

**MINUTES**  
**Regular Meeting of the**  
**Aberdeen Planning Board**

December 18, 2014  
Thursday, 6:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Planning Board met Thursday, December 18, 2014 at 6:00 p.m. for the Regular Board Meeting. Members present were Chairman Johnny Ransdell, Kelvin Watson, Tim Marcham, Richard Gergle, Raymond Lee, Ken Byrd, and alternate Peter Koch. Members not present were Janet Peele and alternate Ron Utley. Others in attendance were Planning Director Pam Graham, Permit Technician Amy Fulp, Planner Jae Kim, and Marbella Ilagor Zarco.

1. Call to Order

Chairman Ransdell called the meeting to order at 6:02 p.m.

2. Informational Moment

Planning Director Graham talked about adopting consistency statements during Planning Board meetings.

3. Approval of Agenda

A motion was made by Richard Gergle, seconded by Peter Koch, to approve the agenda of the Regular Meeting for December 18, 2014. Motion unanimously carried.

4. Approval of Minutes

A motion was made by Tim Marcham, seconded by Ken Byrd, to approve the minutes of the Regular Meeting of October 16, 2014. Motion unanimously carried.

5. New Business

- a. Conditional Use Permit CU #14-07 for Nightclub in the HC (Highway Commercial) District.

Planning Director Graham gave a presentation on Conditional Use Permit CU #14-07 for a Nightclub in the HC (Highway Commercial) District.

Ken Byrd had concerns about the traffic pattern within the shopping center and where the stop signs are. Planning Director Graham suggested

getting in touch with the shopping center owners to see if anything can be done; the Planning Department will make a phone call to the shopping center owners concerning this.

Ken Byrd asked for a clarification concerning the hours of operation for the nightclub. Marbella Ilagor Zarco stated they will be open on Friday and Saturday nights. Also, if Monday were to be a holiday then they may be open on Sunday night. The hours of operation will be from 9:00 p.m. until 2:00 a.m. to the public.

Kelvin Watson asked about security and will they use off duty police officers. Ms. Zarco stated they want to hire off duty police officers if possible. Chairman Ransdell asked would the security be armed and Mrs. Zarco stated probably only the outside security will be armed.

Kelvin Watson asked what is the target age group. Mrs. Zarco stated they are looking at letting 18 years and older in but they will be checking all identifications and there will be bracelets for those under 21.

Raymond Lee asked if they need to change condition #2 to specifically say the days and the hours. Planning Director Graham stated they can recommend that as a condition. If Ms. Zarco decides that she needs to change or add to her hours then she can come back and amend the Conditional Use Permit at that point. There should be a consideration of whether including the limitation of hours in the permit restricts the ability of the business to be successful.

Kelvin Watson asked about the lighting in the alley between the proposed nightclub and the Subway and also the lighting in the rear of the building. Planning Director Graham stated it looks like there are two lights in the alley.

Ken Byrd suggested adding a condition to inform other businesses in the area as to the nightclubs intentions. Planning Director Graham stated as part of the Conditional Use Permit all adjoining parcels (property owners) are notified as part of the process.

Chairman Ransdell asked to have as a condition for the police department to do a review of the security.

Planning Director Graham read over the recommended conditions.

Ken Byrd suggested if there will be a bicycle rack he would like to see it in a first parking spot. Planning Director Graham stated that change can be

made in the recommendation. Richard Gergle suggested that there not be a bicycle rack at this location. Chairman Ransdell asked to leave it in the conditions as a recommendation but not a requirement.

Chairman Ransdell asked to have a condition #8 added to have the police review the security.

Ken Byrd would like to add a condition #9 to define the days and hours currently being proposed to Friday and Saturday from 9:00 p.m. until 2:00 a.m. and on Sunday's only if Monday is a recognized holiday,

Raymond Lee asked on condition #5 to change the wording from required to recommended.

Motion 1 made by Peter Koch, seconded by Ken Byrd, CU #14-07 is within the jurisdiction of the Planning Board according to the Table of Permissible Uses. Motion unanimously carried.

