

Agenda  
Work Session  
Aberdeen Town Board

June 2, 2014  
Monday, 6:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

1. NC Rural Water Association Award for Wellhead Protection Plan.
2. 2014 EPA Brownfields Grant Application.
3. Needs Assessment of Police Department.
4. Conditional Zoning Request CZ #14-01 submitted by Crossway Church of Worship, Inc. Public Hearing scheduled for 6/16/14
5. Conditional Zoning Request CZ #14-03 submitted by Jack Berggren for a Craft Brewing Company. Public Hearing scheduled for 6/16/14
6. Conditional Use Permit Request CU #14-03 submitted by Sammy McPeake for a Hotel Use in the General Commercial Zoning District. Public Hearing scheduled for 6/16/14
7. UDO Text Amendment #14-04 Regarding Maximum Building Height in the General Commercial Zoning District. Public Hearing scheduled for 6/16/14
8. Conditional Zoning Request CZ #14-02 from R10-10 to B-3-C. Consider action at Work Session or Old Business on 6/16/14
  - a. Consideration of approval of Conditional Zoning Request CZ #14-02 from R10-10 to B-3-C.
  - b. A Resolution Regarding Plan Consistency for CZ #14-02.
  - c. An Ordinance Approving a Conditional Zoning District for Property Identified as PID #00049602 and #00048066 in the Moore County Tax Registry and Located on South Pine Street Between Lori Lane and Argyll Avenue from R10-10 to B-3-C.
9. Fiscal Year 2014-2015 Budget. Public Hearing scheduled for 6/16/14
10. Report on Spring Spree 2014.
11. House at Ray's Mill Pond.

12. Other Business.

13. Adjournment.

SPECIAL ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES OR IMPAIRMENTS WILL BE MADE UPON REQUEST TO THE EXTENT THAT REASONABLE NOTICE IS GIVEN TO THE TOWN OF ABERDEEN.

**Regina Rosy**

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**From:** Pam Graham  
**Sent:** Thursday, May 22, 2014 4:20 PM  
**To:** keithstarn@ncrwa.com  
**Cc:** Bill Zell; Regina Rosy  
**Subject:** RE: Wellhead Protection Award

Thank you for sending this Keith. I will advise the town clerk that we have an addition to the 6/2 agenda. We will be in touch to confirm.

Pamela Graham, RLA  
Planning Director, Town of Aberdeen  
115 North Poplar Street  
PO Box 785  
Aberdeen, NC 28315  
(910) 944-7024

-----Original Message-----

**From:** [keithstarn@ncrwa.com](mailto:keithstarn@ncrwa.com) [<mailto:keithstarn@ncrwa.com>]  
**Sent:** Thursday, May 22, 2014 2:45 PM  
**To:** Pam Graham  
**Subject:** Wellhead Protection Award

Pam:

The Town of Aberdeen is the recipient of a framed certificate for its state-approved Wellhead Protection Plan, awarded by NCDENR and NC Rural Water Association. Having an approved wellhead plan makes Aberdeen eligible for preference points when applying for a State Revolving Fund loan or grant for infrastructure improvement projects, and the plan helps protect the Town's source aquifer. The approved plan represents countless hours of work on the part of Kathy Liles, Rickie Monroe and myself.

I am available on June 2 to present the certificate at the Town Hall meeting on behalf of NCRWA. Also, please find attached a copy of the Town's Wellhead Protection Plan. Thanks in advance for your consideration.

Keith Starn, P.G.  
NCRWA



# TOWN OF ABERDEEN AGENDA ITEM ACTION REQUEST FORM

**This form must be completed and attached to all supporting documentation for items to be included on the Town of Aberdeen Board agenda. One (1) form per agenda item.**

**Submitted By:** Jae Kim **Department:** Planning

**Contact Phone #** 4514 **Date Submitted:** 5/29/2014

**Agenda Item Title:** 2014 EPA Brownfields Grant Application

**Work Session - Board Action (write date of meeting in parenthesis) :**  
**Information Only** 6/2/2014  
**Public Hearing** \_\_\_\_\_  
**Approval at work session – immediate action** \_\_\_\_\_

**Regular Board Meeting – Board Action (write date of meeting in parenthesis):**  
**New Business** \_\_\_\_\_ **Information Only** \_\_\_\_\_  
**Old Business** \_\_\_\_\_ **Consent Agenda** \_\_\_\_\_  
**Public Hearing** \_\_\_\_\_ **Informal Discussion & Public Comment** \_\_\_\_\_  
**Other Business** \_\_\_\_\_

**Summary of Information:**  
Joe Morici from Cardno will be presenting information about the EPA Brownfields Grant. He was the consultant that worked on writing and submitting this grant for the town.

**Special requests (i.e. Needs to be first on the agenda due to schedule of guest, etc.):**



## **Brownfields 2014 Assessment Grant Fact Sheet Aberdeen, NC**

### **EPA Brownfields Program**

EPA's Brownfields Program empowers states, communities, and other stakeholders to work together to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield site is real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. In 2002, the Small Business Liability Relief and Brownfields Revitalization Act was passed to help states and communities around the country cleanup and revitalize brownfields sites. Under this law, EPA provides financial assistance to eligible applicants through four competitive grant programs: assessment grants, revolving loan fund grants, cleanup grants, and job training grants.

### **Assessment Grants**

**\$200,000 for hazardous substances**  
**\$200,000 for petroleum**

EPA has selected the Town of Aberdeen for two brownfields assessment grants. Community-wide hazardous substances grant funds will be used to conduct approximately three Phase I and two Phase II environmental site assessments.

Petroleum grant funds will be used to conduct approximately five Phase I and four Phase II environmental site assessments. Both types of grant funds will be used for cleanup planning and community outreach activities.

***Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.***



Grant funds will be available from October 1, 2014, until September 30, 2017, to conduct public involvement activities, develop an inventory of potential brownfield sites, complete environmental site assessments, and create cleanup and redevelopment plans. The Town may use the grant funds to conduct assessments or develop plans for any property with the owner's permission, provided the Town is not potentially liable for the contamination and site assessment or cleanup activities are not currently being funded by another state for Federal program.

***The overall objective of the Brownfields program is to encourage the redevelopment and reuse of properties by clarifying the environmental concerns and developing solutions to make the property safe for its intended use.***

For more information on the EPA Brownfields Program, please visit: <http://www.epa.gov/brownfields>

# THE BROWNFIELDS PROCESS

Brownfield grantees typically work through the following process as they implement their EPA assessment grant. Funding allows grantees to quantify the environmental risks associated with redeveloping brownfield properties, making them more attractive to prospective purchasers

## Site Inventory and Prioritization

The primary goal of the brownfields program is to conduct environmental assessments at properties that have the highest redevelopment potential. The first step of the brownfields process is to develop an inventory of potential brownfield sites to guide prioritization efforts. Sites are typically ranked using a combination of criteria factors including (but not limited to) possible environmental concerns, current state and use of the property, location, and reuse potential.

## Phase I Environmental Site Assessment

Once a property has been selected for assessment, a Phase I ESA is initiated. This assessment includes reviews of historical documents and regulatory databases regarding the site as well as interviews with past owners and operators to determine the past usage of the site and its surrounding area.

## Phase II Environmental Site Assessment

Should the Phase I ESA demonstrate cause for environmental concern, a Phase II is typically initiated after a site's eligibility under the brownfields statute is determined. During the Phase II ESA, soil and groundwater samples are collected to determine if the property has been adversely impacted and, if so, to what extent.

## Analysis of Brownfields Cleanup Alternatives (ABCA)

Upon completion of the Phase II ESA and determination that remediation is necessary, an ABCA can be prepared. This document will compare several clean-up options, such as off-site disposal of impacted soils, different methods of in-place remediation, and groundwater treatment and monitoring. The proposed end use of the property is a key factor in the development of the appropriate remedial action. EPA assessment grants can help fund the ABCA and associated re-development plans.

## Site Cleanup and Redevelopment

The final step of a brownfields redevelopment occurs upon regulatory approval of the ABCA. Assessment grants do not allow for site cleanup; however, grantees may be eligible to apply for EPA funding based on certain requirements. Typically, municipal assessment grantees will work with local governments and developers to help secure and leverage funding for site redevelopment.



TABLE 2 - ABCA and Remedial Alternatives and Remedial Actions

Addressed Remedial Alternatives	Remedial Action
In-situ remediation (remediation by excavation and off-site disposal/recycling)	Alternative was eliminated due to the difficulty of locating the source of contamination to site and quantifying the difficulty associated with the removal of materials and lack of adequate data to perform remediation.
Excavation, onsite treatment (no off-site disposal/recycling)	Alternative was eliminated due to the difficulty of locating the source of contamination to site and quantifying the difficulty associated with the treatment of soils and lack of adequate data to perform remediation.
Excavation, onsite treatment (no off-site disposal/recycling) and off-site disposal/recycling	Alternative was eliminated due to the size of the subject property compared to the area required to process a mobile thermal treatment and associated associated setup and post-treatment soil cleanup. Alternative was also eliminated due to the structure being needed to support permit to operate treatment units.





## TOWN OF ABERDEEN AGENDA ITEM ACTION REQUEST FORM

**This form must be completed and attached to all supporting documentation for items to be included on the Town of Aberdeen Board agenda. One (1) form per agenda item.**

**Submitted By:** Tim Wenzel **Department:** Police

**Contact Phone #** 910-944-4564 **Date Submitted:** 5/27/2014

**Agenda Item Title:** New Police Building

**Work Session - Board Action (date of meeting should be filled in on line) :**  
**Information Only** June 2, 2014  
**Public Hearing** \_\_\_\_\_  
**Approval at work session - immediate action** \_\_\_\_\_

**Regular Board Meeting - Board Action (date of meeting should be filled in on line):**  
**New Business** \_\_\_\_\_ **Information Only** \_\_\_\_\_  
**Old Business** \_\_\_\_\_ **Consent Agenda** \_\_\_\_\_  
**Public Hearing** \_\_\_\_\_ **Informal Discussion & Public Comment** \_\_\_\_\_  
**Other Business** \_\_\_\_\_

**Summary of Information:**  
 After meeting with Commissioner's Dannelley and Mims, I was asked to present the "Needs Assessment", as well as discuss the request to have dispatch back in house. I was also asked to discuss the feasibility of Sub Stations.

**Special requests (i.e. Needs to be first on the agenda due to schedule of guest, etc.):**

## DISPATCH

Aberdeen Police gave up their Dispatch in the early 1990's. I am told that this was done to afford more Police Officers on the street. I have also been told by retired Chief Campbell that it was his biggest mistake and he has regretted it ever since.

At that time Aberdeen had a population of roughly 3500-3800 people. Our call volume was probably in the area of 7000-8000 calls per year. There were fewer Officers and the radio traffic was a fraction of what it is currently. Now let's fast forward to 2014. The population is roughly 6,800; our call volume is between 20,000 and 25,000 calls per year. Aberdeen has grown and has doubled in size since we gave up dispatch. As we look into the construction of a new Police Headquarters, I think it is a perfect time to reevaluate our needs and the level of service that we provide to our community and to our Officers. In the following paragraphs I will outline why I feel so passionately about having dispatch in house.

First and foremost is Officer safety. I don't think that anyone can argue that it would not be safer for our Officers if we brought dispatch back. If we have our own dispatchers, they would be assigned to a particular squad and would rotate on the schedule with that squad. By working with the same Officers every shift for 12 hours at a time, the Officers and the dispatcher would become very familiar with each other. Dispatchers learn to anticipate Officer's needs, they learn by the inflection in their voice whether everything is alright at the scene or if they should roll back-up their way. The dispatcher learns the idiosyncrasies of the Officers they work with. A dispatcher can already be running the information on the registered owner, checking warrants before the Officer ever asks for these checks, this is a safety habit that a dispatcher covering 7 towns does not have the luxury of doing. Aberdeen dispatchers would also become very familiar with the Town itself. There are locations that are referred to by name as opposed to an address, there are people that we refer to as "frequent flyers" that they would be familiar with to name just a couple of examples.

Aberdeen dispatchers would be hired by the Aberdeen Police Department after a thorough interview and background process. We would then train the dispatcher the Aberdeen way with what is important to us. The dispatcher would then be evaluated periodically to ensure that they are meeting our standards. These are all things that we do not currently have with the 9-1-1 dispatch center. We have absolutely no say from the application process to the hiring and evaluating, yet we entrust these people literally with our Officer's lives.

This would be an opportunity to re-educate the public on the use of 9-1-1. Currently, if we receive a call here at headquarters, we tell them to call 9-1-1 so they can dispatch one of our Officers. They are told this no matter the level of the call, which can be very confusing to people who have been instructed to only call 9-1-1 in an emergency. Kids are taught since elementary school to dial 9-1-1 during an emergency and we go over what constitutes an emergency, yet we tell someone with a barking dog complaint to call 9-1-1 to report it so an Officer can be dispatched. The same applies to walk in reports, where one of our Administrative Assistants would have to call 9-1-1 and have them dispatch an Officer, who may already be at headquarters, in order to have the call receive a CAD number. Speaking of CAD, we currently do not have a CAD screen in headquarters or in the patrol cars. When an Officer requests that information such as suspect information, vehicle description, or other notes such as who the Officer spoke with or what information was given out to the public be added to the CAD ticket, it is often missing or incomplete. This is obviously an inefficient way to conduct business.

I feel the residents of Aberdeen are not receiving the level of service that they deserve, or that they probably think they have. I would bet that most residents do not know that we lock our building at 5PM on weekdays, holidays and all weekends. This is a disservice not to mention a loss of valuable time if an emergency shows up at our front door.

If we had our own dispatchers, they would also be available for other duties. These duties could include completing arrest cards, running criminal histories, driver's license lookups as well as providing case numbers and arrest numbers to

the Officers. They could monitor cameras inside and outside of the building, as well as any camera system that would allow us internet access, such as the old Country Hearth. We would have 24/7 presence for walk ins, and monitor custody exchanges that were ordered by a judge to take place at police headquarters.

Each dispatcher may bring their own little area of expertise. In the past, I have used dispatchers to translate if they speak another language. I have used female dispatchers to search female prisoners if a female Officer was not available, and I have used a dispatcher with a vast amount of computer knowledge to fix computer problems saving the town money from using the outside contracted service.

Under this proposal, I would still utilize the 9-1-1 center for Fire and Rescue calls so we would not have to have our dispatchers trained in emergency medical dispatch. If there was a medical emergency, 9-1-1 would handle the EMD part and the call would then be transferred to our Dispatch. We could be a back- up 9-1-1 PSAP.

