

Town of Siler City Planning Board

The Siler City Planning Board met on Monday, May 11, 2015 in the courtroom at City Hall.

MEMBERS PRESENT: Darrell Andrews, Curtis Brown, Steve Crofts, Mary Harris, Dacia Hayes (Vice Chair), Butch Hudson, JP Joyner (Chair), Linda Kolpack-Martindale and Ann C. Radcliffe

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

MEETING CALLED TO ORDER: Joyner called the meeting to order at 7:00 pm. Hayes gave the invocation and Joyner led the Pledge of Allegiance.

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

CONSENT AGENDA: *Hudson made a motion to approve the consent agenda including the minutes of April 13, 2015, Harris seconded, and unanimously approved.*

NEW BUSINESS:

a. **Conditional Use Rezoning – Vineyard Ridge – Quarry – H-I-C & A-R to A-R-C:** Meadows reported that Vineyard Ridge Holdings, LLC requests a conditional use rezoning to rezone ~32.692 acres from Heavy-Industrial-Conditional Use (H-I-C) and ~130.938 acres from Agricultural-Residential (A-R) to Agricultural-Residential-Conditional Use (A-R-C). The proposed conditional use is a mining or quarry operation including on-site sales of products. The subject property is located off of Old US 421 S., along a private drive known as Vineyard Ridge, and on the west side of the railroad. The property is identified as tax parcel # 14722, 81967, 75826, 79917, 14545, 76514, & 77614.

The subject property is located across Evans Creek (perennial stream) and an intermittent stream. Meadows reported that the subject tract includes: a) 163.63 acres; b) 1 property owner; and c) 7 tax parcels. The size of surrounding tracts = an average of 19.29 acres. Meadows reported that the Land Development Plan recommends rural residential development for the subject property, and general residential development for the property located on the east side of Old US 421. He stated that included in his memo was a list of the residential goals, objectives, and strategies. Meadows stated that the property is served by private water (well) and sewer (septic system). Property has approximately 70 feet of road frontage along Old US 421 and 2,720 feet of frontage along the railroad. Old US 421 is a two lane highway with a speed limit of 55 mph and 1,400 average daily trips (2012). The nearest fire hydrant is located at Gees Grove Road.

An application has been submitted for a mining permit for a rock quarry to NCDENR. A letter has been sent to adjoining property owners making them aware of the comment period and upcoming NCDENR public hearing. The total number of employees proposed is 20 and the total cost of construction is estimated between \$10 million and \$35 million.

Meadows stated that the type of rock is metabasalt (granite) and purpose/use of the rock is construction aggregates for use in roads, concrete, asphalt, and erosion control. The maximum depth of the quarry is 200'. Initially a portable crushing plant will be used but a permanent plant will be constructed later. The maximum height of the plant is 60 feet tall and overburden areas are 60 feet tall. The scale house will be 14'x70'. Five parking spaces including 1 handicap space is proposed at the scale house.

Meadows reported that the private drive will be 30 feet wide and surfaced with gravel. The driveway entrance will be 30 feet wide with 30 feet turn radius approximately 90 feet from the edge of Old US 421. NCDOT expects some sort of roadway improvement at the access point onto Old US 421 to accommodate the larger trucks. NCDOT will also be looking to see if upgrades are needed on Old US 421. The existing bridge is to be removed and replaced with a box culvert. Crossing guards are proposed

to be installed for the at grade rail crossing. Type A opaque screen is proposed along the entire perimeter of the property (except for the boundary along the railroad). The total area of disturbance is 87.4 acres.

Meadows added that the hours of operation for rock crushing, blasting, operating heavy quarry equipment, and truck traffic is 5:00 am to 5:00 pm Monday through Friday. Crushing plant operating hours will be 7:00 am to 5:00pm. Trucks that will be moving material off site can range from ½ ton pickup to 25 ton tractor trailer. A maximum of 50 to 100 trucks per day (an average of 20 to 30 per day) are expected to enter/exit the site. A rail spur is proposed and rail shipments will include a maximum of one shipment per week of up to 100 cars. Blasting will occur once per week and no explosive materials will be stored on site. A water truck equipped with a water cannon will be utilized to suppress dust on haul roads and to spray product stockpiles to mitigate dust.

