

## Town of Siler City Planning Board

The Siler City Planning Board met on Monday, April 11, 2016 in the courtroom at City Hall.

**MEMBERS PRESENT:** Darrell Andrews, Curtis Brown, Mary Harris, Butch Hudson (Chair), Linda Kolpack-Martindale and Ann C Radcliffe

**MEMBERS ABSENT:** Albert Alston, Steve Crotts and Dacia Hayes

**STAFF PRESENT:** Jack Meadows (Planning Director), William C. Morgan (Attorney), and Dee Lee Thompkins (Administrative Support Specialist)

**MEETING CALLED TO ORDER:** Hudson called the meeting to order at 6:30 pm. Andrews gave the invocation and Hudson led the Pledge of Allegiance. Meadows read the Town of Siler City Mission Statement and the Vision Statement.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA:** *Brown made a motion to approve the agenda, Harris seconded, and unanimously approved.*

**CONSENT AGENDA:** *Brown made a motion to approve the consent agenda including the minutes of March 14, 2016 with correction of Darrell Andrews being absent, Harris seconded, and unanimously approved.*

### **NEW BUSINESS:**

**A. Rezoning – W 3<sup>rd</sup> St. – 22.92 acres – R-6-C to R-6:** Meadows reported Town of Siler City requests to rezone ~22.92 acres from R-6-C to R-6. The subject properties have frontage on the southern boundary of W. 3<sup>rd</sup> St. (~320' west & ~170' east of the intersection with Carolina Ave.) and is further identified as tax parcel # 16166 & 16102. The subject property is: 1) owned by Sandra Pate Bell; 2) located inside the Town's Corporate Limits; 3) located within Duke Energy Progress electric service districts; and 4) located within a special flood hazard area. The size of the subject Tract is 22.92 acres, 1 property owner and 2 tax parcel. The average size of surrounding tracts = Average of 2.8 acres.

Meadows referred to the memo that is included in board packet concerning the compatibility with existing Comprehensive and Land Development Plans.

The property is served by town water (8") and sewer (8"). The nearest fire hydrant is located on the north side of Third St. Street/road frontage:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
W. 3 <sup>rd</sup> St.	450	2	State	35	2,600 - 5,200
Sunset Dr.	40	2	Town	35	NA
Colchester Ave.	518	2	Town	35	NA
W. 2 <sup>nd</sup> St.	50	2	Town	35	NA

The pedestrian master plan recommends a multi-use path along W. 3<sup>rd</sup> St. and a connection from 3<sup>rd</sup> St. to Ingle St.

Meadows explained that the R-6-C zoning has expired. The proposed use was a 277 multi-family apartment complex. The proposed R-6 zoning allows a list of uses that range from residential to church (see attached list). Meadows added current use of subject property is vacant. The surrounding land uses include; single family residential, multifamily residential, church, nursing care institution, medical office, storage, hospital, regional utility facility, agriculture, and vacant. The property is surrounded by R-6-C, R-6, O-I, R-20, H-C, and R-10 zoning.

Meadows asked the Board to 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 directed the board to their worksheet for decision on recommendation to Town Board or table request: 1) Adopt Plan Consistency Statement; and 2) Approve or deny request.

**Discussion:** Brown asked if there were any plans to develop in the future. Meadows replied that he has talked to the owner and there no plans right now and she is not opposed to rezoning the property back to R6.

**Rezoning Worksheet:**

1. *Brown made a motion that the map amendment is consistent with the adopted Land Development Plan and any other officially adopted plan because the land development plan recommends: 1) General residential and public institutional development for the subject property 2) General residential goals, objectives, and strategies: e) encourage the continual development of affordable housing on individual lots; f) the major residential growth is expected in the southwestern and western portions of the planning region. These areas should be preserved for residential use and the extension of public water and sewer to these areas should be a top priority; and g) it is recommended that higher residential densities be restricted to areas in which sufficient public water and sewer service is available; seconded by Andrews, and unanimously approved.*
2. *Kolpack-Martindale made a motion to approve the map amendment: b) because of changed or changing conditions in a particular neighborhood or community as a whole;, seconded by Brown, and unanimously approved.*

**B. Rezoning – Harris St. – 7.4 acres – A-R-C to R-10:** Meadows reported Town of Siler City requests ~7.4 acres from A-R-C to R-10. The subject property is located on the southern boundary of Harris St. (~630’ west of the intersection with Raleigh St.) and is further identified as tax parcel # 78676 & 14999. The subject property is; 1) owned by Baylaurel, Inc; 2) located inside the Town’s Corporate limits; 3) located within the Duke Energy Progress electric service districts; and 4) not located within a special flood hazard area. The size of the subject Tract is 7.4 acres, 1 property owner and 2 tax parcel. The average size of surrounding tracts = Average of 5.5 acres.

Meadows referred to the memo that is included in board packet concerning the compatibility with existing Comprehensive and Land Development Plans.

