

**TOWN OF SILER CITY PLANNING BOARD**

The Siler City Planning Board met in Special Session on **Thursday, March 15, 2018** at 6:30pm in City Hall Courtroom with Chair Hudson presiding. Parks gave the invocation and Hudson led the Pledge of Allegiance. Meadows recited the Town of Siler City Mission Statement and Vision Statement.

**MEMBERS PRESENT:** Curtis Brown, Guile Contreras, Butch Hudson, Linda Kolpack-Martindale, and Randy Parks.

**MEMBERS ABSENT:** Albert Alston, Darrell Andrews, and Ann Radcliffe.

**TOWN STAFF PRESENT:** Planning Director Jack Meadows, and Administrative Support Specialist Tammy Livermore.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

**CONSENT**

*A motion to approve the consent agenda which includes, February 12, 2018 Minutes was made by Brown, seconded by Parks and unanimously approved.*

**OLD BUSINESS**

None

**NEW BUSINESS**

**Conditional Use Permit – 502 W. 3<sup>rd</sup> St. – Multifamily Residential Apartment**

Meadows shared that Third Wave Housing requests a conditional use permit for a multifamily residential apartment with 44 dwelling units limited to persons of low or moderate income. The subject property is located at 502 W. 3<sup>rd</sup> St. and is identified as parcel # 62694. The subject property is:

1. owned by Chatham County;
2. located inside the Town's Corporate Limits;
3. located within Central Chatham fire district;
4. located within the Duke Energy Progress electric service district;
5. not located within a watershed protection area; and
6. not located within a special flood hazard area.

Meadows shared the size of tract

1. Subject tract is 2.36 acres and includes 1 property owner and 1 tax parcel
2. Size of surrounding tracts is an average of 0.36 acre

Meadows shared the compatibility with existing Comprehensive Plan  
The Land Development Plan recommends:

1. Mixed use development for the subject property.

- a. Mixed use areas are often near major streets and highways, or in the central business district, and contain a variety of commercial, public, and residential land uses.
- b. Commercial uses could include retail shops and shopping centers, convenience stores, restaurants, offices, medical services, and automobile dealerships, among others.
- c. Public facilities such as City Hall and the Police Department are also often in these areas.
- d. 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.

## 2. Mixed Use Objectives

- a. Limit impacts of development of 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

## 3. Mixed Use Strategies

- a. Urban development densities should be restricted to areas in which sufficient water and sewer service is available.
- b. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.
- c. Preserve the existing housing stock by vigorously enforcing the minimum housing code and providing financial assistance to rehabilitate and stabilize deteriorating housing.
- d. Require that as a condition of receiving public water and/or sewer service, all new developments be incorporated into the Town limits.
- e. Promote cluster development with usable open space and amenities.
- f. Preserve the general character and intensity of the central business district.
- g. Ensure quality aesthetics in developments through appropriate landscaping, lighting, parking, and signage standards.
- h. Encourage planned developments.
- i. Develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways.
- j. Develop specific standards for those properties abutting major highway corridors, to place more stringent controls on building setbacks and height, vehicular access, sign size and location, and buffering of parking and service areas.

- k. Preserve the sites best suited for office and industrial development by identifying such areas and excluding non-supportive uses from those sites.
- l. Designate areas of the Town’s planning jurisdiction as growth areas and give priority to utility extensions in those areas.
- m. Expand the greenway system of trails for bicyclists and pedestrians, and the Town’s sidewalk network, in accordance with the Town’s Pedestrian Plan.
- n. Explore the option of allowing developer fees-in-lieu for park facilities and other public facilities.
- o. Support development of public and private improvements in Central Business District in accordance with the Town’s Downtown Master Plan.
- p. Develop a planting plan for street trees along public rights-of-way.
- q. Modify the development ordinances to be more user friendly where possible.
- r. Develop policies to encourage maintenance of structures.
- s. Develop policies to promote mixed-use development and redevelopment of commercial areas, including integrated residential uses.
- t. Implement recommendations from the Town’s 2016 Natural Resource and Conservation Study.
- u. Develop flexible zoning standards that accommodate mixed uses in the CBD, which will assist in the adaptive reuse of buildings.

