

**Town of Siler City Planning Board
August 8, 2011 Meeting Minutes**

The Siler City Planning Board met on Monday, August 8, 2011 at 7:00 p.m. Chair Harold Hart called the meeting to order and Mrs. Dacia Hayes gave the invocation. Mr. Hart asked for a motion to approve the minutes of July 11, 2011. *Motion by JP Joyner, seconded by Wallace Matthews, followed by unanimous consent.*

MEMBERS PRESENT: Curtis Brown, Mary B. Harris, Harold Hart (Chair), Dacia Hayes, JP Joyner, Wallace Matthews, Dan McMasters, and Patty Poe

MEMBERS ABSENT: Mickey Pore (Vice Chair)

STAFF PRESENT: Joel J. Brower (Town Manager), Jack Meadows (Planning Director), William C. Morgan (Town Attorney), and Dee Lee Thompkins (Administrative Support Specialist)

CONDITIONAL USE REZONING REQUEST – STATE EMPLOYEES CREDIT UNION (SECU): Mr. Hart asked the Planning Director to give his report.

Planning Director's Report: Mr. Meadows reported that SECU requests to rezone approximately 3.82 acres from Residential-10 to Office Institutional Conditional Use and to operate a bank with drive-in windows (the only use that will be allowed on the property). The subject property is: 1) located along the southwest corner of W. 11th St. and N. Glenn Ave.; 2) surrounded by R-10 zoning to the west, south, and east and H-C zoning to the north; and 3) surrounded by single family residential to the west and south, multifamily to the east, and vacant to the north. The proposed development will include: 1) a one story building that contains 7,658 square feet and a mean roof height less than 35 feet; 2) a street/front setback of 25 feet, side setback of 10 feet, and a rear setback of 20 feet; 3) more than the 38 required parking spaces (including 3 handicap spaces); 4) a reservoir lane equal to five parking spaces per drive-in window and/or lane; 5) a driveway on 11th St. and N. Glenn Ave.; 6) a paved vehicle accommodation area (both asphalt and concrete); 7) a sidewalk along W. 11th St and N. Glenn Ave. and connections to the proposed building; 8) type A screen along the western and southern property boundaries (residential); and 9) type C screen along the northern and eastern property boundaries (street).

Mr. Meadows explained that the Land Development Plan (LDP) recommends general commercial and general residential development for the subject property. The LDP states the following: 1) maintain the integrity of existing neighborhoods; 2) promote walkable interconnected neighborhoods and use of sidewalks; 3) 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 residential areas to a higher density; 4) 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; 5) improve the appearance of commercial properties abutting major thoroughfares by providing landscaping to buffer parking lots and service areas and by controlling signs; 6) develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways; 8) encourage mixed-use development; 9) onsite storm water controls are critical to minimize environmental impacts; 10) development should minimize built-upon area.

Mr. Meadows shared comments from the joint public hearing on August 1, 2011: 1) N. Glenn Ave. - increased traffic, cut thru traffic, no stop light, and safety concerns for pedestrians; and 2) developer will work with NCDOT and Town staff regarding traffic.

Staff Recommendation: Mr. Meadows stated that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance (UDO). Based on the information received at this time, Staff recommends approval of the conditional use permit with the following conditions: 1) major site plan for review; 2) limit built upon area to less than 70%; 3) existing tree survey; 4) wetland and stream survey; 5) public water hydraulic analysis; 6) driveway and encroachment approval by NCDOT; 7) NC Division of Land Resources erosion control approval; and 8) NC Division of Water Quality (DWQ) stormwater approval.

Discussion: Mrs. Poe asked how the conditions are enforced. Mr. Morgan explained that if the Town Board approves the conditional use rezoning with conditions, then the developer must include them with their site plan. With no further discussion, Mr. Hart directed the board to their worksheets.

Rezoning Worksheet:

1. Mr. Hart asked for a motion to approve the LDP Consistency Statement. *Motion by Dan McMasters, seconded by JP Joyner, followed by unanimous consent.*
2. Mr. Hart asked for a motion to approve the rezoning: 1) to promote and forward the purposes of the Adopted Siler City LDP; and 2) to promote the general health, safety, and welfare of the citizens of Siler City. *Motion by Dan McMasters, seconded by Wallace Matthews, followed by unanimous consent.*

Conditional Use Permit Worksheet:

1. Mr. Hart asked for a motion that the application is complete. *Motion by Patty Poe, seconded by Mary Harris, followed by unanimous consent.*
2. Mr. Hart asked for a motion that the application complies with all ordinance requirements of the UDO. *Motion by Patty Poe, seconded by Dan McMasters, followed by unanimous consent.*
3. Mr. Hart asked for motion that the application is granted, subject to the following conditions: 1) 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 the City Hall; 2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect; 3) major site plan for review; 4) limit built upon area to less than 70%; 5) existing tree survey; 6) Wetland and stream survey; 7) public water hydraulic analysis; 8) driveway and encroachment approval by NCDOT; 9) NC Division of Land Resources erosion control approval; and 10) DWQ stormwater approval. *Motion by Dan McMasters, seconded by Mary Harris, followed by unanimous consent.*

CONDITIONAL USE REZONING REQUEST – M&B AUTO SALES AND HANDS OF UNITY BARBER SHOP: Mr. Hart asked the Planning Director to give his report.

