

TOWN OF SILER CITY
 BOARD OF COMMISSIONERS
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TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, March 20, 2023**, at 6:30pm in City Hall Courtroom with Mayor Price presiding. Mayor Price gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Bray recited the Town of Siler City Mission Statement and Commissioner Brown recited the Town of Siler City Vision Statement.

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

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

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

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

CONSENT AGENDA

A motion to approve the consent agenda which includes the March 6, 2023 Minutes (Incorporation by reference as if fully set forth herein Schedule A), Wolfspeed Project Water and Sewer Project Budgets (Incorporation by reference as if fully set forth herein Schedule B, Budget Amendment 2023.20-101 Raleigh Street Building Purchase(Incorporation by reference as if fully set forth herein Schedule C. Budget Amendment 2021.21 WWTP Land Purchase (Incorporation by reference as if fully set forth herein Schedule D. City Hall Budget Amendment-Project 90 for ADA Ramp Installation (Incorporation by reference as if fully set forth herein Schedule E. Special Order of Consent Budget Amendment and Project Budget Ordinance Wastewater Treatment Plant (Incorporation by reference as if fully set forth herein as Schedule F. was made by Commissioner Brown, seconded by Commissioner Fadely, and unanimously approved.

PRESENTATIONS

J.R Lapearl Director of Mountaire Cares of Mountaire, demonstrated how the Mountaire website now has a platform, where the neighborhood can submit feedback and or questions through the Contact us portion of the Mountaire website.

PUBLIC HEARING

Mayors Term Expansion:

Mayor Price opened the Public Hearing at 6:39 pm for the Mayors term expansion.

Public Hearing Comments:

Dean Pico: 726 W Dolphin Street Siler City, NC 27344: spoke in favor of the Mayor's term expansion but only if it was put on the active ballot for the people to vote.

Rosemary Lentzen: 303 S. Dogwood Ave Siler City, NC 27344: Gave speech addressing each of the board members and how the roads need to be better.

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Jimmie C. Pugh 350 Womble Street, Siler City, NC 27344 : believes the term expansion needs to be put on the ballot by decided by the people.

Donald Matthews 909 12th Street Siler City, NC 27344 : Stated that matter had already went to House Bill 252, and feels certain commissioners are shoving down peoples throat.

Pamela Hall 1976 Wade Paschal Rd, Siler City, NC 27344: stated she was in favor of a four year term expansion.

Chelsea Barbee 702 N Glenn Ave Siler City, NC 27344: Mayor's term expansion should be a ballet issue , wants the matter to be given to the people to decide.

Gail Matthews 1308 Alston Ave, Siler City NC 27344 : People want the matter on the ballet, people want their say.

Dennis De St. Aubin 526 Pine Forest Drive, Siler City, NC 27344 : In favor of longer term for mayors but shorter terms for the commissioners.

Cindy Dameron 11080 Hwy 64 West, Siler City NC 27344 : stated that people voted the commissioners in, and the people should let the commissioners decide.

Alec Houser 418 Dolphin Street, Siler City, NC 27344 : In favor of the Mayor's Term Expansion.

A motion to close the public hearing at 7:08pm in the court room was made by Commissioner Fadely and seconded by Mayor Pro Tem Haiges and unanimously approved.

Mayor Price opened the public hearing for Liberty Hill, LLC represented by Jose Guevara, requesting a Conditional Rezoning of two tracts from Agricultural-Residential (A-R) to Residential – Manufactured Home Park (R- MH). at 7:12pm (Incorporation by reference as if fully set forth herein Schedule H)

Liberty Hill, LLC represented by Jose Guevara, is requesting a Conditional Rezoning of two tracts from Agricultural-Residential (A-R) to Residential – Manufactured Home Park (R- MH). The two tracts have an approximate total acreage of 6.061 acres, and have four addresses associated with the parcels, 215, 217, 219, and 221 George Hudson Road. The parcels are further identified as having parcel numbers 69433 and 95708 and are identified as being owned by Liberty Hill, LLC.

Planning Director, Jennifer Baptiste shared the following information:

History

This request is being submitted by the owner of the properties as a result of a Code Enforcement action. According to the Chatham County Tax Administration Office, well and septic permits were obtained in 1997 to site two mobile homes, one on parcel 69433 and another on parcel 95708. The installation of one Single- wide or Double-wide Manufactured Homes on an individual lot is a permitted uses in the Agricultural-Residential zoning district. According to Section 146 of the Town of Siler City's Unified Development Single-wide and Double-wide Manufactured Homes are permitted as accessory dwelling, but only if the primary structure is a site-built or modular home. In January 2023, Code Enforcement received a complaint regarding the location of additional homes on the properties. After a discussion with staff, the applicant decided to submit the rezoning request for a Mobile Home Park. On March 13, 2023, the Planning Board conducted a Legislative Hearing regarding this request. The Planning Board heard testimony from one speaker in favor and three speakers in opposition. The Board voted unanimously, 8-0, to recommend that Town Council **Deny** the request.,

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Jennifer Baptiste, Planning Director shared the following information regarding the compatibility with the existing comprehensive plan.