Meadows stated that the property is served by public water (2”-6”) and sewer (6”). Street/road frontage:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
W. 3 <sup>rd</sup> St.	290	2	State	35	4,800 (2016)
N. Evergreen Ave.	350	2	State	35	NA
W. 4 <sup>th</sup> St.	290	2	State	35	NA
N. Fir Ave.	350	2	State	35	NA

Meadows shared the impact on Landowners, Immediate Neighbors, and Surrounding Community

- 1. 44 multifamily residential apartment units
  - a. Total gross sqft = 42,246
  - b. 22 one bedroom/one bath units
    - i. Gross sqft per unit = 762 – 821
    - ii. 3 accessible units
  - c. 22 two bedroom/two bath units
    - i. Gross sqft per unit = 1,038 – 1,201
    - ii. 3 accessible units
  - d. Building One (new)
    - i. 3 stories
    - ii. 24 residential units
    - iii. Gross square feet = 21,888 sqft
  - e. Building Two (new)

- i. 3 stories
        - ii. 12 residential units
        - iii. Gross square feet = 10,022 sqft
      - f. Building Three (existing)
        - i. Removing former cafeteria
        - ii. 1 story
        - iii. 8 residential units
        - iv. Manager office, laundry facility, computer/fitness/multi-purpose activity room
        - v. Gross square feet = 9,414 sqft
    2. Building setbacks: Street: 20'
    3. Parking and Driveway
      - a. 44 parking spaces required (66 provided)
      - b. 7 accessible parking spaces
      - c. One driveway off of W. 4<sup>th</sup> St.
      - d. Average weekday driveway volume (proposed): 293
    4. Total area of disturbance: >1 acre
      - a. Existing built upon area: ~1.11
      - b. Proposed built upon area: ~1.17
      - c. Erosion control and stormwater approval will be obtained from NCDEQ.
    5. 5,400 sqft of usable (grass) open space (5,140.08 required)
    6. 8,670 square feet of minipark area (8,624.88 required):
      - a. 3,750 square feet tot lot (1,300.5 required)
        - i. 1 play equipment structures for ages 2-12 installed by the playground manufacturer
        - ii. Playground equipment surface: 30'-3" x 22"-8" area, engineered wood fiber material, and bordered by durable molded plastic timbers
        - iii. 2 metal benches
        - iv. Enclosed with black vinyl chain link fence
      - b. 4,200 square feet area with picnic shelter (wood columns wrapped in PVC with 30 year architectural shingles on a peaked roof, 2 metal powder coat picnic tables with 8 chairs, 2 metal benches, 1 grill)
      - c. 230 square feet fitness room and 490 square feet multipurpose activity room within Building 3
    7. Garbage collection provided with dumpster enclosed by opaque enclosure
    8. Type C screen (small trees planted 50' on center and shrubs 25' on center) within a 10 feet wide bufferyard is required along all 4 streets
    9. 3 shade trees in the parking lot
    10. Per §199(h) of the UDO, (If a development is proposed that will access onto nonconforming streets with respect to street width, drainage, sidewalk, etc., then the nonconforming streets shall be improved in accordance with the provisions of Article XIV.)
    11. The estimated number of jobs for this project is 2 (on site manager and maintenance/janitor).
    12. Proposed water and sewer revenue (74,800 gallons per month): \$28,010 per year
    13. Estimated cost of construction: \$4.6 million

Meadows shared the relationship of uses:

1. Current use of subject property is vacant/former school

2. Surrounding land uses include; vacant, single family residential, dentist office, and convenience store
3. Surrounded by R-6 (residential), R-10 (residential), C-C (central business), and O-I (office institutional) zoning.

Meadows shared the staff recommendation on Conditional Use Permit:

The application is complete. The proposal meets the development criteria of the Unified Development Ordinance. If the Board grants the application, then Staff recommends 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; and
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; and
3. Prior to site work obtain: NCDEQ, NCDOT, Town site plan, and Town zoning permit approval; and
4. All dwelling units, facilities, open space, minipark, parking area, streets, etc. are connected by a minimum 5' wide sidewalk.
5. 5,400 square feet of usable open space; and
6. 8,670 square feet of minipark area; and
7. 3,750 square feet tot lots (1 play equipment structures for ages 2-12 installed by the playground manufacturer, 30'-3" x 22"-8" area, engineered wood fiber material, bordered by durable molded plastic timbers, 2 metal benches, enclosed with black vinyl chain link fence); and
8. 4,200 square feet area with picnic shelter (wood columns wrapped in PVC with 30 year architectural shingles on a peaked roof, 2 metal powder coat picnic tables with 8 chairs, 2 metal benches, and 1 grill); and
9. 230 square feet fitness room and 490 square feet multipurpose activity room within Building 3; and
10. Parking shall be limited to a maximum of 1.5 parking spaces per dwelling unit (66 parking spaces); and
11. Per §199(h) of the UDO, (If a development is proposed that will access onto nonconforming streets with respect to street width, drainage, sidewalk, etc., then the nonconforming streets shall be improved in accordance with the provisions of Article XIV.)