**TOWN OF ABERDEEN POLICE DEPARTMENT**

**NEEDS ASSESSMENT AND**  
**PRELIMINARY COST ESTIMATE**

**NEEDS ASSESSMENT - BUILDING**

ROOM OR SPACE	EXISTING BUILDING SQUARE FOOTAGE	PROPOSED NEW BUILDING SQUARE FOOTAGE	COMMENTS
Secretary / Records Room	300	500	Existing room was designed for 1 person but is being used by 2 persons Existing walk-up window does provide high-enough level of security for secretaries Existing record storage is inadequate – many records are currently stored off-site Existing record storage is inefficient – new room to have a rolling file storage system
Chief's Office	210	225	Existing office has no storage - new office to include storage closet
2 Deputy Chief's Offices	1 @ 120 1 @ 140	2 @ 155	Existing offices have no storage - new offices to include storage closet
Patrol Captain's Office	120	155	Existing office has no storage - new office to include storage closet
Patrol Office	150	300	Existing office was designed for use by 3 officers but is currently used by 8 officers Existing office has two work stations – new office to have 4 work stations
Detective Captain's Office	95	155	Existing office has no storage - new office to include storage closet.
Detectives' Office	135	225	Existing office is used by 2 detectives – new office will be used by 4 detectives Existing office has no storage - new office to include storage closet
Walk-in Report Room	85	85	
Conference Room		275	To accomodate 10 persons
Evidence Room	210	450	New room includes separate drug room and gun room – current room has neither Existing room has 19 bins – new room to have 40-50 bins Size of existing bins is too small – new bins to be larger New room to have drying area – sally port used for drying in existing facility
Interview Room	90	2 @ 120	Two rooms needed so that two suspects can be split up and interviewed simultaneously
Processing Room	110	250	Existing room is too small to allow officers to stay in room with suspects throughout the entire processing procedure Existing room has inadequate space for fingerprinting and photographing New room to have a desk /computer station – existing room does not have one

ROOM OR SPACE	EXISTING BUILDING SQUARE FOOTAGE	PROPOSED NEW BUILDING SQUARE FOOTAGE	COMMENTS
Alcohol Test Room		150	
Communications Room		300	
Training Room	275	900	Existing room shape (long & narrow) is not conducive for tactical and defense training exercises Small size of existing room requires many activities to be held off site - new room to accommodate 40-50 persons Existing room has no table & chair storage to support multipurpose use – new room to include table & chair storage
Break Room	90	150	Existing room does not have any seating - new room to include seating for 6 New room to include stove and ice machine – existing room does not have these
Fitness Room	500	500	
Supply Room	150	400	Existing supply room is a converted breathalyzer room and is inadequately sized
Holding Cells	2@ 60 each	4 @ 40 each	
Sally Port	450	450	
Garage		450	To be used for evidence processing
Armory		100	
Staff Toilets, Showers, Locker Room	240	800	Women share existing locker room and showers with men. Separate male and female locker rooms and showers are needed. Existing toilets are remote from showers/ lockers – need to have direct access Existing locker size is inadequate for hanging clothes Number of existing lockers (19) is inadequate – new room to have 40 male, 15 female
Visitor Toilet	50	130	Existing toilet is unisex – current code requires separate men's and women's toilets Existing toilet does not meet current handicap accessibility standards
Computer Server Room	35	70	Existing room is a converted closet and is inadequately sized
Janitor Room	25	50	

**Building Summary:**

**EXISTING BUILDING**

TOTAL GROSS AREA = 5,565 SF

**PROPOSED NEW BUILDING :**

NET AREA (PER NEEDS ASSESSMENT ABOVE) = 7,780 SF

WALLS, CIRCULATION AND MECHANICAL SPACES = 4,670 SF

TOTAL GROSS AREA = 12,450 SF

**NEEDS ASSESSMENT - SITE**

ITEM	EXISTING BUILDING	PROPOSED NEW BUILDING	COMMENTS
Visitor Parking Spaces	6	15	More than 15 new spaces will be needed if the building is used for public meetings
Staff Parking Spaces	14	20	
Patrol Car Parking Spaces	16	20	
Handicapped Parking Spaces	1	2	

## Addition / Renovation Scenario – Talking Points

- 1) Depending on the order of magnitude of the renovations to the existing building, particularly in terms of demolition, structural, mechanical, electrical and plumbing work required, the cost of a renovation/addition project might actually exceed the cost of a new building project.
- 2) Approximately 50% of the existing building is concrete masonry construction, which will significantly increase the cost of any major renovations to those areas.
- 3) A renovation project will almost always result in significant “functional compromises” including circulation, room layouts, room sizes, ceiling heights, etc. due to the constraints of the existing construction. A new building would not be subject to these compromises.
- 4) A new building would comply completely with current NC Building Code, ADA Accessibility Code standards and current NC Energy Code Standards. After renovation, the existing building may still not totally comply with all current standards.
- 5) There are ongoing mold and water intrusion issues in one area of the existing building that will likely be expensive to correct.
- 6) During construction, staff will be required to move off-site or work out of on-site trailers. There would also be no on-site location to place detainees.
- 7) Renovation of the existing building would not allow for a new visual “image / appearance” to be seen by the public from Hwy. 1.

NEW CONSTRUCTION/MAJOR RENOVATION BUDGET WORKSHEET

**I. CONSTRUCTION (HARD) COSTS (Two-Thirds of Total Project Cost)**

	<u>ESTIMATED SF</u>	<u>COST/SF</u>	<u>TOTAL</u>
A. Building:	<u>12,450</u>	<u>135.00</u>	\$ <u>1,680,000</u>
B. Site Improvements:	_____	_____	\$ <u>168,000</u>
C. Landscaping:	_____	_____	<u>30,000</u>
D. Contingency: 5%	_____	_____	<u>94,000</u>
E.	_____	_____	_____
<b>Total Construction (Hard) Costs</b>		\$ <u>158.00</u>	\$ <u>1,972,000</u>

**II. CONSTRUCTION (SOFT) COSTS (One-Third of Total Project Cost)**

	<u>TOTAL</u>
Ⓐ Architectural Fees:	_____
Preschematic Phase:	_____
Schematic Design Phase to Completion:	_____
B. Land Use Expenses	_____
Ⓒ Inspections/Permits/Fees:	_____
D. Additional Cost Estimates:	_____
E. Off-Site Improvements:	_____
Ⓕ Equipment:	_____
Ⓖ Furnishings:	_____
Ⓗ Interest:	_____
I. Sales Tax:	_____
Ⓙ Miscellaneous Expenses:	_____
Surveys/Studies:	_____
Geotechnical/Testing Consultants:	_____
Hazardous Materials:	_____
K. Other Fees/Expenses:	_____
_____	_____
_____	_____
_____	_____
<b>Total Construction (Soft) Costs</b>	\$ _____
<b>Total Project Costs (Hard + Soft Costs)</b>	\$ <u>2,950,000</u>
<b>Inflation Escalation (3-6% per year)</b>	\$ _____
<b>TOTAL PROJECT COST</b>	\$ _____

# HECKETHORN ARCHITECTURE, PLLC

108 E. CONNECTICUT AVE.

SOUTHERN PINES, N.C. 28387

## About The Firm

Heckethorn Architecture, PLLC was established in 2002. The firm is a sole proprietorship with John D. Heckethorn, AIA as owner and principal. Over the past twelve years, Heckethorn Architecture has successfully completed a variety of educational, religious, municipal, residential and commercial projects. Nearly all of the firm's clients are located in Moore County.

Notable clients include:

- Sandhills Coalition for Human Care
- The O'Neal School
- St. Joseph of the Pines
- Town of Southern Pines
- Town of Aberdeen
- Town of Vass
- Village of Whispering Pines
- Village of Pinehurst

Notable projects include:

- Town of Vass - New Town Hall and Police Station
- Town of Aberdeen - Addition and Renovations to Fire Station
- Village of Whispering Pines – New Maintenance Building
- Sandhills Coalition for Human Care – New Headquarters Building
- The O'Neal School – New Elementary School
- Renovation of 277 NW Broad Street Building – Downtown Southern Pines  
(this project won an award from the Southern Pines Appearance Commission)

Heckethorn Architecture prides itself on timely and personal service. *Over 90% of the projects completed by the firm have been either commissioned by existing clients or obtained by direct referral.* Two of the firm's most valued repeat clients are the O'Neal School and St. Joseph of the Pines.

The construction cost of completed projects has ranged from less than \$100,000 to over \$3 million.

# **John D. Heckethorn, AIA**

## **Municipal Experience**

### **Projects completed by Heckethorn Architecture, PLLC**

#### **Addition and Renovations to Fire Department**

##### **Town of Aberdeen**

*(Construction completed in 2012)*

New 5,300 square foot building addition including offices, sleeping rooms, kitchen, dayroom, conference room, training room/emergency operations center and exercise room. Interior and exterior renovations to existing building.

#### **Renovations to Village Hall**

##### **Village of Pinehurst**

*(Construction completed in 2010)*

Conversion of 2,000 square feet of unfinished interior space into useable space for the village IT department including offices, training room and conference room.

#### **New Maintenance Building**

##### **Village of Whispering Pines**

*(Construction completed in 2009)*

New 5,300 square foot facility including vehicle storage bays, offices and storage rooms.

#### **Renovations to Village Hall**

##### **Village of Whispering Pines**

*(Design work completed in 2008 – project was not constructed)*

Redesign of the interior floor plan layout of the existing village hall.

#### **New Town Hall / Police Department**

##### **Town of Vass**

*(Construction completed in 2007)*

New 5,700 sf building. Town hall includes offices, meeting/community room, kitchen and storage rooms. Police department includes offices, evidence storage room and processing area.

#### **New Maintenance Building**

##### **Village of Pinehurst**

*(Design work completed in 2007 – project was not constructed)*

Conversion of an existing 6,000 square foot barn located at the Pinehurst Harness Track into a maintenance facility to include an office suite, work stations, storage rooms and a vehicle storage bay.

# **HECKETHORN ARCHITECTURE, PLLC**

108 E. CONNECTICUT AVE.

SOUTHERN PINES, N.C. 28387

## **About The Architect**

John D. Heckethorn has lived and practiced architecture in the Moore County area for over twenty five years. He is a native of Tennessee and spent six years as an architect in Dallas, Texas prior to moving to North Carolina in 1988.

### **Educational**

Bachelor of Architecture degree from the University of Tennessee

Master of Science in Architectural Engineering degree from the University of Kansas

### **Professional**

Licensed to practice architecture in North Carolina since 1988

Member - American Institute of Architects (AIA)

Past member of North Carolina AIA Board of Directors

Past president of Eastern North Carolina Chapter of North Carolina AIA

Past chairman of North Carolina AIA Public Awareness Committee

### **Community**

Member of Kiwanis Club of the Sandhills

Served on Downtown Historic District Commission for the Town of Southern Pines

### **Personal**

Resident of Pinehurst, NC

Family consisting of wife, Erin, and two children, Ian and Allison

Member of Christ Community Church and current member of church building committee

**Site Master Planning**  
**Village of Whispering Pines**  
*(Completed in 2006)*

Master planning of a nine acre tract of land to study proposed locations for a new maintenance building, new village hall, expansion of the existing fire station, and expansion of the existing police station. The work also included the creation of conceptual designs for the new maintenance building and village hall.

**New Park Shelter**  
**Town of Southern Pines**  
*(Construction completed in 2006)*

New park shelter and toilets for the new Sandhurst Park.

**Office Renovations**  
**Town of Southern Pines**  
*(Construction completed in 2005)*

Interior renovations to provide enhanced sound privacy for existing offices in two separate buildings.

**New Swimming Pool Pump House**  
**Town of Southern Pines**  
*(Construction completed in 2005)*

New building to house pool equipment and chemicals at the West Southern Pines Municipal Swimming Pool.

**Projects on which John Heckethorn served as project architect while associated with another architectural firm**

**Lee County Courthouse**  
**Sanford, North Carolina**  
*(Construction completed in 1994)*

New 82,000 sf building to house jail, sheriff's department, county offices and courtrooms.  
Renovation of existing courthouse building to house probation department.

**Foxfire Village Hall**  
**Foxfire, North Carolina**  
*(Design work completed in 2000 – project was not constructed)*

New 2,000 sf building addition and renovation of existing building to house administrative offices and police department.

### Addition / Renovation Scenario – Talking Points

- 1) Depending on the order of magnitude of the renovations to the existing building, particularly in terms of demolition, structural, mechanical, electrical and plumbing work required, the cost of a renovation/addition project might actually exceed the cost of a new building project.
- 2) Approximately 50% of the existing building is concrete masonry construction, which will significantly increase the cost of any major renovations to those areas.
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**MEMORANDUM TO THE BOARD OF COMMISSIONERS**

**FROM:** Pamela Graham, Planning Director  
**DATE:** June 2, 2014  
**SUBJECT:** UDO Conditional Zoning Request CZ# 14-01  
**APPLICANT:** Cross Way Church of Worship, Inc.  
**PROPERTY OWNER:** Cross Way Church of Worship, Inc.

**REQUEST:**

Cross Way Church of Worship, Inc. requests conditional zoning for construction of a church and accessory residential facilities and uses on property identified by PID #00050799 to be located approximately 330' south of the intersection of Ridgeline and Sandpit Roads. The request would rezone the property to R20-16-C.

**BACKGROUND:**

The applicant intends to develop a religious complex that includes six (6) single family residences to be made available to the congregation, multigenerational multifamily housing including three (3) buildings of four (4) units each, a barn, a church to be constructed in two phases, a cemetery, and all associated parking. Conditional zoning may authorize this mix of uses on property within the R20-16-C District.



PID# 00050799 is a 26.53 acre parcel. The property demonstrates evidence of prior clearing and timbering activities and has been bisected by a dirt road network. The property is zoned R20-16 and is subject to the Watershed Water Supply Overlay District regulations. A site plan has been attached depicting the proposed layout of the project.

**CONDITIONAL ZONING DISTRICTS (C):**

Conditional zoning districts allow for the establishment of certain uses, which, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. It is not a conditional use permit, but is a legislatively determined zoning district in which the development and use of the property is subject to predetermined ordinance standards, rules, regulations and conditions imposed as part of the approval process. The Planning Board acts as a recommending body to the Board of Commissioners and must make a determination regarding the positive or negative impact on the immediate area and community as a whole. Approval of a Conditional Zoning imparts the adopted conditions to the subject parcel only, and does not create a new zoning district that would apply to additional properties. The CZ process has been successfully used to add appropriate uses to properties that are not inherent to the district without modification.

A Conditional Zoning to an R20-16-C District allows for the multi-generational housing component of the project. This use, considered a variation of multifamily residential, is not permitted in the R20-16 district in which the property is currently located. By creating a conditional zoning district that applies

to the subject property only, the Board may attach particular conditions to the zoning that can be more stringent, or less so, than the base R20-16 district allows.

**APPLICABILITY OF MULTI-FAMILY REGULATIONS:**

The Unified Development Ordinance was adopted subsequent to completion of a multi-family study prepared by the town. As such, the current regulations require a different design concept as compared to the 1985 Zoning Code as amended. The supplemental regulations for duplexes and multi-family units are attached. The following summarizes requirements that would affect this project had it been submitted as a new multi-family development.

- Multi-family developments and duplexes are only allowed in the R6-10 and R10-10 zoning districts. *A new multifamily development would not be allowed on this property under the existing zoning.*
- The maximum dwelling units per acre are no more than eight, however the property’s location in a protected watershed further restricts dwelling units to one per acre for single family or no more than 12% built-upon area for multi-family. *The applicant proposes a maximum of six (6) single family units and twelve (12) multi-family units on the 26.53 acre parent parcel.*
- A semi-opaque screen a minimum of thirty feet in width is required along the perimeter of any multifamily development located adjacent to any residentially used or zoned property. *The proposal is committed to preserving a natural buffer to meet or exceed this requirement to the greatest extent possible, and to supplement with new plant material where required.*
- Parking lots shall be shaded. *Shade trees and supplemental landscaping are proposed for the parking areas.*
- Pedestrian improvements must be made interior to the development connecting units and destinations such as other units and mail boxes. *The preliminary plan seeks to balance this requirement with the requirements of the Watershed Overlay District by providing a sidewalk along one side of the interior (private) road. The Watershed Overlay District mandates that impervious surfaces be minimized to the greatest degree possible. Permeable paving material is proposed for some of the residential areas of the project.*
- Plans must be submitted for stormwater management. *As the expected area of disturbance will exceed one acre, the applicant will be required to submit both a stormwater management plan and a sedimentation and erosion control plan to NCDENR for approval. The Planning Department will be provided with copies of approval notifications.*
- Open space for multi-family development is required at the rate of 435 square feet per dwelling unit with a width not less than 40 feet or a radius of at least 26 feet. However, the proposed subdivision of the property into two tracts increases the open space requirement to 20% of the total acreage to meet Minor Subdivision requirements. Staff recommends that the greater standard of 20% open space be imposed for the project. *Based on the proposed eighteen dwelling units at final buildout, the multi-family open space requirement is 7,830 square feet. 20% of the total 26.53 acre site is 5.31 acres or 231,304 square feet. The applicant is proposing 242,888 square feet of open space in keeping with the Watershed Overlay District’s requirement that areas not proposed for construction remain in a natural state.*

**ADJACENT ZONING AND LAND USE:**

The property is surrounded by C-I Commercial/Light Industrial to the north and R20-16 to the west, east and partially on the south. Most of the southern border is Pinehurst ETJ and is classified in the

Moore County Tax Registry as “Commercial Vacant;” however, it operates as a commercial nursery. A high transmission power line runs along the north side of the property separating it from commercial uses on Aquashed Court. Lots are built out in residential use across Sand Pit Road in Aberdeen’s ETJ.

Zoning considerations must address the potential for the decision to be classified as “spot zoning”. While not illegal in North Carolina, spot zoning must be clearly supported by a reasonable basis in order to withstand a legal challenge. This request would not constitute spot rezoning as the parcel abuts other properties currently zoned R20-16.

The applicant proposes to meet setbacks of 35 feet front, 15 feet side and 30 feet rear. The maximum building height permitted is 35 feet.

**WATERSHED:**

The property is located in a WS-II watershed and has received approval from the Watershed Review Board during their May 15, 2014 meeting. A summary of Overlay District uses as a planning tool is attached.

**TRANSPORTATION:**

The 2012 NCDOT Annual Average Daily Traffic Counts Map shows traffic volumes at 2000 trips per day on Sandpit Road. Nearby counts on Highway 5 range from 14,000 on the western extent and 9500 on the eastern extent. In estimating traffic volumes, the applicant has proposed the final build out of the church will include 700 seats. Vehicular use for parking purposes is tabulated as 4 seats per vehicle yielding 175 vehicles. During times of service, 350 vehicle trips would be anticipated. Church trips would more than likely be separate from the residential trips on site. These numbers are well below the threshold of 600 vehicle trips per day that would trigger a traffic impact analysis for the town. NCDOT may at their discretion require additional analysis before approving a driveway access permit.

The applicant intends that the internal road system remain private.

**UTILITIES:**

Water and sewer are not currently available. The project would have to be developed on septic and water would need to be extended from Ridgeline Rd. Public Works has determined that adequate water capacity is available.

