

**MINUTES**  
**Special Called Joint Meeting of the**  
**Aberdeen Planning Board**

February 11, 2013  
Monday, 6:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Planning Board met Monday, February 11, 2013 at 6:00 p.m. for a special called joint meeting. Planning Board members present were Chairman Johnny Ransdell, Vice-Chair Sarah Ahmad, Graylin King, Raymond Lee, Owen Gallagher, Janet Peele, and Joe Dannelley. Others in attendance were Planning Director Kathy Liles, Senior Planner Pam Graham, and Community Development Planner Jae Kim. Alternate members were also present.

1. Call to Order:

Chairman Ransdell called the special meeting to order.

2. New Business

- a.) Application for Conditional Zoning from I-H to I-H-C, CZ #12-02 submitted by Mike Ratkowski for restaurant use specifically for parcel number 00052864 within the I-H district.

The Planning Board held a joint public hearing with the Board of Commissioners earlier in the evening. During the public hearing, application CZ #12-02 was held. The Board of Commissioners would consider making a decision on the application dependent on the recommendation of the Planning Board after the public hearing was conducted.

The Planning Board discussed the single complaint that came up during the public hearing. This issue concerned noise complaints from the residents living on Garrett Street behind the business. Mr. Lee stated that the complaint may have been blown out of proportion, while Ms. Ahmad wanted the Planning Board members not to take the complaint lightly. Supporters of the business stated during the public hearing that they could not hear the music, but Ms. Ahmad had pointed out that they did not live on Garrett Street which is directly behind the business. She stated that these were sensitive concerns and did not want to marginalize them.

The issue was discussed of whether anything dealing with aesthetics or to beautify the area was an option. It was stated that the right of way and easements that CSX railroad owned or held would make it problematic. Director Liles stated that any ideas or negotiations with CSX would entail having plants or shrubs that

were very low in height. CSX representatives have stated that line of sight was important to them due to safety factors. Any work that is done in their right of way is a temporary project that can be removed or destroyed by the railroad at any time.

The Planning Board was reassured that the responsibilities of correcting the drainage on the property would fall back onto Mike Ratkowski if CSX decided to back out of addressing the drainage in their easement.

Ms. Ahmad raised the concern about smell nuisance that could come from a brewery. She asked if there were regulations or ordinances that dealt with odor issues. Director Liles stated that the UDO did contain thresholds for the concentration of vapor and odor. They are reflected in Section 152-174.

Chairman Ransdell asked if there were any other questions or concerns. Parking was brought up and if there were enough spaces at the location to accommodate the business with the added service of a restaurant. Director Liles stated that our downtown was a pedestrian oriented district. She listed multiple parking locations within the downtown district, which included on-street parking and municipal lots. She stated that as new uses or businesses come in, the Town would be responsible for keeping a running inventory and it would be the responsibility of local government to create parking if needed in the future.

The Planning Board considered the Land Use Plan during deliberation of the conditional zoning request. They included the following questions “a” thru “g” of the Land Use Plan.

- (a) Does Aberdeen need more land in the zone class requested?
- (b) Is there another 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?

Mr. King asked if the request or use at the business would have an impact on the sewer. Public Works Assistant Director Watts stated that the business will utilize under the sink grease traps and there will be no adverse impact.

- (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?

Director Liles stated that the application would need a statement regarding Plan Consistency for CZ #12-02, Mike Ratkowski, Railhouse Brewery.

The Planning Board concluded the following:

- 1) The Planning Board concluded that the above described amendment 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.
- 2) The Board also concluded that the above described amendment is reasonable and in the public interest.
- 3) The Board did not make any additional findings.
- 4) The Town of Aberdeen Planning Board recommended approval of CZ#12-02.

Motion made by Ms. Peele to recommend the approval of CZ #12-02. Seconded by Mr. Lee.

Vote: Unanimous

- b.) Application RZ #12-02 to rezone property owned by Elease Goodwin, Pat Ann McMurray, and the GC Baldwin Heirs identified by the following parcel identification numbers: 00046358, 00046359, 00052865, and 00046427 from R10-10 to B-1.

The rezoning application was submitted by Pat Ann McMurray and Elease Goodwin; however, §152-321(c)1 of the Unified Development Ordinance provides for the Board to treat the application as a town sponsored amendment if it believes the proposal has significant merit and would benefit the general public interest.

The Planning Board decided to discuss and make a recommendation on the rezoning application after discussing the previous conditional zoning application from the special joint called public hearing.

The Planning Board reviewed the application under the Plan Consistency for RZ #12-02.

Motion was made by Mr. Lee that the above described amendment 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. Seconded by Mr. Gallagher.

Vote: Unanimous

Motion was made by Mr. Gallagher that the above described amendment does have an acceptable impact, is reasonable and in the public interest. Seconded by Ms. Peele.

Vote: Unanimous

Motion was made by Mr. King that the Planning Board recommend approval of RZ #12-02. Seconded by Mr. Dannelley.

Vote: Unanimous

### 3. Adjournment

Motion made by Mr. Gallagher to adjourn meeting, seconded by Mr. Lee.

Vote: Unanimous

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Johnny Ransdell, Chairman

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Jae Kim, Community Development Planner