

Minutes  
Special Meeting of the  
Aberdeen Planning Board

June 10, 2013  
Monday, 5:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Planning Board met on Monday, June 10<sup>th</sup>, 2013 at 5:00 p.m. for a Special Planning Board Meeting. Members present were Chairman Johnny Ransdell, Vice Chair Sarah Ahmad, Janet Peele, Owen Gallagher, and Raymond Lee. Alternates Tim Marcham and Peter Koch were also in attendance. Planning staff members in attendance were Kathy Liles, Senior Planner Pam Graham, and Permit Technician Amy Fulp. Others in attendance were George Fredericks, Jack Berggren, Vanesa McGraw, and Shane Sanders.

1. Call to Order

Chairman Ransdell called the meeting to order at 5:00 p.m.

2. Approval of Agenda

Owen Gallagher made a motion, seconded by Sarah Ahmad, to approve the agenda of the Special Meeting for June 10, 2013. Motion unanimously carried.

3. New Business

All parties who would like to give evidence or testimony were sworn in before doing so.

a. Special Use Permit SU #13-04 for Indoor Automotive Sales at 10570 Highway 211 East, requested by George Fredericks and Jack Berggren.

Pam Graham stated the applicants are requesting a Special Use Permit for the operation of a Motor Vehicle Sales business in the Commercial-Light Industrial (C-I) District. The location of the property is 10570 Highway 211, near the intersection at Industrial Way. The Table of Permissible Uses in our Unified Development Ordinance classifies the use under 9.110, Motor Vehicle Sales or Rental, which requires a Special Use Permit in this district.

Pam Graham stated the applicants will mostly be doing indoor automotive sales, but they may have some vehicles for sale in the parking lot.

Mr. Fredericks stated they basically do high end restorations. They are not a mass seller; they do not buy a bunch of cars and sell them out front. Since they do sell more than 4 cars per year, the state law says they have to have a motor vehicle dealer license.

Mr. Fredericks stated 90% of their business will be done inside the building. They will not be making any changes outside and it will not look like a car lot. Basically they will have some cars on the lot for sale but they will bring these cars in at night time. They will probably only sell between 15 and 20 cars all year.

Chairman Ransdell asked do they do any collision work. Mr. Fredericks stated no, they either buy the cars and restore them or just restore them for clients.

Sarah Ahmad asked about signage and what type they have. Mr. Fredericks stated they have signs for the company name, there is one on the building itself and one at the road.

Sarah Ahmad asked about signage and the UDO and would they have to change their signage. Pam Graham stated they would have to look at any permits they have on the existing signs and bring them up to date with the new use.

Motion 1, SU #13-04 is or is not complete as submitted. Motion made by Owen Gallagher, seconded by Janet Peele, SU #13-04 is complete as submitted. Motion unanimously carried.

Motion 2, SU #13-04 satisfies or does not satisfy Finding #1: will not endanger public health or safety. Motion made by Raymond Lee, seconded by Sarah Ahmad, SU #13-04 satisfies Finding #1 and will not endanger public health or safety. Motion unanimously carried.

Motion 3, SU #13-04 satisfies or does not satisfy Finding #2: will not injure the value of adjoining or abutting property. Motion made by Owen Gallagher, seconded by Sarah Ahmad, SU #13-04 satisfies Finding #2 and will not injure the value of adjoining or abutting property. Motion unanimously carried.

Motion 4, SU #13-04 satisfies or does not satisfy Finding #3: will be in harmony with the area in which it is located. Motion made by Raymond Lee, seconded by Peter Koch, SU #13-04 satisfies Finding #3 and will be in harmony with the area in which it is located. Motion unanimously carried.

Motion 5, SU #13-04 satisfies or does not satisfy Finding #4: will be in conformity with the Land-Use Plan, Thoroughfare Plan, or other plan officially adopted by the Town Board. Motion made by Sarah Ahmad, seconded by Peter Koch, SU #13-04 satisfies Finding #4 and will be in conformity with the Land-Use Plan, Thoroughfare Plan, or other plan officially adopted by the Town Board. Motion unanimously carried.

Chairman Ransdell read the recommended conditions.

1. Any signage related to this use must be approved by the department and meet all sign requirements of the UDO.
2. Any proposed fencing or outbuildings must be approved by the department and meet all requirements of the UDO.
3. The property contains adequate parking areas for employees for all businesses on site and for customers.
4. Building and Fire Inspections and Town of Aberdeen Business License to be required prior to beginning operation, all to be coordinated through Planning and Inspections Department.

Motion 6, based on the findings of fact and the evidence presented, the Planning Board:

- Recommends denial of SU #13-04 based on the following: \_\_\_\_\_.
- Recommends approval of SU #13-04.
- Recommends approval with conditions of SU #13-04.

Motion made by Raymond Lee, seconded by Owen Gallagher, based on the findings of fact and the evidence presented, the Planning Board recommends approval with conditions of SU #13-04. Motion unanimously carried.

- b. Special Use Permit SU #13-05 for Home Daycare at 1302 N. Poplar Street, requested by Vanesa McGraw.

Pam Graham stated our UDO requires that home daycares in our jurisdiction be located no closer than 500 feet from one another. We do not

have any record of existing home daycares within 500 feet of Ms. McGraw's property.