Meadows stated that the; 1) current use of subject property is agriculture; 2) surrounding land uses include; agriculture, railroad, trucking business, and single family residential. The property adjoining to the west received CUR approval on July 3, 2006 to rezone the property to H-I-C and allow a quarry operation and the manufacturing of roofing granules; and 3) surrounded by A-R and H-I-C zoning. A parcel 500 feet east of the tract is zoned H-C-C.

Meadows stated that 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) prior to site work applicant must submit: a) construction site plan for review by Staff and Town engineer; b) recombination plat approval combining all lots/parcels into one lot/parcel; c) NCDOT driveway permit approval; d) NCDENR and US Corps of Engineer stream crossing/impact approval; and e) NCDENR erosion control and stormwater approval.

Meadows directed the board to look at the rezoning and conditional use permit worksheets for a decision on recommendation to Town Board or table request.

Discussion: Joyner explained that the public hearing will be at the June 1st Town Board meeting. He then asked if anyone was representing the applicant. Russ Patterson, Patterson Exploration Services and Mike Blakey of Drafting and Design Services, Inc. were then introduced. Joyner then asked what their timeline was. Blakey stated that it would be sometime next year, because it will take the rest of this year, for them to get approval on all their permits. Attorney Morgan reminded the board that their decision is a recommendation to the Town Board. With no further discussion, Joyner directed the board to their worksheet.

Rezoning Worksheet:

1. *Hudson made a motion that the map amendment is consistent with the adopted Land Development Plan and any other officially adopted plan because it forwards the Siler City UDO and Land Use Plan, seconded by Brown, and unanimously approved.*
2. *Hayes made a motion to approve the map amendment: (c) To promote and forward the purposes of the adopted Siler City Land Development Plan; seconded by Andrews, and unanimously approved.*

Conditional Use Permit Worksheet

1. *Brown made a motion that the application is complete, seconded by Hudson, and unanimously approved.*
2. *Crotts made a motion that the application complies with all applicable requirements of the Unified Development Ordinance, seconded by Hayes, and unanimously approved.*
3. *Brown made a motion that the application is granted, subject to the following conditions:*
 - a. *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*
 - b. *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*

c. *Prior to site work applicant must submit:*

1. *Construction site plan for review by Staff and Town engineer;*
2. *Recombination plat approval combining all lots /parcel into one lot/parcel;*
3. *NCDOT driveway permit approval;*
4. *NCDENR and US Corps of Engineer stream crossing/impact approval; and*
5. *NCDENR erosion control and stormwater approval.*

seconded by Harris, and unanimously approved.

Ken Winters stated that there are multiple individuals that live in his community that will be affected by this quarry and none of the board wanted to hear from them and he finds that insulting. Attorney Morgan stated that they will have an opportunity to speak at the public hearing before the Town Board at the June 1st meeting. Winters asked why the board doesn't want to hear from them. Isn't the board citizens, just like we are? Winters said this frustrates him so bad that he can't stand it. Morgan stated he sympathizes with Mr. Winters but the public hearing is before the Town Board. Winters said they were in the ETJ and they have no ability to vote but the board will not listen to them. He asked if there were any ETJ members on the board. Hudson stated that he was and he would be at the public hearing and he will listen. Winters added that he hopes we would change our process so that the board will hear from the citizens before they make their recommendation.

b. Conditional Use Permit – 121 North Chatham Avenue – Multifamily Downtown Residential Units – Joyner reported that Wren Farrar and David H. Simpson Const. request a conditional use permit to develop 2 multifamily downtown residential units. The subject property is located at 121 N. Chatham Ave. and is identified as tax parcel # 15284 and 15283. The subject property is: 1) owned by Wren Family Estate, LLC; 2) located inside the Town's Corporate Limits; 3) located within the Siler City primary fire district; 4) located within the Duke Energy Progress electric service district; and 5) not located within a special flood hazard area. Meadows added that the subject tract: a) 0.12 acre, b) 1 property owner; c) 2 tax parcel. The size of surrounding tracts = average of 0.21 acre.