**CONSISTENCY WITH ADOPTED PLANS:**

The Town of Aberdeen has an adopted 2030 Land Development Plan, Pedestrian Plan, Bicycle Plan, and Hazard Mitigation Plan. The project is in general conformance with all plans with the following comments:

The 2030 Plan encourages zoning to mixed-use. This particular project allows for mixed use, all directed towards supporting the religious use on the property. The Plan also recommends Conservation Subdivisions as an appropriate development pattern for the town’s new development, offering options for responding to growth pressures while preserving the rural character and open space evident in many areas within the town’s jurisdiction. The property proposed for this low density development is classified as a Secondary Conservation Area in the 2030 Plan, recommended for a more sensitive

approach in the design and development of the area. In this area the proposal is consistent with the 2030 Land Development Plan.

The 2009 amendment to the 2030 Plan directed a slow-down of multifamily development growth. This project incorporates multi-generational housing which is a form of multi-family. However, this multifamily use supports other uses on the property, and includes no proposals for further subdivision or ownership transfer. The residential units are expected to remain under ownership of the church; the occupants of the housing facilities will be parishioners and/or employees of the church.

Slightly over three acres in the far northwestern corner of the parcel is identified in the Green Growth Toolbox as “Sparsely Settled Habitat”, defined below. This portion of the tract is indicated by the plan to include an undisturbed vegetative buffer and septic fields to serve the single family dwellings. In this area the proposal is consistent with the Green Growth Toolbox.

*• Sparsely-settled habitats include a variety of non-developed habitats such as working farms and working forests. These areas provide important habitat and movement corridors for wide-ranging species such as bobcat and black bear. These animals can use a variety of habitats, but to persist, they need large blocks of habitat which are not divided by high-traffic roads or highways. Sparsely-settled areas support populations of many game species, such as deer and turkey, thereby providing hunting opportunities. This habitat type also helps to buffer intact, high-quality tracts of other important habitats from disturbance. Extensive development and major highways negatively affect the ability of sparsely-settled habitats to support healthy populations of wildlife and to buffer other important habitat types.*

**ANALYSIS OF IMPACT ON IMMEDIATE AREA AND COMMUNITY AS A WHOLE:**

The mixed-use nature of the property will have an impact on reducing some of the vehicle trips that might otherwise be placed on the Aberdeen road network. Multigenerational housing will provide a level of senior housing which is in short supply in Moore County and will benefit the community as a whole.

The immediate impact of this operation should not have a negative impact on the community. Some traffic will be generated during church service times, but traffic volumes are not expected to result in significant impacts to the transportation network as long as NCDOT issues a driveway access permit.

The attached analysis page from Appendix A of the Land Development Plan may be used by the Board in analyzing this request. Please keep in mind that this request is not the typical type of “straight” rezoning experienced prior to the UDO. Each type of use may need to be considered by location on a case by case basis to ensure compatibility and to condition where appropriate.

**RECOMMENDATIONS:**

During their May 15, 2014 meeting, the Planning Board recommended approval of CZ #14-01 with amended conditions. Those amendments are indicated in red type in the conditions list, provided below.

Staff recommends that the Board schedule Conditional Zoning CZ #14-01 for a Public Hearing on June 16, 2014 so that input from the public can be accepted on the proposal.

**RECOMMENDED CONDITIONS:**

1. The applicant must conduct a community meeting with mailed notice complying with the requirements of the Unified Development Ordinance prior to the Public Hearing.
2. A conditional use permit for the uses on the property is not required **as the proposed uses are permitted by the Conditional Zoning approval**. Those uses include a facility for worship, an on-site day care, single family and multi-family residential, and a private cemetery. A final site plan and all construction documents must be approved through the interdepartmental review process and shall be in general conformance with the preliminary site plan submitted with this request.
3. The project has been approved for a Special Non-Residential Intensity Allocation (SNIA) by the Watershed Review Board. The requirements of the Town of Aberdeen Watershed Overlay District, as indicated on conceptual plans and to be approved through the interdepartmental review, shall be met and maintained throughout the development phases of the project in order to maintain the SNIA status.
4. A driveway access permit must be granted by NCDOT prior to construction. A requirement for a Traffic Impact Analysis will be determined by NCDOT, **however, should it be determined that the combined uses exceed the 600 vehicle trips per day standard, the town may then also require a Traffic Impact Analysis**.
5. The applicant shall coordinate with Public Works regarding the extension of water.
6. Any and all approvals from other regulatory agencies must be obtained prior to a notice to proceed by the Planning Department.
7. A copy of all septic tank approvals must be submitted to the Planning Department prior to recordation of the subdivision plat.
8. The corners shall be established for the cemetery and placed on record with the Moore County Register of Deeds, **and meet all requirements as specified in Condition #6**.
9. The applicant shall provide the department with a copy of permit approval from the Department of Health and Human Services for the day care facility.
10. The applicant shall meet all setbacks and building heights as indicated on the sketch plan.
11. The applicant shall retain existing vegetation in the buffer areas and elsewhere wherever possible and supplement with planted landscaping as needed to meet landscaping and screening requirements.
12. Final approval of Conditional Zoning CZ #14-01 is contingent upon approval of an interdepartmental site plan review following the CZ process.
13. Staff is directed to enter Conditional Zoning District R20-16-C for property identified by PID# 00050799 on the official zoning map and add a label for CZ#14-01 upon final approval.

Enclosures: Preliminary Plan and Cover Sheet  
 Vicinity Zoning Map  
 Aerial Image  
 Overlay Districts Planning Guide

**From Appendix A of the Land Development Plan**

(C) The Aberdeen Planning Board and Board of Commissioners should consider the following during the deliberation of all zoning requests:

(1) All uses which are allowed in a zoning district must be considered. A decision to re-zone or not to re-zone a parcel or parcels of property cannot be based on consideration of only one use or a partial list of the uses allowed within a zoning district.

(2) Zoning decisions will not be based on aesthetic considerations.

(3) Requests for zoning changes will not be approved if the requested change will result in spot zoning. Spot zoning is a form of discriminatory zoning whose sole purpose is to serve the private interests of one or more landowners instead of furthering the welfare of the entire community as part of an overall zoning plan. Although changing the zoning classification of any parcel of land to permit a more intensive use could possibly constitute spot zoning, the test lies in its relationship to the existing zoning pattern and guidelines of the local land use plan. Spot zoning is based on the arbitrary and inappropriate nature of a re-zoning change rather than, as is commonly believed, on the size of the area being re-zoned.

(4) Zoning which will result in strip development will be discouraged. Strip development is a mélange of development, usually commercial, extending along either side of a major street. Strip development is often a mixture of auto-oriented enterprises (e.g., gas stations, motels, and food stands), truck-dependent wholesale and light industrial enterprises along with the once-rural homes and farms that await conversion to commercial use. Strip development may severely reduce traffic-carrying capacity of abutting streets by allowing for excessive and conflicting curb cuts.

(5) The concept of uniformity will be supported in all zoning deliberations. Uniformity is a basic premise of zoning which holds that all land in similar circumstances should be zoned alike; any different treatment must be justified by showing different circumstances.

(6) Zoning regulations will be made in accordance with the Town of Aberdeen Comprehensive Plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and

encouraging the most appropriate use of land throughout Aberdeen's planning jurisdiction.

(7) Specifically, the Planning Board and Board of Commissioners should ask the following questions:

- (a) Does Aberdeen need more land in the zone class requested?
- (b) Is there other property in the town that might be more appropriate for this use?
- (c) Is the request in accordance with the Town of Aberdeen land use plan?
- (d) Will the request have a serious impact on traffic circulation, parking space, sewer and water services, and other utilities?
- (e) Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?
- (f) Will the request, as proposed, cause serious noise, odors, light, activity, or unusual disturbances? Do standards exist to govern these disturbances?
- (g) Does the request raise serious legal questions such as spot zoning hardship, violation of precedents, or need for this type of use?

## **PLANNING TOOLS**

### **OVERLAY DISTRICT ORDINANCES:**

#### **Purpose of Tool:**

Overlay Districts provide a means to incorporate various development regulations across a specified area. These districts are special zones that lie on top of existing zoning categories to supplement or supersede existing regulations. They usually provide a higher level of regulation than that required by the existing zoning classification, but they can also permit exceptions or require a less-restrictive guideline. In cases where conflicting standards are given by an overlay district and the underlying zoning category, those of the overlay district take priority. The boundaries of an overlay district may or may not coincide with the boundaries of the underlying zone, and an overlay district may contain parts of more than one existing zone.

Overlay districts are used to accomplish a variety of development, transportation, and land use goals such as access management, protection of historic or natural resources, safety, standardization of a historic district, implementation of development guidelines, protection of the quality of surface water, and even special taxing or financing for an area. Overlay districts often complement a jurisdiction's Comprehensive Plan.

#### **Benefits of Using Tool:**

Overlay districts are particularly useful to communities and municipalities because they allow existing zoning requirements to be superseded, when needed. Overlay districts can be implemented by passing a law that appends existing land use regulations, without having to go through the process of rewriting the underlying zoning requirements/regulations. Communities can also modify overlay districts without difficulty, should they decide to modify the requirements or coverage area.

Overlay Districts can accomplish the following elements:

- Provide design guidelines that create a particular look and feel of an area
- Protect valuable resources
- Help meet goals and objectives of the community
- Maintain certain current codes while addressing a special need of a particular area within a zone(s)

# CROSS WAY CHURCH of WORSHIP



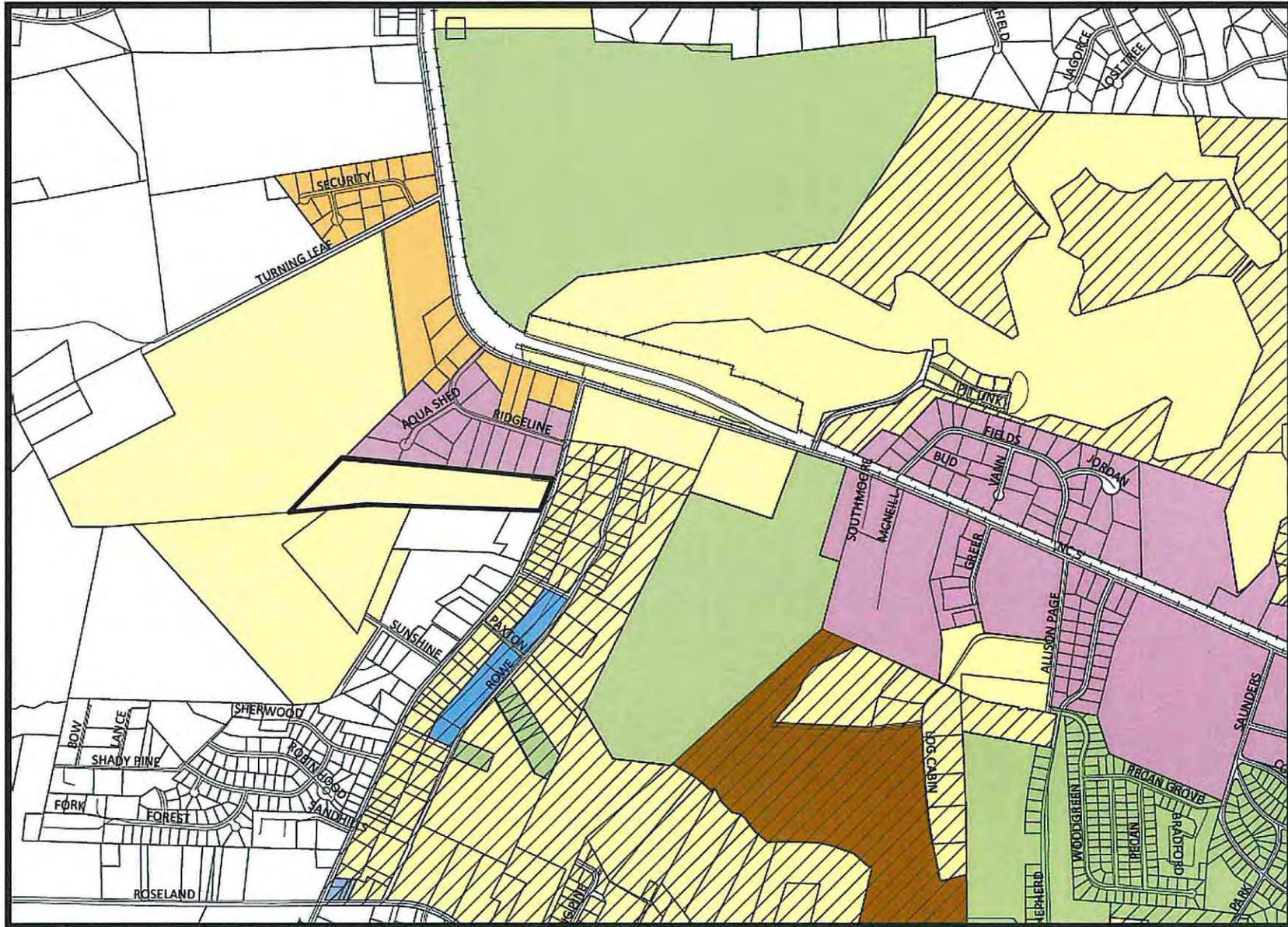
ABERDEEN, NORTH CAROLINA

**LKC** engineering, pllc

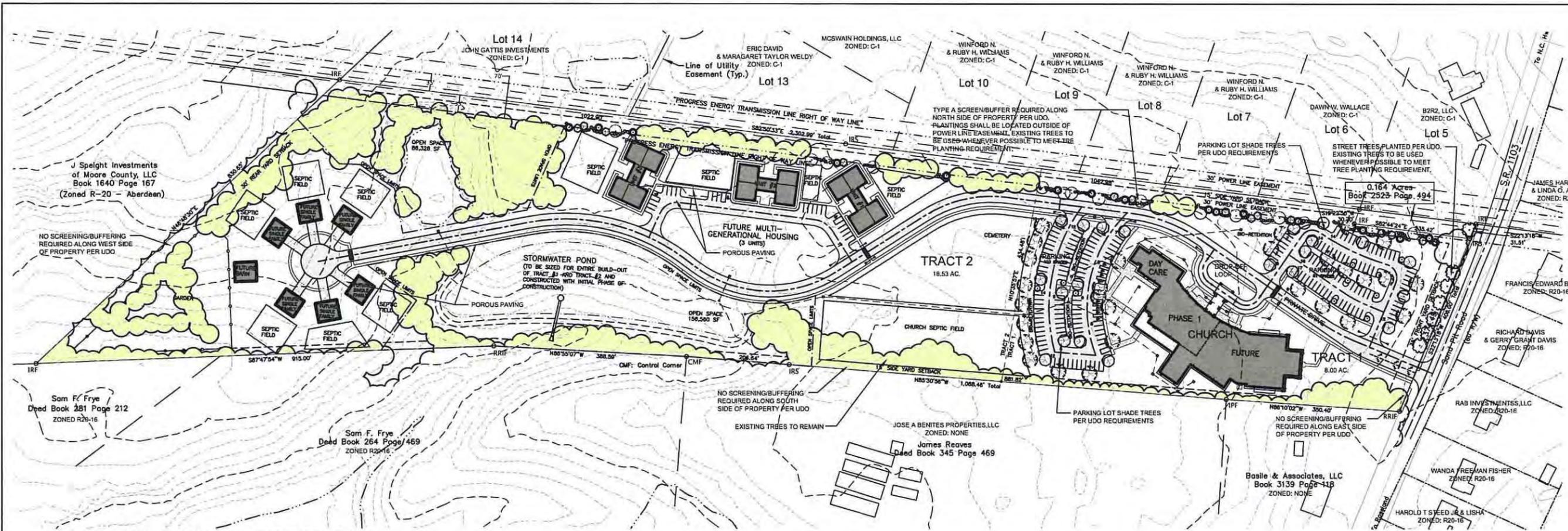
2008 Wergize Drive  
West End, NC 27376  
O: 910-420-1437  
F: 910-420-1438  
lkceengineering.com  
License No. F-1095

