

MINUTES
Regular Meeting of the
Aberdeen Planning Board

May 15, 2014
Thursday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Planning Board met Thursday, May 15, 2014 at 6:00 p.m. for the Regular Board Meeting. Members present were Chairman Johnny Ransdell, Raymond Lee, Kelvin Watson, Sarah Ahmad, Tim Marcham, and Ken Byrd. Alternate Ron Utley was also called to serve in one of the vacant seats. Members not present were Janet Peele and alternate Peter Koch. Others in attendance were Planning Director Pam Graham, Planner Jae Kim, Permit Technician Amy Fulp, Sammy McPeake, Bonnie McPeake, Derrick Goddard, Bill Thomas, and Bob Ham.

1. Call to Order:

Chairman Ransdell called the meeting to order at 6:40 pm.

2. Approval of Agenda

A motion was made by Sarah Ahmad, seconded by Ken Byrd, to approve the agenda of the Regular Meeting for May 15, 2014. Motion unanimously carried.

3. Approval of Minutes

A motion was made by Ken Byrd, seconded by Sarah Ahmad, to approve the minutes of the Regular Meeting of March 20, 2014. Motion unanimously carried.

4. New Business

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

a. Conditional Zoning CZ #14-01 Submitted by Crossway Church of Worship, Inc.

Planning Director Graham stated basically what we are asking for tonight on this item is a recommendation to the Board of Commissioners on the conditional zoning request for this project.

Chairman Ransdell asked for a clarification on condition #2 concerning the conditional use permit. Planning Director Graham stated in this case if the project was not proposing multi-family then we would not be looking at a conditional zoning; the project would be zoned for residential and a church use would require a conditional use permit in that district. But what we are

saying here is that the condition that allows the church use is going to be incorporated into this conditional zoning so they will not have to come back before either board for a conditional use permit.

Ron Utley asked on condition #8 what is the amount of acreage for the cemetery. Planning Director Graham stated it is probably not set in stone right now. Chairman Ransdell asked isn't that something that would probably be covered by the health department and other state rules. Planning Director Graham stated as far as the size of the cemetery use she doesn't know if the health department will look at that. The Planning Board does have very broad discretion in the approval of this to impose any conditions that they see would be appropriate for the project.

Ken Byrd asked to amend condition #8 to read "The corners shall be established for the cemetery and placed on record with Moore County Register of Deeds and meet all requirements as specified in condition #6".

Planning Director Graham read over the recommended conditions. She asked to amend #7 condition to read "A copy of all septic tank approvals must be submitted to the Planning Department prior to recordation of the sub-division plat".

Raymond Lee asked if they need to state on condition #2 why a conditional use permit for the uses on the property is not required. Planning Director Graham stated they can amend it to read "A conditional use permit for the uses on the property is not required as the proposed uses are approved by this 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. Raymond Lee stated it will work for him.

Ron Utley asked if the daycare facility will cater to the public or to members only. Planning Director Graham stated it is her understanding that it will be for both. Ron Utley asked would it change the traffic pattern and Planning Director Graham stated it may but she doesn't expect it to increase over what they expect the church use to be with the proposed 700 seats in the church.

Chairman Ransdell stated there will be a requirement that they have a NCDOT driveway permit. Driveway permits are evaluated based on projected traffic for the primary use. In this case you are looking at 700 trips based on information given on the primary use which would be the church.

Planning Director Graham stated the Town does require a traffic impact analysis for projects that are estimated to have greater than 600 trips per day but they are only anticipating 350 trips per day. The Planning Board can amend one of the conditions to say “If it is determined that proposed uses will exceed the 600 trips per day threshold designated by the UDO then a traffic impact analysis would be triggered”.

Ron Utley stated it would be fine to add to condition #4 to read “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 traffic count projections be determined to exceed 600 trips per day threshold designated by the UDO the Town may also require a Traffic Impact analysis.”

Motion 1 made by Ken Byrd, seconded by Tim Marcham, that Conditional Zoning CZ #14-01 is consistent with all adopted plans of the Town of Aberdeen. Motion unanimously carried.

Motion 2 made by Tim Marcham, seconded by Ken Byrd, that 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.

Based on information presented by the applicant, staff, and other interested parties, Conditional Zoning CZ #14-01 does have an acceptable level of impact on both the immediate area and the community as a whole. Motion unanimously carried.

Motion 3 made by Ken Byrd, seconded by Raymond Lee, that the Planning Board does recommend approval of Conditional Zoning CZ #14-01 to the Town of Aberdeen Board of Commissioners subject to the following conditions as amended:

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 as the proposed uses are approved by this 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 must be granted a Special Non-Residential Intensity Allocation by the Watershed Review Board before final approval of the site plan may be given or prior to recordation of the subdivision plat.
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 in the Town's Unified Development Ordinance then the Town may 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 sub-division plat.
8. The corners shall be established for the cemetery and placed on record with the Moore County Register of Deeds and meet all the 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.

