

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, June 20, 2022**, at 6:30pm in Multipurpose at the Wrenn Memorial Library with Mayor Price presiding. Commissioner Fadely gave the invocation with the recitation of the Pledge of Allegiance. Mayor Pro Tem Haiges recited the Town of Siler City Mission Statement and Mayor Price 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 Hank Raper, Attorney William Morgan, Planning Director Jack Meadows, Public Works Director Chris McCorquodale, Finance Director Tina Stroupe, and Town Clerk Jenifer Johnson

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

A motion to approve the amendments to the agenda was made by Commissioner Brown, seconded by Mayor Pro Tem Haiges, and unanimously approved.

A motion to approve the agenda was made by Commissioner Fadely, seconded by Commissioner Boone, and unanimously approved.

CONSENT AGENDA

A motion to approve the consent agenda which includes the June 6, 2022, Minutes (Incorporation by reference as if fully set forth herein Schedule A), 2022.4 Budget amendment – City Hall Renovation Project (Incorporation by reference as if fully set forth herein Schedule B), 2022.5 Budget Amendment – Year End Adjustments (Incorporation by reference as if fully set forth herein Schedule C), Planning Board City Limit Member Appointment (Incorporation by reference as if fully set forth herein Schedule D) was made by Mayor Pro Tem Haiges, seconded by Commissioner Fadely, and unanimously approved.

LEGISLATIVE PUBLIC HEARINGS

Hardik Raval/Raval Realty LLC proposes to rezone 99.73 acres from Agricultural-Residential (A-R) to Residential-3-Conditional (R-3-C). The proposed use is major subdivision (preliminary plat) that includes 147 single family residential lots (detached) and sixty-seven multifamily townhome lots. The subject property is identified as 893 & 909 Harold Andrews Road. and parcel # 13728 & 13732.

Mayor Price opened the public hearing for Hardik Raval/ Raval Realty LLC proposes to rezone 99.73 acres from Agricultural-Residential (A-R) to Residential-3-Conditional (R-3-C). The proposed use is major subdivision (preliminary plat) that includes 147 single family residential lots (detached) and sixty-seven multifamily townhome lots. The subject property is identified as 893 & 909 Harold Andrews Road. and parcel # 13728 & 13732 at 6:33pm. (Incorporation by reference as if fully set forth herein Schedule E)

Meadows stated that the subject property is owned by Mary France Davis Life Estate and is located outside the Town’s Corporate Limits.

Meadows shared the size of the tract:

1. Subject tract is 99.73 acres and includes one property owners and two tax parcels
2. Size of surrounding tracts is an average 8.85 acres

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

1. Low-density residential for the subject property.
2. Low-density residential are areas of residential development, typically single-family structures, with minimum lot sizes of approximately ¼ acre or greater.
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. Improve the appearance of properties.
 - d. Permit residential development at a low density in keeping with the character of many existing neighborhoods in the Town.
 - e. Maintain the integrity of existing neighborhoods
 - f. Promote walkable, interconnected neighborhoods
 - g. Encourage provision of recreation and park land for Town residents
 - h. Encourage efficient use of transportation networks.
 - i. The portions of the planning region within and near the existing Town limits and not designated as industrial or mixed-use areas should be preserved for future residential growth and the extension of public water and sewer of these areas should be a top priority.
 - j. Urban development densities should be restricted to areas in which sufficient water and sewer service is available.
 - k. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.
 - 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 areas to a higher density.
 - m. Preserve the existing housing stock by vigorously enforcing the minimum housing code and providing financial assistance to rehabilitate and stabilize deteriorating housing.
 - n. Encourage in-fill development in established residential areas.
 - o. Require that as a condition of receiving public water and/or sewer service, all new developments be incorporated into the Town limits.
 - p. Revise zoning and subdivision ordinance standards to promote interconnectivity of neighborhoods and use of sidewalks.
 - q. Promote cluster development with usable open space and amenities.
 - 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. Designate areas of the Town's planning jurisdiction as growth areas and give priority to utility extensions in those areas.
 - w. Provide parks and recreation programs to meet the recreation and fitness needs of all citizens of Siler City.
 - 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. Coordinate with county schools to look for ways to share recreation facilities and to encourage pedestrian access to schools.

