AMI for a family of 4 in Siler City per HUD) = \$27,250 - \$72,700
- 26. Estimated weekday vehicle trips per day using ITE Trip Generation app = 615

Zoning District	H-I	O-I
Minimum lot size (square feet)	0	7,000
Minimum lot width	100'	70'
Front/street building setback	40'	25'
Side/rear building setback	25'	10'
Height limitation	135'	45'

Meadows stated that the O-I (office-institutional) district is designed to accommodate a mixture of residential uses and uses that fall primarily within the 18.0 classification in the Table of Permissible Uses. It is intended that this zoning classification be applied primarily in areas that no longer are viable as single-family residential areas because of high traffic volumes on adjacent streets or because of other market factors but remain viable as locations for multi-family residential developments or offices. Such areas will

also generally constitute transition or buffer zones between major arterial or more intensively developed commercial areas and residential districts.

The following districts are hereby established primarily to accommodate enterprises engaged in the industrial, processing, creating, repairing, renovation, painting, cleaning, or assembling of goods, merchandise, or equipment: Heavy Industrial (H-I) and Light Industrial (L-I). The performance standards set forth in Part II of Article XI place limitations on the characteristics of uses located in these districts. The limitations in the L-I district are more restrictive than those in the H-I district.

Meadows shared the relationship of uses:

1. Current use of subject property is vacant.
2. Surrounding land uses include; vacant, hospital, medical office building, and dialysis center.
3. Surrounded by H-I and O-I-C zoning.

Meadows shared Planning Board recommendations from the May 11, 2020 meeting:

1. Map Amendment is approved and consistent with the adopted land development plan and any other officially adopted plan because the land development plan recommends:
  - a. Mixed use for the subject property.
  - b. These 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.
  - c. Limit impacts of development of the environment and promote sustainability.
  - d. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
  - 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. Encourage the development of affordable housing.
  - i. Encourage close proximity of higher-density residential uses to mixed-use areas and compatible industrial areas.
  - j. Encourage efficient use of transportation networks.
2. Conditional Use Permit
  - a. Application is complete
  - b. Application complies with all applicable requirements of the UDO
  - c. Application is granted subject to the following conditions:
    - i. 147 parking spaces
    - ii. All sidewalks adjacent to parking spaces shall be 6.5' wide
    - iii. Active recreational facilities provided: 14,615 square feet
      1. Playgrounds: 3,248 square feet
        - a. 2-5 years (1,568 square feet)
        - b. 5-12 year (1,680 square feet)

2. Picnic shelter area (12'x18' shelter, grill, ADA table, standard table, trash receptacle): 595 square feet
3. Community garden: 507 square feet
4. Pedestrian path (3' clearance on both sides) and seating: 8,863 square feet
5. Clubhouse: 1,402 square feet
  - a. Computer room: 137 square feet
  - b. Community room, kitchen, and bathrooms: 1,100 square feet
  - c. Outdoor patio and seating area: 165 square feet
- iv. Payment in lieu of providing active recreational facilities: 6,268 square feet x \$3/square foot = \$18,804.00
- v. Increasing payment in lieu by not providing the pedestrian path (\$26,589) or the 2-5 year old playground (\$4,704)
- vi. 550,000 square feet of open space
- vii. Water line will be a looped system back to Campus Drive
- viii. Ability to modify the design to reduce the number of sewer connections to Technology Way
- ix. Phasing Plan (combining successive phases is acceptable)
  1. Phase 1: certificate of occupancy for clubhouse
    - a. Site infrastructure improvements (driveways, first layer of parking lots, temporary pavement markings, curb and gutter, ADA parking, storm sewer, sanitary sewer, waterlines, fire hydrants)
    - b. All active recreation facilities
    - c. Complete all pedestrian paths adjacent to the clubhouse
    - d. Dumpster pad and access by building #2
    - e. Water service, fire protection, sanitary sewer service, telephone, electrical service for clubhouse
    - f. Provide performance guarantee for remaining requirements of the UDO
  2. Phase 2: certificate of occupancy for apartment building #1
    - a. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #1
    - b. northern pedestrian path adjacent to building #1 and connection to Campus Drive
  3. Phase 3: certificate of occupancy for apartment building #2
    - a. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #2
    - b. Southern pedestrian path adjacent to building #2
  4. Phase 4: certificate of occupancy for apartment building #3
    - a. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #3
    - b. Southern pedestrian path adjacent to building #3
    - c. Dumpster pad and access by building #3
  5. Phase 5: certificate of occupancy for apartment building #4
    - a. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #4
    - b. Southern pedestrian path complete
    - c. Complete site lighting
  6. Phase 6: release performance guarantee
    - a. final layer of pavement
    - b. pavement markings
    - c. repair damaged sidewalk and curb and gutter

