

TOWN OF ABERDEEN
PLANNING BOARD REGULAR MEETING
December 19, 2002
Minutes

Members Present: Jim Thomas
Mark Edwards
Elease Goodwin
Bill Prevatte, In-Town Alternate
Mike Dunn
Maurice Holland
(Ray Bosworth, to be appointed January 6, 2003 as the Out-of-Town Alternate, attended meeting to familiarize himself with meeting process)

Members Absent: Linda Duncan
Sherrill Lee

Public Present: Mr. & Mrs. John Hawthorne

Staff Present: Giles Hopkins, Planning Director
Heather Brown, Secretary
Tom Marsh, Code Enforcement Officer

Chairman Thomas called the meeting to order at 7:00 PM

Mr. Mike Dunn made a motion, seconded by Mr. Mark Edwards, to approve the minutes of the Regular Meeting of November 21, 2002 as presented. The motion was approved 6-0.

Old Business:

Chairman Thomas presented Application for Rezoning RZ#02-03 concerning a petition regarding rezoning of property located on the west side of N. Poplar Street. A motion was made by Mr. Edwards to leave the current zoning, HC Highway Commercial, as is with no change. With no second, the motion died. With brief discussion, a motion was made by Mr. Bill Prevatte, seconded by Mrs.

Elease Goodwin, to recommend to the Board of Commissioners that property located on the west side of N. Poplar Street measured perpendicular in a westward direction 150 feet from the right-of-way, which is further identified as being part of LRK#'s 00047581, 00048773, 00048774, 00050832 and 00050835 as shown on the Moore County Tax Records, from HC Highway Commercial to B-3 Neighborhood Transitional District. The motion was approved 4-2 with Mr. Edwards and Mr. Dunn voting against the motion.

New Business:

Chairman Thomas presented Application for Conditional Use Permit CU#02-04 submitted by Michael W. Laws for Magnolia Square. The Board of Commissioners held the required Public Hearing regarding this matter on December 9, 2002. After reviewing conditions A through G and determining that the applicant would meet all requirements, a motion was made by Mr. Dunn, seconded by Mr. Maurice Holland, to approve Application for Conditional Use Permit CU#02-04 with the following conditions:

- A. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- D. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within in the neighborhood;

- E. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- G. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the Board of Commissioners pursuant to the recommendation of the Planning Board,

and recommend approval of Application for Conditional Use Permit CU#02-04 as written to the Board of Commissions. The motion was approved 6-0.

Chairman Thomas presented Zoning Code Text Amendment ZA#02-09 regarding amendments to the Ordinance Creating the Historic Preservation Commission. Questions arose as to the need for this amendment and Mr. Hopkins explained that Town Attorney Michael Brough had advised to make these changes to allow the Historic Preservation Commission to make decisions based on individual cases and their particular circumstances. Following discussion regarding requirements in this district, a motion was made by Mrs. Goodwin, seconded by Mr. Holland, to approve and recommend approval of Zoning Code Text Amendment ZA#02-09 to the Board of Commissioners. The motion was approved 6-0.

Chairman Thomas presented Zoning Code District Map Amendment ZA#02-10 regarding establishing a Historic District. Following review of maps provided to the Board, a motion was made by Mr. Holland, seconded by Mr. Prevatte, to approve and recommend approval of Zoning Code District Map Amendment ZA#02-10, with the exception of the property to the south of Page Library located on N. Poplar Street belonging to Page Memorial Church, to the Board of Commissioners. The motion was approved 6-0.

Information provided to the Planning Board regarding Application for Conditional Use Permit CU#02-05 submitted by James R. Kirkpatrick for Storage R. Us mini warehouses was reviewed. The Board was informed that the required Public Hearing would be held Monday, January 13, 2003 regarding the application in which the Town Board of Commissioners requested them to attend. Following

discussion, a motion was made by Mr. Dunn, seconded by Mr. Prevatte, to approve Application for Conditional Use Permit CU#02-05 with the following conditions:

- A. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- D. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within in the neighborhood;
- E. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- G. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the Board of Commissioners pursuant to the recommendation of the Planning Board,

and recommend approval of Application for Conditional Use Permit CU#02-05 to the Town Board of Commissioners as written. The motion was approved 6-0.

Other Business:

None.

Staff Report:

Mr. Hopkins reviewed Building and Zoning Monthly Summaries for November as well as the Ordinance and Code Enforcement Summary and Status of Development Projects Approved, Pending Approval or Under Consideration with the Board. He also advised that the next Planning Board Meeting would be held on January 16, 2003.

With no further business, the meeting adjourned at 7:45 PM.

Respectfully submitted,

Heather N. Brown, Secretary to the Board