- z. Explore the option of allowing developer fees-in-lieu for park facilities and other public facilities.
- aa. Develop a planting plan for street trees along public rights-of-way.
- bb. Encourage schools and other public facilities to be located in walkable, convenient locations proximate to high-density areas.
- cc. Modify the development ordinances to be more user friendly where possible.
- dd. Develop policies to encourage maintenance of structures.
- ee. Implement recommendations from the Town’s 2016 Natural Resource and Conservation Study.
- ff. 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.
- gg. Implement recommendations from the Town’s 2016 Natural Resource and Conservation Study.

Meadows stated that the Land Development Plan Amendment to be considered by the Town Board:

- 1. The proposed development minimum lot sizes are less than ¼ acre (medium density residential land use classification).
- 2. The proposed development is most consistent with the High-Density Residential land use classification (maximum density of twenty-eight units per acre).

Meadows shared an overview of the infrastructure:

- 1. See attached screen shots of Siler City water and sewer layout attached
- 2. Streets:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
Harold Andrews Rd (SR 1316)	~1,700	2	NCDOT	55	1,100 (2020)

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

- 1. Zoning Districts:
 - a. 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.
 - b. R-3 district
 - i. Designed and intended to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.
 - ii. served by Town water and sewer facilities
 - iii. primarily to accommodate higher density multi-family developments (including single family)
 - c. Dimensional Standards:

Zoning District	R-3	A-R
Minimum lot size (square feet)	3,000	40,000
Recommended minimum lot width	50'	100'

Front/street building setback	20'	40'
Side/rear building setback	4'	20'
Height limitation	60'	40'

2. See attached a draft of conditional zoning conditions to be considered
3. Additional comments related to sewer service for the project:
 - a. Town Engineer:
 - i. Sewer Pump Station on Harold Andrews Road has a firm pumping capacity of ninety-four gallons per minute (gpm) and four" diameter force main per Town records and does not have backup power. This pump station will need to be upgraded and a downstream sewer evaluation completed to confirm capacity is available in the sewer collection system for the proposed development. It is likely that additional upgrades will be required to accommodate the capacity requirements for this development. These improvements will need to be confirmed during the site plan approval process.
 - b. Applicant:
 - i. Given costs already associated with the on-site private pumpstation, the additional costs mentioned in #2 below to upgrade the public pump station and potential downstream improvements may become cost prohibitive to this development as planned. Related to this:
 1. Can you clarify the extents of the downstream sewer evaluation requirement and potential upgrade component responsibilities?
 2. At what point in schedule is this evaluation required?
 3. Since pump station and downstream system is public and owned by the city, could consideration be given to a cost-sharing scenario where the upgrade design could also include future development in this area, helping to reduce the cost burden from just this project?
 - c. Applicant:
 - i. To eliminate duplicate pump station costs for developer, could a cost share option be explored where perhaps a single new public pump station could be designed that would serve this site and future development.
 - d. Town Engineer:
 - i. Single pump station that could be designed to take the place of both stations (Harold Andrews Road and North Avenue).
 - ii. Downstream Sewer evaluation is required with pump station or substantial expansion to ensure it does not result in exceeding capacity of existing lines. The existing station discharges to an eight" gravity sewer on Ponderosa Road. That runs by gravity to North Pump Station which then pumps to a line at US64. The evaluation would need to run at least through the North Pump Station as the last pump station prior to the WWTP.
 - iii. Proposed capacity per NCDEQ for the subject development is ~100,000 gallons per day.

Meadows shared the following relationship of uses:

1. Current use of subject property is single family residential and agriculture
2. Surrounding land uses include:
 - a. agriculture
 - b. single family residential
 - c. manufacturing
 - d. US 421 Bypass

- e. Church
 - f. Vacant
3. Surrounded by A-R & L-I zoning.