***A motion that the application for Conditional Use Permit – 502 W. 3<sup>rd</sup> St. – Multifamily Residential Apartment is complete was made by Kolpack-Martindale, seconded by Parks and unanimously approved.***

***A motion that the application for Conditional Use Permit – 502 W. 3<sup>rd</sup> St. – Multifamily Residential Apartment complies with all applicable requirements of the Unified Development Ordinance was made by Contreras, seconded by Kolpack-Martindale and unanimously approved.***

***A motion to grant the application for Conditional Use Permit – 502 W. 3<sup>rd</sup> St. – Multifamily Residential Apartment, subject to the following conditions: 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 City Hall; and 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; and the conditions recommended by Staff was made by Kolpack-Martindale, seconded by Contreras and unanimously approved.*

UDO Amendment – Article XIII – Recreational Facilities & Open Space

Meadows stated the Town of Siler City proposes text amendments to §180 Miniparks Required (payment in lieu), §181 Miniparks: Purpose and Standards, §182 Usable Open Space (payment in lieu), §184 Dedication of Open Space, §185 Homeowners Associations.

The proposed amendments related to miniparks were first discussed by the UDO Review Committee and then the Mayor and Board of Commissioners. Most recently, several residential developers encouraged the Town to consider changes to Article 13. Town staff prepared the proposed amendments following a review of other communities' ordinances and NC General Statutes. The Planning Board has reviewed draft language at several regular meetings and initiated the proposed amendment.

Attached documents: draft ordinance amending Article 13 and worksheet.

Meadows shared the compatibility with existing Comprehensive Plan  
The Land Development Plan recommends:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.
4. Develop flexible zoning standards that accommodate mixed uses in the CBD, which will assist in the adaptive reuse of buildings.
5. Explore the option of allowing developer fees-in-lieu for park facilities and other public facilities.
6. Encourage provision of recreation and park land for Town residents.
7. Provide parks and recreation programs to meet the recreation and fitness of all citizens of Siler City.
8. Coordinate with county schools to look for ways to share recreation facilities and to encourage pedestrian access to schools.
9. Limit impacts of development of the environment and promote sustainability.
10. Promote cluster development with usable open space and amenities.
11. Expand the greenway system of trails for bicyclists and pedestrians, and the Town's sidewalk network, in accordance with the Town's Pedestrian Plan.
12. Implement recommendations from the Town's 2016 Natural Resource and Conservation Study.
13. Encourage preservation of sensitive environmental areas from development.

***A motion that the text amendments to §180 Miniparks Required (payment in lieu), §181 Miniparks: Purpose and Standards, §182 Usable Open Space (payment in lieu), §184 Dedication of Open Space, §185 Homeowners Associations are approved and consistent with the adopted Land Development Plan and any other officially adopted plans because the land development plan recommends amending ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances, modify the development ordinances to be more user-friendly where possible,***

*explore the option of allowing developer fees-in-lieu for park facilities and other public facilities, encourage provision of recreation and park land for Town residents, provide parks and recreation programs to meet the recreation and fitness of all citizens of Siler City, limit impacts of development of the environment and promote sustainability, expand the greenway system of trails for bicyclists and pedestrians, and the Town's sidewalk network, in accordance with the Town's Pedestrian Plan was made by Brown, seconded by Kolpack-Martindale and unanimously approved.*

UDO Amendment – Article II – Basic Definitions and Interpretations, Article X – Permissible Uses, Article XI – Supplementary Use Regulations

Meadows stated the Town of Siler City proposes text amendments to §18 Definitions (masonry, person, stoop), §136 Definitions (itinerant merchant, mobile food unit, mobile vending unit temporary use, mobile vending vehicle, open air market, peddler, specialty market, specialty market operator, specialty market vendor, transient vendor, yard sale), §140 Accessory Uses (yard or garage sales), §147 Table of Permissible Uses (mobile vending unit, sale of agricultural products grown off site), §151 Temporary Uses (mobile vending unit, sale of agricultural products grown off site, open air market).

