

MINUTES
Special Called Meeting of the
Aberdeen Planning Board

April 23, 2015
Thursday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Planning Board met Thursday, April 23, 2015 at 6:00 p.m. for a Special Called Meeting. Members present were Chairman Johnny Ransdell, Raymond Lee, alternate Ron Utley, and alternate Peter Koch. Members not present were Ken Byrd, Tim Marcham, Janet Peele, Richard Gergle, and Kelvin Watson. Others in attendance were Planning Director Pam Graham, Permit Technician Amy Fulp, Planner Jae Kim, Ken Howell, and James Cullen.

1. Call to Order

Chairman Ransdell called the meeting to order at 6:10 p.m.

2. Approval of Agenda

A motion was made by Peter Koch, seconded by Raymond Lee, to approve the agenda of the Special Called Meeting for April 23, 2015. Motion unanimously carried.

3. Approval of Minutes

A motion was made by Raymond Lee, seconded by Peter Koch, to approve the minutes of the Regular Meeting of February 19, 2015. Motion unanimously carried.

4. New Business

- a. Conditional Zoning CZ #15-01 requested by Ken Howell to conditionally rezone property located on Highway 211 from R20-16 to GC-C.

Planning Director Graham gave a presentation on Conditional Zoning CZ #15-01 requested by Ken Howell to conditionally rezone property located on Highway 211 from R20-16 to GC-C.

Ron Utley asked if this property is rezoned will the buffer no longer exist. Planning Director Graham stated that is what we are here to talk about tonight, what should happen in the rear portion with rezoning.

Ron Utley asked Planning Director Graham if she has been to the site and has the buffer already been jeopardized with movement on the site. Planning Director Graham stated it was being done when she went out to visit the site but they stopped right then; the buffer has been compromised.

Ron Utley asked how close are they to the property line now that they have taken out some of the buffer and Planning Director Graham said well within the 200' buffer.

Ron Utley asked if there is a property owner that goes out and changes a property that has a buffer and is zoned a certain way what can be imposed before it even comes to the Planning Board. Planning Director Graham stated it is a separate process. There has been a zoning violation and it will be taken care of by Staff. Nothing has been imposed yet except to stop the work while we go through this process to see what will be required under the new conditions. The Planning Board may make a recommendation tonight and then it will go before the Town Board in May.

Chairman Ransdell reminded the Planning Board that they are not an enforcement board.

Planning Director Graham read through the recommended conditions.

Ron Utley recused himself from the meeting because he has a conflict of interest; he has property that is adjacent to the back of the said property. Chairman Ransdell stated since there is a conflict of interest they cannot precede further with this due to lack of a quorum. Planning Director Graham stated they need to continue this item and ask the Planning Board for a Special Called Meeting so it will not be delayed for another month.

Planning Director Graham stated she does not believe we have the same conflict on the next item so we need to continue this item and move on to item "b".

- b. Special Use Permit SU #15-02 for Restaurant with take-out and delivery Service by GBR Pizza, Inc. DBA Domino's Pizza.

Planner Jae Kim gave a presentation on Special Use Permit SU #15-02 for Restaurant with take-out and delivery service by GBR Pizza, Inc. DBA Domino's Pizza.

Planner Jae Kim read over the recommended conditions.

Chairman Ransdell asked with this particular condition for restaurants if they have takeout and delivery service is that combined. Planner Jae Kim stated it is for either one, for substantial takeout usage or delivery. Chairman Ransdell stated he is puzzled as to why that is a condition that is in the UDO anyway. He asked is this something that should be brought up as an amendment to the zoning ordinance. Planning Director Graham stated this is something she can bring before the Town Board at a work session.

James Cullen, representing Domino's Pizza, spoke to the Planning Board and gave a brief description of the business.

Motion 1 made by Ron Utley, seconded by Peter Koch, SU #15-02 is within the jurisdiction of the Planning Board according to the Table of Permissible Uses. Motion unanimously carried.

Motion 2 made by Peter Koch, seconded by Raymond Lee, SU #15-02 is complete as submitted. Motion unanimously carried.

Motion 3 made by Ron Utley, seconded by Peter Koch, SU #15-02, if completed as proposed, will comply with all requirements of the UDO. Motion unanimously carried.

Motion 4 made by Raymond Lee, seconded by Ron Utley, SU #15-02 satisfies Finding #1: will not endanger public health or safety. Motion unanimously carried.

Motion 5 made by Ron Utley, seconded by Peter Koch, SU #15-02 satisfies Finding #2: will not substantially injure the value of adjoining or abutting property. Motion unanimously carried.

Motion 6 made by Peter Koch, seconded by Raymond Lee, SU #15-02 satisfies Finding #3: will be in harmony with the area in which it is located. Motion unanimously carried.

Motion 7 made by Ron Utley, seconded by Peter Koch, SU #15-02 satisfies Finding #4: will be in general conformity with Land Use or other plans specifically adopted by the Board. Motion unanimously carried.

Motion 8 made by Raymond Lee, seconded by Peter Koch, based on the Findings of Fact and the evidence presented, the Planning Board:

- Issues approval with conditions of SU #15-02 as follows.

1. Special Use Permits run with the property and as such SU #15-02 applies to the entirety of Unit 1 of the parcel identified by PID: #00055451. An amendment is needed to remove or add property to the SUP or to make changes to the SUP. If an activity is a use by right, it is not subject to the SUP.
2. Approval of the Special Use Permit is contingent upon an approved site plan from the Planning Department staff.
3. Any proposed signage must be approved by the department and meet all sign requirements of the UDO.
4. All County Health Departments licenses must be approved and obtained before operation of restaurant.
5. Building and Fire Inspections and Town of Aberdeen Business License are to be required prior to operation, all to be coordinated through Planning and Inspections Department.
6. All additional conditions or requirements as provided in the Town of Aberdeen UDO are enforceable with regards to SU #15-02.

Motion unanimously carried.

5. Old Business

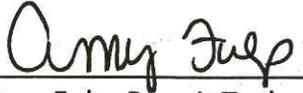
a. General Updates

Planning Director Graham stated we had a ground breaking for the new Marriott. The site has changed a great deal; we expect them to move quickly on this.

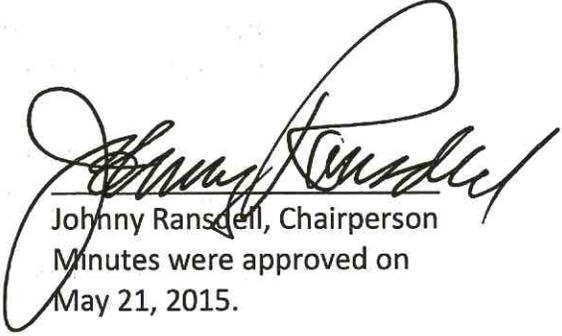
Planning Director Graham stated the text amendments on the blade signs and the window signs were approved by the Town Board at their work session.

7. Adjourn

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



Amy Fulp, Permit Technician
Minutes were completed in
Draft form on May 11, 2015.



Johnny Ransdell, Chairperson
Minutes were approved on
May 21, 2015.