The property is served by town water (10”) and sewer (8”). The nearest fire hydrant is located at Raleigh St. Street/road frontage:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
W. Raleigh St.	60	2	State	35	4,200 (2012)
Harris St.	550	2	Town	35	NA

The pedestrian master plan recommends a multi-use path along W. Raleigh St.

Meadows explained that the A-R-C zoning has expired. The proposed use was a 60 bed assisted living facility. The proposed R-10 zoning allows a list of uses that range from residential to church (see attached list). Meadows added current use of subject is vacant. The surrounding land uses include; single family residential, multifamily residential, agriculture and vacant. The property is surrounded by A-R, R-20 and R-10 zoning.

Meadows asked the Board to 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 directed the board to their worksheet for decision on recommendation to Town Board or table request: 1) Adopt Plan Consistency Statement; and 2) Approve or deny request.

**Rezoning Worksheet:**

1. *Brown made a motion that the map amendment is consistent with the adopted Land Development Plan and any other officially adopted plan because the land development plan recommends: 1) General residential and general commercial for the subject property. 2) General residential goals, objectives, and strategies: a) promote the development of high quality housing in varying types and*

costs to meet the demands of all income levels and age groups; e) encourage the continual development of affordable housing on individual lots; seconded by Kolpack-Martindale, and unanimously approved.

2. *Kolpack-Martindale made a motion to approve the map amendment: a) to correct manifest error with the zoning map; b) because of changed or changing conditions in a particular neighborhood or community as a whole; seconded by Andrews, and unanimously approved.*

**DISCUSSION:** Meadows explained to the board that Jessica Puckett, Director of Parks & Recreation is here tonight to talk to the board about the Siler City Aquatic Facility and PARTF Grant Application. He stated that Puckett has provided the board with the Town of Siler City Resolution, maps and memo concerning this process.

Puckett stated that on October 19, 2015 the Siler City Board of Commissioners officially adopted the first ever Comprehensive Parks and Recreation Master Plan and Aquatic Feasibility Study. During the master planning and aquatic study process the town staff heard the deep sentiment and attachment the community has to the swimming pool. The outcome of the study is a focused plan to complete rehabilitation and renovation of the swimming pool at Bray Park.

Puckett stated that the Siler City Board of Commissioners has approved the Siler City Parks and Recreation department to apply for a Parks and Recreation Trust Fund (PARTF) grant through the State of North Carolina via the N.C. Parks and Recreation Trust Fund Authority to pay for the renovation of the swimming pool at Bray Park. We are adding additional features to the pool space to create a more inclusive and diverse recreational facility. PARTF is a dollar-for-dollar matching grant with a \$1,000,000 maximum award. We are asking for the maximum \$1,000,000 grant amount.

Puckett said that a requirement of the grant application, which is due May 2, 2016, is the official support of the project site plan for the renovation of the swimming pool by a non-elected governing board. Puckett asked the Siler City Planning Board for their official support.

After the board reviewed the maps and asked a few questions, *Andrews made a motion to support the Siler City Aquatic Facility PARTF grant application, Harris seconded, and unanimously approved.*

**DISCUSSION:**

- A. **Rezoning - East Raleigh Street near Justice Drive** – Meadows reviewed the maps showing the property along East Raleigh Street near Justice Drive with the Board. He stated there is seven properties that are residential single family homes that are zoned High Commercial. He suggested that the property needs to rezone to Neighborhood Business. Meadows explained that under the current zoning if they wanted to make a change like adding on or changing the property they would not be allowed but if the zoning were change to Neighborhood Business this will give the property owners flexibility. *Brown made a motion for staff to initiate a rezoning of these properties, Harris, seconded, and unanimously approved.*
- B. **Signs Regulations** - Meadows shared with the board that the Town's current sign ordinance contains several elements that are inconsistent with the U.S. Supreme Court's decision in the *Reed vs. Town of Gilbert case*. The Supreme Court found that sign ordinances cannot apply differing standards based on the content of noncommercial signs. For example, a community cannot create special allowances for political or religious signs without also allowing these same privileges to other types of noncommercial speech.

Meadows and Morgan discussed this further with the board and it was decided that staff had enough information on what he needs to bring a text amendment on the sign regulations. The board wants the amendment to make it easy on the applicant and staff.

- C. Fence wraps at construction sites – Meadows explained that fence wraps are under state statues and he will change the regulations when he does the text amendment.

Andrews left at 8:00pm

Meadows shared with the board about a business owner that had wanted to address the board tonight. The board had just grant the applicant a special use permit and did a text amendment to help with his site location. The business owner is looking for some special provisions on his special use permit. After discussing the board decided that the applicant needs to pursue this on his own behalf.

ADJOURNMENT: *Brown made a motion to adjourn at 8:23 pm, seconded by Harris, and unanimously approved.*



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Butch Hudson, Chair

ATTEST:



Dee-Lee Thompkins, Recording Secretary