The proposed amendments were first discussed between a business owner and Town staff. Town staff prepared the proposed amendments following a review of other communities' ordinances and NC General Statutes. The Planning Board has reviewed draft language at several regular meetings and initiated the proposed amendment.

Attached documents: draft ordinance amending Article 2, 10, 11 and worksheet.

Meadows shared the compatibility with existing Comprehensive Plan  
The Land Development Plan recommends:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.
4. Develop flexible zoning standards that accommodate mixed uses in the CBD, which will assist in the adaptive reuse of buildings.
5. Continuation of agribusiness in rural portions of the Town's ETJ, and also supports farming within the ETJ as a local source of food and a way to enhance the local economy.

*A motion that the text amendments to §18 Definitions (masonry, person, stoop), §136 Definitions (itinerant merchant, mobile food unit, mobile vending unit temporary use, mobile vending vehicle, open air market, peddler, specialty market, specialty market operator, specialty market vendor, transient vendor, yard sale), §140 Accessory Uses (yard or garage sales), §147 Table of Permissible Uses (mobile vending unit, sale of agricultural products grown off site), §151 Temporary Uses (mobile vending unit, sale of agricultural products grown off site, open air market) are approved and consistent with the*

***adopted Land Development Plan and any other officially adopted plans because the land development plan recommends amending ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances, amending ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete, and to modify the development ordinances to be more user-friendly where possible was made by Parks, seconded by Brown and unanimously approved.***

UDO Amendment – Article XVII – Sign Regulations

Meadows stated the Town of Siler City proposes text amendments to §235 Definitions (off-premise light-industrial zoned sign), §273 Replacement of Non-Conforming Signs (off-premises light-industrial zoned sign), and §274 Special Provisions for Certain Signs (home occupation sign).

The proposed amendments were first discussed between a business owner and Town staff. Town staff prepared the proposed amendments following a review of other communities' ordinances and case law. The Planning Board has reviewed draft language at several regular meetings and initiated the proposed amendment.

Attached documents: draft ordinance amending Article 17 and worksheet.

Meadows shared the compatibility with existing Comprehensive Plan  
The Land Development Plan recommends:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.
4. Develop flexible zoning standards that accommodate mixed uses in the CBD, which will assist in the adaptive reuse of buildings.
5. Ensure quality aesthetics in developments through appropriate landscaping, lighting, parking, and signage standards.
6. Develop specific standards for those properties abutting major highway corridors, to place more stringent controls on building setbacks and height, vehicular access, sign size and location, and buffering of parking and service areas.

***A motion that the text amendments §235 Definitions (off-premise light-industrial zoned sign), §273 Replacement of Non-Conforming Signs (off-premises light-industrial zoned sign), and §274 Special Provisions for Certain Signs (home occupation sign) are approved and consistent with the adopted Land Development Plan and any other officially adopted plans because the land development plan recommends amending ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances, modify the development ordinances to be more user-friendly where possible, and ensure quality aesthetics in developments through appropriate landscaping, lighting, parking, and signage standards was made by Brown, seconded by Parks and unanimously approved***



**DISCUSSION**

**Siler City Downtown (SCDT) Committee Report**

- After hearing a presentation from Jackie Adams, the board will discuss the recommendation at a future board meeting.

**UDO Amendment – Manufacture Homes & Single Family Supplementary Use Regulations**

- The board recommended to remove the constructed date from the UDO and that all manufactured homes have a HUD label.

**UDO Amendment – Streets and Sidewalks**

- The board instructed staff to initiate amendment as presented.

**Rezoning – Autumn Estates**

- Staff shared that Autumn Estates is non-conforming because it is zoned agricultural residential.
- Staff provide a chart comparing AR to R-MH.
- No direction was provided.

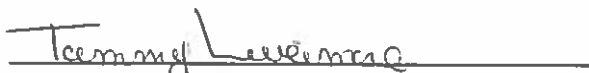
**ADJOURNMENT**

A motion to adjourn at 8:50pm was made by Parks, seconded by Brown and unanimously approved.



\_\_\_\_\_  
Butch Hudson, Chair

**ATTEST:**



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Tammy S. Livermore, Administrative Support Specialist