CROSSWAY CHURCH of WORSHIP  
ABERDEEN, NORTH CAROLINA  
FEB. 10, 2014

# Crossway Church Property – Vicinity Zoning



 B-1	 C-1	 I-H	 R10-10	 R20-16	 RA
 B-2	 GC	 MH	 R15-12	 R30-18	 ABETJ
 B-3	 HC	 O-1	 R18-14	 R6-10	 OTHER JURISDICTION



**1 SITE PLAN - TOTAL DEVELOPMENT**

L-1

PROPERTY OWNER: CROSS WAY CHURCH OF WORSHIP, INC.  
1970 RIGGLINE DR.  
ABERDEEN, NC, 28315  
PARCEL ID NUMBER: 0050199  
PIN NUMBER: 855012970347  
DEED BOOK: 3875, PAGE: 488  
TOTAL PROPERTY ACREAGE: 26.53 ACRES  
PROPOSED PROPERTY ACREAGE: TRACT 1 (CHURCH)= 8.00 AC., TRACT 2 (RESIDENTIAL)= 18.53 AC.  
PROPERTY ZONING: R20-16  
HIGHWAY CORRIDOR: NONE  
DELINEATED WETLANDS: NO WETLANDS ON SITE  
WATERS OF THE U.S.: NO WATERS OF U.S. ON SITE  
RIVER BASIN: LUMBER  
WATERSHED: DROWNING CREEK WS-II-BW  
100 YEAR FLOOD PLAIN: NOT IN 100 YEAR FLOOD PLAIN  
PER FEMA MAP 3710857200J, PANEL 8572 EFFECTIVE OCTOBER 17, 2006  
EXISTING PARKING: 0 SPACES  
PROPOSED PARKING: 220 SPACES (209 STANDARD AND 11 HANDICAP)  
CHURCH PARKING: 184 SPACES (176 STANDARD, 8 HANDICAP SPACES)  
RESIDENTIAL PARKING: 36 SPACES (33 STANDARD, 3 HANDICAP)  
PHASE 1 PROPOSED PARKING: 103 SPACES (95 STANDARD SPACES, 8 HANDICAP SPACES)  
REQUIRED PARKING: 211 SPACES (CHURCH=175 SPACES, RESIDENTIAL = 36 SPACES)  
PHASE 1 REQUIRED PARKING: 100 SPACES (CHURCH = 100, RESIDENTIAL = 0)  
EXISTING IMPERVIOUS SURFACE: 0 SF  
MAXIMUM IMPERVIOUS SURFACE OR DENSITY: TRACT #1: 5.60 AC (70%) WITH SPECIAL NON-RESIDENTIAL INTENSITY ALLOWCATION  
TRACT #2: 2.22 AC (12%)  
PROPOSED IMPERVIOUS SURFACE: TRACT #1 (CHURCH): 3.41 AC (42.6%)  
TRACT #2 (RESIDENTIAL): 2.08 AC (11.23% - SIDEWALKS, PARKING AND DRIVE AISLES TO BE CONSTRUCTED OF POURIOUS PAVEMENT TO MEET MCDWQ REQUIREMENTS  
REQUIRED OPEN SPACE: 20% OF TOTAL SITE (231,129 SF)  
PROPOSED OPEN SPACE: 21% OF TOTAL SITE (242,868 SF)  
SETBACKS: FRONT- 35 FEET, SIDE- 15', REAR-30'  
MINIMUM LOT WIDTH: 100'  
MINIMUM LOT AREA: 20,000 SF (0.46 ACRES)  
MINIMUM AREA PER DWELLING UNIT: 1,600 SF (22 D.U. x 1600. =35,300 SF REQUIRED)  
MAXIMUM BUILDING HEIGHT: 35 FEET

**3 PROJECT DATA**

L-1

- BOUNDARY INFORMATION TAKEN FROM SURVEY PREPARED BY SHELTON RAYNOR DATED 12-10-1991, REVISED 3-31-2011, EXISTING CONDITIONS AND TOPOGRAPHIC INFORMATION TAKEN FROM MOORE COUNTY GIS DATA.
- ADJACENT PROPERTY OWNER INFORMATION TAKEN FROM SHELTON RAYNOR SURVEY AND MOORE COUNTY GIS DATA.
- PROPOSED CHURCH BUILDING TAKEN FROM ARCHITECTURAL PLANS PREPARED BY STAGGARD & CHAO ARCHITECTS, PROPOSED MULTI-GENERATIONAL HOUSING AND SINGLE FAMILY BUILDINGS TAKEN FROM CONCEPTUAL PLANS FORM STAGGARD & CHAO ARCHITECTS AND ARE SUBJECT TO CHANGE BASED ON ACTUAL ARCHITECTURAL DESIGNS WHEN DEVELOPED.
- STORM WATER ELEMENTS ARE CONCEPTUAL. EXACT CALCULATIONS, SIZE AND LOCATIONS OF STORM WATER FEATURES TO BE DETERMINED.
- SEPTIC FIELD LOCATIONS AND SIZES ARE CONCEPTUAL. EXACT SIZE AND LOCATION TO BE DETERMINED BY SOILS ANALYSIS AND APPROVED BY MOORE COUNTY DEPT OF HEALTH.

**4 SITE AND LAYOUT NOTES**

L-1

REQUIRED TYPE A BUFFER: 2303.17' x 15' WIDE = 34,547.55 SF AREA  
TREES: 34,547.55 / 500 = 69 TREES REQUIRED  
SHRUBS: 34,547.55 / 200 = 173 SHRUBS REQUIRED  
STREET TREES: 562F / 30 = 19 TREES REQUIRED  
PARKING SHADE TREES: 118,371SF x .20 = 23,675SF SHADED AREA REQUIRED  
23675SF / 707 = 35 TREES REQUIRED

**5 LANDSCAPE REQUIREMENTS**

L-1



**2 SITE PLAN - PHASE 1**

L-1



REVISIONS			
SYSL	DESCRIPTION	DATE	BY

  
**LKC** engineering, pllc  
 200B Westgate Drive  
 West End, NC 27376  
 O: 910.420.1437  
 F: 910.420.1438  
 lkceengineering.com  
 License No. P-1095

**CROSS WAY CHURCH**  
 of  
**WORSHIP**  
 ABERDEEN, NORTH CAROLINA

**SKETCH PLAN**

DATE: 5-8-14  
 DESIGNED: WLS  
 DRAWN: WLS  
 CHECKED: WLS  
 No. **L-1**

**MEMORANDUM TO THE BOARD OF COMMISSIONERS**

**From:** Jae Kim, Planner  
**Through:** Pam Graham, Planning Director  
**Item:** CZ#14-03, Craft Brewing Company  
**Applicant:** Jack Berggren  
**Date:** June 2, 2014

**REQUEST:**

Mr. Berggren has submitted an application for Conditional Zoning CZ #14-03 from C-I to C-I-C for Parcel ID: 20040356, located at 10570 NC Hwy 211, Aberdeen, NC, 28315. This Conditional Zoning request is to permit the following uses on the subject parcel only:

- Manufacturing, distributing, and the creation of a wholesale/retail craft beer brewery establishment;
- Establishment of a bar to retail craft beer that is manufactured on site and alcoholic beverages manufactured and distributed by others;
- Restaurant and food service.

**LOCATION:**

10570 NC Hwy 211. Parcel ID# 20040356. Moore County Tax records show the parcel to contain 10.461 acres.



2010 Moore County GIS Aerial

**EXISTING LAND USE AND ZONING:**

C-I (Commercial & Industrial) District: Manufacturer (Casino Furniture), Automobile & Motorcycle Repair/Restoration, Data Storage Warehouse, Entertainment Facility (Aberdeen Fear Factory). The current uses are distributed within a building footprint of 197,000 square feet.

The C-I (Commercial and Industrial) District was established as a district in which the principal use of land is for industries that can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent residential or business districts. The regulations of this district are designed to prohibit the use of land by heavy industry, which should be properly segregated, and to prohibit any other use that would substantially interfere with the development of industrial establishments in the district.

**SURROUNDING LAND USE AND ZONING:**

Adjoining properties are in the C-I (Commercial and Industrial) and R10-10 Districts. Vicinity properties include R20-16 District zoning across Highway 211.

**CONDITIONAL ZONING DISTRICTS (C):**

Conditional zoning districts allow for the establishment of certain uses, which, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. It is not a conditional use permit, but is a legislatively determined zoning district to which ordinance standards apply as well as rules, regulations and conditions imposed as part of the approval. The Planning Board acts as a recommending body to the Board of Commissioners and must make a determination regarding the positive or negative impact on the immediate area and community as a whole. Approval of a Conditional Zoning imparts the adopted conditions to the subject parcel only, and does not create a new zoning district that would apply to additional properties. The CZ process has been successfully used to add appropriate uses to properties that are not inherent to the district without modification.

**APPLICANT INFORMATION:**

Mr. Berggren has owned and operated multiple businesses in Aberdeen over the last ten years. He currently owns the property at 10570 NC Hwy 211, which houses multiple businesses in a 197,000 square foot facility.

Mr. Berggren's owns Warrior Werkz, LLC, a company established to provide financial and physical capabilities to create successful small businesses for veterans. The company has the capability to provide infrastructure for many business models, large or small, and help execute their ideas. Warrior Werkz has been working with Ft. Bragg and through this network, Mr. Berggren became acquainted with Brewmaster Samuel Foley, who has assisted Mr. Berggren with the concept for this project. The mission statement and floor plans being considered for the venture are attached to the memo.

The general use for the existing businesses at the location will remain the same. An unused 6,300 square foot area within the building is proposed for the brewery. Another 6,300 square foot space is available for future expansion needs. The applicant is seeking to combine the following uses, but plans to execute them in parts over several years.

- Manufacture, distribute, and create a wholesale/retail craft beer operation on site;

- Establish a bar to sell both craft beer that is manufactured by the brewery and others;
- Restaurant and food service.

Adjacent properties and land values will not be negatively impacted by the additional uses requested by the applicant.

**FEASIBILITY OF USE IN DISTRICT:**

The manufacturing and restaurant uses are permitted in the C-I (Commercial and Industrial) District; the need for a Conditional Zoning of this property is to accommodate the alcohol service, which will likely occur before the food uses are established. The initial concept of manufacturing and wholesale/retail sales of the craft beer being manufactured, falls in the category of a “brewpub”, which is not addressed in the town’s UDO. The Town currently has one brewery in the downtown district that now incorporates a bar and restaurant with its manufacturing facility that resulted from a similar process of requesting a Conditional Zoning application that was approved two years ago. A similar request is being made for the applicant for Foley Craft Brewing Company.

The added bar and food service use as a conditional zoning district overlaying the C-I District for this specific parcel makes logical sense for a microbrewery. This vision has already been seen and executed with the current brewery that exists in our town. Craft brewing in NC has been a popular business venture over the last decade and continues to grow. Economic Development initiatives have been seen in our state with changes to Craft Brewery Laws in North Carolina, resulting in stimulated growth for the brewing industry. This type of business has gained popular notoriety and has become an attraction in many places for vacationers and beer enthusiasts.

**PARKING AND INGRESS/EGRESS:** In the UDO, article XVIII – Parking, the highest number of parking spaces required for the uses requested in the Conditional Zoning application is Restaurant use. It requires one parking space per 100 square foot of building footprint. The building space occupied by the brewpub with the restaurant is approximately 6,300 square feet, requiring sixty-three (63) parking spaces. The site can accommodate all required parking. The site currently has three (3) ingress/egress points from Highway 211, sufficient for the expected customer count.

**CONSISTENCY WITH ADOPTED LONG RANGE PLANS:**

The Town of Aberdeen has an adopted 2030 Land Development Plan, Pedestrian Plan, Bicycle Plan, and Hazard Mitigation Plan. The project is in general conformance with all plans with the following comments:

The area proposed for this project is identified as industrial on the Future Land Use Map from the 2005 plan. The current zoning on the site is Commercial-Light Industrial. The 2030 Land Development Plan identifies the purpose of C-I Districts “to establish and protect areas for the use of prime industrial operations and for the distribution of products at wholesale.” Though the retail uses proposed for the site are inconsistent with the plan’s industrial designation, the current zoning considers commercial uses to be appropriate for the district.

The 2030 Plan also encourages zoning to mixed-use. This particular project allows for mixed use on the 10+ acre site, bringing the added dimension of on-site consumption of the product manufactured at the facility. Although the current zoning of the site is C-I, it is currently being

used as a mixed-use development. Though the proposal is not consistent with the Land Use Map it is compatible with uses typical to an industrial zoned district with the exception of the restaurant and bar. Consistency with the plan is not binding and does not prohibit approval of the project, however it must be addressed and discussed in the deliberation of this item.

The proposed uses for the property do not trigger the implementation of recommendations from the adopted Bicycle and Pedestrian Transportation Plans, with the exception of bicycle rack recommendation for commercial uses. It is recommended that the business install a bicycle rack in compliance with the plan.

**ANALYSIS OF IMPACT ON IMMEDIATE AREA AND COMMUNITY AS A WHOLE:**

The immediate impact of this operation should not have a negative impact on the community. The site and building are of sufficient size to accommodate the use and the existing transportation network is adequate to handle expected traffic volumes. The expected trip generation rate for the brewpub use is 11.34 vehicles per hour during peak volume.

**RECOMMENDATIONS:**

During their April 17, 2014 meeting, the Planning Board recommended approval of CZ#14-03 with one amended condition. That amendment is indicated in red type in the conditions list, provided below.

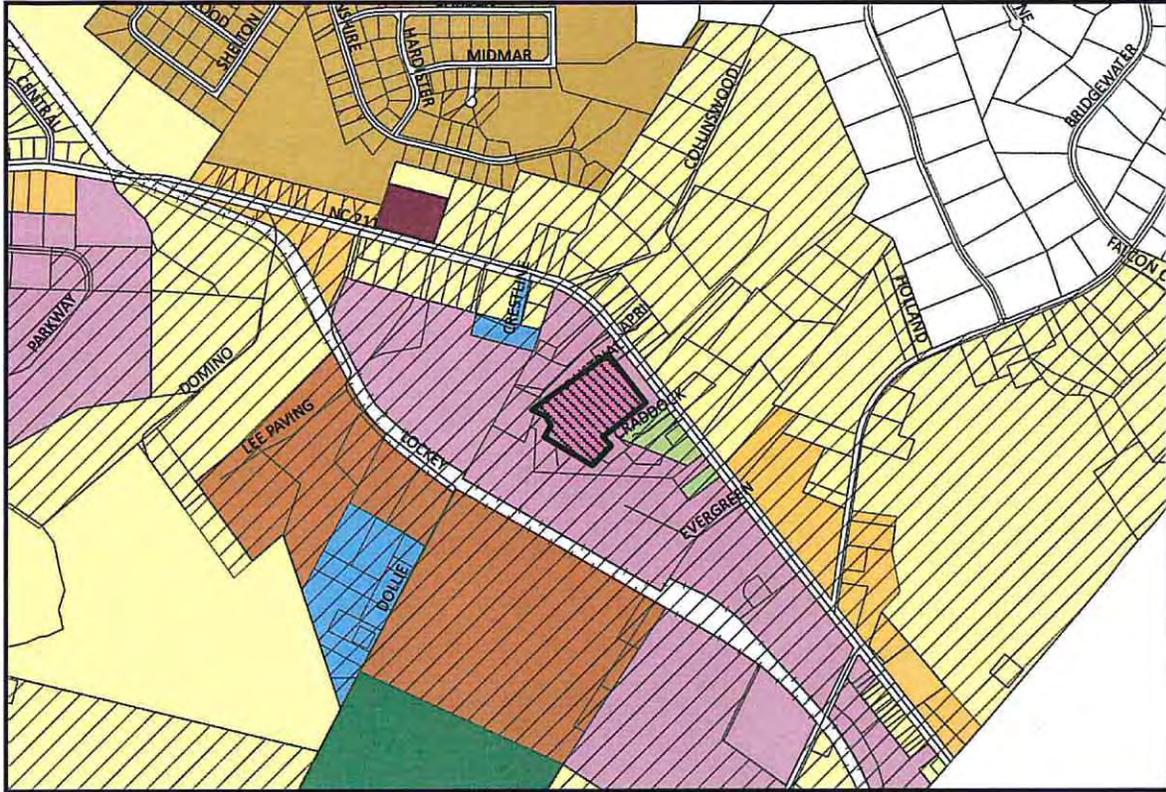
Staff recommends that the Board schedule Conditional Zoning CZ #14-03 for a Public Hearing on June 16, 2014 so that input from the public can be accepted on the proposal.

**RECOMMENDED CONDITIONS:** (Planning Board recommended changes to the conditions are indicated in red)

1. The applicant must conduct a community meeting with mailed notice complying with the requirements of the Unified Development Ordinance prior to the Public Hearing by the Board of Commissioners.
2. Conditional and Special Use Permit for the uses on the property are not required. A final site plan and all construction documents must be approved through the interdepartmental review process and shall be in general conformance with the proposed sketch plan attached to this proposal. The Conditional Zoning is contingent upon approval of the Site and Building Plans.
3. Any and all approvals from other regulatory agencies including, but not limited to NC DOT must be obtained prior to a notice to proceed by the Planning Department.
4. A bicycle rack will be installed to meet the Comprehensive Pedestrian/Bicycle Plan the town adopted.
5. Staff is directed to enter Conditional Zoning District C-I-C for property identified by PID# 20040356 on the official zoning map and add a label for CZ#14-03 upon final approval.