Meadows shared the following comments shared during the Planning Board meeting on June 13, 2022:

1. An electric transmission line is located along the western boundary of the subject development. It was reported that the following activities are currently present:
 - a. Illegal dumping activities; and
 - b. Illegal drug sales and associated activities.
2. A home constructed in 1910 (909 Harold Andrews Road) is proposed to be removed during the development of the subject property.
3. Traffic Impact:
 - a. Suggested the speed limit on Harold Andrews Road be reduced from 55 mph to 45 mph
 - b. Concerns regarding the intersection of Harold Andrews Road and Siler City Snow Camp Road related to recent traffic and future traffic accidents. It was reported that two fatalities have occurred.
 - c. The Traffic Impact Analysis report reviewed by the following engineers did not recommend any improvements at the intersection of Harold Andrews Road and Siler City Snow Camp Road:
 - i. Davenport (hired by the developer)
 - ii. NCDOT
 - iii. Timmons (hired by the Town of Siler City)

Meadows shared the Planning Board recommendations from the June 13, 2022 meeting:

1. Recommended 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:
 - 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. Improve the appearance of properties.
 - d. Permit residential development at a low density in keeping with the character of many existing neighborhoods in the Town.
 - e. Maintain the integrity of existing neighborhoods.
 - f. Promote walkable, interconnected neighborhoods.
 - g. Encourage provision of recreation and park land for Town residents.
 - h. Encourage efficient use of transportation networks.
 - i. The portions of the planning region within and near the existing Town limits and not designated as industrial or mixed-use areas should be preserved for future residential growth and the extension of public water and sewer of these areas should be a top priority.
 - j. Urban development densities should be restricted to areas in which sufficient water and sewer service is available.
 - k. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.
 - 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 areas to a higher density.

- m. Preserve the existing housing stock by vigorously enforcing the minimum housing code and providing financial assistance to rehabilitate and stabilize deteriorating housing.
 - n. Encourage in-fill development in established residential areas.
 - o. Require that as a condition of receiving public water and/or sewer service, all new developments be incorporated into the Town limits.
 - p. Revise zoning and subdivision ordinance standards to promote interconnectivity of neighborhoods and use of sidewalks.
 - q. Promote cluster development with usable open space and amenities.
 - 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. Designate areas of the Town's planning jurisdiction as growth areas and give priority to utility extensions in those areas.
 - w. Provide parks and recreation programs to meet the recreation and fitness needs of all citizens of Siler City.
 - 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. Coordinate with county schools to look for ways to share recreation facilities and to encourage pedestrian access to schools.
 - z. Explore the option of allowing developer fees-in-lieu for park facilities and other public facilities.
 - aa. Develop a planting plan for street trees along public rights-of-way.
2. Additional Conditions recommended by the Planning Board during the June 13, 2022 meeting:
- a. Provide utility (Town water and sewer) easements to all adjoining properties so that the adjoining properties can be served by Town water and sewer in the future.
 - b. If NCDOT cannot ensure that site distance requirements are met, then the developer shall consider the following:
 - a. Reduce speed limit along Harold Andrews Road; accordingly, and/or
 - b. Install advanced warning signage along Harold Andrews Road to assist with potential horizontal and vertical site concerns.
 - c. Recommend amended the Land Development Plan map for the subject property from Low Density Residential land use classification to High Density Residential land use classification.

Luke Dickey, 601 N Trade Street, Suite 200, Winston-Salem, NC

Mr. Dickey represented the developer and answered questions from the Board of Commissioners concerning affordable housing, sidewalks, access, and recreation.