- d. all landscaping
- e. dumpster enclosures including fencing
- f. remove erosion control devices
- g. install stormwater management facility
- h. as-built stormwater survey
- i. record stormwater maintenance agreement
- j. punch list walk for public watermain
- k. record easement for public watermain
- x. Authorize the Planning Director to process and approve all proposed performance guarantees without further Town Board approval.

Meadows shared the following information from the public hearing held on May 18, 2020:  
Comments were presented by the Planning Director, applicant, Chatham County staff, Chatham Hospital, Butch Hudson, and ST Phillips.

Meadows shared the Information that was received within 24 hours:

1. Recommendation letter from Chief Wagner
2. Email from Wallick dated May 19
  - a. Letter from Wallick dated May 19
  - b. Response from Wallick to Chief Wagner's recommendation letter
  - c. Email from applicant team to NCDOT dated May 19
  - d. Policy Area Brief: Affordable Housing
3. Email from S.T. Phillips dated May 19
  - a. Public hearing notes
  - b. Discussion Paper: The Impact of Affordable Housing on Communities and Households
4. Email from NCDOT to Wallick dated May 22

Meadows shared the staff recommendations on the 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. 147 parking spaces
2. All sidewalks adjacent to parking spaces shall be 6.5' wide
3. Active recreational facilities provided: 14,615 square feet
  - a. Playgrounds: 3,248 square feet
    - i. 2-5 years (1,568 square feet)
    - ii. 5-12 year (1,680 square feet)
  - b. Picnic shelter area (12'x18' shelter, grill, ADA table, standard table, trash receptacle): 595 square feet
  - c. Community garden: 507 square feet
  - d. Pedestrian path (3' clearance on both sides) and seating: 8,863 square feet
  - e. Clubhouse: 1,402 square feet
    - i. Computer room: 137 square feet
    - ii. Community room, kitchen, and bathrooms: 1,100 square feet
    - iii. Outdoor patio and seating area: 165 square feet
4. Payment in lieu of providing active recreational facilities: 6,268 square feet x \$3/square foot = \$18,804.00



5. Increasing payment in lieu by not providing the pedestrian path (\$26,589) or the 2-5 year old playground (\$4,704)
6. 550,000 square feet of open space
7. Water line will be a looped system back to Campus Drive
8. Ability to modify the design to reduce the number of sewer connections to Technology Way
9. Phasing Plan (combining successive phases is acceptable)
  - a. Phase 1: certificate of occupancy for clubhouse
    - i. Site infrastructure improvements (driveways, first layer of parking lots, temporary pavement markings, curb and gutter, ADA parking, storm sewer, sanitary sewer, waterlines, fire hydrants)
    - ii. All active recreation facilities
    - iii. Complete all pedestrian paths adjacent to the clubhouse
    - iv. Dumpster pad and access by building #2
    - v. Water service, fire protection, sanitary sewer service, telephone, electrical service for clubhouse
    - vi. Provide performance guarantee for remaining requirements of the UDO
  - b. Phase 2: certificate of occupancy for apartment building #1
    - i. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #1
    - ii. northern pedestrian path adjacent to building #1 and connection to Campus Drive
  - c. Phase 3: certificate of occupancy for apartment building #2
    - i. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #2
    - ii. Southern pedestrian path adjacent to building #2
  - d. Phase 4: certificate of occupancy for apartment building #3
    - i. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #3
    - ii. Southern pedestrian path adjacent to building #3
    - iii. Dumpster pad and access by building #3
  - e. Phase 5: certificate of occupancy for apartment building #4
    - i. Water service, fire protection, sanitary sewer service, telephone, electrical service for building #4
    - ii. Southern pedestrian path complete
    - iii. Complete site lighting
  - f. Phase 6: release performance guarantee
    - i. final layer of pavement
    - ii. pavement markings
    - iii. repair damaged sidewalk and curb and gutter
    - iv. all landscaping
    - v. dumpster enclosures including fencing
    - vi. remove erosion control devices
    - vii. install stormwater management facility
    - viii. as-built stormwater survey
    - ix. record stormwater maintenance agreement
    - x. punch list walk for public watermain
    - xi. record easement for public watermain
10. Authorize the Planning Director to process and approve all proposed performance guarantees without further Town Board approval.