Enclosures: Zoning/Aerial Map  
Floor Plans  
Applicant's Craft Brewing Objectives & Mission

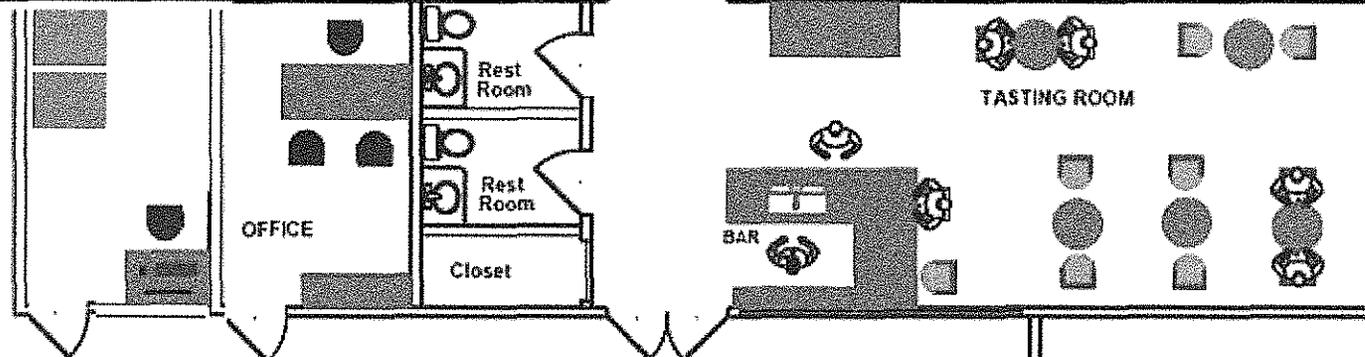
# 10570 NC Hwy 211



B-1	C-1	I-H	R10-10	R20-16	RA
B-2	GC	MH	R15-12	R30-18	ABETJ
B-3	HC	O-I	R18-14	R6-10	

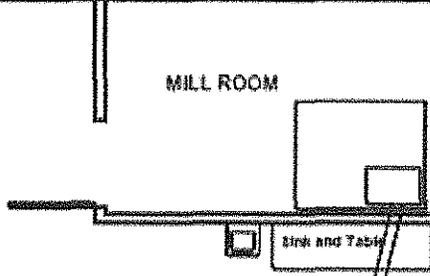
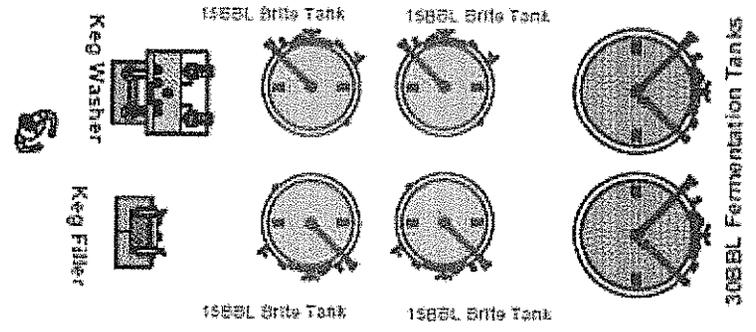
Adequate Parking for 63 Vehicles





DRY STORAGE

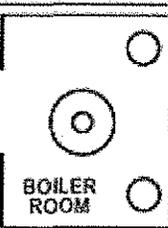
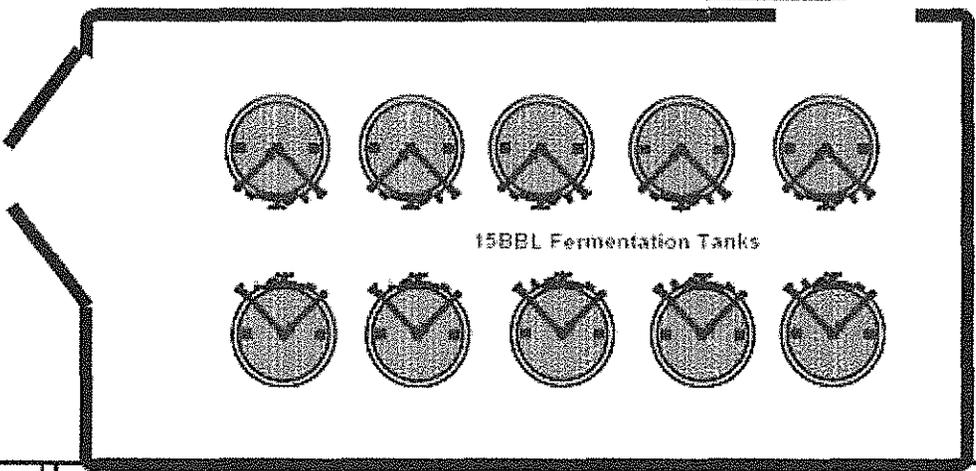
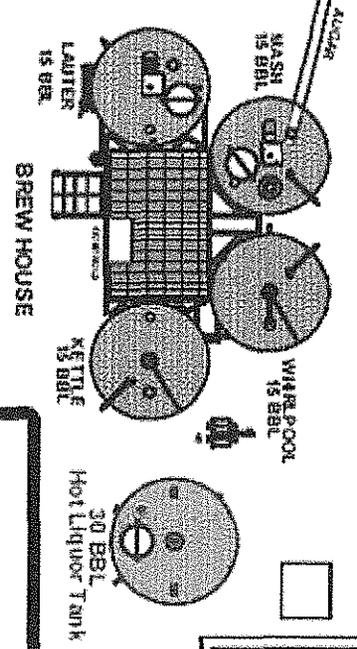
MILL ROOM



14' X 14' REFRIGERATED FINISHED PRODUCT ROOM

14' X 14' REFRIGERATED FINISHED PRODUCT ROOM

AIR COMPRESSOR



## **The objectives of Iconic Tonic Crafters:**

- Establish a quality Craft Beer Brewery in an area of a large population that is lacking in a home style brewery
- Start with a 7 to 10 BBL system to ensure growth potential for the first three years of start up
- Clearly establish 3 to 5 labels of equity beer with marketing and advertisement to capture restaurant and local tap house draft beer sales and bottled beers to package stores.
- Capture home brewing market by providing training and equipment sales to blooming market in home brewing, will include online sales of standard equipment through advanced micro brewing
- Show profit by year two

## **Mission**

Iconic Tonic Crafters seeks to provide the area south of the RDU region of North Carolina a quality craft beer produced from the finest of grains and hops. Iconic Tonic Crafters will have production capacity to provide a choice of craft beers to the community that will be hand crafted to meet their needs for unique flavors and label option to help them increase their sales and promote the craft beer movement. We will have our own Brew Pub with a minimum of five flavors of beer for our patrons to sample and enjoy.

**MEMORANDUM TO THE BOARD OF COMMISSIONERS**

**FROM:** Pamela Graham, Planning Director  
**DATE:** June 2, 2014  
**SUBJECT:** Conditional Use Permit CU#14-03  
**APPLICANT:** Sammy McPeake

**REQUEST:**

Sammy McPeake, on behalf of Columbus Midtown Properties, requests a Conditional Use Permit to allow for a four-story hotel on property identified as PID #00057192 at the intersection of South Hill Road and Columbus Drive. The current parcel boundary encloses 5.21 acres but is physically subdivided by South Hill Road. The 3.820 acre portion on the southeast corner of the intersection of the two streets is proposed for this project. It is expected that a new plat will be drawn up that legally separates the parcel into two tracts. The proposed use includes a 51,755 square foot hotel accommodating ninety (90) guest rooms with related parking. The property is currently vacant and is partially wooded with scattered existing tree cover. The current zoning is General Commercial (GC), which requires a Conditional Use Permit for hotel uses.

The property is bounded by the Hampton Inn to the north, also zoned GC. Highway Commercial (HC) parcels are adjacent to the east and continue to the town limits in that direction. R20-16 zoned properties exist to the south and to the west, across South Hill Road, is the +/-1.34 acre portion of the property that is not included in the project area. This portion is also zoned GC. Three occupied single family residences adjoin the property on the south; much of the property between the subject parcel and Southern Middle School, approximately 800 feet to the west, is vacant with several parcels still designated as Extra-territorial Jurisdiction (ETJ). The subject property is currently also in the ETJ.

**SITE INFORMATION:**

<b>Zoning</b>	GC (General Commercial)
<b>Adjacent Zoning</b>	North: GC (General Commercial) South: R20-16 West: GC East: HC (Highway Commercial)
<b>Acreage</b>	Based on Moore County Tax Records 5.21 Acres; 3.82 currently proposed for development Conceptual Site Layout provided
<b>Watershed</b>	Property is not located in a protected watershed
<b>Existing Use</b>	Vacant

The attached Preliminary Plan depicts the proposed layout of the project, including structures, driveway and parking areas, required setbacks, and adjacent zoning. More detailed plans appropriate for a full site plan and building plan review are expected following approval of the

Conditional Use Permit. Our Building Inspector has made a cursory review of the submitted plans and sees no issues at this time.

**ALLOWED USES:**

The General Commercial (GC) District is intended primarily for businesses that serve the local public, but have some accommodations for the travelling public. It is a district that is generally located between the Highway Commercial (HC) District and the B-3 (Neighborhood Transitional) District. Because this district is generally located adjacent to main thoroughfares where it is subject to public view, uses within the district should provide an appropriate appearance, ample parking, suitable landscaping, and safe pedestrian access and connectivity. Allowable uses for the GC District include retail sales and services, offices, libraries, museums, art galleries, recreation and entertainment uses such as movie theaters and exercise facilities, community centers, restaurants, motor vehicle repair and funeral homes. Hotels are permitted with a Conditional Use Permit.

**STRUCTURE DETAILS:**

The structure proposed for the project is a 51, 755 square foot, four story building to be located in the eastern half of the site, with parking to the north and west. The closest existing structures to the actual building site are the retail buildings in Aberdeen Commons Shopping Center. Two occupied residential structures located to the south of the property are approximately 120' and 155' from the proposed building. The "Right Side Elevation" is the façade that is proposed to face these residential properties.

The proposed exterior building materials include brick veneer and fiber cement panels and siding with a standing seam metal roof. No metal siding is proposed for the structure.

The proposal indicates a four story structure with a building height at its highest point of just under 57'. The maximum building height currently permitted in the GC district is 35'. A UDO Text Amendment is being proposed that would amend the building height standard only in the GC district and only for hotel uses.

**PARKING:**

Parking requirements for hotels are 1½ spaces per room. With ninety (90) rooms proposed, the project would require 135 parking spaces. 103 spaces are indicated on the current plans. The UDO provides for flexibility in the parking requirements, specifically stating: "Due to the particularities of a given development, the inflexible application of the parking requirements ... may result in a development either with inadequate parking space or parking space in excess of its needs. Inadequate parking space may lead to traffic congestion or parking violations on adjacent streets, as well as unauthorized parking on nearby properties. Parking space in excess of the needs of a development will probably result in a waste of space that could be more desirably used for development or open space. Therefore, the Board of Commissioners may permit deviations from the presumptive requirements ... and may require more parking or allow less parking whenever it finds that such deviations are more likely to satisfy the requirements".

Two primary factors influence staff's recommendation for applying flexibility in the parking requirements to reduce the minimum required spaces for this project. One of these is the

proximity of adjacent occupied residences and the potential visual impact of excessive paved surfaces. Though screening will be required, and is proposed at the property boundaries for the project, a reduction in paving will create less of a visual intrusion to the neighboring properties and will reduce the number of exterior light fixtures needed to satisfy safety objectives in the parking areas. Additionally, the town is aware of stormwater runoff issues in the vicinity of the project that have worsened as additional development has occurred in the area. A reduction in impervious surfaces is recommended to avoid exacerbating the impacts of stormwater and erosion to nearby properties at lower elevations.

**TRANSPORTATION:**

The project proposes two entrances, one from Columbus Drive and a second one on South Hill Road approximately 150' from the intersection of South Hill and Columbus. There is adequate distance from intersections to allow for clear sight triangles and the location of the South Hill Road entrance encourages traffic movement to the north as opposed to the south where residences would experience a greater impact.

The Institute of Transportation Engineers (ITE) Trip Generation Rate Manual calculates daily vehicle trips for all suites hotels at 6.24 trips per unit. With ninety (90) units proposed the anticipated daily trips is 562, below the UDO's threshold of 600 for a Traffic Impact Analysis requirement. South Hill Road and Columbus Drive are both Town streets; a driveway permit for each entrance must be approved by Public Works before a Notice to Proceed is issued by the Planning Department.

Article XIV – Streets and Sidewalks §152-222 (D) requires that sidewalks be installed in all unsubdivided residential and nonresidential developments. A five (5) foot concrete sidewalk along all road frontages of the project parcel shall be indicated on plans submitted for Site and Building Plan review and must be installed prior to receiving a Certificate of Occupancy for the project.

**WATER AND SEWER:**

Water and sewer service are both available to the site and Public Works has indicated that adequate capacity exists for the proposed use. The property is currently located in the town's extra-territorial jurisdiction (ETJ); voluntary annexation of the property would be needed for the Town to provide services, including water and sewer, refuse collection, and police protection.

**DRAINAGE AND STORMWATER MANAGEMENT:**

Due to the expected area of disturbance during construction in excess of one acre, the applicant will be required to submit to the North Carolina Department of Environment and Natural Resources (DENR) plans for stormwater and erosion control. The Planning Department will require copies of documented approval for these plans prior to providing a letter to proceed with construction. An inter-departmental site plan review will be undertaken following approval of the Conditional Use Permit. The Department will expect stormwater measures to maintain the pre-development runoff through the use of Low Impact Development design and Best Management Practices (BMP) as detailed in NCDENR's BMP Manual.

**LANDSCAPING AND SCREENING:**

The project will be required to comply with existing regulations for screening and landscaping. A planting plan addressing these items will require approval as a part of the Site Plan review process. Staff encourages the use of existing vegetation where possible to partially or fully satisfy these requirements. The preliminary plan set includes a landscape plan with full buffer plantings along the property perimeters.

**EXTERIOR LIGHTING:**

The project's proximity to residential uses support the inclusion of a photometric plan in the construction document set, to be reviewed at staff level following the CUP approval. The plan shall demonstrate that measures are in place to prevent light trespass onto adjacent properties, and excessive lighting on site or adjacent roadways.

**SIGNAGE:**

Three (3) wall signs are indicated on the elevation drawings submitted with the preliminary plan set. Signage for the project shall comply with Article XVII- Signs of the Town of Aberdeen UDO. Approval of the CUP shall not imply approval of signage as depicted on plans. Sign permit applications consistent with the requirements of the UDO shall be reviewed and approved by the department prior to installation.

**CONSISTENCY WITH LONG RANGE PLANS:**

The 2030 Land Development Plan requires that all development proposals be reviewed for connectivity to and consistency with adopted bicycle/pedestrian plans and transportation improvements in the plan. The area proposed for this project is identified as residential on the Future Land Use Map from the 2005 plan, however the zoning map approved with the adoption of the UDO in 2011 designates the area as General Commercial. Though the proposal is not consistent with the Land Use Map it is compatible with uses typical to the zoning district. Consistency with the plan is not binding and does not prohibit approval of the project, however it must be addressed and discussed in the deliberation of this item. The Land Development Plan is currently being updated with an effort towards coordination between future land use recommendations and existing uses and zoning.

Green Growth Toolbox layers indicate that the property is situated within a Red Cockaded Woodpecker foraging habitat area. The applicant will be asked to verify with the US Fish and Wildlife Agency that there are no Red Cockaded Woodpeckers on the property prior to site disturbance.

No specific proposals for this area are addressed in the Comprehensive Pedestrian or Bicycle Plans adopted by the town with the exception of a sidewalk along the full length of Johnson Street. A five (5) foot wide concrete sidewalk is recommended for the full length of all road frontage for the project area in keeping with Article XIV – Streets and Sidewalks of the Town of Aberdeen UDO.

**RECOMMENDATIONS:**

During their May 15, 2014 meeting, the Planning Board recommended approval with amended conditions of CU #14-03. Those amendments are indicated in red type in the conditions list,

provided below. The Planning Board received public input during the meeting that led to the inclusion of Condition #14.

Staff recommends that the Board schedule Conditional Use Permit CU #14-03 for a Public Hearing on June 16, 2014 so that input from the public can be accepted on the proposal.

### **RECOMMENDED CONDITIONS:**

1. Conditional Use Permits (CUP) run with the land and as such this Conditional Use Permit applies to the entirety of the property reflected in PID# 00057192, except that it may be limited to the 3.82 acre portion at the southeastern corner of South Hill Road and Columbus Drive if the property is subdivided as such. An amendment to the CUP is needed to remove property from the CUP or to make changes to the CUP. If an activity is a use by right, it is not subject to the CUP.
2. The proposed use is authorized through this permit, but all construction detail must be approved by Planning, Public Works and Fire Departments before a Zoning Compliance Permit or Building Permits may be issued.
3. Approval of the Conditional Use Permit is contingent on approval of the full construction document set by staff that satisfies all UDO requirements.
4. Any and all required permits from other regulatory agencies must be in place prior to a notice to proceed provided by the Planning Department.
5. Final site plan must include a detailed landscaping plan to address landscaping and screening requirements. The project will be expected to comply with all landscaping and screening requirements of the UDO, including shade tree requirements for parking areas.
6. Tree removal and mass grading are not authorized by approval of the CUP. The Plan Review construction document set will be required to comply with Article XIX, §152-317 – Tree Conservation of the Town of Aberdeen UDO.
7. A five (5) foot concrete sidewalk along all road frontages of the project parcel shall be indicated on plans submitted for Site and Building Plan review and must be installed prior to receiving a Certificate of Occupancy for the project.
8. Approval of the CUP shall not imply approval of signage as depicted on plans. Sign permit applications consistent with the requirements of the UDO shall be reviewed and approved by the department prior to installation.
9. A photometric plan shall be reviewed and approved by staff that demonstrates that adequate measures are in place to prevent light trespass onto adjacent properties. The plan shall use as its guide lighting standards as defined by the Illuminating Engineering Society of North America (IESNA).
10. Parking is proposed at 103 spaces. Due to the proximity of residential uses and the desire to minimize impervious surfaces the project shall not be required to meet the UDO standard of 1.5 spaces per room. Parking may not be reduced below ~~100~~ 103 spaces.
11. The Fire Department must sign off on the drawings as well as available capacity for treating fires. Hydrants shall be required consistent with ~~their~~ Aberdeen Fire Department spacing requirements. Adequate turning radius must be provided for the fire trucks currently in use.