Motion unanimously carried.

- b. Conditional Use Permit CU #14-03 Submitted by Sammy McPeake for a Hotel Use in the General Commercial (GC) District.

Planning Director Graham stated Bonnie McPeake and Sammy McPeake are here with us tonight. Conditional Use Permit CU #14-03 is for a proposal for Town Place Suites by Marriott. It is an extended stay facility for those who are going to stay for more than a couple of nights.

Planning Director Graham stated the location of the project will be at the intersection of South Hill Road and Columbus Drive. The 3.820 acre portion on the southeast corner of the intersection of the two streets is proposed for this project. The proposed use included a 51,755 square foot hotel accommodating ninety (90) guest rooms with related parking. The current zoning is General Commercial (GC), which requires a Conditional Use Permit for hotel uses.

Planning Director Graham stated the applicants are proposing to place the hotel structure in the southeastern corner of the parcel. They have the required parking along with two access points; one access point off of Columbus Drive and one off of South Hill Road.

Planning Director Graham stated this is a conditional use permit for the use of the hotel. We have a 51,755 square foot building; they are proposing four stories for the building and ninety rooms. Two occupied residential structures located to the south of the property are approximately 120' and 155' from the proposed building.

Planning Director Graham stated the 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.

Planning Director Graham stated 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 relax the building height standard only in the GC district and only for hotel uses.

Planning Director Graham stated parking for this use requires 135 parking spaces but only 103 spaces are indicated on the current plans. 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.

Planning Director Graham stated 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. 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 exacerbation the impacts of stormwater and erosion to nearby properties at lower elevations.

Planning Director Graham stated we do have a sidewalk requirement. We will be working with the applicant and recommending that a condition be added that there shall be a five foot concrete sidewalk along all road frontages of the project parcel.

Planning Director Graham stated water and sewer are both available to the site. As far as landscaping, the project will be required to comply with existing regulations for screening and landscaping.

Ron Utley asked if the Board is being asked to change the maximum building height without asking the opinion of the residents. Planning Director Graham stated for the conditional use approval, the use can be approved and it doesn't have any impact on the building height.

Derrick Goddard stated as they developed the site plan one of the things they were very careful to do was to try to abate any negative impacts on the neighbors to the south. With that the ordinances require a type A buffering, a landscape buffering to the south of the property, this will help with noise, light, and vision abatement in general between the two uses.

Derrick Goddard stated the McPeake's want to develop a nice project, an approximate 8 million dollar investment. There will be approximately 25 jobs coming into the community.

Bill Thomas stated he has lived in his house on Johnson Street for 50 years. He has a problem with putting another 4 story hotel looking into his back yard. He has children and grandchildren who use the pool in his back yard. He knows he can't stop change but he will be affected most if this hotel goes in.

Derrick Goddard stated he respects the neighbors. This property is zoned general commercial and eventually commercial will be developed on this property.

Ron Utley asked does the hotel have to be 4 stories. Bob Ham, the architect, stated the Marriott and the Hilton have the highest level standards. They are planning a 4 story building and he feels like that is the proper setting as a transition to the highway commercial. He feels like this would be an asset to the community and they intend to meet the community standards.

Ron Utley stated his concerns are for the impacts on the neighbors and what type buffers will be used. Bob Ham stated there are several types of landscape buffers. There are different ways of supplementing and making it work for both parties. Ron Utley asked could they go three levels instead of 4 and Bob Ham stated you can't get the number of guest rooms to meet the

operational level that you have to have with 3 stories. Bonnie McPeake stated this is a Marriott prototype and cannot be changed.

Bonnie McPeake stated she owns the land now. To be able to build a Marriott is a dream come true. We don't want to harm anyone but this land is commercial.

Sarah Ahmad asked about parking requirements for hotels. Bob Ham stated as a rule of thumb 1 parking space per hotel room. If you have 90 guest rooms you would typically have 90 parking spaces. Bonnie McPeake stated there are only 16 rooms with 2 bedrooms and the others are a one bedroom. Planning Director Graham stated our requirement is for 1 ½ parking spaces per sleeping room. She thinks 103 spaces would be adequate for this use.

Raymond Lee asked about parking and is 103 the total number of parking spaces. Planning Director Graham stated yes and that number would include employees parking. Bonnie McPeake stated they would not want to cut their parking short and have customer complaints. They will make sure everyone has a parking space. Marriott approved these plans and they think there are enough parking spaces.