Meadows stated the parks eligible for the committed fee in lieu funds:

1. District Park (serves all of the residents in the community) - Bray Park Sports Complex (9,027)
2. Nearest Community/Neighborhood/Mini Park - Loves Creek Greenway (6,212 feet)
3. Parks Not Eligible
  - a. Washington Avenue Park (11,620 feet)
  - b. Paul Braxton Park/Gym & Earl B. Fitts Community Center (11,836 feet)
  - c. Ernest Ramsey Gym (12,461 feet)
  - d. Landrus Siler Park (12,730 feet)
  - e. W.F. Collins Park (13,707 feet)
  - f. Boling Lane Park (15,437 feet)

Meadows shared the Parks and Recreation Department recommendations:

The department recommends that these funds go towards the ball field lighting project of field 2 at Bray Park Sports Complex. The ball field lights on field 2 keep us from playing games at nighttime on field 2. Field 2 is our nicest field, but we are handicapped by the outdated light system that is on it. Field 1, Field 3 and Field 4 all have adequate Musco Lighting. The field 2 lighting project cost \$150,000. \$57,063.00 fee in lieu was approved by the Town Board for Field 2 lighting on February 4, 2019.

Meadows shared the proposed in lieu:

1. Payment in lieu of providing active recreational facilities: 6,268 square feet x \$3/square foot = \$18,804.00
2. Additional payment in lieu option:
  - a. pedestrian path (\$26,589.00)
  - b. 2-5-year-old playground (\$4,704.00)
  - c. Option total = \$31,293.00
3. Potential grand total = \$50,097.00

***A motion that the map amendment for Wallick Asset Management, LLC requested a conditional use district rezoning to rezone ~15.141 acres from Heavy-Industrial (H-I) to Office-Institutional-Conditional Use (O-I-C), the proposed conditional use is an 84-unit multifamily residential apartment development for persons of low or moderate-income is approved and consistent with the adopted land development plan and any other officially adopted plan because the land development plan recommends mixed use for the subject property, encourages development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks, encourages the development of affordable housing, encourages close proximity of higher-density residential uses to mixed-use areas and compatible industrial areas and the action taken is reasonable in the public interest because it encourages efficient use of transportation networks, encourages the continued commercial, retail, service, and office development of the central business district, as well as encouraging compatible residential uses, commercial and limits the impacts of development on the environment and promotes sustainability was made by Commissioner Haiges, seconded by Commissioner Brown and unanimously approved.***

***A motion that the application for Wallick Asset Management, LLC requested a conditional use district rezoning to rezone ~15.141 acres from Heavy-Industrial (H-I) to Office-Institutional-Conditional Use (O-I-C), the proposed conditional use is an 84-unit multifamily residential apartment development for***

***persons of low or moderate-income is complete was made by Commissioner Fadely, seconded by Commissioner Brown and unanimously approved.***

***A motion that the application for Wallick Asset Management, LLC requested a conditional use district rezoning to rezone ~15.141 acres from Heavy-Industrial (H-I) to Office-Institutional-Conditional Use (O-I-C), the proposed conditional use is an 84-unit multifamily residential apartment development for persons of low or moderate-income complies with all applicable requirements of the Unified Development Ordinance was made by Commissioner Fadely, second by Commissioner Haiges and unanimously approved.***