12. The applicant shall verify with the US Fish and Wildlife Agency that there are no red cockaded woodpeckers on the property prior to site disturbance.
13. Final plans shall be prepared in accordance with Article XVI Part 2, Drainage, Erosion Control and Stormwater Management of the Town of Aberdeen UDO, and shall ensure that stormwater measures are adequate to control runoff for the ten (10) year storm event.
- ~~13.~~14. The siting of the proposed structure shall be as far north on the property as is feasible and still be in compliance with setback requirements for the district.
15. The maximum allowable building height of 35' is exceeded by the proposal. Approval of the CUP does not grant relief from this standard and it shall not imply approval of the building height as indicated on preliminary plans and elevation drawings. A UDO Text Amendment is proposed to amend the standard to allow for hotel use buildings of up to sixty (60) feet in height in the GC district and will be considered as a separate item for recommendation by the Planning Board.
- ~~14.~~16. The project shall comply with all recommendations of the Aberdeen Comprehensive Pedestrian and Bicycle Plans, including installation of bicycle parking, as determined by staff.

Enclosures: Preliminary Site Plan  
Exterior Elevations  
Front Elevation Rendering  
Vicinity Zoning Map  
Vicinity Aerial Image







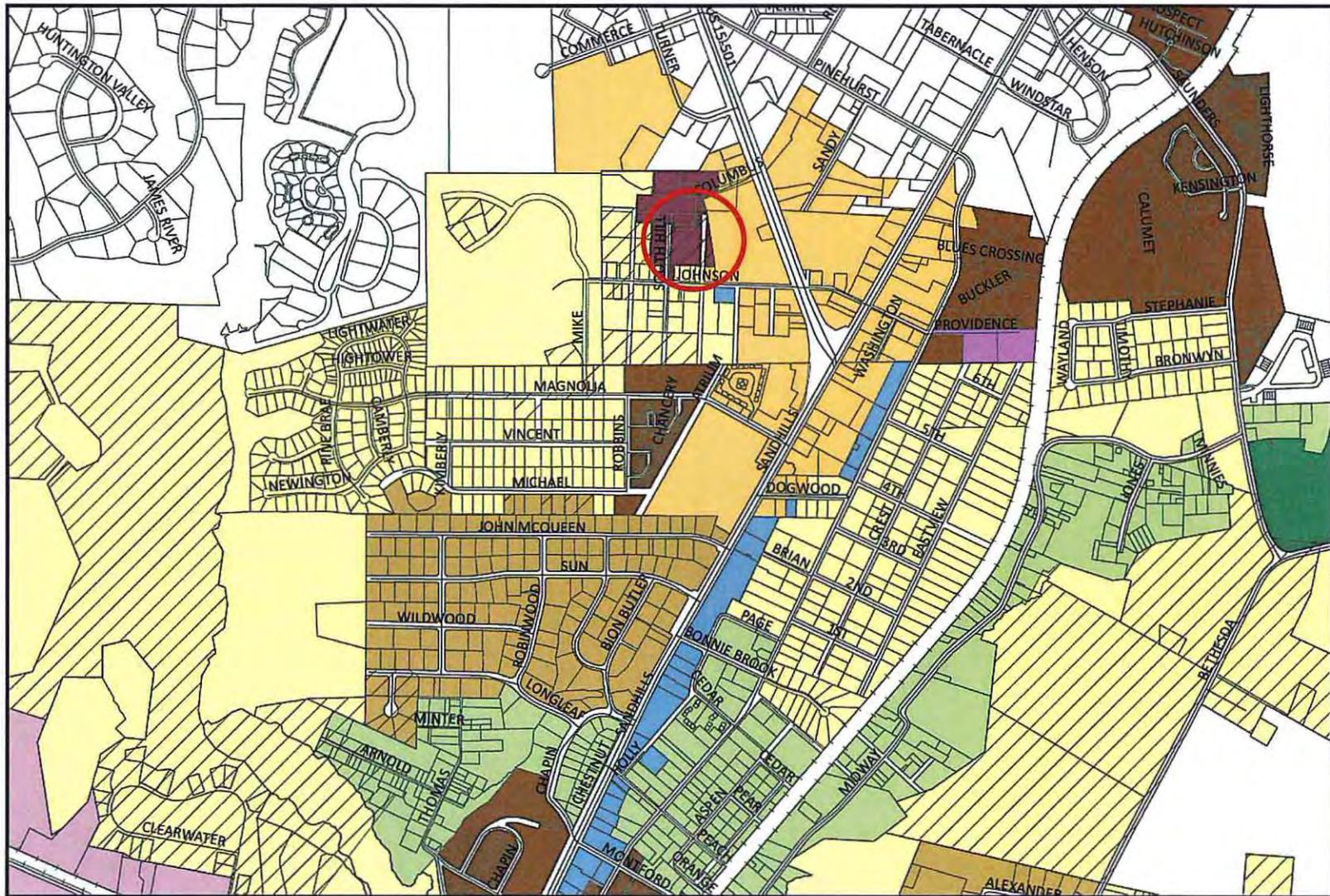
- Brick
- Fiber Cement Panels
- Fiber Cement Siding
- Aluminum Cap Flashing

McPeake Hotels, LLC  
 120 West Pennsylvania Avenue  
 Southern Pines, NC 28387

  
 Aberdeen, North Carolina

  
 DESIGN GROUP, PA  
 Architecture - Engineering  
1305 Collegegate Drive, Wikesboro, NC 28597 www.isomham.com  
 Phone: 336.638.4607 Fax: 336.638.4318

# Marriott Towne Place Suites – Vicinity Zoning



## Zoning Districts

 B-1	 C-1	 I-H	 R10-10	 R20-16	 RA
 B-2	 GC	 MH	 R15-12	 R30-18	 ABETJ
 B-3	 HC	 O-I	 R18-14	 R6-10	

# MARRIOTT TOWNE PLACE SUITES

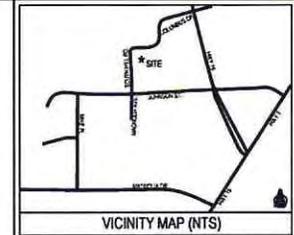
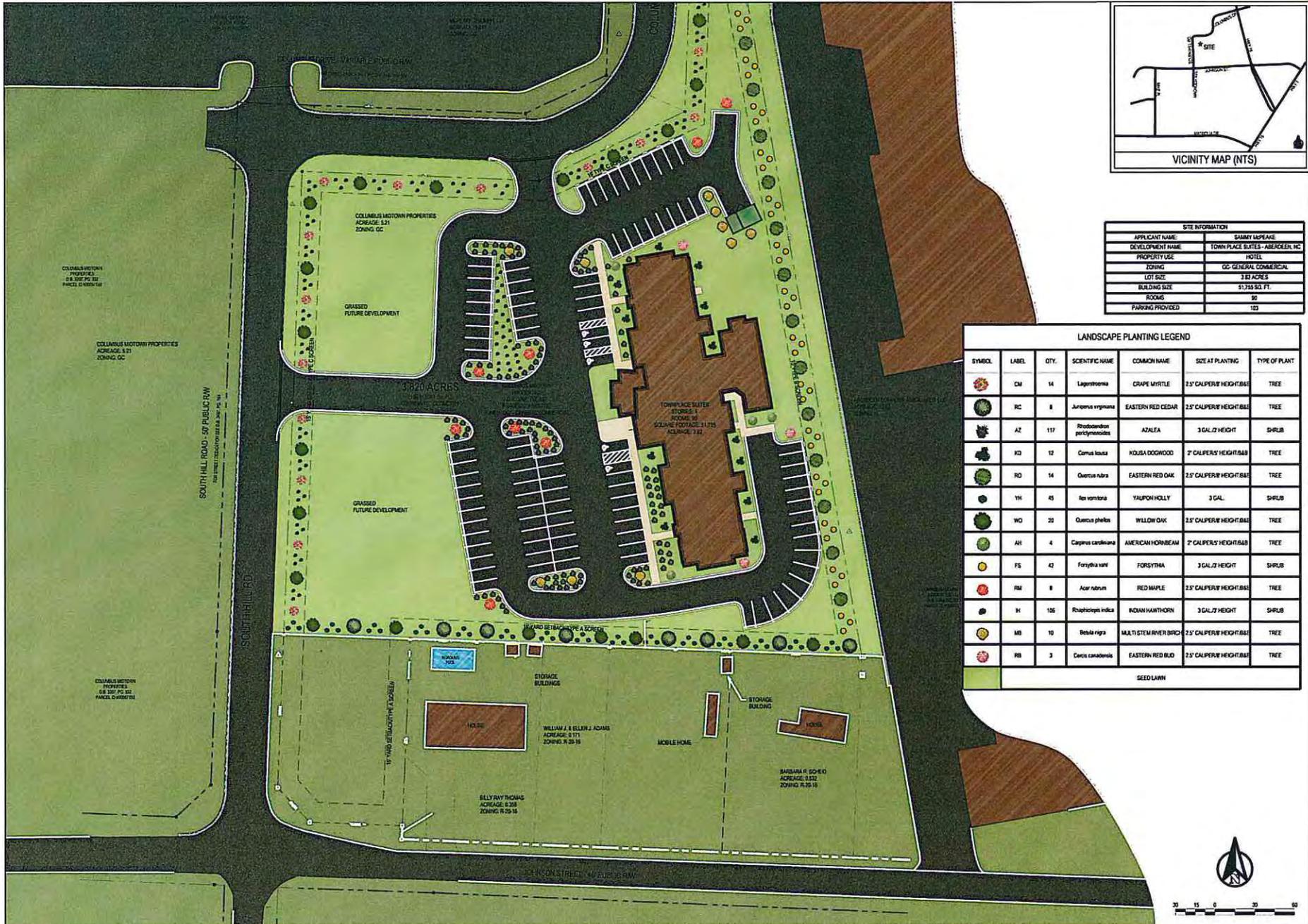


Property Proposed for Conditional Use



Parcel Boundaries





SITE INFORMATION	
APPLICANT NAME	BARRY WARE
DEVELOPMENT NAME	TOWNSHIP BATES - ASBUDEN, NC
PROPERTY USE	HOTEL
ZONING	CC - GENERAL COMMERCIAL
LOT SIZE	3.82 ACRES
BUILDING SIZE	51,743 SQ. FT.
ROOMS	90
PARKING PROVIDED	123

LANDSCAPE PLANTING LEGEND						
SYMBOL	LABEL	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE AT PLANTING	TYPE OF PLANT
	CM	14	Lagerströmia	GRAPE MYRTLE	2.5' CALIPER HEIGHT	TREE
	RC	8	Juniperus virginiana	EASTERN RED CEDAR	2.5' CALIPER HEIGHT	TREE
	AZ	117	Rhododendron pernyi	AZALEA	3 GAL./2' HEIGHT	SHRUB
	RD	12	Cornus kousa	KOUSA DOGWOOD	7' CALIPER HEIGHT	TREE
	RO	14	Quercus laevis	EASTERN RED OAK	2.5' CALIPER HEIGHT	TREE
	YH	45	Ilex vomitoria	YALPOUN HOLLY	3 GAL.	SHRUB
	WO	20	Quercus phellos	WILLOW OAK	2.5' CALIPER HEIGHT	TREE
	AH	4	Carpinus caroliniana	AMERICAN HORNBEAM	7' CALIPER HEIGHT	TREE
	FS	42	Forsythia var.	FORSYTHIA	3 GAL./2' HEIGHT	SHRUB
	RM	8	Acer rubrum	RED MAPLE	2.5' CALIPER HEIGHT	TREE
	H	105	Rhodotypos indica	INDIAN HAWTHORN	3 GAL./2' HEIGHT	SHRUB
	MB	10	Betula nigra	MULTI STEM RIVER BIRCH	2.5' CALIPER HEIGHT	TREE
	RB	3	Cercis canadensis	EASTERN RED BUD	2.5' CALIPER HEIGHT	TREE
SEED LAWN						

LANDSCAPE PLAN

REVISIONS

NO.	DATE	DESCRIPTION

DATE

BLUE RIDGE ENVIRONMENTAL CONSULTANTS, PA.  
 ENGINEERING | PLANNING | ENVIRONMENTAL  
 1000 W. STATE STREET, SUITE 200  
 BOONVILLE, NC 28608  
 WWW.BLUERIDGECONSULTANTS.COM  
 TEL: 828.688.1111

TOWNSHIP BATES - ASBUDEN, NC  
 PREPARED FOR:  
 BARRY WARE  
 1000 W. STATE STREET, SUITE 200  
 BOONVILLE, NC 28608  
 TEL: 828.688.1111

CITY: BOONVILLE, NC  
 PROJECT NUMBER: 131001201  
 DRAWN BY: J. FERNANDES  
 CHECKED BY: J. CHAMBERS  
 SCALE: 1" = 30'  
 SHEET: C22

**MEMORANDUM TO THE BOARD OF COMMISSIONERS**

**FROM:** Pamela Graham, Planning Director  
**DATE:** June 2, 2014  
**SUBJECT:** UDO Text Amendment UDO #14-04 Regarding Maximum Building Height In the General Commercial (GC) Zoning District

**REQUEST:**

Staff has recognized a need for review of our current UDO standards regulating building heights for specific uses in our commercial districts. The attached draft text amendment has been prepared to address these issues.

**BACKGROUND:**

The Unified Development Ordinance currently includes standards for maximum building heights that include a 35' maximum height in all districts except the C-I (Commercial/Light Industrial) and I-H (Heavy Industrial) Districts, where buildings up to 50' in height are permitted. Aberdeen's Zoning includes two districts that are intended for our more intense commercial activities outside of the downtown Central Business District area. These two districts are the HC (Highway Commercial) and the GC (General Commercial). As Aberdeen continues to grow and establish greater need for services for our expanding population base, a review of the limitations on building heights is being undertaken. Staff requests Planning Board consideration of the proposed revisions reflected in the attached draft amendment.

**ANALYSIS:**

The UDO currently describes the HC and GC Districts as follows.

The HC (Highway Commercial) District is established primarily for those businesses that serve the travelling public, require large areas for display of goods and are not oriented to the pedestrian shopper. Because this district is generally located adjacent to the main thoroughfares where it is subject to public view, uses within the district should provide an appropriate appearance, ample parking, suitable landscaping, and safe pedestrian access and connectivity.

The GC (General Commercial) District is established primarily for those businesses that will serve the local public, but have some accommodations for the travelling public. It is a district that is generally located between the HC District and the B-3 District. Because this district is generally located adjacent to main thoroughfares where it is subject to public view, uses within the district should provide an appropriate appearance, adequate parking and moderately extensive landscaping. The GC District accommodates less dense business uses on sites designed to be harmonious with adjacent residential uses.

Permitted uses in the HC and GC Districts that may represent a need for building heights in excess of 35' include hotels and office buildings, educational facilities, churches, libraries, museums, movie theaters, and coliseums and stadiums. At this time, staff is proposing an amendment that would increase the allowable building heights for hotel uses only within the GC District. The proposed new standard would limit such buildings to no more than sixty (60) feet in

height. The Planning Board may propose a different standard to include additional uses and/or zoning districts, as well as a different recommended height than what is proposed in the attached amendment draft.

**LONG RANGE PLANS:**

The 2030 Land Development Plan indicates that at the 2005 adoption of the plan, approximately 150 acres of additional commercial land will be needed to accommodate projected population growth. (The plan estimated Aberdeen's population to be 16,822 by the year 2030, an approximate 2% growth rate. Our growth rate has been greater than 5% annually in the period between 2000 and 2010.) Increased building heights are a reasonable consideration to increase density in those areas, and for specific uses, where it can best accommodate growth. Considerations should be:

1. Are services and infrastructure already available to the area,
2. Is a higher density development pattern already evident in the area,
3. Can open space and environmentally sensitive areas be better protected by consolidating development in areas more appropriate.

This request is not inconsistent with the 2030 Land Development Plan, the Pedestrian Plan or the Bicycle Plan, or other plans adopted by the town.

**RECOMMENDATIONS:**

During their May 15, 2014 meeting, the Planning Board recommended approval of attached UDO amendment #14-01.

Staff recommends that the Board schedule Conditional Zoning CZ #14-01 for a Public Hearing on June 16, 2014 so that input from the public can be accepted on the proposal.