Joyner reported that the Land Development Plan recommends: 1) Central Business District development for the subject property, 2) Central Business District goals, objectives, strategies: a) promote downtown Siler City as an active, attractive community that accommodates multiple uses such as the arts, small business and residential, b) explore the development of a downtown civic center that would strengthen downtown by providing a central location to house meetings and community entertainment events, c) explore the conversion of vacant industrial property into an active "arts market" to provide marketing space and take advantage of a growing arts community, d) modify the zoning ordinance to allow for residential uses in the commercial area. Residential zoning should be owner occupied and support commercial retail and art studios; e) complete the application process to become a North Carolina Main Street Community, f) explore allowing mixed uses in the downtown zoning district through the conditional use process, g) produce a "Downtown Development Design manual" to help local business owners with suggested guidelines for development, h) modify the development ordinances to be more user friendly where possible, i) visually define the downtown area through unified signage and landmarks, j) increase pedestrian safety in the downtown area through improvement of sidewalks and handicapped accessibility, k) look at planting plan for street trees along public rights-of-way, l) explore program of repaving sidewalks with new materials to improve visual design and increase aesthetics m) conduct downtown parking study and improve availability of downtown parking, and n) promote formation of downtown development association.

Meadows reported that the property is served by town water and sewer. Property has approximately 60 feet of road frontage along Chatham Ave. and the rear alley. Chatham Ave. is a two lane road with a speed limit of 25 mph and 2,100 average daily trips (2012). The subject building contains a total of 5,251 square feet. The proposed development will be divided into four units: Mercantile A (1,080 square feet), Mercantile B (985 square feet), Apartment A (1,125 square feet), and Apartment B (2,061 square feet, 1st floor and basement). Approximately 2,065 square feet (50%) of the first floor space will be reserved for commercial or office use. Exterior features (specifically masonry façades and storefront windows) currently on the building will not be altered. The exterior that will be altered is the uncovering of past windows and door openings at the rear of the structure. Windows will be replaced with double hung

windows that would allow for ingress/egress from the structure. A new deck and ground floor entrance is proposed at the rear of the building. The interior will retain its original ceilings and four exterior walls with some repair necessary including new interior walls. Each dwelling unit includes a complete kitchen, full bath, living, and bed. Each space will have its own central air unit that is mounted on the roof and screened from public view. The A units will share a water meter and the B units will share a water meter.

Each apartment will be designated a parking space in the parking lot at the rear of the structure. The parking lot is to remain surfaced with gravel and will contain no more than 10 parking spaces. The driveway apron will be paved 15 feet back from the edge of Birch Ave. The parking lot will be lighted with the installation of wall packs on the back of the building. Garbage will be collected by 2 dumpsters located at the rear of the building and be enclosed with an opaque screen. The total cost of the project is estimated at \$418,000. Meadows stated that the: 1) current use of subject property is commercial/vacant, 2) surrounding land uses include; retail, office, bank, recreation, art studio, and 3) surrounded by C-C zoning.

Meadows reported that 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) prior to site work applicant must submit an engineer/surveyor approved: a) site plan for review by Staff; and b) obtain zoning permit approval.

Meadows referred the board to the conditional use permit worksheet on recommendation to Town Board or table request.

Discussion: With no further discussion, Joyner directed the board to their worksheet.

Conditional Use Permit Worksheet

1. *Hudson made a motion that the application is complete, seconded by Brown, and unanimously approved.*
2. *Andrews made a motion that the application complies with all applicable requirements of the Unified Development Ordinance, seconded by Hudson, and unanimously approved.*
3. *Hudson made a motion that the application is granted, subject to the following conditions: a) 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 b) 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 c) conditions recommended by Staff, (prior to site work applicant must submit an engineer/surveyor approved: a) site plan for review by Staff; and b) obtain zoning permit approval) seconded by Hayes, and unanimously approved.*

