

TOWN OF SILER CITY  
BOARD OF COMMISSIONERS  
August 7, 2023, MINUTES  
PAGE 1 OF 8

**TOWN OF SILER CITY**

The Siler City Board of Commissioners met In Regular Session on **Monday, August 7, 2023**, at 6:30pm in City Hall Courtroom with Mayor Price presiding. Commissioner Alston gave the invocation with the recitation of the Pledge of Allegiance following. Mayor Price recited the Town of Siler City Mission Statement and Commissioner Boone recited the Town of Siler City Vision Statement.

**ELECTED TOWN OFFICIALS PRESENT:** Albert Alston, Norma Boone, Curtis Brown, Bill Haiges, and Thomas "Chip" Price, and James Underwood

**ELECTED TOWN OFFICIALS ABSENT:** Cindy Bray and Lewis Fadely

**TOWN STAFF PRESENT:** Town Manager Hank Raper, Town Attorney William Morgan, Public Works Director Cal Pettiford, Public Utilities Director Chris McCorquodale, Planning Director Jennifer Baptiste, Police Chief Mike Wagner, Community Development Director, Human Resources Director, Nancy Darden, Budget Manager Jenifer Johnson, and Town Clerk Kimberly Pickard.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

***A motion to approve the agenda amendment amending the bank resolution and July 17<sup>th</sup> Minutes was made by Mayor Pro Tem Haiges, seconded by Commissioner Brown, and unanimously approved.***

**CONSENT AGENDA**

***A motion to approve the consent agenda which included the July 17, 2023 Minutes (Incorporation by reference as if fully set forth herein Schedule A), Water Shortage Response Plan, (Incorporation by reference as if fully set forth herein Schedule Resolutions for Bank Accounts and Finance Officer, (Incorporation by reference as if fully set forth herein Schedule C) PFAS Legal Services Agreement (Incorporation by reference as if fully set forth herein Schedule D) was made by Mayor Pro Tem Haiges, seconded by Commissioner Boone, and unanimously approved.***

**PRESENTATIONS**

None

**PUBLIC COMMENT**

Cindy Dameron: 11080 Hwy 64 W Siler City, NC 27344 – Dameron voiced her concerns over the moratorium and real estate agents not being able to sell property because they cannot offer their clients water and sewer. She also wanted to know how water and sewer allotments were determined.

**PUBLIC HEARING**

**R23-0402- Conditional Rezoning- Village Lake Drive represented by Courtney McQueen of Quinty Engineering is requesting to rezone five (5) parcels with parcel IDs 80718, 80719, 80720, 80721 and 80724 from Office Institutional/Conditional (O-I-C) to Neighborhood Business / Conditional (B-1-C).**

TOWN OF SILER CITY  
 BOARD OF COMMISSIONERS  
 August 7, 2023, MINUTES  
 PAGE 2 OF 8

Mayor Price opened the public hearing for Village Lake Drive represented by Courtney McQueen of Quinty Engineering request to rezone five parcels with parcel IDs 80718, 80719, 80720, and 80724 from Office Institutional/Conditional (O-I-C) to Neighborhood Business / Conditional (B-1-C). at 6:37pm.

Planning Director Jennifer Baptiste shared the following property information:

Rudra Siler City, LLC., represented by Courtney McQueen, is requesting to rezone five (5) parcels from Office Institutional/Conditional (O-I-C) to Neighborhood Business/Conditional (B-1-C). Baptiste went on to give the background information that included details of the properties being located to the North and South of Siler Business Drive and being west of North Second Ave ext. and the five parcels are approximately 10.812 acres in size.

Baptiste also shared:

Adjoining Zoning & Land Use:

- North: O-I-C – Assisted Living Facility- Coventry House of Siler City
- South: O-I-C – Office Park
- West: L-I – Industrial Use
- East: H-C –Vacant

The impact on Landowners, Immediate Neighbors and Surrounding communities is below:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
Siler Business Drive	785.8	2	Town	35	NA
Village Lake Drive	425.5	2	Town	35	NA
N Second Ave Ext	788.2	2	Town	55	NA

Zoning District	O-I	B-1
minimum lot size (Square Feet)	7,000	5,000
Recommended Minimum Lot width	70'	50'
Street right-of-way building set back	25'	20'
Lot boundary building set-back	10'	5'
Height Limitation	45'	45'

Conditional Rezoning Request:

The request is for a conditional zoning from Office Institutional/Conditional (O-I-C) to Neighborhood Business/Conditional (B-1-C). The owner is proposing to construct a seven building, one hundred seventy-two (172) unit apartment complex community. According to the Unified Development Ordinance (UDO), any multifamily apartment complex with over thirteen (13) units are required to have a conditional rezoning in the B-1 district.

