MINUTES
Special Called Meeting of the
Aberdeen Planning Board

April 29, 2015
Wednesday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Planning Board met Wednesday, April 29, 2015 at 6:00 p.m. for the Special Called Meeting. Members present were Chairman Johnny Ransdell, Raymond Lee, Ken Byrd, Tim Marcham, Janet Peele, and Richard Gergle. Members not present were Kelvin Watson and alternate Peter Koch. Others in attendance were Planning Director Pam Graham, Permit Technician Amy Fulp, Planner Jae Kim, Ken Howell, Elena Jones, Ron Utley, and Murray Williamson.

1. Call to Order

Chairman Ransdell called the meeting to order at 6:05 p.m.

2. 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.

Raymond Lee asked for a clarification concerning is there currently a buffer on the property because it is residential; if this rezoning is approved then we will be able to impose a buffer. Planning Director Graham stated that is correct, residential against residential does not require any type of screening but with this conditional zoning there is a request for a 30' screening.

Planning Director Graham read over the recommended conditions.

Richard Gergle asked if there are any drainage issues that exist. Planning Director Graham stated it is possible but she is not aware of issues right now; but with this conditional zoning a condition can be imposed to help protect the drainage.

Ken Howell addressed the Planning Board and stated John Deere came to him when their lease was coming up and they wanted to renew their lease and requested him to do some things. Mr. Howell stated he misunderstood

the zoning issues and that is why he is here tonight for their growth to keep them there. He also stated the two acres that are zoned residential are unusable because there is no access to it.

Raymond Lee asked Mr. Howell how much more of the 200 feet of property does he feel like he needs for John Deere to remain. Mr. Howell stated they only need about 100 feet at this point for outdoor storage but he doesn't know what will happen in the future.

Chairman Ransdell asked what John Deere will be using this property for and Mr. Howell said outdoor storage only, no buildings.

Richard Gergle asked Mr. Howell what kind of buffer is he thinking of and Mr. Howell said he originally picked the 30' to keep the vegetation that is there and he thought that would be adequate.

Elena Jones spoke to the Planning Board with her concerns about being able to see the business, along with their equipment, the noise, and not enough trees between her home and the business.

Murray Williamson spoke to the Planning Board with his concerns of how the business expansion will affect the adjoining properties.

Ken Byrd stated he would like to see the buffer expanded not only across the back but on the sides 30' as well.

Chairman Ransdell stated right now there basically is no screen and the property owner would be within his rights, with the exception of 12 inch caliber trees, to clear the property. He believes that rezoning it with the condition of a screen is a better solution for everybody. His recommendation is that it be rezoned with a minimum 30' "Type A" screen.

Janet Peele had concerns of clearing the land and drainage. Can they build an adequate screen or buffer that would abate water flowing onto the lots to the west? Planning Director said they could add drainage to the recommended conditions. Chairman Ransdell stated he would support adding appropriate erosion control requirements to this.

Motion 1 made by Raymond Lee, seconded by Ken Byrd, Conditional Zoning CZ #15-01 is not consistent with all adopted plans of the Town of Aberdeen. Motion unanimously carried.

Motion 2 made by Ken Byrd, seconded by Raymond Lee, based on information presented by the applicant, staff, and other interested parties,

Conditional Zoning CZ #15-01 does have an acceptable level of impact on both the immediate area and the community as whole.

Janet Peele stated she feels that it does not have an acceptable level of impact.

Motion does not carry. Three were opposed Janet Peele, Richard Gergle, and Tim Marcham and three approved Chairman Ransdell, Raymond Lee, and Ken Byrd.

Ken Byrd asked to amend recommend condition #2 to read: A site study to be conducted to determine the most feasible use of either a berm with a fence of no more than 6' or an 8' solid fence, or some combination, to afford the best noise and light restrictions for the residents to the north and to the west. He also wanted to add to protect as much existing natural vegetation as possible. Also he would like to change 15' to 30' from the property lines.

Ken Byrd suggested amending condition #4 to include a stormwater management plan. Planning Director Graham suggested adding to condition #4 to read: The plan shall include calculations showing that the post development runoff is no greater than the pre-development conditions.

Motion 3 made by Ken Byrd, seconded by Janet Peele, the Planning Board does recommend approval of Conditional Zoning CZ #15-01 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 (UDO) prior to the Public Hearing by the Board of Commissioners.
2. A "Type A" buffer as described in Article XIX – Screening, Landscaping, and Trees of the UDO shall be provided along the full length of the rear property boundary to a depth of no less than thirty feet from the property line. This condition may be satisfied by the use of preexisting vegetation, newly planted vegetation, or a combination of both. A solid plank fence may also be incorporated to partially satisfy the requirement but shall not constitute a full satisfaction of the requirement. Existing vegetation shall be maintained along side property boundaries and along the highway right-of-way to a depth of no less than 30 feet from the property lines as required by Article XIX of the UDO. A site study shall be conducted to determine the most feasible use of

either a berm with a fence of no more than 6 feet or an 8 foot solid fence, or some combination thereof, to afford the best noise and light restrictions to neighboring properties to the north and the property to the west that adjoins the property proposed for rezoning and to protect as much existing vegetation as possible.

3. As required by Article XIX of the UDO, the removal of existing trees with a diameter at breast height of 12" or greater is prohibited without the expressed approval of the planning director.
4. Conditional and Special Use Permits for the uses on the property are not required. The conditional zoning is contingent on approval of a final site plan, to include a stormwater management plan, by staff to insure compliance with UDO. The plan shall include calculations showing that the post development runoff is no greater than the pre-development conditions.

Motion unanimously carried.

Planning Director Graham asked the Planning Board members to look back at motion #2 and give a statement as to why they recommend approval when previously some did not feel that there was an acceptable level of impact. Janet Peele stated she felt like until they had the amended recommended conditions in place she could not support it.

Chairman Ransdell asked if there is a motion that they reconsider motion 2 after having heard the conditions. Raymond Lee made a motion, seconded by Tim Marcham, to revisit motion 2. Motion unanimously carried.

Motion 2 made by Raymond Lee, seconded by Ken Byrd, that based on the information presented by the applicant, staff, and other interested parties the conditions in CZ #15-01 does have an acceptable level of impact on both the immediate area and the community as a whole. Motion carried unanimously.

3. Adjourn

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

Amy Fulp

Amy Fulp, Permit Technician
Minutes were completed in
Draft form on May 29, 2015.

Johnny Ransdell

Johnny Ransdell, Chairperson
Minutes were approved on
August 20, 2015.