Pam Graham stated Ms. McGraw has submitted an application for a home daycare. Home daycares are licensed through the North Carolina Health and Human Services (DHHS). Ms. McGraw will have to get her zoning taken care of before the state will license her as a home daycare.

Pam Graham stated the state also requires no less than 25 square feet of indoor space be provided for each child. Ms. McGraw's home is approximately 1230 square feet and with eight children maximum the requirement would only be 200 square feet.

Pam Graham stated she is providing an aerial view of Ms. McGraw's property so the Planning Board can feel comfortable with the ingress and egress for drop-offs and pick-ups and it not creating a traffic issue on the road.

Sarah Ahmad asked Ms. McGraw about parking at her home. Ms. McGraw stated their driveway is a paved driveway and it goes to the back of the property some. There is also an additional area in the back of the house where they can park their personal vehicles, this would leave the entire driveway for parents to park and turn around.

Peter Koch asked Mr. McGraw if she had notified her neighbors that she is opening a home daycare. Ms. McGraw stated she had not. Pam Graham stated it is not a requirement but it may be good to make sure they would not have a problem with it.

Chairman Ransdell read the recommended conditions.

1. The home daycare is limited to five preschool age children including preschoolers living in the home and up to three school age children. The provider's own preschool children must be counted towards this total. The Special use Permit does not provide for licensing as a child care center.
2. No signage shall be placed on the exterior of the building.
3. Maximum hours of operation are 7:00 am to 6:00 pm, Monday through Friday.

4. A copy of the license as issued by the Division of Child Development, North Carolina Department of Health and Human Services (DHHS) shall be provided to Planning and Inspections before operation begins. All DHHS requirements shall be met and maintained for continued operation and licensing of the home daycare.
5. A minimum of 200 square feet, exclusive of closets, passageways, kitchens, and bathrooms shall be dedicated for the home occupation during operating hours.
6. Adequate fenced outdoor play area as determined by DHHS shall be provided.
7. Available parking shall include parking for all personal vehicles belonging to those living and working in the home and one space for drop offs.
8. Building and Fire Inspections and Town of Aberdeen Business License to be required prior to beginning operation, all to be coordinated through Planning and Inspections Department.

Sarah Ahmad questioned the recommended condition that states one space for car drop-offs. Pam Graham stated that it is not in the UDO, it is probably just a carry over. The Planning Board, could in the future, ask for more spaces for car drop-offs. Chairman Ransdell stated he would also like to see in the future no on street drop-offs or pick-ups permitted.

Pam Graham added a ninth recommendation per the Planning Board:

9. No on street drop-offs or pick-ups are permitted.

Motion 1, SU #13-05 is or is not complete as submitted. Motion made by Janet Peele, seconded by Owen Gallagher, SU #13-05 is complete as submitted. Motion unanimously carried.

Motion 2, SU #13-05 satisfies or does not satisfy Finding #1: will not endanger public health or safety. Motion made by Peter Koch, seconded by Owen Gallagher, SU #13-05 satisfies Finding #1 and will not endanger public health or safety. Motion unanimously carried.

Motion 3, SU #13-05 satisfies or does not satisfy Finding #2: will not injure the value of adjoining or abutting property. Motion made by Owen

Gallagher, seconded by Peter Koch, SU #13-05 satisfies Finding #2 and will not injure the value of adjoining or abutting property. Motion unanimously carried.

Motion 4, SU #13-05 satisfies or does not satisfy Finding #3: will be in harmony with the area in which it is located. Motion made by Raymond Lee, seconded by Janet Peele, SU #13-05 satisfies Finding #3 and will be in harmony with the area in which it is located. Motion unanimously carried.

Motion 5, SU #13-05 satisfies or does not satisfy Finding #4: will be in conformity with the Land-Use Plan, Thoroughfare Plan, or other plan officially adopted by the Town Board. Motion made by Raymond Lee, seconded by Owen Gallagher, SU #13-05 satisfies Finding #4 and will be in conformity with the Land-Use Plan, Thoroughfare Plan, or other plan officially adopted by the Town Board. Motion unanimously carried.

Motion 6, based on the findings of fact and the evidence presented, the Planning Board:

- Recommends denial of SU #13-05 based on the following: \_\_\_\_\_.
- Recommends approval of SU #13-05.
- Recommends approval with conditions of SU #13-05.

Motion made by Peter Koch, seconded by Owen Gallagher, based on the findings of fact and the evidence presented, the Planning Board recommends approval with conditions of SU #13-05.

Sarah Ahmad asked about existing fencing and if it meets the UDO. Pam Graham stated if the fence does not meet DHHS's requirements, then the applicant will have to apply for a fence permit through the Town to make any changes to the existing fence.

Chairman Ransdell stated recommendation number 6 is to be amended to say:

6. Adequate fenced outdoor play area as determined by DHHS shall be provided and must meet the requirements of the Aberdeen UDO.

Amended motion accepted by Peter Koch. Amended motion unanimously carried.

4. Recess

A motion was made by Raymond Lee, seconded by Sarah Ahmad, to a recess to join a Joint Public Hearing with Board of Commissioners regarding: Conditional Use Permit CU #13-01 for 152 lot subdivision on property owned by J. Speight Investment, LLC. Motion unanimously carried.

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Amy Fulp, Permit Technician  
Minutes were completed in  
Draft form on June 28, 2013

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Johnny Ransdell, Chairperson  
Minutes were approved  
on September 19, 2013