Prepared by Kimberly D Pickard, Town Clerk

TOWN OF SILER CITY  
BOARD OF COMMISSIONERS  
August 7, 2023, MINUTES  
PAGE 3 OF 8

A Traffic Impact Analysis (TIA) has been submitted to the Town and is under review by the appropriate departments.

Conditional Rezoning:

The request is for a conditional zoning from Office Institutional/Conditional (O-I-C) to Neighborhood Business/Conditional (B-1-C). The conditions associated with this development are due to the requirement in the UDO that any apartment complex over thirteen (13) unit obtain approval from the Board of Commissioners. Baptiste stated that Staff has reviewed the proposed condition and is proposing the board accepts the conditions related to the development:

1. There will be seven (7) buildings.
2. One hundred seventy-two (172) units.

Planning Director Jennifer Baptiste shared with the Board of Commissioners the following Compatibility with the existing Land Development Plan:

The adopted Land Development Plan (LDP) recommends these parcels develop as Mixed Use. Mixed Use is defined as "areas often near major streets and highways, or in the central business district, and contain a variety of commercial, public, and residential land use. 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."

The objectives identified in the Land Development Plan for the Mixed-Use land classification are:

1. Limit impacts of development on the environment and promote sustainability.
2. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
3. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
4. Encourage the continued commercial, retail, service, and office development of the central business district, as well as encouraging compatible residential uses.
5. Improve the appearance of properties.
6. Limit the proliferation of single-purpose highway-oriented commercial areas and encourage mixed-use development.
7. Allow redevelopment of single-purpose commercial sites into mixed-use sites over time.
8. Promote downtown Siler City as an active, attractive community that accommodates multiple uses such as the arts, small businesses, and residential.
9. Encourage the development of affordable housing.
10. Encourage close proximity of higher-density residential uses to mixed-use areas and compatible industrial areas.
11. Encourage efficient use of transportation networks.

The development will also be required to meet other standards of the UDO such as buffering, landscaping, parking, and other state, federal, and local regulations.

Baptiste went on to explain the adopted Land Development Plan (LDP) recommends the parcels develop as mixed use, explain the definition of as mixed use being defined as "areas often near major

TOWN OF SILER CITY  
 BOARD OF COMMISSIONERS  
 August 7, 2023, MINUTES  
 PAGE 4 OF 8

streets and highways, or in the central business district and that can contain a variety of commercial, public, and residential land use.

Lastly, Baptiste presented the Board of Commissioners with their options:

1. Approval of the map amendment /rezoning to B-1-C consistent with the Siler City Land Development plan and find the request reasonable with the surrounding area ; or
2. Denial of the map amendment /rezoning request as it is not consistent with the Siler City Land Development plan and find the request is not reasonable with the surrounding area.

Mayor Price asked Planning Director Jennifer Baptiste if the applicant was aware of the wastewater delays and Baptiste stated the applicant was well aware before the application was submitted.

Jennifer Scott: 244 High Ridge Lane, Pittsboro NC 27312- Scott represents the applicant she stated the project goes along with the Land Use plan and adds diversity to the mix, offering apartments as growth continues in Siler City. She also stated her client was aware of the utilities concerns.

Mayor Price asked Jennifer Scott if the apartments would be seen from the road and if they were going to be two-story? Scott replied that the design had not been flushed out at this point she did know that there would be one, two and three bedroom options and that she does not foresee her client wanting in type of variances in the future.

Mayor Price closed the public hearing at 6:44pm.

***A motion to approve the proposed Zoning Map Amendment from O-I-C to B-1-C, and the amendment is consistent with the Town of Siler City's future land use plan based on the staff report, supporting exhibits, the consistency statement and testimony provided, the amendment is also reasonable and in harmony with the surrounding area was made by Mayor Pro Tem Haiges, seconded by Commissioner Brown and unanimously approved.***

R23-0701-Conditional Rezoning-Loves Creek Church Rd represented by Windsor Development Group, IV, LLC is requesting to conditionally rezone eight (8) parcels with parcel IDs 68842, 14421, 14423, 14425, 14233, 14359, 14413 and 14180 from Agricultural Residential (AR) and Residential 6 (R-6) to Residential 3 / Conditional (R-3-C).

