Minutes
The Regular Meeting of the
Aberdeen Planning Board

March 21, 2013 Robert N. Page Municipal Building
Thursday, 6:00 p.m. Aberdeen, North Carolina

The Aberdeen Planning Board met on Thursday, March 21, 2013 at 6:00 p.m. for the Regular Planning Board Meeting. Members present were Chairman Johnny Ransdell, Vice Chair Sarah Ahmad, Owen Gallagher, Joe Dannelley, Janet Peele, Graylin King, and Raymond Lee. Alternates Tim Marcham and Peter Koch were also in attendance. Planning staff members in attendance were Planning Director Kathy Liles and Permit Technician Amy Fulp. Others in attendance were Allen Brooks and Don Longstreet.

1. Call to Order

Chairman Johnny Ransdell called the meeting to order at 6:00 p.m.

2. Approval of Agenda

Owen Gallagher made a motion, seconded by Janet Peele, to approve the agenda of the Regular Meeting for March 21, 2013. Motion unanimously carried.

3. Approval of Minutes for the Regular Meeting of December 20, 2012

Sarah Ahmad commented she found a grammatical error while reading through the submitted minutes and has given her corrections to Amy Fulp, Permit Technician.

Sarah Ahmad made a motion, seconded by Owen Gallagher, to approve the minutes of the Regular Meeting of December 20, 2012 with corrections. Motion unanimously carried.

4. Approval of Minutes for the Special Called Joint Meeting of February 11, 2013

Sarah Ahmad made a motion, seconded by Joe Dannelley, to approve the minutes of the Special Called Joint Meeting of February 11, 2013. Motion unanimously carried.

5. New Business

a. Special Use Permit SU #13-01 for a Daycare Facility at 212 Elm Street submitted by Allen Brooks.

Mr. Brooks stated that he is a licensed professional counselor and has been operating in the Aberdeen area since the year 2000. Mr. Brooks and a group of colleagues got together and came up with an idea to expand their services beyond just mental health counseling. They believe that developmental education is the core to the power of families in our community. They decided they wanted to open up a quality daycare center, an educational and resource child care center.

Mr. Brooks said their vision is they believe in the holistic approach to providing quality services to children and families. Their aim is to provide the type of personalized quality care that will meet the individual needs of each child and family. They understand that mental health is the core to exceptional development in building the lives of children and families.

The services offered will be daycare services for toddlers and preschool. They will also offer afterschool services, special needs specific services, parenting classes and workshops. Additionally, they will have individual, family and group counseling, periodic community enrichment seminars and social skills groups.

The children will have classrooms designed to develop and expand socio-dramatic play and educational skills. They will have access to age appropriate technology and they will have spacious, fenced-in playgrounds. There will be a safe, secure, and private access to the center with ADT door alert monitoring.

They will have small groups and a highly qualified staff. They plan to provide a four star rating through education. A tentative schedule of daily events that the children would follow was presented by Mr. Brooks. Mr. Brooks also presented a Facility Layout plan.

Mr. Brooks stated counseling services will not primarily operate at the same time of the business day that the daycare is in operation. However, if they do, the counseling services will be held in a designated non daycare occupied room and will not interfere with the regular daycare services schedule.

As far as parking and traffic, there are two sidewalks and an underpass that will assist with safe delivery of children to the facility. Children will be dropped off as early as 6:00 am and picked up by 6:00 pm. During school

hours parents will be asked to drop off their children on the North side of Elm Street so it will not interfere with the regular flow of traffic.

There are three areas designated for parking. There is additional parking on the side of the street in front of the apartment's mailboxes. Graylin King asked Mr. Brooks where the kids would actually be dropped off and would the parents have to park on the road. Mr. Brooks showed a picture where the drop off areas will be located. Chairman Ransdell asked if Mr. Brooks had talked to the DOT, and Mr. Brooks stated he had not. Chairman Ransdell informed Mr. Brooks that he would need to do that.

Joe Dannelley asked Mr. Brooks what the daycare would be at full capacity, and Mr. Brooks stated 15 to 25 children are what they hope to have at full capacity. Mr. Brooks stated that if full capacity were to be at 15 then he would be okay with that.

Planning Director Liles stated the property for the daycare is in a B-1 Zoning District. Planning Director Liles stated that it requires a Special Use Permit and a quasi-judicial hearing must be held to make sure that the facts support the decision. Planning Director Liles stated that one of the key things that they need to steer away from, in making a decision on this activity, is that it is important to know what DHHS is going to require of them in terms of getting approved for a daycare center. But the Planning Board does not have to oversee that component of it because DHHS is going to. So in terms of establishing the number of children in the building, the Planning Board can set a maximum. In the recommended conditions Ms. Graham put a maximum of 20 children and they must also meet all other requirements of DHHS.