c. Conditional Use Permit – 229, 231, 233 North Chatham Avenue – Multifamily Downtown Residential Units – Meadows reported that Wren Farrar and David H. Simpson Const. request a conditional use permit to develop 6 multifamily downtown residential units. The subject property is located at 229, 231, 233 N. Chatham Ave. and is identified as tax parcel # 61464. The subject property is located within the Siler City primary fire district. Meadows stated that the Land Development Plan recommends mixed use development for the subject property and central Business District development for the property on the east side of Chatham Ave. He stated that included in the memo is the mixed use development and central business district goals, objectives and strategies. Meadows reported that the property is served by town water and sewer. Property has approximately 65 feet of road frontage along Chatham Ave. Chatham Ave. is a two lane road with a speed limit of 25 mph and 2,100 average daily trips (2012).

Meadows added that the subject building contains a total of 11,008 square feet is divided into 3 separate units. The proposed development will be divided into 8 units: Retail 229 A (1,236 square feet), Retail 233 A (1,236 square feet), Apartment 229 A (1,261 square feet), Apartment 233 A (1,261 square feet), Apartment 231 A (1,171 square feet), Apartment 231 B (1,161 square feet), Apartment 231 C (1,080

square feet), and Apartment 231 D (1,194 square feet). Approximately 2,472 square feet (49%) of the first floor space will be reserved for commercial or office use.

Meadows stated that the exterior features (specifically masonry façades and storefront windows) currently on the building will not be altered. The current awning style windows will be replaced with new double hung windows that would allow for ingress/egress from the structure. A handicap entrance is being provided by adding a door to the parking lot side of the building which will provide access to a common area hallway. The interior will retain its original ceilings and exterior walls with some repair necessary including new interior walls. Each dwelling unit includes a complete kitchen, full bath, living, and bed. Each space will have its own central air unit that is mounted on the roof and screened from public view. The 229 units will share a water meter, the 231 units will share a water meter, and the 233 units will share a water meter.

Meadows said each apartment will be designated a parking space in the parking lot beside of the structure. The parking lot is to be resurfaced with concrete and will contain 11 parking spaces. The driveways off of Chatham Ave will be removed and a driveway permit will be obtained for the driveway on Third St. The parking lot will be lighted with the installation of wall packs on the side of the building. A 5' wide sidewalk is to be installed along Third St. Garbage will be collected by 1 dumpster located beside of the building and be enclosed with an opaque screen. The total cost of the project is estimated at \$622,000.

Meadows stated that 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) prior to site work applicant must: a) obtain site plan approval by Staff; b) obtain zoning permit approval; and c) NCDOT driveway permit and encroachment approval. Meadows referred the board to the conditional use permit worksheet on recommendation to Town Board or table request.

Discussion: Hudson asked was it because of the design that the driveway was coming off Third Street. Meadows stated that the applicant request driveway to be off of Third Street. He added that NCDOT will look at the driveway request. With no further discussion, Joyner directed the board to their worksheet.

Conditional Use Permit Worksheet

1. *Andrews made a motion that the application is complete, seconded by Hayes, and unanimously approved.*
2. *Hudson made a motion that the application complies with all applicable requirements of the Unified Development Ordinance, seconded by Brown, and unanimously approved.*
3. *Brown made a motion that the application is granted, subject to the following conditions: a) 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 b) 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 c) conditions recommended by Staff, (prior to site work applicant must: a) obtain site plan approval by Staff; and b) obtain zoning permit approval; c) NCDOT driveway permit and encroachment approval) seconded by Andrews, and unanimously approved.*

d. Rezoning – 501 East Third Street – R-10 to H-C – Meadows reported that Tommie Burke requests to rezone ~0.489 acre from Residential-10 (R-10) to Highway-Commercial (H-C). The subject property is located behind 501 E. 3rd St. off of N. 5th Ave. The property is identified as a portion of tax parcel # 70388 and all of lot 3 per plat 90-425. The subject property is: 1) owned by Tommie B. Burke; 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 subject tract includes: a) 0.489 acre; b) 1 property owner; and c) 1 tax parcel. Meadows explained that the size of surrounding tracts = an average of 0.459 acre.