Ken Byrd asked if the site plan can be shifted and move the parking down to the bottom to give more distance between the hotel and Mr. Thomas's back yard. Bob Ham stated that can be done. Planning Director Graham stated the hotel is approx. 150' from Mr. Thomas's house. Chairperson Ransdell stated we are not approving the site plan tonight. The task tonight is to look at whether or not we can recommend approval of the conditional zoning.

Planning Director Graham asked are we going to form shifting the plans as a condition. Ken Byrd stated his recommendation is that the property be re-sited to push the hotel as far north as possible, flip the parking down to the south, and not lose any parking spaces. Planning Director Graham stated it would be condition #15 and would read, "The siting of the proposed structures shall be as far North on the property as is feasible and still be in compliance with building setbacks standards for the district".

Planning Director Graham read over the 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 application 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 spaces.
11. The Fire Department must sign off on the drawings as well as available capacity of treating fires. Hydrants are required consistent with their 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.
14. 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.
15. The siting of the proposed structures shall be as far North on the property as is feasible and still be in compliance with building setbacks standards for the district.

Raymond Lee asked would it be better to switch conditions 14 and 15 so that the height issue is the last condition. Planning Director Graham stated they could put 15 ahead of 14 and switch the numbers.

Derrick Goddard asked about sidewalks and there not being an existing sidewalk on Johnson Street. If they put sidewalks along the entire property there then it would really be a sidewalk to nowhere. He asked can they please take out the sidewalk requirement. Planning Director Graham stated there is a small segment of Johnson that does have a sidewalk but sidewalks come out of the UDO and are a sensitive topic. Johnson Street is supported by the UDO and the Pedestrian Plan which calls for sidewalks to go all the way down Johnson from Poplar Street to the middle school. Chairman Ransdell suggested that they make their request to the Town Council because they are the ones that are going to make a final decision.

Sarah Ahmad asked are we requiring a bike rack. Planning Director Graham stated we are not but we can add it as a #16 condition. She suggested adding a #16 condition to say "the project shall comply with all the recommendations of the Comprehensive Pedestrian and Bicycle Plans and including installation of bike racks as determined by Staff". Sarah Ahmad agreed with adding the #16 condition.

Motion 1 made by Raymond Lee, seconded by Ron Utley, that CU #14-03 is complete as amended. Motion unanimously carried.

Motion 2 made by Ken Byrd, seconded by Tim Marcham, that CU #14-03 satisfies Finding #1: will not endanger public health or safety. Motion unanimously carried.

Motion 3 made by Ron Utley, seconded by Ken Byrd, that CU #14-03 satisfies Finding #2: will not injure the value of adjoining or abutting property. Motion unanimously carried.

Motion 4 made by Tim Marcham, seconded by Ken Byrd, that CU #14-03 satisfies Finding #3: will be in harmony with the area in which it is located. Motion carries by a vote of 5 to 1, Ron Utley opposed.

Motion 5 made by Ken Byrd, seconded by Ron Utley, that CU #14-03 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. Ken Byrd stated it does not satisfy the Town Plan per the information that was provided by the Staff. Motion unanimously carried.

Motion 6 made by Raymond Lee, seconded by Ron Utley, based on the findings of fact and the evidence presented, the Planning Board Recommends approval of CU #14-03 with conditions as previously read and amended. Motion unanimously carried.

- c. UDO Text Amendment UDO #14-04 Regarding Maximum Building Height in the General Commercial (GC) Zoning District.

Planning Director Graham stated the current standard is 35' maximum building height for all districts except the C-I and I-H Districts, where buildings up to 50' in height are permitted. 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 feet in height.

Chairman Ransdell asked would this text change be in general or would it be specific for this one project. Planning Director Graham stated it would apply to any other property that is located in the General Commercial District.

Motion 1 made by Ken Byrd, seconded by Sarah Ahmad, UDO #14-04 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. Motion unanimously carried.

Motion 2 made by Tim Marcham, seconded by Sarah Ahmad, that the Planning Board does recommend the following amendments to the Town of Aberdeen Board of Commissioners to:

-Amend "Table of Density and Dimensional Regulations" §152-181 as indicated in the draft text amendment.

Motion carried by a vote of 5 to 1, Ron Utley opposed.

6. Old Business

a. General Updates

Planning Director Graham stated we have made a conditional offer for a Community Development Planner and hope to have him soon. Spring Spree is this Saturday and we will be having approximately 40 vendors and hope to see everyone there.

7. Adjourn

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

Amy Fulp, Permit Technician
Minutes were completed in
Draft form on August 8, 2014

Johnny Ransdell, Chairperson
Minutes were approved on
August 21, 2014