(items below that are ***bold and italicized*** may be selected as reasons why the proposed amendment is consistent with the land development plan)

The adopted Land Development Plan (LDP) recommends:

1. Rural Residential for the subject property.
2. These are areas of very-low density development that are either environmentally sensitive or are located beyond the anticipated utility service area of the Town. Minimum lot sizes in these areas are typically 1 acre or greater. Agriculture and forestry uses are common in these areas.

3. Objectives and Strategies

- A. Limit impacts of development on the environment and promote sustainability.
- B. Improve the appearance of properties.
- C. ***Permit residential development at a density in keeping with the rural character of areas surrounding the town.***
- D. Limit Town provision of public infrastructure such as water, sewer, and
- E. road improvements in areas designated as rural.
- F. m. Encourage agricultural use of the land.
- G. n. Encourage efficient use of transportation.

Baptiste shared the following information regarding the Infrastructure:

Infrastructure

Impact on Landowners, Immediate Neighbors, and Surrounding Community

1. Siler City Public water is not located along George Hudson Road nor Silk Hope Road.
2. Siler City Public sewer is not located on Silk Hope Road nor George Hudson Road.
3. Area streets:

Street Rd	Road Frontage Feet	Travel Lanes	Maintenance	Speed Limit MPH	Average Daily Trips
George Hudson Rd	286.1	2	Local	35	N/A
Silk Hope Rd	75.4	2	NCDOT	45	2,800

Impact on Landowners, Immediate Neighbors, and Surrounding Community

Zoning District	A-R	R-MH
Minimum lot size (<i>square feet</i>)	40,000	6,000
Recommended minimum lot width	100'	60'
Street right-of-way building setback	40'	25'
Lot boundary building setback	20'	10'
Height Limitation	40'	40'

The A-R district is designed to accommodate agricultural and residential uses normally associated with:

1. agricultural uses with large tracts of uninhabited land near the fringe of urban areas.
2. 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

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homes are allowed to be used for single-family residential purposes in this district. The R-MH zone is designed to accommodate manufactured homes and manufactured home parks. A manufactured home park is subject to Appendix I – Manufactured Home Park Ordinance section of the Unified Development Ordinance. The Appendix is attached at the end of this report. The requirements should be adopted if the rezoning is approved.

Analysis

Combined, the two parcels are approximately 6.061 acres or 264,017.16 square feet. In a Manufacture Home Park, each home is required to have 6,000 square feet of lot area. Based on the lot size, the applicant can develop the park with approximately 44 manufactured home sites before the construction of roads and other easements. The possible density of the project makes this item inconsistent with the Future Land Use Plan which recommends that Rural Residential areas be developed as low density residential. Hence, this would be a change to the Future Land Use Map.

Relationship to Uses

1. Current use of subject property is single family residential.
2. Surrounding land uses include agriculture and single family residential.
3. Surrounded by A-R zoning.

James Atwater 2242 Silk Hope Road Siler City, NC 27344 : worries the current infrastructure of the land cannot handle the additional traffic that comes with a mobile home park.

Kristen Hudson 174 George Hudson Road, Siler City, NC 27344 : lives directly across from the Liberty Hill, LLC states the land is currently for low density residential, and a total of 144 mobile units is not low density residential.

Joyce Bowers 128 George Hudson Road, Siler City, NC 27344 : has lived on the road her entire life and does not want this park to change Silk Hope.

Barbara Hudson 174 George Hudson Road, Siler City, NC 27344 : lived on the area for 61 years, and since two of the units have moved in she has heard shooting.

Ed Smith 2700 Silk Hope Road, Siler City, NC 27344 : does not think the land can support that many units and it is just a bad idea.

Carol Dark 325 Bowden Rd, Siler City NC 27344 : does not think the property owner will take care of the units as others are in bad shape and worries these units will bring down the values of the nearby properties.

Caitlyn Dark 325 Bowden Road Siler City, NC 27344 : Believes that current owners are already cutting corners and although she is for low-income households, she is for low-income households that take care of their property.

Steve Moore 2405 Buckner Clark Road, Pittsboro, NC 27312: owns a 5-acre tract right beside of the property and is worried about a trailer park making the value of his property go down.

Donald Matthews 909 12th Street, Siler City, NC 27344 : No one spoke up for his neighborhood, when Mountaire came and now all he has is bad smells and contaminated water.