Chairman Ransdell had issues and concerns, and he felt like DOT would too, as far as access to the facility. The left turn into the US 1 site, during school drop off hours, is pretty much blocked off by the Police Department. Chairman Ransdell stated that DOT looks very seriously at daycare access and one accident at a daycare access is too many. He feels like they have a situation that really has potential to create some dangerous situations for a daycare.

Planning Director Liles stated that her recommendation was to continue the public hearing and have a conversation with DOT and bring this back. Chairman Ransdell stated that he would feel comfortable with that and that DOT needs to look at it. DOT does not regulate Elm Street, the Town does, but it is a US Federal Highway and anytime there is a change in development or change in use, there is a requirement for a new driveway permit and for that type of use the DOT would look at it very closely.

Janet Peele asked about the overflow on Elm Street and the people that actually lived there. Mr. Brooks stated that he had taken pictures at different times to see what the particular use was. Mr. Brooks found that during the normal working hours there didn't seem to be a problem. Vice Chairperson Sarah Ahmad asked Mr. Brooks if the owner of the apartment had given him permission to use the parking spaces and Planning Director Liles stated that the property is all under common ownership.

Chairman Ransdell asked if there were any other questions or comments. Janet Peele made a motion to continue the hearing and Owen Gallagher seconded it.

Sarah Ahmad had a point of clarification question. She wanted to know when Chairman Ransdell was talking about the DOT, did he mean that there would be no further discussion until the DOT had looked at it? Chairman Ransdell stated they would continue so that Mr. Brooks would have the opportunity to discuss with DOT, that they need more information.

Chairman Ransdell stated that a motion had been made and seconded concerning continuing the hearing. Vote unanimously carried.

b. Conditional Zoning Request CZ #13-01 for Multi-family Residential Submitted by Don Longstreet.

Planning Director Liles stated the request before the Board was to conditionally rezone Oak Village Apartments from R10 to R10-10-C and allow for the addition of one duplex unit. Planning Director Liles stated that for the record the property is PIN #857018321225.

Planning Director Liles stated that the basis of Conditional Zoning is a Legislative decision and not a quasi-judicial hearing. Planning Director Liles stated the most important thing is to look at the impact to the immediate area and community as a whole and that the approval process imposes the standard for the district.

Planning Director Liles stated the property is 1.98 acres and in the R10-10 district, and it is not in any regulatory overlay district. In assessing this as Staff, it was looked at being more of an infill type of project, rather than a new "from scratch" multi-family project. So in terms of looking at the districts, staff had an internal analysis of whether to rezone it to B-3 or R6-10. For Staff it really didn't make any sense to go to those two zoning districts for this property because it is surrounded by R10-10 and it is adjacent to R20-16.

If the apartments ever went away, it would be more consistent for that under-lying zone to stay R10-10.

Planning Director Liles asked the Planning Board to look at the pictures of the existing apartments. Mr. Longstreet is proposing to add a duplex unit using materials that are consistent in style and appearance with the units that are already on the property.

Chairman Ransdell asked if the front elevation would be the street side. Planning Director Liles stated the front elevation is to face interior to the parking lot. Planning Director Liles pointed out on the pictures the entrance off of South Street. A second photo showed some stakes to give a feel of where the building envelope corners would be, the area that would need to be cleared to put the structure.

Planning Director Liles also talked about the engineering drawings which shows the building placement and the parking spaces that would be required, as well as how the building would sit into the wooded area. One of the questions that would have to be answered is to make sure the basin can handle the additional storm water runoff that might be generated with the new building.

In trying to figure out the best way to approach this project, Planning Director Liles stated Staff went back and looked at the pre-2011 code. The basic requirements at that time were 10,000 square feet for the first unit of land area and then 4,000 square feet for every unit after the first unit. There was not an open space requirement, so development could be much denser under that code and the multi-family units only had to be 600 square feet. Mr. Longstreet is proposing units that would have roughly 1,165 square feet under roof for each of the units. Planning Director Liles stated if we went back in under the multi-family regulations under current day, it would not typically be allowed in this particular zoning district. There would be a 20% open space requirement, the landscaping and screening standards would be a little bit different, you would have to provide at least 15 feet and it couldn't all be in the setback, it would have to be pushed into the balance of the property. Shaded parking is required, sidewalks are required, and shelters for the children waiting for the school bus. Storm water management would be required, and it would have to provide private open space for each of the multi-family units so they could have balconies or porches to be able to sit outside. There would also be a requirement for two architectural details on the building itself.

Planning Director Liles talked about working on the multi-family regulations in 2008, and Staff and the Board spent a great deal of time trying to determine how to get below 43% for multi-family. The Board restricted the number of districts in which multi-family could occur and that is why now they are restricted to the B-3 and R-6 districts. There are no numbers to tell us what has happened with percentages over time, but there have been very few multi-family units installed since 2008.