***A motion at the application for Wallick Asset Management, LLC requested a conditional use district rezoning to rezone ~15.141 acres from Heavy-Industrial (H-I) to Office-Institutional-Conditional Use (O-I-C), the proposed conditional use is an 84-unit multifamily residential apartment development for persons of low or moderate-income 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, a copy of which is filed in City Hall, if any of the conditions affixed hereto or any park thereof shall be held invalid or void, then this permit shall be void and of no effect, conditions recommended by Staff, and the conditions recommended by the Board to work with the Police Department on best practices and best efforts was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.***

***A motion that the recreation payment in lieu of be used for the Musco lighting project for field two at Bray Park Sports Complex was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.***

Glandon Forest Equity, LLC proposes to rezone ~1.13 acres from Office-Institutional (O-I) to Highway-Commercial (H-C). The subject property is located at 610/618 N. 2<sup>nd</sup> Ave. and is identified as parcel #73467 & 61129.

Meadows stated that the Glandon Forest Equity, LLC proposes to rezone ~1.13 acres from Office-Institutional (O-I) to Highway-Commercial (H-C). (Incorporation by reference as if fully set forth herein Schedule C)

Meadows stated that the subject property is located at 610/618 N. 2<sup>nd</sup> Ave. and is identified as parcel # 73467 & 61129. The subject property is:

1. owned by Larry D. Marsh;
2. located inside the Town's Corporate Limits; and
3. located within the Loves Creek Watershed.

Meadows shared the size of tract:

1. Subject tract is 1.13 acres and includes 1 property owner and 2 tax parcels
2. Size of surrounding tracts: an average of 0.59 acre

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

1. Mixed use for the subject property.
2. These 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. Mixed use objectives and strategies:
  - a. Limit impacts of development of 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 stated that the property is served by public water and public sewer. A sidewalk is proposed along N. 2<sup>nd</sup> Ave. in the Siler City Pedestrian Master Plan. Street/road frontage:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
N. 2 <sup>nd</sup> Ave.	205	4	State	35	8,200 (2016)

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

Zoning District	H-C	O-I
Minimum lot size (square feet)	0	7,000
Recommended Minimum lot width	100	70
Front/street building setback	10	25
Side/rear building setback	0	10
Height limitation	60	45

Meadows stated that the O-I (office-institutional) district is designed to accommodate a mixture of residential uses and uses that fall primarily within the 18.0 classification in the Table of Permissible Uses. It is intended that this zoning classification be applied primarily in areas that no longer are viable as single-family residential areas because of high traffic volumes on adjacent streets or because of other market factors but remain viable as locations for multi-family residential developments or offices. Such areas will also generally constitute transition or buffer zones between major arterial or more intensively developed commercial areas and residential districts.

Meadows stated that the H-C (highway-commercial) district is designed to accommodate the widest range of commercial activities including businesses that primarily draw from and provide services to major thoroughfares.

Meadows noted 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 single family residential and multifamily residential
2. Surrounding land uses include; single family residential, church, vacant offices, vacant restaurant, vacant laundromat, vacant car wash, convenience store, and gas sales
3. Surrounded by R-10 (Residential), O-I, & H-C zoning

Meadows shared the Planning Board recommendations from the May 11, 2020:

The map amendment is approved and consistent with the adopted land development plan and any other officially adopted plan because the land development plan recommends:

1. Mixed use for the subject property.
2. These areas are often near major streets and highways, 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.
3. Limit impacts of development of the environment and promote sustainability.
4. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
5. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
6. Improve the appearance of properties.

Meadows shared public hearing from May 18, 2020:

Comments were presented by the Planning Director and applicant.

***A motion that the map amendment for Glandon Forest Equity, LLC proposes to rezone ~1.13 acres from Office-Institutional (O-I) to Highway-Commercial (H-C) is approved and consistent with the adopted land development plan and any other officially adopted plan because the land development plan recommends mixed use for the subject property, encourages development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks, encourages attractive commercial development in appropriate locations suitable for commercial purposes and the action taken is reasonable and in the public interest because these areas are often near major streets and highways, 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, limit impacts of development of the environment and promote sustainability and it improves the appearance of properties was made by Fadely, seconded by Commissioner Haiges and unanimously approved.***

Minor Modification – Conditional Use Permit – W 4<sup>th</sup> Street – Siler School Square

