

**Town of Siler City Planning Board
February 13, 2012 Meeting Minutes**

The Siler City Planning Board met on Monday, February 13, 2012 at 7:36 p.m. Chair Harold Hart called the meeting to order. Mr. Hart asked for a motion to approve the minutes of December 12, 2011. *Motion by Mickey Pore, seconded by JP Joyner, followed by unanimous consent.*

MEMBERS PRESENT: Curtis Brown, Harold Hart (Chair), Dacia Hayes, JP Joyner, Wallace Matthews, Dan McMasters, and Mickey Pore (Vice Chair)

MEMBERS ABSENT: Mary B. Harris and Patty Poe

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

REZONING REQUEST – 1401 WEST 11TH STREET – JAMES SEARCY:

Planning Director's Report: Mr. Meadows reported that James E. Searcy requests to rezone 3.82 acres from Residential-10 to Highway-Commercial. The subject property is located at 1401 W. 11th St. and is identified as tax parcel number 15648.

Mr. Meadows stated that the subject property: 1) is located within the Town's Corporate Limits; 2) contains an existing single family dwelling; 3) has access to Town water and sewer; 4) is surrounded by R-10, O-I-C, and H-C zoning; and 5) is surrounded by the following land uses; single family dwellings, bank, and vacant. The average daily trips on US 64 are 11,000.

Mr. Meadows explained that he 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. 7) Encourage mixed-use development. 8) Onsite storm water controls are critical to minimize environmental impacts. 9) Development should minimize built-upon area.

Mr. Meadows stated that the Board may consider the entire range of permitted, special, and conditional uses for the proposed zoning district as listed in the Table of Uses. Attached is a copy of the uses that are allowed within the proposed zoning district.

Discussion: Wallace Matthews asked if the zoning is changed to H-C and the single family home was destroyed, could the home be built back. Mr. Meadows answered if the use remains single family, then the owner can rebuild as long as permits are obtained within 180 days of the natural disaster. Harold Hart asked if there were any comments at the public hearing. Mr. Meadows stated there were no comments. Dacia Hayes wanted to know if the property owner had any plans for the property. JP Joyner stated the representative for the property owner at the public hearing announced that if the property was rezoned to H-C would increase the opportunity to sale. With no further discussion, Mr. Hart directed the board to their worksheet to go through each finding.

Rezoning Worksheet:

1. Mr. Hart asked for a motion to approve the LDP Consistency Statement. *Motion by Dan McMasters, seconded by Wallace Matthews, followed by unanimous consent.*
2. Mr. Hart asked for a motion to recommend approving the rezoning. *Motion by Dan McMasters to recommend approving the rezoning: 1) because of changed or changing conditions in a particular neighbor or community as a whole; and 2) to promote and forward the purposes of the Adopted Siler City LDP, seconded by JP Joyner, followed by unanimous consent.*

UDO TEXT AMENDMENT – EXTENDING AND ENLARGING NON-CONFORMING SITUATIONS:

Planning Director's Report: Mr. Meadows reported the Town of Siler City Planning Board proposes a text amendment to Article VIII §114 Extension or Enlargement of Non-Conforming Situations. The proposed amendment will allow additions to nonconforming single family residential buildings if the addition does not intrude into the building setback any closer than the existing building.

Mr. Meadows reviewed with the board the following amendment: Existing single-family dwellings with setbacks which were made nonconforming by the adoption of this Ordinance on August 1, 1993 are exempt from the requirements of this section if: (1) The proposed addition or alteration will either meet the current setback requirements or will not further encroach into any required setback more than the existing structure (2) The expansion into a required yard setback does not more than double the area of encroachment already existing within that required yard setback. (3) Any addition or alteration that encroaches into any setback shall not exceed the height of the existing structure. (4) Nonconforming structures housing nonconforming uses shall not be enlarged or expanded in any way. (5) This shall not apply to enclosing existing nonconforming decks and patios if the deck or patio is the furthest projection into the setback. (6) Such encroachment shall meet the North Carolina State Building Code.

Mr. Meadows reported that the Land Development Plan (LDP) states that we should modify the development ordinances to be more user friendly where possible.

Discussion: Dan McMasters stated that this amendment will help with additions to older homes. With no further discussion, Mr. Hart directed the board to their worksheet to go through each finding.

Text Amendment Worksheet:

1. Mr. Hart asked for a motion to approve the Land Development Plan Consistency Statement. *Motion by Mickey Pore, seconded by Dan McMasters, followed by unanimous consent.*
2. Mr. Hart asked for a motion. *Motion by Dan McMasters to recommend approving the text amendment to promote the general health, safety, and welfare of the citizens of Siler City, seconded by Wallace Matthews, followed by unanimous consent.*

UDO TEXT AMENDMENT – MEDICAL OFFICE ACCESSORY USE IN H-I:

Planning Director's Report: Mr. Meadows reported that the Town of Siler City Staff proposes a text amendment to Table 1: Table of Permissible Uses. The proposed amendment will create a new use classification identified as 18.14 (Office or clinic of physicians or dentists with not more than 10,000 square feet of gross floor area, (accessory use) and be permitted within the Heavy-Industrial zoning district.

Mr. Meadows stated that Town staff has been approached by a medical office/clinic that would like to locate within an existing occupied industrial building and offer medical services to the company's employees and their family members, other company's employees, and the general public. The current UDO Table of Uses does not allow a medical office/clinic within the H-I zoning district. The draft text amendment (attached) will allow a medical office/clinic that occupies less than 10,000 square feet as an accessory use within the H-I zoning district.

Mr. Meadows reported that the Land Development Plan (LDP) states that we modify the development ordinances to be more user friendly where possible. With no further discussion, Mr. Hart directed the board to their worksheet to go through each finding.

Text Amendment Worksheet:

1. Mr. Hart asked for a motion to approve the Land Development Plan Consistency Statement. *Motion by Curtis Brown, seconded by Dan McMaster, followed by unanimous consent.*
2. Mr. Hart asked for a motion. *Motion by Curtis Brown to recommend approving the text amendment to promote the general health, safety, and welfare of the citizens of Siler City, seconded by Dan McMasters, followed by unanimous consent.*

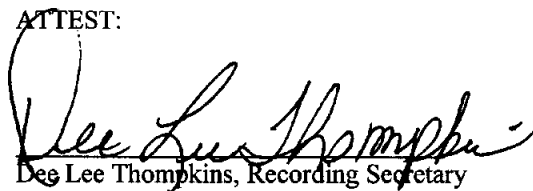
COMPREHENSIVE TRANSPORTATION PLAN (CTP): Mr. Meadows reported that the Town Manager and he met with NCDOT staff, reviewed census maps, and plugged in future housing and employee numbers. NCDOT will present the draft maps and data for the Planning Boards review at an upcoming meeting.

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

ADJOURNMENT: With no further business, Mr. Hart asked for a motion to adjourn. *Motion by Mickey Pore, seconded by Dan McMasters, followed by unanimous consent.* Adjourned at 8:00 p.m.


Harold Hart, Chair

ATTEST:


Dee Lee Thompkins, Recording Secretary