Steve Harris 178 Rufus Brewer Road: lives across the road and states the trailers that have been put in are run down and old and worries that Old Fashioned Farmers Day could be hurt because of the bad appearance of the park. Would like for Silk Hope to stay agricultural.

Jay Bray 574 Smith Hudson Road, Siler City, NC 27344: Silk Hope School cannot accommodate the children it has now, and with this park the schools would be overcrowded.

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A motion to close the public hearing at 7:40 pm was made by Commissioner Fadely, seconded by Commissioner Brown and unanimously approved.

A motion to deny the ordinance amending the official zoning map for Liberty Hill, LLC to rezone two tracts from Agricultural- Residential (A-R) to Residential-Manufactured Home Park (R-MH) The subject property is two tracts and has an approximate total acreage of 6.061 acres and four addresses with the parcels, 215, 217, 219 and 221 that the action is inconsistent with the adopted future land use map because, The Land Development Plan (LDP) recommends Rural residential for the subject properties and these areas of very low density development that are either environmentally-sensitive or are located beyond the anticipated utility service area of the town. Minimum lot sizes in these areas are typically one acre or greater and agriculture and forestry uses are common in these areas was made at 7:40pm by Commissioner Fadely seconded by Commissioner Boone and unanimously approved.

JK Scott, LLC represented by Kate Scott, DVM request to rezone two tracts from Residential-10 (R-10) to Highway Commercial Conditional (H-C-C). The two tracts total approximately 1.61 acres and are addressed as 1114 and unaddressed Greensboro Avenue (parcel numbers 16484 and 16447). The properties are identified as being owned by JK Scott, LLC.

Mayor Price opened the public hearing for JK Scott, LLC request to rezone 1.61 acres from Residential -10 (R-10) to Highway-Commercial-Conditional (H-C-C) at 7:45pm. (Incorporation by reference as if fully set forth herein Schedule I)

Planning Director Jennifer Baptiste shared the following property information:
 The subject property is:

JK Scott, LLC represented by Kate Scott, DVM, is requesting to rezone two tracts from Residential – 10 (R-10) to Highway Commercial Conditional (H-C-C). The two tracts total approximately 1.61 acres and are addressed as 1114 and unaddressed Greensboro Avenue (parcel numbers 16484 and 16447). The properties are identified as being owned by JK Scott, LLC.

History

This request is being submitted by the owners of the properties to expand the existing veterinary clinic. On March 13, 2023, the Planning Board conducted a Legislative Hearing regarding this request. The Board heard testimony from one speaker in favor and three speakers in opposition. The Board voted unanimously, 8-0, to recommend that Town Council **Approve** the request.

Planning Director Jennifer Baptiste shared the following compatibility with the existing comprehensive plan:

Compatibility with Existing Comprehensive Plan (items below that are *bold and italicized* may be selected as reasons why the proposed amendment is consistent with

the land development plan)

The adopted Land Development Plan (LDP) recommends:

1. High-density Residential for the subject property.
2. These are areas appropriate for either multi-family or single-family residential development, with maximum densities of approximately 28 units per acre.
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 higher density that would allow multi-family structures.
 - e. Maintain the integrity of existing neighborhoods.**
 - f. Promote walkable, interconnected neighborhoods.
 - g. Encourage the development of affordable housing.
 - h. Encourage close proximity of higher density residential uses to mixed use areas and compatible industrial areas.
 - i. Encourage high-quality, aesthetically pleasing mobile home park development with adequate, safe infrastructure to serve the residents.
 - j. Encourage provision of recreation and park land for Town residents.
 - m. Encourage efficient use of transportation.
2. Mixed Use development adjacent to the subject property
 - a. These areas are often near major streets and highways, or in the central business district, 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.
 - b. Objectives and Strategies
 - a. Limit impacts of development on the environment and promote sustainability.
 - b. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.**
 - c. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.**
 - d. Encourage the continued commercial, retail, service, and office development of the central business district, as well as encouraging compatible residential uses.**
 - e. Improve the appearance of properties.**
 - f. Limit the proliferation of single-purpose highway-oriented commercial areas and encourage mixed-use development.**
 - g. Allow redevelopment of single-purpose commercial sites into mixed-use sites over time.
 - h. Promote downtown Siler City as an active, attractive community that accommodates multiple uses such as the arts, small businesses, and residential.
 - i. Encourage the development of affordable housing.
 - j. Encourage close proximity of higher-density residential uses to mixed-use areas and compatible industrial areas.
 - k. Encourage efficient use of transportation networks.**

Baptiste shared the following concerning Infrastructure:

Infrastructure

Impact on Landowners, Immediate Neighbors, and Surrounding Community

1. Public water and sewer is located along Greensboro Avenue
2. Area streets:

Street /Road	Road Frontage (feet)	Travel lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
Greensboro Ave	Combined 237.6	2	NCDOT	45	4,100 (2016)

A motion to close the public hearing at 7:48pm in the court room was made by Mayor Price and seconded by Mayor Pro Tem Haiges, and unanimously approved.