Meadows stated that the subject property is located at W. 4<sup>th</sup> St. and is identified as parcel # 62694. On March 19, 2018, the Siler City Board of Commissioners approved a conditional use permit with conditions for to develop a multifamily residential apartment with 44 dwelling units limited to persons of low or moderate income. (Incorporation by reference as if fully set forth herein Schedule D)

Meadows stated that the following conditions were made:

1. All dwelling units, facilities, open space, minipark, parking area, streets, etc. are connected by a minimum 5' wide sidewalk; and
2. 5,400 square feet of usable open space; and
3. 8,670 square feet of minipark area; and
4. 3,750 square feet tot lots (1 play equipment structures for ages 2-12 installed by the playground manufacturer, 30'-3" x 22"-8" area, engineered wood fiber material, bordered by durable molded plastic timbers, 2 metal benches, enclosed with black vinyl chain link fence); and
5. 4,200 square feet area with picnic shelter (wood columns wrapped in PVC with 30 year architectural shingles on a peaked roof, 2 metal powder coat picnic tables with 8 chairs, 2 metal benches, and 1 grill); and

6. 230 square feet fitness room and 490 square feet multipurpose activity room within Building 3; and
7. Parking shall be limited to a maximum of 1.5 parking spaces per dwelling unit (66 parking spaces); and
8. Per §199(h) of the UDO, (If a development is proposed that will access onto nonconforming streets with respect to street width, drainage, sidewalk, etc., then the nonconforming streets shall be improved in accordance with the provisions of Article XIV.); and
9. Historic marker be erected identifying the historic Henry Siler School property.

Meadows shared the minor modification request:

The contractor for the project is submitting a proposed phasing plan. The developer would like to occupy building-3 and start leasing units from the building-3 prior to completing all requirement of the project. Then within the following couple of months complete building-2 and then building-1. The contractor has posted a performance and payment bond with NCHFA and the developer. The contractor request that the Town Board authorize the Planning Director to process and approve a performance guarantee requested without further Town Board approval.

Meadows shared the proposed phasing plan:

1. Phase 1: certificate of occupancy for building-3 (existing building – 8 units)
  - a. Fitness, community, multipurpose room, board games
  - b. Playground (play equipment, benches, chain link fence, corn hole boards for playground)
  - c. Associated sidewalks/pedestrian paths
  - d. Driveway entrance off of W. 4<sup>th</sup> St.
  - e. 42 parking spaces, final layer of pavement, pavement markings,
  - f. Historic marker identifying the historic Henry Siler School
  - g. dumpster screen
  - h. curb and gutter
  - i. ADA parking
  - j. fire hydrant
  - k. water service
  - l. sanitary sewer service
  - m. telephone service
  - n. lighting
  - o. Utilities Director approval for water and sewer connections
  - p. Provide performance guarantee for remaining requirements of the UDO (see below)
2. Phase 2: certificate of occupancy for building–2 (12 units)
  - a. Associated sidewalks/pedestrian paths
  - b. 12 parking spaces, final layer of pavement, pavement markings, lighting
  - c. curb and gutter
  - d. ADA parking
3. Phase 3: certificate of occupancy for building–1 (24 units) and release performance guarantee
  - a. Associated sidewalks/pedestrian paths
  - b. 12 parking spaces, final layer of pavement, pavement markings, lighting
  - c. Picnic shelter (picnic tables, chairs, benches, and grill)
  - d. Open space
  - e. curb and gutter

- f. ADA parking
- g. landscape screens
- h. shade trees
- i. stormwater facilities
- j. record stormwater facility maintenance agreement
- k. stormwater facility as-built plan
- l. stormwater designer's certification
- m. remove erosion control devices

Meadows shared the phasing plan regulations:

§57 Completing Developments in Phases

- (a) If a development is constructed in phases or stages in accordance with this section, then, subject to §57(c), the provisions of §43 (No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled) and §56 (exceptions to §43) shall apply to each phase as if it were the entire development.
- (b) As a prerequisite to taking advantage of the provisions of §57(a), the developer shall submit plans that clearly show the various phases or stages of the proposed development and the requirements of this ordinance that will be satisfied with respect to each phase or stage.
- (c) If a development that is to be built in phases or stages includes improvements that are designed to relate to, benefit, or be used by the entire development (such as a swimming pool or tennis courts in a residential development) then, as part of his application for development approval, the developer shall submit a proposed schedule or completion of such improvements. The schedule shall relate completion of such improvements to completion of one (1) or more phases or stages of the entire development. Once a schedule has been approved and made part of the permit by the permit-issuing authority, no land may be used, no buildings may be occupied, and no subdivision lots may be sold except in accordance with the schedule approved as part of the permit, provided that:
  - (1) If the improvement is one (1) required by this ordinance then the developer may utilize the provisions of §56(a) or §56(c),
  - (2) If the improvement is an amenity, not required by this ordinance, or is provided in response to a condition imposed by the board, then the developer may utilize the provisions of §56(b). Sidewalks shall be excluded from this provision.

Meadows shared the minor modification regulations:

§60 Amendments to and Modifications of Permits

- (a) Insignificant deviations from the permit (including approved plans) issued by the town board, the board of adjustment, or the administrator are permissible and the administrator may authorize such insignificant deviations. A deviation is insignificant if it has no discernible impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.
- (b) Minor design modifications or changes in permits (including approved plans) are permissible with the approval of the permit-issuing authority. Such permission may be obtained without a formal application, public hearing, or payment of any additional fee. For purposes of this section, minor design modifications or changes are those that have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.
- (c) All other requests for changes in approved plans will be processed as new applications. If such requests are required to be acted upon by the town board or board of adjustment, new conditions may be imposed in accordance with §56, but the applicant retains the right to reject such additional



conditions by withdrawing his request for an amendment and may then proceed in accordance with the previously issued permit.

- (d) The administrator shall determine whether amendments to and modifications of permits fall within the categories set forth above in §60(a), §60(b), and §60(c).
- (e) A developer requesting approval of changes shall submit a written request for such approval to the administrator, and that request shall identify the changes. Approval of all changes must be given in writing.

***A motion to approve the minor modification of the Conditional Use Permit for West 4<sup>th</sup> Street and Siler School Square with the proposed phasing plan, the list of items to be included in the performance guarantee, and authorize the Planning Director to process and approve the performance guarantee without further Town Board approval was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.***

#### **NEW BUSINESS**

##### Neighborhood Revitalization Program Request for Proposals for Grant Administration Services

Meadows shared information about a the CDBG- Neighborhood Revitalization (NR) grant that is designed to provide grants to local unit of governments for housing and housing- related activities. (Incorporation by reference as if fully set forth herein Schedule E)

Meadows stated in order to apply for the funds the Town would need to seek grant administration services. Meadows shared a draft request for proposals for Board approval.

***A motion to apply for the CDBG- Neighborhood Revitalization and advertise the Request for Proposal for Grant Administration was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.***

#### **MANAGER'S REPORT**

##### Submitted Fiscal Year 2020/2021 Budget Overview

Lynch reviewed the 2020/2021 Budget that was submitted to the Board.  
The Board of Commissioners discussed the budget.

#### **TOWN ATTORNEY INFORMATION**

Morgan shared information from the UNC School of Government with the Board of Commissioners concerning the board vacancy since the passing of Larry Cheek. The Board of Commissioners discussed the appointment and asked Morgan to research if the Board could wait until after the new census data comes out before making the appointment.

#### **GOVERNING BODY COMMENTS**

none

#### **CLOSED SESSION**

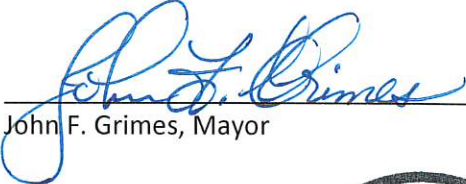
***A motion to go into closed session § 143-318.11 (a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged at 9:02pm was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.***

*A motion to come out of closed session at 9:40pm was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.*


*A motion to approve the settlement agreement between Rocky River Watch and NC Department of Environmental Quality – Division of Water Resources was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.*

**ADJOURNMENT**

With no further business the Board of Commissioners adjourned at 9:53pm.

  
\_\_\_\_\_  
John F. Grimes, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jenifer K Johnson, Town Clerk