Motion 2 made by Ken Byrd, seconded by Raymond Lee, CU #14-07 is complete as submitted. Motion unanimously carried.

Motion 3 made by Ken Byrd, seconded by Tim Marcham, CU #14-07 if completed as proposed, will comply with all requirements of the UDO. Motion unanimously carried.

Motion 4 made by Ken Byrd, seconded by Richard Gergle, CU #14-07 satisfies with the caveat of the review by the Police Chief Finding #1: will not endanger public health or safety. Motion unanimously carried.

Motion 5 made by Raymond Lee, seconded by Tim Marcham, CU #14-07 satisfies Finding #2: will not substantially injure the value of adjoining or abutting property. Motion unanimously carried.

Motion 6 made by Raymond Lee, seconded by Peter Koch, CU #14-07 satisfies Finding #3: will be in harmony with the area in which it is located. Motion unanimously carried.

Motion 7 made by Tim Marcham, seconded by Ken Byrd, CU #14-07 satisfies Finding #4: will be in general conformity with Land Use Plan or other plans specifically adopted by the Board. Motion unanimously carried.

Motion 8 made by Ken Byrd, seconded by Kelvin Watson, based on the Findings of Fact and the evidence presented, the Planning Board:

- Recommends approval with conditions as amended of CU #14-07 as follows:

1. Conditional Use Permits (CUPs) run with the land and as such CU #14-07 applies to the entirety of the property reflected in Parcel ID #00051524. 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. Building and Fire Inspections and Town of Aberdeen Business License are to be required prior to beginning operation, all to be coordinated through Planning and Inspections Departments.
3. Proposed building renovations are to be approved by Town of Aberdeen Building Inspectors and shall meet all applicable codes.
4. Any and all required permits and/or approvals from other regulatory agencies must be in place prior to issuance of a Notice to Proceed by the Planning Department.
5. In the absence of objections from the property owner, and provided that adequate walkway exists to safely accommodate pedestrians, a designated area for bicycle parking and bicycle racks to accommodate a minimum of two bicycles is recommended for the property prior to operation of the use.
6. Approval of the CUP shall not imply approval of signage. Sign permit applications consistent with the requirements of the UDO shall be reviewed and approved by the department prior to installation.
7. The operation will be required to comply with Town of Aberdeen noise regulations.
8. A written review of the security plan, to include the use of off duty officers and others and adequate lighting around the facility specifically the alley adjacent to the building and behind the facility, shall be provided to Staff prior to a notice to proceed. Approval of the CUP is contingent on a positive assessment of the security plan by Aberdeen Police.
9. Hours of operation shall be limited to Friday and Saturday from 9:00 p.m. until 2:00 a.m. and the same hours on Sunday if the following Monday is a recognized holiday.

Motion unanimously carried.

6. Old Business

a. General Updates

Planning Director Graham talked about a training session with the Planning Board members and the Town Attorney at the next meeting.

Planning Director Graham discussed a possible date change for the Planning Board meetings. Planning Board members decided to leave it as the 3rd Thursday of each month.

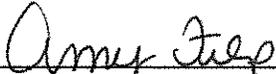
Planning Director Graham gave an update on the new Marriott Extended Stay.

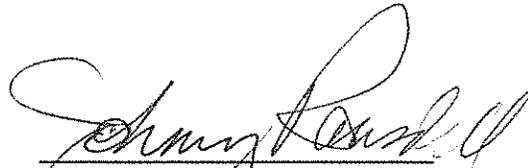
Planning Director Graham gave an update on the proposed subdivision for Bill Clark Homes.

Planning Director Graham gave an update on a proposed shooting range and it will hopefully come before the Planning Board in January.

7. Adjourn

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

  
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Amy Fulp, Permit Technician  
Minutes were completed in  
Draft form on January 9, 2015

  
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Johnny Ransell, Chairperson  
Minutes were approved on  
January 15, 2015