Donald Matthews, 909 12th Street, Siler City, NC

Asked if the project could be hooked up to the water and sewer and the answer is no. We have problems in our existing water and sewer. I wish this young man would come over to my neighborhood and look at it. We have been talking about these neighborhoods for over eighteen months now and this board has not addressed it, but yet their going to address a new 140 units coming in. This will be annexed into the

city, which is what I heard, that means we will have to extend law enforcement, fire department, trash pick-up and we have not been doing that now, we are not even half doing it. How in the name of God can we allow 140 some new homes plus seventy apartments and we cannot take care of what we got. I am hard pressed to pick out what we are doing here. We need to work on our infrastructure before we give any new projects open ground. We have streets we cannot even pave. There is going to be new street you will have to pave. I do not understand it at all, and I hope somebody here has sense enough to say woo before we get into serious trouble with affordable housing. Until we can take care of what we currently have, we do not need anything. And we are not taking care of the citizens of Siler City right now as it currently stands. And everybody in this room knows it. Until you come up with a plan for the existing residents, don't bring anybody else in here, because you can't take care of them either, because you are not taking care of us.

The Board of Commissioners asked questions of staff and the applicant.

A motion to recess the public hearing for the Hardik Raval/ Raval Realty LLC proposes to rezone 99.73 acres from Agricultural-Residential (A-R) to Residential-3-Conditional (R-3-C), the proposed use is major subdivision (preliminary plat) that includes 147 single family residential lots (detached) and 67 multifamily townhome lots, the subject property is identified as 893 & 909 Harold Andrews Road and parcel # 13728 & 13732 close a portion of Patterson Street pursuant to NC Gen. Statute §160A-299 to Monday, June 27, 2022 at 6:30pm at the Wren Memorial Library was made by Commissioner Fadely, seconded by Mayor Pro Tem Haiges and unanimously.

NEW BUSINESS

Tanglewood and Driftwood Water Pressure Project

Town Manager Hank Raper stated that town staff conducted a water pressure study back in 2020 in the Homewood acres neighborhood after receiving multiple complaints. At the request of the Town Board a letter was sent out in all water bills to gauge water pressure complaints town wide. Those complaints centered around Tanglewood and Driftwood Dr. and the Piney Grove area. We are looking to address both areas. This current project however will focus on the Tanglewood and Driftwood Drive area. (Incorporation by reference as if fully set forth herein Schedule F)

Raper shared a brief description of the project:

"The proposed project includes the construction of a small booster pump station to increase the pressure in the Tanglewood St. area. Connected to this booster pump station will be approximately 2,170 LF of 2", 2,480 LF of 3", and 1,010 LF of 4" PVC water lines to serve the sixty-five houses that are experiencing low pressure in the upper portion of the pressure zone. The larger diameter mains will remain in service to connect the water tank to homes in the lower section of the pressure zone and provide fire flows. The tank in this area does not provide sufficient pressure to the affected houses due to the hydraulic grade. The proposed project will effectively create a new pressure zone to prevent over-pressuring water mains in the lower section of the zone and provide adequate pressure to the higher elevation area."

Raper stated that the Town applied for and received a 0.16% loan for \$826,355 with up to 25% principal forgiveness (\$206,589) from Drinking Water State Revolving Fund for this this project. Town staff did an RFP for Engineering Services for the project and received one proposal from McGill Associates. Town staff is recommending approval of the project budget ordinance and approval of the engineering services contract with McGill Associates.

A motion to approve the Tanglewood and Driftwood Water Pressure Project Budget Ordinance and authorize the Town Manager to execute the contract with McGill Associates for the project was made by Mayor Pro Tem Haiges, seconded by Commissioner Fadely, and unanimously approved.

Rescind State of Emergency

Town Manager Hank Raper stated on March 16, 2020, Mayor John Grimes declared a state of emergency in response to the spread of COVID-19. With no further need for such a declaration, Town Staff is now recommending the state of emergency be rescinded. (Incorporation by reference as if fully set forth herein Schedule G)

A motion to rescind the State of Emergency date March 16, 2020, effective July 30, 2022 was made by Mayor Pro Tem Haiges, Commissioner Brown, and unanimously approved.