Mayor Price opened the public hearing for Loves Creek Church Rd represented by Windsor Development Group IV request to rezone eight parcels with parcel IDs 68842, 14421, 14423, 14423, 14233, 14359, 14413 and 14180 from Agricultural Residential (AR) and Residential 6 (R-6) to Residential 3 / Conditional (R-3-C) at 6:45pm.

Planning Director Jennifer Baptiste shared the following property information: The property owner is requesting to rezone to allow for a 562-unit housing community which would consist of 169 single family homes, 81 townhomes, and 312 apartment units. The properties are located to the north of US Highway 64, south and west of US 421 and each of Richardson Road and Woody Lane, the area is approximately 89.678 acres. Six of the eight parcels are undeveloped, two are developed with manufactured homes.

Prepared by Kimberly D Pickard, Town Clerk

TOWN OF SILER CITY  
 BOARD OF COMMISSIONERS  
 August 7, 2023, MINUTES  
 PAGE 5 OF 8

Baptiste also shared the following:

- North: A-R- Undeveloped
- South: A-R, H-C- Undeveloped and Commercial Businesses
- West: A-R- Undeveloped and Single-Family residential
- East: Major Highway

Babtiste shared the impact on Landowners, Immediate Neighbors and Surrounding communities is below:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
Loves Creek Church Rd	1,284.7	2	Town	35	NA
Richardson Rd	0	2	Town	35	NA
Woody Lane	458.4	1	Private	35	NA

Zoning District	A-R	R-6	R-3
minimum lot size (Square Feet)	40,000	6,000	3,000
Recommended Minimum Lot width	100'	60'	50'
Street right-of-way building set back	40'	25'	20'
Lot boundary building set-back	40'	25'	20'
Height Limitation	20'	9'	4'

**Conditional Rezoning Request:**

The request is for a conditional zoning from Agricultural Residential (A-R) and Residential 6 (R-6) to Residential 3/Conditional (R-3-C). The owner is proposing to construct single family residential homes, townhomes, and apartments. The applicant is proposing to develop the site with one hundred sixty-nine (169) single family homes, eighty-one (81) townhomes, and three hundred twelve (312) apartment units for a total of 562 dwelling units. The applicant is proposing to complete the development in development phases. The proposal is to complete construction in four (4) phases. According to the Unified Development Ordinance (UDO), any multifamily apartment complex with over thirteen (13) units is required to have a conditional rezoning in the R-6 district. A Traffic Impact Analysis (TIA) has been submitted to the Town and is under review by the appropriate departments.

**Conditional Rezoning:**

The request is for a conditional zoning from Agricultural-Residential (A-R) and Residential 6 (R-6) to Residential 3/Conditional (R-3-C). The conditions associated with this development are due to the requirement in the UDO that any apartment complex over thirteen (13) unit obtain approval from Board of Commissioners. Staff has reviewed the proposed condition and is proposing the board accepts the conditions related to the development:

TOWN OF SILER CITY  
BOARD OF COMMISSIONERS  
August 7, 2023, MINUTES  
PAGE 6 OF 8

1. There will be one hundred sixty-nine (169) single family homes, eighty-one (81) townhomes, and three hundred twelve (312) apartment units for a total of 562 dwelling units.
2. There will also be recreation areas, stream buffers, and stormwater management areas. The development will also be required to meet other standards of the UDO such as buffering, landscaping, parking and other state, federal and local regulations.

Baptiste shared the following Compatibility with the Existing Land Development Plan:

The adopted Land Development Plan (LDP) recommends these parcels develop as Mixed Use, Medium-density Residential, and Conservation and Recreation. Mixed Use is defined as "areas often near major streets and highways, or in the central business 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."

Medium-density Residential is defined as "areas of residential development, typically single-family structures, with minimum lot sizes of approximately ¼ acre or greater."

Conservation and Recreation is defined as "areas identified as a priority for conservation of critical environmental features, or as preserved open space and parkland district, and contain a variety of commercial, public, and residential land use.

Lastly, Baptiste presented the Board of Commissioners with their options:

1. Approval of the map amendment/rezoning to R-3-C consistent with the Siler City Land Development Plan and find the request reasonable with the surrounding area; or
2. Denial of the map amendment/rezoning request as it is not consistent with the Siler City Land Development Plan and find the request is not reasonable with the surrounding area.