A motion to approve the ordinance amending the official zoning map by the applicant JK Scott, LLC two tracts from Residential -10 (R-10) to Highway Commercial Conditional (H-C-C), the two tracts total approximately 1.61 acres and are addressed as 1114 and unaddressed Greensboro Ave , having parcel numbers 16484 and 16447 , the proposed use is to expand the existing veterinary clinic. and including the following conditions and that the action is inconsistent with the adopted futures land use map because it identifies the land as Residential and to approve the ordinance amending the adopted future land use map and the proposed amendment is reasonable because it considers the nature of the existing business and encourages the development to occur in areas with existing or planned infrastructure such as water, sewer, roads and sidewalks and improves the appearance of properties was made by Commissioner Fadely and Seconded by Commissioner Brown and all were in favor.

OLD BUSINESS

Mural Permit- 127-A Birch Ave

Planning Director Jennifer Baptiste shared the following information:

Donald Matthews is requesting an after the fact approval for an installed 10' tall by 20' wide mural along the northern exterior wall at 127-A S. Birch Ave. The subject wall faces W. Raleigh St.

A mural was previously approved for this location during the May 17, 2021 Town Board meeting. The initial mural was installed and has subsequently been replaced with a new design sometime in January 2023 or February 2023. The request is for approval for the newly installed mural design.

Definition of **Mural**: "An image, such as a painting or enlarged photograph, applied directly to a wall or external ceiling."

§274 Special Provisions for Certain Signs

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(n) Murals (1) Murals are allowed with a mural permit.

(2) Murals are purely artistic forms of expression. While basic content is free from evaluation, obscenity and other language deemed questionable may require approval.

(3) Depending on content, murals will be evaluated for signage calculation and the remaining area can be deemed a mural. If the following content are incorporated within a mural, those items shall be classified as signage and comply with the standards for attached wall signs and be included in the attached wall sign area calculation: (a) advertising message for contemporary establishments and/or contemporary merchandise/services;

(b) advertisement for products, services, or businesses;

(c) commercial text;

(d) logos;

(e) registered trademarks; and

(f) containing graphics (other than logos or registered trademarks) related to goods and services provided on site.

(4) Murals are highly visible in the public realm and may express town history and community character. In the absence of a recognized group tasked to review and consider these qualities, and the artistic intent of the design, evaluation will be regulated on a content-neutral basis. The following design requirements have been determined advantageous to the community in mural placement.

(5) No person shall paint a wall mural on the exterior of any structure or change any existing mural on the exterior of any structure prior to the issuance of a Mural permit. The following design criteria shall apply to any mural artwork commissioned. (a) The proposed wall mural shall be well integrated with the building and neighboring structures and is harmonious with the surrounding environment. The proposed wall mural, by its design, scale, construction and location, shall not have a substantial adverse effect on abutting property or the permitted use, and will contribute to Siler City unique character and quality of life. (b) The proposed wall mural shall exhibit exceptional design quality that enhances the overall development and appearance of Siler City. The paint and/or materials to be used and applied on the structure shall be appropriate for use in an outdoor locale for an artistic rendition and shall be of a permanent or long-lasting variety.

(6) Maintenance of the wall mural is the responsibility of the property owner. It shall be the property owner's responsibility to remove the wall mural if it is not maintained as required. While natural aging is acceptable, murals that are not maintained sufficiently may be considered a public nuisance.

(7) A mural permit application shall be completed by the building owner or their applicants assign and submitted to the Town Planning office. Review and approval must be obtained from the committee/board designated by the Town Board. The application shall include at a minimum the intended location of the mural, size, subject matter, medium and a summary of the general color palette to be used. A visual representation shall also be included in the application.

A motion to approve the mural permit for 127 A S. Birch Ave was made by Commissioner Fadely, seconded by Commissioner Bray and unanimously approved.

NEW BUSINESS

NONE

MANAGER'S REPORT

Town Manager Hank Raper shared the following with the Board of Commissioners:
Reminded the Commissioners of the Budget Workshop Dates

TOWN ATTORNEY INFORMATION

NONE

GOVERNING BODY COMMENTS

NONE

CLOSED SESSION

A motion to go into Closed Session at 8:15pm was made by Commissioner Fadely, seconded by Commissioner Brown and unanimously approved §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

A motion to come out of closed session at 8:55pm was made by Mayor Pro Tem Haiges, seconded by Commissioner Brown, and unanimously approved.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 9:05pm.



Thomas K. Price, III, Mayor

ATTEST:



Kimberly D Pickard, Town Clerk