Enclosures: Draft UDO Text Amendment #14-04

**AN ORDINANCE TO INCREASE THE MAXIMUM PERMITTED HEIGHT FOR HOTELS  
IN THE GENERAL COMMERCIAL (“GC”) ZONING DISTRICT**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ABERDEEN THE FOLLOWING:

**Section 1.** Aberdeen Unified Development Ordinance Section 152-181, “Table of Density and Dimensional Regulations,” footnote 5 is amended as follows:

Zoning District	Min. Lot Area (in square ft. or acres)	Min. Area per D.U. (in square ft.)	Min. Lot Width (in feet)	Min. Front Yard Setback (in feet)	Min. Side Yard Setback (in feet)	Min. Rear Yard Setback (in feet)	Maximum Bldg. Height (in feet)
GC	10,000	n/a	75	See Fn. 6	0 <sup>5</sup> 15	0 <sup>5</sup> 15	35 <sup>5</sup>

**5. GC zoning district.**

**Front yard setback:** The minimum required front yard setback shall be fifteen (15) feet if side or rear parking is utilized. No parking shall be allowed in this area, and the area shall be landscaped and planted, with existing vegetation shall be retained whenever possible. All landscaping shall be in accordance with town regulations/requirements.

**Side yard setback:** No side yard setback is required except where a lot abuts a residential zoned lot or where the lot is a corner lot. Lots abutting a residentially zoned lot shall have at least a fifteen (15) foot side yard setback measured, and corner lots shall have at least a fifteen (15) foot side yard setback.

**Rear yard setback:** No rear yard is required except where a lot abuts a residential zoned lot. In such instance, the abutting rear yard setback shall be at least fifteen (15) feet.

**Hotel height:** The maximum permitted height for hotels (use 1.510) in the GC zoning district is sixty (60) feet.

**Section 2.** All provisions of any town ordinance or resolution in conflict with this ordinance are repealed.

**Section 3.** This ordinance shall become effective upon adoption.

[This area has been left blank intentionally.]

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Robert A. Farrell, Mayor

Attest:

\_\_\_\_\_  
Regina Rosy, Town Clerk

**MEMORANDUM TO THE BOARD OF COMMISSIONERS**

**FROM:** Pamela Graham  
Planning Director  
**DATE:** June 16, 2014  
**SUBJECT:** UDO Conditional Zoning Request CZ# 14-02  
**APPLICANT:** DGH Management, LLC  
**PROPERTY OWNER:** FAC Holdings, LLC

**A Public Hearing was held on this item on 5/19/2014. No decision was made during that meeting, and staff was directed to research the date of the subject parcels' rezoning to R10-10 from B-3. Staff has been unable to locate any documentation for rezoning of these particular parcels, and an Official Zoning Map dated 3/2008 shows the properties to be located in the R10-10 District. The application for Site Plan approval was dated 3/10/08 and identifies the property as being in the B-3 district.**

**REQUEST:**

DGH Management, LLC, requests conditional zoning for construction of a six unit townhome project on property identified by PID #00049602 and #00048066 to be located on South Pine Street, between Lori Lane and Argyll Avenue. The request would rezone the property to B-3-C.

**BACKGROUND:**

Conditional zoning districts allow for the establishment of certain uses, which, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. It is not a conditional use permit, but is a legislatively determined zoning district to which ordinance standards apply as well as rules, regulations and conditions imposed as part of the approval. The Planning Board acts as a recommending body to the Board of Commissioners and must make a determination regarding the positive or negative impact on the immediate area and community as a whole.

The applicant intends to develop a six unit townhome complex similar to an existing set constructed by the applicant in 2008, located just south of the subject properties. Prior to the adoption of our UDO, site plan approvals were issued by the Board of Commissioners and both projects received site plan approval from the Board in 2008. However, with the UDO's adoption in 2010, all projects previously approved were required to meet any new regulations contained in the UDO, with the exception of the following:

1. Projects on which construction was begun at least 180 days before the effective date of the UDO, and
2. Projects that were at least ten (10) percent completed in terms of the total expected cost of the project on the effective date of the UDO.

The existing townhomes to the south of the subject property complied with the first provision above and therefore received zoning and building permits. The project was completed in 2008. Although a site plan was approved in 2008 for the proposed

townhomes, zoning permits were not applied for until February of this year and building permits have not been issued. The property is located in the R10-10 Zoning District, which does not permit Multi-family Townhomes. A Conditional Zoning to B-3-C is recommended as there are adjacent properties zoned B-3, and the proposed use would be allowed within that zone.

#### **CONDITIONAL ZONING DISTRICTS (C):**

Conditional Zoning Districts are new districts under the Unified Development Ordinance. “Conditional zoning districts allow for the establishment of certain uses, which, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole.” It is not a conditional use permit, but is a legislatively determined zoning district in which the development and use of the property is subject to predetermined ordinance standards, rules, regulations and conditions imposed as part of the approval process. The Planning Board acts as a recommending body to the Board of Commissioners and must make a determination regarding the positive or negative impact on the immediate area and community as a whole. Conditional zoning can be used to add uses to districts.

#### **APPLICABILITY OF MULTI-FAMILY REGULATIONS:**

The Unified Development Ordinance was adopted subsequent to completion of a multi-family study prepared by the town. As such, the current regulations require a different design concept as compared to the code in place in 2008. The UDO addresses multi-family development in §152-163.14; a summary is provided below. The Conditional Zoning for this project may include some, all, or none of these requirements, or may include additional requirements not listed.

- Multi-family developments and duplexes are only allowed in the R6-10 and R10-10 zoning districts. *A new multifamily development would not be allowed on this property under the existing zoning. B-3 zoning allows for multi-family and is consistent with existing zoning on adjacent parcels to the east and across Argyll Avenue to the south. The adjacent parcel to the north is zoned R10-10, and properties to the west across Pine Street are zoned I-H (Heavy Industrial).*
- The maximum dwelling units per acre are no more than eight. *The applicant proposes a maximum of six (6) units on two parcels totaling .694 acres.*
- A semi-opaque screen a minimum of thirty feet in width is required along the perimeter of any multifamily development located adjacent to any residentially used or zoned property. Existing vegetation shall be used to meet all or part of the screening requirements wherever possible. Vegetation to be saved shall be identified on site plans, along with protection measures to be used during grading and construction. *Existing vegetation is present on site; the ability for this vegetation to be utilized to meet a portion of the requirement will be evaluated during site plan review by staff. New plant material will likely be required to supplement the existing and shall be noted on the site plan.*
- Parking lots shall be shaded. *Shade trees and supplemental landscaping will likely be necessary to satisfy this requirement.*

- Off-street parking shall be located between the principal building and the rear lot line, an alley or interior to a block. *The preliminary site plan indicates parking between the buildings and the front lot line, consistent with the existing townhomes to the south.*
- Pedestrian improvements must be made interior to the development connecting units and destinations such as adjoining streets, other units and mail boxes. *Sidewalks are not indicated on the preliminary plan. If approved according to the current design, the vehicular accommodation areas can provide pedestrian access to these elements. A sidewalk along Pine Street is recommended as required by the UDO, §152-217(C).*
- The UDO requires that all developments be constructed and maintained so that the development does not unreasonably impede the natural flow of water from higher adjacent properties across the development, nor may it unreasonably collect and channel surface waters onto lower adjacent properties resulting in substantial damage to those lower adjacent properties. The development site plan is also required to address hydrology, low-impact development design strategies and erosion sediment control. *Based on data made available by Moore County, the property exhibits a cross slope of +/- 5% and is located less than 500 feet from Aberdeen Creek. The creek, buffered by wetlands on either side, is a contributor to the Lumber River basin system. Site disturbance should be kept to the minimum required for development of the project, and silt fence will be necessary to protect downslope properties from sedimentation during construction. The following stormwater management practices recommended by the UDO may be appropriate for long-term stormwater control:*
  - *Filter/Buffer Strip*
  - *Grass Swales*
- Solid waste container sites shall be screened with a six (6) foot high opaque vegetative, wood or masonry screen. *This requirement can be addressed during site plan review by staff.*
- Multi-family site plans shall include the designation of bike paths or lanes when such facilities are indicated on an approved Aberdeen Bicycle Plan. *The Bicycle Plan does not include recommendations for this portion of Pine Street.*
- Open space is required at the rate of 435 square feet per dwelling unit with a width not less than 40 feet or a radius of at least 26 feet. *Based on the proposed six (6) dwelling units, the open space requirement is 2,610 square feet. If constructed per the preliminary site plan, the site provides ample area along the rear property boundary to meet this requirement.*
- Private Open Space is required for each dwelling unit, such as a private porch, deck, balcony or patio. Based on the number of units in the proposed building, the private open space must be a minimum of 15% of each dwelling units floor area or ninety (90) square feet, whichever is greater. *If constructed as currently proposed, there appears to be adequate space to the rear of each unit to meet this requirement.*
- An outdoor lighting plan is required for site plan review for all multi-family developments exceeding four (4) dwelling units that meets specific requirements including that onsite lighting needs are accomplished without intrusion on

adjoining properties. *A lighting plan may be reviewed during site plan review by staff.*

- General design requirements for multi-family development includes the following: (*Elevation drawings for the proposed building have not been submitted*)
  - Provide interesting and aesthetically attractive multi-family developments;
  - Avoid monotonous, “barracks” style buildings;
  - Ensure that buildings have a multifaceted exterior form in which articulated facades are combined with window and door placements as well as other detailing;
  - Create an interesting and attractive architectural design;
  - Limit flat walls with minimal features;
  - Buildings shall not exceed 150 feet in length;
  - Facades greater than fifty (50) feet in length, measured horizontally, shall incorporate wall plane projections or recesses. Ground floor facades that face public streets shall have windows, entry areas, awnings, or other such features for at least sixty (60) percent of their horizontal length;
  - Buildings shall be arranged so that they are aligned parallel to a sidewalk or around common open space, such as courtyards, greens, squares, or plazas;
  - On owner-occupied units (townhouses and condominiums), side or rear entry garages are encouraged. When front entry garages are provided, the garage should be recessed at least twelve (12) feet behind the unit front wall line closest to the required front yard setback;
  - Buildings on lots not exceeding 40,000 square feet shall be oriented to the street;
  - Windows, porches, balconies, and entryways shall comprise at least thirty (30) percent of the length of the front elevation on each floor.
  - Multi-family buildings on single or multiple lots with at least fifty (50) feet of frontage shall be arranged at intervals of not more than fifty (50) feet;
  - The arrangements of buildings shall include at least two of the following:
    - Horizontal projections or offsets, such as towers or turrets, which extend at least five (5) feet from the front elevation and the height of the building up to the eaves. Projections or offsets shall be at least three (3) feet in depth and eight (8) feet in width;
    - Projecting entryways, such as stoops, balconies, porticoes, bay windows, or porches;
    - Changes in roof elevations, roof dormers, hips, or gables;
    - Open balconies that project at least six (6) feet from the front building plane.

#### **ADJACENT ZONING AND LAND USE:**

As shown in the attached Vicinity Zoning map, the property represents the last R10-10 zoning on Pine Street before transitioning to B-3 zoning, which includes both multi-family and single family uses. Adjacent parcels to the rear of the subject properties are

likewise zoned B-3. Immediately to the west, across Pine Street, is Heavy Industrial zoned property which operates as Meridian Zero, a kiosk manufacturer. A scattering of Commercial/Light Industrial, Office/Institutional, and B-1 Central Business parcels exist along Pine Street to the north.

**IMPACT ON WATER, SEWER, AND TRAFFIC:**

The site is served by public water and sewer and capacity to serve the proposed units is available.

Pine Street is considered a “sub-collector” street, described by the UDO as: “a street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least twenty-six (26) but not more than 100 dwelling units and is expected to or does handle between 200 and 800 trips per day. The six dwelling units proposed for this project are estimated to create fewer than sixty (60) additional vehicle trips per day, far below the threshold of 600 that would require a traffic impact analysis.

The applicant proposes to create a private road to access the units, with an ingress point on Pine Street and egress on Argyll Avenue (road will direct traffic to travel one-way only). Moore County must approve new road names for 911 compatibility.

**CONSISTENCY WITH ADOPTED PLANS:**

The 2009 amendment to the 2030 Plan directed a slow-down of multifamily development growth. This project incorporates six (6) new multi-family dwelling units, but is in keeping with adjacent zoning and existing adjacent uses. No recommendations for this area are included in the Aberdeen Pedestrian and Bicycle Plans, and no concerns are exhibited when overlaying Green Growth Toolbox (GGT) layers onto the property. The GGT does recognize the sensitive nature of the wetland area adjacent to Aberdeen Creek, as well as the creek itself.

**ANALYSIS OF IMPACT ON IMMEDIATE AREA AND COMMUNITY AS A WHOLE:**

The immediate impact of this operation should not have a negative impact on the community. Minimal traffic will be generated from the additional housing units, but traffic volumes are not expected to result in significant impacts to the transportation network.

**RECOMMENDATIONS:**

During their March 10, 2014 meeting, the Planning Board recommended approval of CZ #14-02 with amended conditions. **Those amendments are indicated in red type in the conditions list, provided below.**

The Board accepted public comment regarding Conditional Zoning CZ #14-02 during the scheduled Public Hearing on May 19, 2014 and closed the Public Hearing. The application is ready for a decision by the Board. The following is a recommended format for motions.

**Motion 1:**

The Board of Commissioners must consider a Resolution of Consistency with the 2030 Land Development Plan and make one of the findings below:

Request number CZ# 14-02 is not inconsistent with all adopted plans of the Town of Aberdeen including the 2030 Land Development Plan, the Hazard Mitigation Plan, the Pedestrian Plan and the Bicycle Plan and the Green Growth Tool Box.

Subject to recommended conditions of approval, request number CZ# 14-02 is not inconsistent with all adopted plans of the Town of Aberdeen including the 2030 Land Development Plan, the Hazard Mitigation Plan, the Pedestrian Plan and the Bicycle Plan and the Green Growth Tool Box.

Request number CZ# 14-02 is inconsistent with all adopted plans of the Town of Aberdeen including the 2030 Land Development Plan, the Hazard Mitigation Plan, the Pedestrian Plan and the Bicycle Plan and the Green Growth Tool Box.

**Motion 2:**

The Aberdeen Board of Commissioners:

Issues approval of Request number CZ# 14-02.

Issues approval with conditions of Request number CZ# 14-02.

Issues denial of Request number CZ# 14-02.

**RECOMMENDED CONDITIONS:** (Planning Board recommended changes to the conditions are indicated in red)

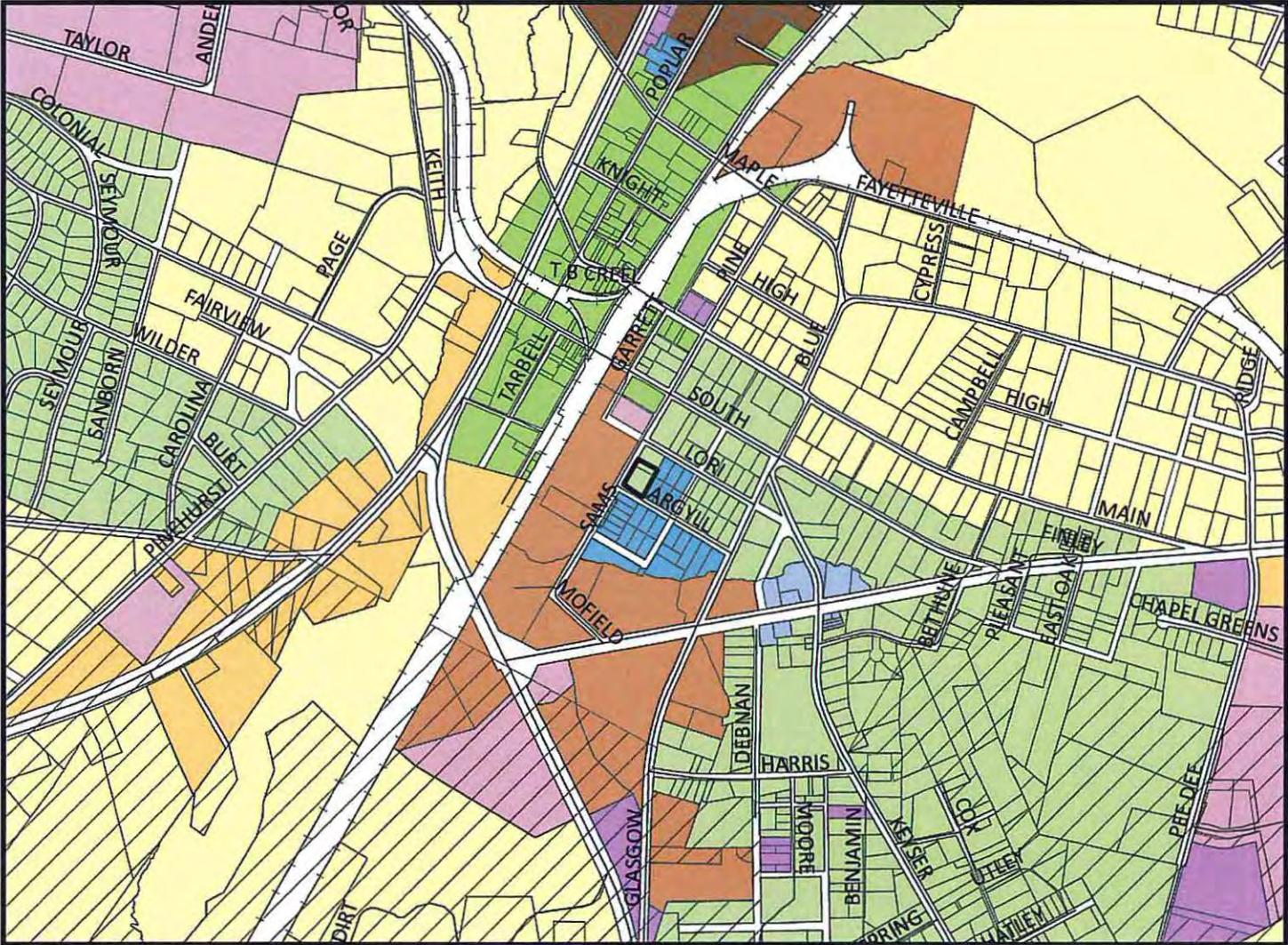
1. The applicant must conduct a community meeting with mailed notice complying with the requirements of the Unified Development Ordinance prior to the Public Hearing by the Board of Commissioners.
2. A conditional use permit for the uses on the property is not required. A final site plan and all construction documents must be approved through the interdepartmental review process and shall be in general conformance with the proposed sketch plan attached to this proposal.
3. Any and all approvals from other regulatory agencies must be obtained prior to a notice to proceed by the Planning Department.