Planning Director's Report: Mr. Meadows reported that Frankie Matthews (M&B Auto Sales & Hands of Unity Barber Shop) requests to rezone approximately 1.0 acre from Agricultural Residential to Highway Commercial Conditional Use and to operate a motor vehicle sales/rental business and barber/beauty shop (the only use that will be allowed on the property). The subject property is: 1) located at 1615 W. 3rd St.; 2) surrounded by A-R zoning; and 3) and surrounded by single family residential and vacant property. The proposed development will include: 1) the existing 2,000 square feet commercial building; 2) 10 parking spaces (including 1 handicap), 3) an 80 feet by 20 feet inventory parking area; 4) a graveled vehicle accommodation area per §284, 5) a driveway that is paved for a distance of 15 feet back from the edge of 3rd St. per §284; 6) type A screen along the western, southern, and eastern property boundaries (residential); and 7) type B screen along the northern property boundary (street).

Mr. Meadows explained that the LDP recommends general residential development for the subject property. The LDP states the following: 1) Maintain the integrity of existing neighborhoods; 2) Promote walkable interconnected neighborhoods and use of sidewalks; 3) 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 residential areas to a higher density; 4) 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; 5) Improve the appearance of commercial properties abutting major thoroughfares by providing landscaping to buffer parking lots and service areas and by controlling signs; 6) Develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways; 7) Encourage mixed-use development; 8) Onsite storm water controls are critical to minimize environmental impacts; and 9) Development should minimize built-upon area.

Mr. Meadows shared comments from the joint public hearing on August 1, 2011: 1) auto sales – operated by applicant from 10:00am – 5:30pm; 2) barber shop – operated by applicants daughter and son-in-law on Friday and Saturday; 3) applicant has been in business more than 8 years and runs a neat business; 4) County tax department has listed the property as commercial since 1955; 5) real estate agent listed the property incorrectly as zoned commercial; 6) adjoining property owner is opposed to request because it is located in a residential neighborhood, is located outside of city limits, and does not want to be adjacent to an auto sales/barber shop business; 7) there are other available commercial properties located in Town; 8) Herrick family lived in the building many years ago; 9) adjoining property owner requested that no residence be allowed within the building and that the existing buffer remain; and 10) Staff stated that the property is currently zoned A-R and a single family residential use is currently permitted.

Staff Recommendation: Mr. Meadows reported that the application is complete. The proposal meets the development criteria of the UDO. Based on the information received at this time, Staff recommends approval of the conditional use permit with the following conditions: 1) minor site plan approval; 2) recombine lots; and 3) driveway approval by NCDOT.

Discussion: Mrs. Poe asked where is the applicant's current business located. Mr. Meadows replied at the corner of W. 3rd St. and Sunset Dr. (beside of Brookdale Baptist Church). With no further discussion, Mr. Hart directed the board to their worksheets.

Rezoning Worksheet:

1. Mr. Hart asked for a motion to approve the LDP Consistency Statement. *Motion by Wallace Matthews, seconded by Dacia Hayes, followed by unanimous consent.*
2. Mr. Hart asked for a motion to approve the rezoning: 1) to promote and forward the purposes of the adopted Siler City LDP; and 2) to promote the general health, safety, and welfare of the citizens of Siler City. *Motion by Dan McMasters, seconded by Mary Harris, followed by unanimous consent.*

Conditional Use Permit Worksheet:

1. Mr. Hart asked for a motion that the application is complete. *Motion by Wallace Matthews, seconded by Dacia Hayes, followed by unanimous consent.*
2. Mr. Hart asked for a motion that the application complies with all ordinance requirements of the UDO. *Motion by Dan McMasters, seconded by JP Joyner, followed by unanimous consent.*
3. Mr. Hart asked for a motion that the application is granted, subject to the following conditions: 1) 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 the City Hall; 2) if any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect; 3) minor site plan for review; 4) recombine lots; and 5) driveway approval by NCDOT. *Motion by Dan McMasters, seconded by Mary Harris, followed by unanimous consent.*

LIGHTED WINDOW SIGNS: Mr. Meadows explained that he has brought the topic of lighted window signs to the board for discussion. The Town's sign ordinance: 1) requires that lighted window signs on the inside of the window be identified the same as an attached wall sign which requires the applicant to meet the square footage requirement for exterior wall signs and obtain a \$35 sign permit; and 2) does not allow lighted window signs on the inside of the window to display flashing, blinking, or intermittent light or lights of changing intensity. Mrs. Poe asked if staff was getting complaints. Mr. Meadows answered that staff was getting complaints from business owners. Mr. McMasters recommended that we revise the ordinance to make it easier for business owners. Mr. Hart asked for a motion to direct Town staff to revise the Town sign ordinance to allow (not restrict) lighted window signs on the inside of the window (including signs that display flashing, blinking, or intermittent lights or lights of changing intensity). *Motion by JP Joyner, seconded by Dan McMasters, followed by unanimous consent.*

COMPREHENSIVE TRANSPORTATION PLAN (CTP): Mr. Meadows reviewed with the board the following vision statement: "Our vision is to design a comprehensive transportation plan for the Town of Siler City and its ETJ that will carry us forward for the next 25 years of anticipated growth. Its intent is to promote economic development, enhance mobility and protect public safety. Our goal is to design a multimodal transportation system that encompasses and accommodates automobile, commercial carrier, pedestrian, bike air rail, and bus traffic." Mr. Hart asked for a motion to approve the vision statement *Motion by Dan McMasters, seconded by JP Joyner, followed by unanimous consent.*

Mr. Meadows then asked if there were any other plans that should be included into the Siler City transportation plan, such as the Town's LDP. There was no request for additional plans to be included.

PLANNING ACTIVITY UPDATE: Mr. Meadows reviewed the planning activity update memo with the board members.

ADJOURNMENT: With no further business, Mr. Hart asked for a motion to adjourn. *Motion by Dan McMasters, seconded by JP Joyner, followed by unanimous consent.* Adjourned at 7:40 p.m.


Mickey Poe
Vice Chair

ATTEST:


Dee Lee Thompkins