Meadows reported that the Land Development Plan recommends general residential development for the subject property and general commercial development along the southern boundary of the subject property. He stated that included in the memo is the residential goals, objectives and strategies. The property is served by town water and sewer. Property has approximately 81 feet of road frontage. Third Street is a two lane road with a speed limit of 35 mph and 5,200 average daily trips (2012).

Meadows stated that per the Chatham County property record card, the Western Auto building was constructed in 1973. The subject property has been used for miscellaneous storage. If the property owner plans to expand the business by adding a new building, then the property must be rezoned to a zoning district (ex. H-C) that allows retail sales and small engine repair. Meadows explained that the current use of subject property is retail sales and small engine repair. The surrounding land uses include; single family residential, retail sales, office, and auto part sales. The property is surrounded by R-10 and H-C zoning.

Meadows explained to the Board, they shall consider the entire range of permitted, special, and conditional uses for the existing and proposed zoning district as listed in the Table of Uses. Attached is a copy of the uses that are allowed within the zoning districts. Meadows directed the board to their worksheet for decision on recommendation to Town Board or table request.

Discussion: With no further discussion, Joyner directed the board to their worksheet.

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 it recommends: 1) general commercial development along the southern boundary of the subject property, 2) encourage attractive commercial develop in appropriate allocation suitable for commercial purposes; and 3) these areas are generally located along major thoroughfares that contain a variety of commercial uses. Retail uses include shopping centers, convenience stores, restaurants and services catering to the traveling public. Heavier uses may include automobile dealerships and repair shops, min-warehouses and contractor's yards with appropriate landscaping and buffer requirements, seconded by Hudson, and unanimously approved.*
2. *Hudson made a motion to approve the map amendment: (c) to promote and forward the purposes of the adopted Siler City Land Development Plan; seconded by Hayes, and unanimously approved*

e. UDO Amendment – UDO Review Committee Recommendations: Meadows reported that the Town of Siler City proposes text amendments to Town of Siler City proposes text amendments to §257 Prohibited signs, §258 Permit procedure, §265 Sign regulations for commercial developments, §266 Temporary signs, §267 Permitted sign fixtures, §268 Exceptions and modifications, §269 Businesses setback from its major access road by 200 feet or more, §270 Signs permitted by special use permit, §274 Special provisions for certain signs (electronic changeable copy, mural), §279 Parking requirements (low volume traffic sales, churches, restaurant, funeral home, crematorium), and §289 Required parking for the disabled. Meadows stated that the proposed amendments developed by the UDO Review Committee (from October 2013 to February 2014) were recommended by the Planning Board on March 10, 2014. The Town Board has discussed the proposed amendments during workshop meetings since May of 2014. He reviewed the attached documents: Draft ordinance amending Article 17 and 18.

Discussion: With no further discussion, Joyner directed the board to their worksheet.

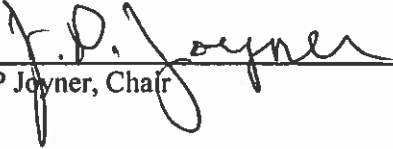
Text Amendment Worksheet:

1. *Brown made a motion that the text amendment is consistent with the adopted Land Development Plan and any other officially adopted plan because the land development plan recommends: 1) modifying the development ordinances to be more user friendly where possible; 2) develop flexible zoning standards which accommodate the wide variety of land uses in the CBD which will assist in the adaptive reuse of buildings as well as insure quality development through landscaping, lighting, parking, and signage standards; and 3) visually define the downtown area through unified signage and landmarks; seconded by Hudson, and unanimously approved.*

2. Hudson made a motion to approve the text amendment: b) because of changed or changing conditions in a particular neighborhood or community as a whole; seconded by Andrews, and unanimously approved.

PLANNING DIRECTOR'S REPORT: Meadows directed the Board to review the memo.

ADJOURNMENT: Brown made a motion to adjourn at 7:59 pm, seconded by Harris, and unanimously approved.



JP Joyner, Chair

ATTEST:


Dee Lee Thompkins, Recording Secretary