Planning Director Liles stated that what needed to be considered was the impact to the open space. Also, the architectural compatibility of the building design, and consider some flexibility on the building appearance. Storm water is an issue that there is no flexibility on, but with the wooded area they should have a decent buffer.

Planning Director Liles went over the Land Use Plan. This district is specified for medium density residential use. The resulting density will be 10 units per acre. This density is higher than the Land Use Plan recognizes so if the Board decides to move forward with a favorable recommendation, it should be noted that it is not consistent with the Land Use Plan.

Planning Director Liles stated as far as recommended conditions for a Conditional Zoning District, all parties would have to agree. If all parties do not agree it is not to be approved. Mr. Longstreet would have to agree to follow the recommended conditions or the Board would have to rethink their decision. If the Board is willing to consider it the following recommended conditions would apply:

- Staff is directed to enter Conditional Zoning District R10-10-C for property identified by PIN# 857018321225 on the official zoning map, add a label for CZ #13-01, and add one duplex to the existing multi-family development.
- A 5' sidewalk shall be constructed between the units and the mail box.
- Prior to building permit, the applicant shall provide the following: Elevations and floor plans shall be submitted documenting compliance with the UDO requirements for duplex building design.
- Calculations to show that the current storm water structure can handle difference in pre/post flow with the additional impervious area.
- Service lines and meters for each tenant shall be provided in lieu of the 1" water line and meter.
- Slit fencing around disturbed area to control sediment that may enter into storm water features.
- Specifics on the sprinkler water line locations for the Fire Department.

- Fire flow calculations for the proposed structure shall be provided with documentation there is adequate water to cover the building.
- A final site plan showing driveway dimensions as well as the nearest hydrant location to be approved by the Fire Department.
- Additional landscaping shall be provided prior to Certificate of Occupancy to ensure that the buffer is semi-opaque and that there are no gaps once the area has been prepared for construction.

Planning Director Liles asked the Board if they were willing to move forward, and if yes, they would need three motions. Motion one is whether it is or is not inconsistent with the 2030 Land Development Plan. Motion two is whether you find that the addition of this unit, at that location, is an acceptable level of impact for the Town. Motion three is the recommendation of approval or denial to the Board of Commissioners.

Graylin King asked if he could add a condition that the new apartment building has the same style and appearance as the old ones. Mr. Longstreet said that they would have the same brick and vinyl; they would look the same with a few minor differences.

Chairman Ransdell asked if there were any other questions or comments. Chairman Ransdell asked if anyone would like to make a motion. Motion one is regarding statement of consistency with the 2030 Land Development Plan. One of the findings is that it is not inconsistent with all adopted plans, or is subject to recommended conditions of approval, is not inconsistent or it is inconsistent because of the density. Planning Director Liles stated that the Staff's recommendation is that it is inconsistent. A motion was made by Sarah Ahmad, seconded by Owen Gallagher, that the proposal is inconsistent with the 2030 Land Development Plan. Motion unanimously carried.

Motion two, Conditional Zoning Districts allow for the establishments of certain uses, which because of their nature or scale, have particular impacts on both the immediate area and community as a whole. Based on information presented by the applicant, the Staff, and other interested parties, CZ #13-01 does or does not have an acceptable level of impact on both the immediate area and community as a whole. A motion was made by Joe Dannelley, seconded by Janet Peele, based on the information presented by the applicant, the Staff, and other interested parties that CZ #13-01 does have an acceptable level of impact on both the immediate area and the community as a whole. Motion unanimously carried.

Motion three, the Planning Board does or does not recommend approval of application CZ #13-01 to the Town of Aberdeen Board of Commissioners, subject to the conditions as amended. Planning Director Liles gave the conditions that the sight line shall be improved on South Street and the duplex shall be the same style and appearance as the buildings that are already there. Owen Gallagher made a motion, seconded by Raymond Lee, that the Planning Board does recommend approval of the application CZ #13-01 to the Town of Aberdeen Board of Commissioners, subject to the conditions as amended. Motion unanimously carried.

6. Other Business

a. Planning Director Liles discussed the Board of Commissioners authorizing Staff to begin work on a small area plan for the Midway Community. She said the Planning Board may want to designate one or two Planning Board Members to work with the Planning Department on this.

b. Planning Director Liles and Mr. Kim updated the Planning Board with activities and new developments with the Town.

7. Adjournment

A motion was made by Raymond Lee, seconded by Janet Peele, to adjourn the meeting. Motion unanimously carried.

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Amy Fulp, Permit Technician
Minutes were completed in
Draft form on May 10, 2013

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Johnny Ransdell, Chairperson
Minutes were approved
on May 16, 2013