Auxiliary Police Officers Program Policy Revision

Town Manager Hank Raper stated that staff is proposing two revisions to the current Auxiliary Police Officers Program Policy. (Incorporation by reference as if fully set forth herein Schedule H)

- 1) Section 2.3 Required Hours for Auxiliary Officers, 2.3.1. Change the required hours per month from a minimum of eight (8) hours to twelve (12) hours. This will help cover our 12-hour Patrol shifts, which are currently short staffed.
- 2) Section 5. Responsibilities and Conduct of Auxiliary Officers, 5.2 Prohibited Jobs While an SCPD Auxiliary Officer. Delete this section so currently sworn individuals outside of our agency are eligible to assist with Patrol shifts. This will give us a more options when trying to fill short shifts and fill time off requests.

A motion to approve the revisions of the Auxiliary Police Officers Program Policy effective June 20, 2022 was made by Commissioner Brown, seconded by Commissioner Fadely, and unanimously approved.

NEW BUSINESS

Amendment Request to the Covenants for Central Carolina Business Campus

Chatham County Assistant Manager Bryan Thompson requested an amendment to the Declaration of Covenants, Conditions and Restrictions for the Central Carolina Business Campus (CCBC). Chatham County is partnering with Wallick Communities, a low-income tax credit housing developer (LIHTC), to establish an affordable housing multifamily residential development within the CCBC. The intended location of this seventy-two residential unit development is 226 Campus Drive, which is a 15-acre tract of land east of Chatham Hospital near the end of Campus Drive. This location has been identified as being particularly desirable for this project on account of its proximity to health care services, job centers, and essential goods and services. (Incorporation by reference as if fully set forth herein Schedule I)

Thompson stated that this Declaration of Covenants governs the development and uses allowed within the CCBC. The Covenants, as currently written, contain several provisions that inhibit this project's ability to take place at this location. This requested amendment to the Covenants seeks to address these items, which will enable this important project to move forward. As one of several property owners within the CCBC, Siler City is being asked to approve the proposed amendments to the Covenants.

Thompson shared two documents, including the stated Covenants as well as the proposed amendment. Thompson stated that County Staff is in communication with the other CCBC property owners, as we are requesting the same from them.

The Board of Commissioners discussed the change in the covenants and asked questions of Thompson.

A motion to approve the amendment to the Declaration of Covenants, Conditions, and Restrictions for the Central Carolina Business Campus (CCBC) and allow administration to make any future changes was made by Commissioner Fadely, seconded by Mayor Pro Tem Haiges, and unanimously approved.

MANAGER'S REPORT

Town Manager Hank Raper shared the following with the Board of Commissioners:

- The funding of the new Public Works Director will come from cost savings in the police department.
- Shared an updated report from Hobbs on the City Hall Renovation.
- Two Maintenance Workers were hired.
- Police Department is speaking with potential new staff.
- Offers have been made to the new Assistant Finance Director and Public Works Director.

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

Commissioner Fadely stated that he would like to see cross training between departments and thanked town staff for working on the water pressure issue and asked if we could get any grants for stormwater. Town Manager Raper stated that town staff is working on the program.

Commissioner Haiges thank town staff for the city hall renovation report.

Mayor Price asked the town attorney to check on the residence requirement for those running for office in Siler City.

Commissioner Bray thanked town staff for their work.

CLOSED SESSION

A motion to go into closed session for §143-318.11(a)(4) 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 at 8:07pm was made by Mayor Pro Tem Haiges, seconded by Commissioner Brown, and unanimously approved.

A motion to come out of closed session at 8:50pm was made by Mayor Pro Tem Haiges, seconded by Commissioner Fadely, and unanimously approved.

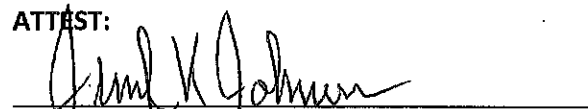
A motion to go into closed session for §143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged at 8:51pm was made by Mayor Pro Tem Haiges, seconded by Commissioner Brown, and unanimously approved.

A motion to come out of closed session at 8:56pm was made by Commissioner Brown, seconded by Mayor Pro Tem Haiges, and unanimously approved.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:57pm.


Thomas K. Price, Mayor Pro Tempore

ATTEST:

Jenifer K. Johnson, Town Clerk