4. The applicant shall meet all setbacks and building heights as shown on the sketch plan.
5. The applicant shall meet all screening and landscape requirements as applicable to multi-family development and shall retain existing vegetation in the buffer areas wherever possible and supplement with planted landscaping as needed.
- ~~6. A five foot wide concrete sidewalk along Pine Street is required.~~
- 7.6. Stormwater management practices shall meet all requirements of the UDO and be reviewed during site plan review by staff. Solid waste container sites shall be screened as provided for in the UDO.
- 8.7. Open space will be required at no less than 2,610 square feet, and with a width not less than 40 feet or a radius of at least 26 feet.
- 9.8. Private open space for each unit shall be provided at a minimum of 15% of each dwelling unit's floor area or ninety (90) square feet, whichever is greater.
- 10.9. An outdoor lighting plan and general ~~design~~ lighting requirements must be consistent with the UDO requirements for multi-family development and will be reviewed during site plan review by staff. Submittal for site plan review shall include elevation drawings demonstrating compliance with these UDO requirements.
- 11.10. Final approval of Conditional Zoning CZ #14-02 is contingent upon approval of an interdepartmental site plan review following the CZ process.
11. Staff is directed to enter Conditional Zoning District B-3-C for properties identified by PID# 00049602 and #00048066 on the official zoning map and add a label for CZ#14-02 upon final approval.
12. Density shall be limited to no more than eight (8) units per acre.
- ~~12.13. Uses other than multi-family or single family residential shall not be permitted.~~
- 13.14. All vehicle accommodation areas shall be hard paved with asphalt or concrete paving material. (added per Board Work Session discussion)

Enclosures: Preliminary Sketch Plan  
Vicinity Zoning Map  
Aerial Image  
Street View Images (2)



# DGH Management Property – Vicinity Zoning



## Zoning Districts

 B-1	 C-1	 I-H	 R10-10	 R20-16	 RA
 B-2	 GC	 MH	 R15-12	 R30-18	 ABETJ
 B-3	 HC	 O-I	 R18-14	 R6-10	

# PINE STREET CONDITIONAL ZONING



Identified Wetlands   
Aberdeen Creek & Tributaries 

Property Proposed for Conditional Zoning   
Parcel Boundaries 



Existing Townhomes – Street View



Property Proposed for Development

**A RESOLUTION REGARDING PLAN CONSISTENCY  
CZ#14-02  
DGH Management, LLC**

WHEREAS, an amendment to the text and/or map of the Aberdeen Unified Development Ordinance has been proposed, which amendment is identified as follows: **CZ# 14-02 to Rezone Property Identified as PID #00049602 and #00048066 in the Moore County Tax Registry and Located on South Pine Street between Lori Lane and Argyll Avenue from R10-10 to B-3-C;**

NOW THEREFORE, the Board of Commissioners of the Town of Aberdeen resolves as follows:

Section 1. The Board concludes that the above described amendment is/is not inconsistent with the Town of Aberdeen 2030 Comprehensive Land Development Plan, the Pedestrian Plan, the Hazard Mitigation Plan, the Bicycle Plan and the Green Growth Tool Box;

Section 2. The Board concludes that the above described amendment is/is not reasonable and in the public interest.

Section 3. The Board makes the following additional findings:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Section 4. This resolution becomes effective upon adoption.

The foregoing Resolution on motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, was adopted this \_\_\_ day of \_\_\_\_\_, 2014.

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Robert A. Farrell, Mayor

Dated: \_\_\_\_\_

\_\_\_\_\_  
Regina M. Rosy, Town Clerk

**AN ORDINANCE APPROVING A CONDITIONAL ZONING DISTRICT FOR PROPERTY IDENTIFIED AS PID #00049602 AND #00048066 IN THE MOORE COUNTY TAX REGISTRY AND LOCATED ON SOUTH PINE STREET BETWEEN LORI LANE AND ARGYLL AVENUE FROM R10-10 TO B-3-C**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ABERDEEN THE FOLLOWING:

**Section 1.** Aberdeen Unified Development Ordinance Appendix M is amended to include Ordinance CZ14-02, which reads as follows:

**§ CZ14-02 Rezoning of Property Identified as PID #0049602 and #00048066 in the Moore County Tax Registry and Located on South Pine Street Between Lori Lane and Argyll Avenue from R10-10 to B-3-C**

The property identified as PID #00049602 and 00048066 in the Moore County Tax Registry and located on South Pine Street between Lori Lane and Argyll Avenue (the "Property") is subject to the following regulations:

(A) The Property is hereby rezoned to B-3-C.

(B) Except as specifically amended by section CZ14-02, all provisions of the Aberdeen Unified Development Ordinance shall apply to the Property. A determination of such compliance will be provided to the property owner following Site and Building Plan Review.

(C) The following additional requirements shall apply to the property:

1. A five (5) foot wide concrete sidewalk shall be required along Pine Street.
2. Prior to building and zoning permit approvals, the applicant shall provide the following:
  - a) Evidence that all setbacks and building heights as shown on the sketch plan are complied with.
  - b) Open space shall be required at no less than 2,610 square feet, and with a width not less than forty (40) feet or a radius of at least twenty-six (26) feet. Such open space shall be indicated on plans submitted for Site Plan Review.
  - c) Private open space for each unit shall be provided at a minimum of 15% of each dwelling unit's floor area or ninety (90) square feet, whichever is greater. Such private open space shall be indicated on plans submitted for Site Plan Review.
  - d) An outdoor lighting plan shall be submitted for Site Plan Review. Such plans shall verify that the outdoor lighting will be consistent with the UDO requirements for multi-family development.
  - e) Plans submitted for Site Plan Review shall include elevation and plan drawings demonstrating compliance with the UDO general design requirements for multi-family development.
  - f) Density shall be limited to no more than eight (8) units per acre.

- g) Uses other than multi-family or single family residential shall not be permitted.
- h) All vehicle accommodation areas shall be hard paved with asphalt or concrete paving material.
- i) Silt fencing around disturbed area shall be installed and maintained during construction phases to control sediment that may enter into stormwater features or impact off-site properties.
- j) Solid waste containers shall be screened in accordance with UDO requirements.

**Section 4.** All provisions of any town ordinance or resolution in conflict with this ordinance are repealed.

**Section 5.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this \_\_\_\_ day of \_\_\_\_\_, 2014.

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Robert A. Farrell, Mayor

Attest:

\_\_\_\_\_  
Regina M. Rosy, Town Clerk

## 2015 FY Budget Message

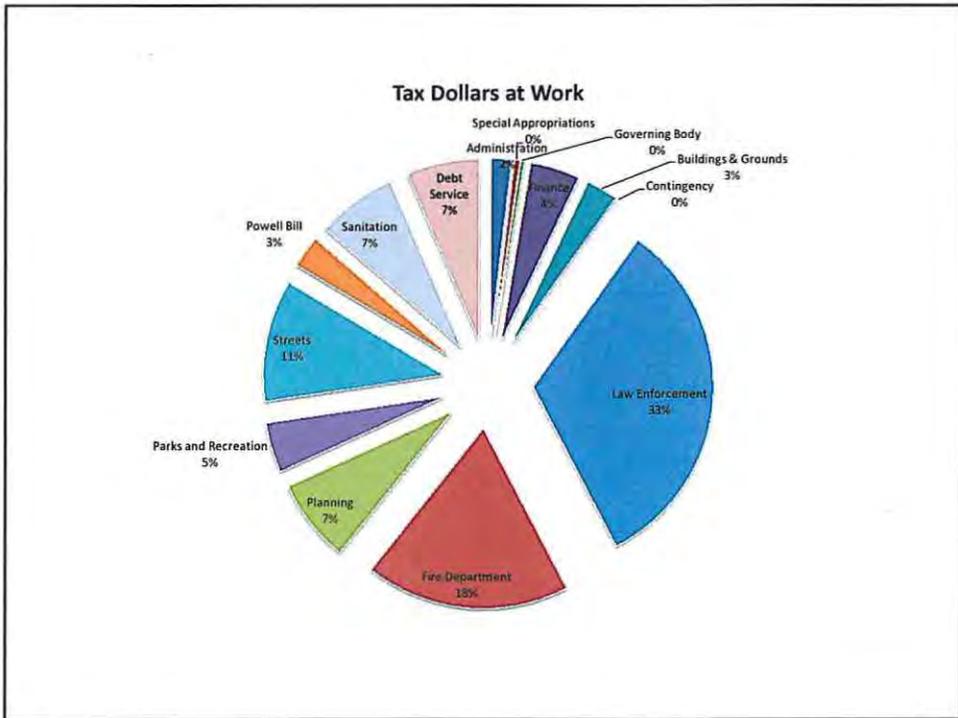


### GS 159-11 (b)

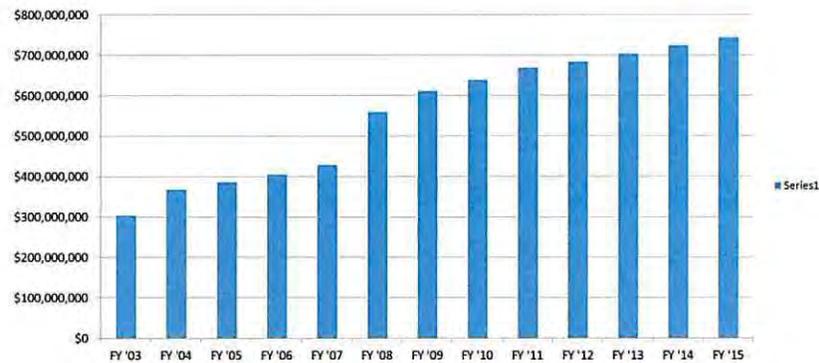
- (b) The budget, together with a budget message, shall be submitted to the governing board not later than June 1. The budget and budget message should, but need not, be submitted at a formal meeting of the board. The budget message should contain a concise explanation of the governmental goals fixed by the budget for the budget year, should explain important features of the activities anticipated in the budget, should set forth the reasons for stated changes from the previous year in program goals, programs, and appropriation levels, and should explain any major changes in fiscal policy.

## General Fund Budget Highlights

- General Fund - \$6,768,120
- Keeping Tax Rate at \$ 0.43
- 3.45% Growth over the last year
- Penny of Tax \$73,875 @ 98.5 % collection rate
- New Valuation \$750,000,000
- Medical benefits cost rose 8.99%
- Recommending 2% COLA
- Capital Expenditures
  - Vehicle Purchases for Police
  - Dump Truck for Streets, Trailer Mounted Scissor Lift, Storage Bldg.
  - Mini-Pumper for Fire Department



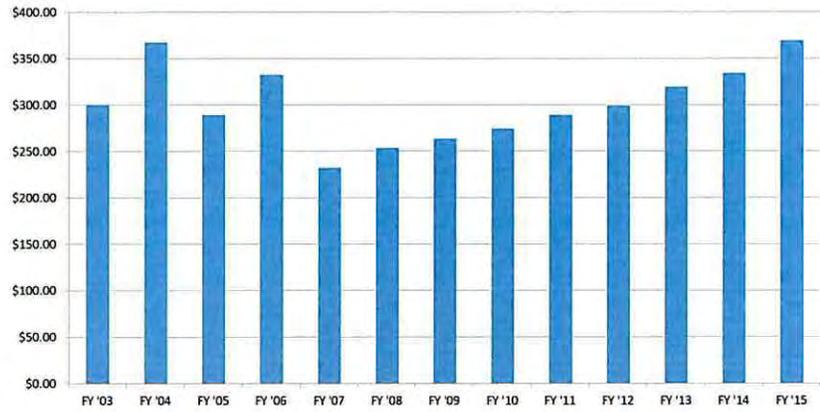
## Aberdeen's Valuation Growth



## Aberdeen's Property Valuation Breakdown

- Residential                 \$377,364,850
- Commercial                \$280,645,000
- Motor Vehicles             \$ 53,000,000
- Industrial                    \$ 26,490,150
- Utilities                     \$ 12,500,000
- Total                         \$750,000,000

## Medical Benefits



## Capital Expenditures

- Dump Truck for Streets & Grounds



## Capital Expenditures (cont.)

- Police Cars



## Capital Expenditure (cont.)

- Mini Pumper



## Parks & Rec Trust Fund Grant

- Rays Mill Pond Project
  - Pond Improvements (Fishing Pier, Water Quality)
  - Environmental Education Shelter w/bathrooms
  - Trail
  - Signage
  - Parking
  - Placing utilities underground

## Police Station Building Project

- New Building behind current site
- Hire Architect

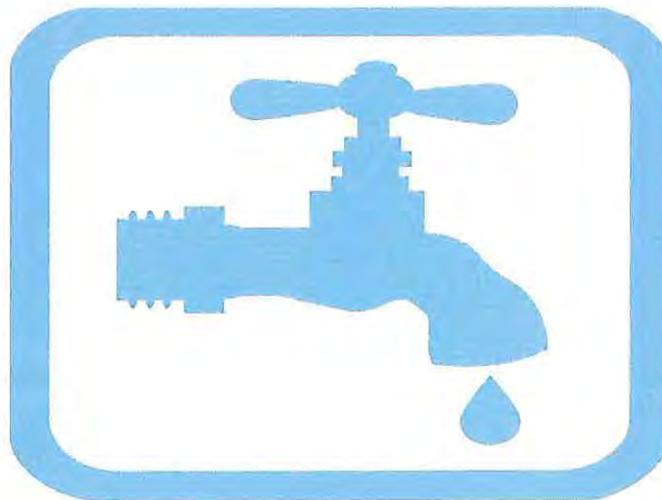


## Revenues

- Ad Valorem Taxes 48.41 %
- Intergovernmental – State 27.67 %
  - Utilities Franchise
  - Video Sales
  - Sales Tax
- HB 1050



## Water & Sewer System Budget



## Water & Sewer System Budget Highlights

- FY 2015 Budget \$2,664, 093
- Bulk Water Contract w/Moore County
- Well #23 – Working w/NC DENR
- Well #24 – Working w/NC DENR
- Capital Expenditures
  - Replacement of old water and sewer lines
  - Berkley Sewer CDBG Project
  - Seek-Tech pipe locator
  - Ground penetrating radar system
  - Sewer Lateral Camera
- Water and Sewer Rate Increase (5%)

## Conclusion

- Thanks to my staff and to the Board of Commissioners.





## TOWN OF ABERDEEN AGENDA ITEM ACTION REQUEST FORM

**This form must be completed and attached to all supporting documentation for items to be included on the Town of Aberdeen Board agenda. One (1) form per agenda item.**

**Submitted By:** Bill Zell **Department:** Administration

**Contact Phone #** 944-4505 **Date Submitted:** 5/29/2014

**Agenda Item Title:** House at Rays Mill Pond

**Work Session - Board Action (date of meeting should be filled in on line) :**  
Information Only \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Approval at work session - immediate action   x   \_\_\_\_\_

**Regular Board Meeting - Board Action (date of meeting should be filled in on line):**  
New Business \_\_\_\_\_ Information Only \_\_\_\_\_  
Old Business \_\_\_\_\_ Consent Agenda \_\_\_\_\_  
Public Hearing \_\_\_\_\_ Informal Discussion & Public Comment \_\_\_\_\_  
Other Business \_\_\_\_\_

**Summary of Information:**  
We didn't receive any bids on moving this house from the property. We have had an asbestos report submitted with no asbestos. All we need to do is send this report to the Start Fire Marshal's Office to receive our burn permit.  
  
We just need the Board's direction to either rebid it or get the burn permit authorization.  
  
**Special requests (i.e. Needs to be first on the agenda due to schedule of guest, etc.):**