Commissioner Brown questioned if the stormwater needs would be addressed, Commissioner Underwood questioned the mobile home units on the existing property and Mayor Price asked Planner Director Jennifer Baptiste if the developer was aware that it would be a long time before they could shovel dirt. Baptiste informed the Commissioners that several members of the development were in the audience and available to answer any questions.

1. Lee Lambert: 51 Fallenwood Lane, Chapel Hill NC: Lee Lambert is one of the owners of properties, explained to the commissioners how they have paid for several different studies to be completed on the properties like Stormwater that Commissioner Brown questioned and went on to explain that their have been meetings with the individuals that are living in the mobile homes to possibly be relocated another area, he assured the Commissioners that individuals would not be displaced
2. Lonnie West: 133 Chatham Mill Rd, Pittsboro NC 27312: Mr. West explained his ties to Siler City and his experience in the real estate development in Chatham County, and believes this project is very much needed for the area.
3. Craig Duerr: 403 April Blarry Lane, Cary NC 27519- Part of the Windsor Design Team and explained that Storm water programs were going to be put into place and they were doing as much as possible to limit any impacts on the flood plains etc.

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TOWN OF SILER CITY  
BOARD OF COMMISSIONERS  
August 7, 2023, MINUTES  
PAGE 7 OF 8

4. BhoHong Wan: 940 Main Campus Drive Suite 500 Raleigh, NC 27616- Mr. Wan is a traffic engineer and explained to the Board of Commissioners the current turn in an out plans and explained her was working closely with the DOT.
5. Mark Kritz: 5524 Connection Place, Raleigh, NC 27616
6. Ryan Sumar: 7620 Mitchell Mill Rd, Zebulon NC 27597- part of the Windsor Design Team.
7. Anna Tuell, 22 Prince St, Cameron NC 27800 : stated she is the Finance Director for the Chatham Habitat for Humanity, and stated the development has agreed to donate 100,000 to the habitat after the first house is built.

***Mayor Price closed the public hearing at 7:27pm.***

***A motion to approve the proposed Zoning Map Amendment from Agricultural Residential (AR) and Residential 6 (R-6) to Residential 3 Conditional (R-3-C), and that the amendment is consistent with the Town of Siler City's future land use plan based on the staff report, supporting exhibits, the consistency statement and testimony provided, the amendment is also reasonable and in harmony with the surrounding area was made by Commissioner Brown, seconded by Mayor Pro Tem Haiges and unanimously approved.***

**OLD BUSINESS**

NONE

**NEW BUSINESS**

NONE

Commissioner Alston questioned the minutes of the July 17, 2023 Board of Commissioners meeting stating the motion approving the proposed restructuring of Finance and Budget Departments and that his vote should have been a nay and not a yay.

***A motion to change Commissioner Alston's vote on the July 17, 2023 Board of Commissioners meeting minutes of the proposed restructure of the finance and budget departments from a Yay to Nay was made by Mayor Pro Tem Halges and seconded by Commissioner Brown and all were in favor.***

**MANAGER'S REPORT**

Town Manager Hank Raper gave the following updates:

- Water bills increases were on last bill and Raper wanted to make the Commissioners aware in case they had any phone calls.
- Introduced the Wolfsped representatives.
- Provided numbers on the Football and Cheer numbers explaining why there was not enough of interest and enough of kids registered to have teams, Raper explained that Parks & Recreation along with Jordan Matthews High School would be offering free football camps during the fall and announced that the Parks and Rec department was now fully staffed.

**TOWN ATTORNEY INFORMATION**

NONE

**GOVERNING BODY COMMENTS**

TOWN OF SILER CITY  
BOARD OF COMMISSIONERS  
August 7, 2023, MINUTES  
PAGE 8 OF 8

Curtis Brown informed Town Manager, Hank Raper that a citizen called him about a broken lighting globe at the cemetery, and inquired about John Day and asked if staff was working on that issue. Commissioner Brown also inquired about National Night out and said he had complaints that no food was offered, Police Chief, Mike Wagner, explained the amount of manpower it takes to put on National Night Out. Mayor Price asked for an information meeting for realtors explaining the water and sewer allotments, Raper explained to him the next Sewer Allocation meeting was August 21<sup>st</sup> in which the Mayor as well as Mayor Pro Tem are actively involved, the mayor still asked for a separate meeting for realtors.

**ADJOURNMENT**

With no further business the Board of Commissioners adjourned at 7:44pm.

  
Thomas K. Price, III, Mayor

**ATTEST:**

  
Kimberly D Pickard, Town Clerk

