

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

May 19, 2016  
Thursday, 6:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Planning Board met Thursday, May 19, 2016 at 6:00 p.m. for the Regular Board Meeting. Members present were Chairman Johnny Ransdell, Tim Marcham, Janet Peele, Raymond Lee, Bill Prevatte, Richard Gergle and Bryan Bowles. Member not present was Alternate Ron Utley. Others in attendance were Planning Director Pam Graham, Planner Kathy Blake, Community Downtown/Development Planner Daniel Martin, and Greg Allen.

1. Call to Order

Chairman Ransdell called the meeting to order at 6:00 p.m.

2. Informational Moment

Pam Graham mentioned the upcoming Spring Spree downtown festival on Saturday May 21<sup>st</sup> from 10:30 – 5:00. Raymond Lee also mentioned that the Train Museum would open and encouraged folks to stop by and check it out.

3. Approval of Agenda

A motion was made by Raymond Lee, seconded by Janet Peele, to approve the agenda of the Regular Meeting for May 19, 2016. Motion unanimously carried.

4. Approval of Minutes

A motion was made by Raymond Lee, seconded by Bryan Bowles, to approve the minutes of the Special Called Meeting of April 21, 2016. Motion unanimously carried.

5. New Business

- a. Conditional Zoning Request CZ #16-04 Submitted by CKC Land Development to Rezone Property located at 801 E. Main Street from R20-16 to R6-10-CD.

Planning Director Graham gave a presentation on Conditional Zoning Request CZ #16-04 submitted by CKC Land Development to rezone property located at 801 E. Main Street from R20-16 to R6-10-CD.

Motion 1 made by Janet Peele, seconded by Raymond Lee, the Aberdeen Planning Board recommends approval with conditions as indicated below of Conditional Zoning CZ #16-04. Motion unanimously carried.

Motion 2 made by Raymond Lee, seconded by Janet Peele, Conditional Zoning CZ #16-04 is not consistent with applicable plans of the Town of Aberdeen; because of the inconsistency with the future land use map. Motion unanimously carried.

Motion 3 made by Tim Marcham, seconded by Bill Prevatte, CZ #16-04 is reasonable and in the public interest; because of the consistency of the current uses and compatibility with neighborhood. Motion unanimously carried.

### **Recommended Conditions**

1. The applicant has conducted a community meeting with mailed notice complying with the requirements of the Unified Development Ordinance (UDO). Prior to the Public Hearing held by the Board of Commissioners, the applicant shall supply Planning Department Staff with a written report of the meeting that includes a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning petition made as a result of the meeting. Some of this information has been provided to staff.
2. A Conditional Use Permit for new multi-family residences on the property shall be required for the uses specified by Conditional Zoning #16-04, at which time additional conditions may be attached at the discretion of the Town Board.
3. The property subject to CZ #16-04 may be developed or redeveloped for multi-family use subject to the following provisions:
  - a. A maximum of twenty-three (23) total units shall be permitted for the property.
  - b. Structures existing on the property on the date of approval of CZ #16-04 are subject to the provisions of Aberdeen UDO Article VIII, "Nonconforming Situations," including but not limited to the requirement that if a structure on a lot where a nonconforming situation exists is damaged to an extent that

the costs of repair or replacement would exceed sixty (60) percent of the appraised valuation of the damaged structure, then the damaged structure may be repaired or replaced only in accordance with the current requirement of the UDO.

- c. Any existing and/or new multi-family structures on the subject property are permitted regardless of the distance of the property to other properties containing multi-family uses, provided that new structures must comply with the other spacing requirements, such as setbacks, of the UDO and of the NC State Building Code.
- d. Existing parking areas are permitted to remain in their current location and configuration unless the existing structures are altered at a cost exceeding sixty percent (60%) of their appraised valuation, in which case the existing parking shall comply with the following requirements:
  - 1) A minimum of two parking spaces per dwelling unit shall be provided;
  - 2) Parking shall be located "interior to the block", defined as parking at is accessible from a driveway that connects the parking to the street and not directly accessible from the street.
- e. Newly proposed parking shall be either between any existing or new building and the rear lot line, an alley or interior to the block. "Interior to the block" is defined as parking that is accessible from a driveway that connects the parking to the street and not directly accessible from the street.
- f. Newly constructed structures and existing structures repaired or reconstructed at an estimated cost exceeding sixty percent (60%) of their appraised valuation shall be required to comply with all requirements of the UDO in effect at the time of permit/application submittal(s) to the Aberdeen Planning and Inspections Department, except those specifically waived or amended by CZ #16-04.
- g. No new landscaping will be required for the existing uses and condition on the property. Proposals for new development on the property will be required to comply with any and all applicable landscaping requirements in the UDO and shall be calculated based only on the newly proposed development and not be retroactively applied to the existing development.
- h. No new sidewalks or paths will be required for the existing uses and condition on the property. Proposals for new development on the property will be required to comply with any and all applicable sidewalk requirements in the UDO.
- i. No new bus shelters, bicycle lanes or bicycle racks will be required for the existing uses and condition on the property. Proposals for new development

on the property will be required to comply with any and all applicable bus shelter, bicycle lane, and bicycle rack requirements in the UDO.

- j. New multi-family development proposed for the property shall comply with multi-family building spacing requirements of the UDO.
  - k. Lot size requirements as dictated by the UDO shall not apply to new duplex structures proposed for the property.
  - l. Open space for new development on the property shall comply with ordinance requirements in place at the time of application. Calculations for any open space requirements shall be applied only to newly proposed units and not be retroactively applied to existing units.
- 4. No Active Recreation Facilities are required by the UDO as of the date of approval of CZ #16-04, however, should such requirements be adopted prior to submittal of an application for any conditional use permit to construct new units on the property, and those requirements apply to the application's proposal, the applicant will be required to meet those requirements.
  - 5. Staff is directed to enter Conditional Zoning District R6-10-CD for property identified by PID# 00047514 on the official zoning map and add a label for CZ#16-04 upon final approval.
- b. Conditional Use Permit CU #16-04 Submitted by George Nelson on Behalf of GHN Properties for Major Subdivision.

Planning Director Graham gave a presentation on Conditional Use Permit CU #16-04 submitted by George Nelson on behalf of GHN Properties for Major Subdivision.

Motion 1 made by Janet Peele, seconded by Bryan Bowles, CU #16-04 is within the jurisdiction of the Planning Board according to the Table of Permissible Uses. Motion unanimously carried.

Motion 2 made by Tim Marcham, seconded by Richard Gergle, CU #16-04 is complete as submitted. Motion unanimously carried.

Motion 3 made by Tim Marcham, seconded by Raymond Lee, CU #16-04, if complete as proposed, will comply with all requirements of the UDO. Motion unanimously carried.

Motion 4 made by Bryan Bowles, seconded by Bill Prevatte, CU #16/04 satisfies Finding #1: will not endanger public health or safety. Motion unanimously carried.

Motion 5 made by Richard Gergle, seconded by Bryan Bowles, CU #16-04 satisfies Finding #2: will not substantially injure the value of adjoining or abutting property. Motion unanimously carried.

Motion 6 made by Janet Peele, seconded by Tim Marcham, 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 Bryan Bowles, 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 Bryan Bowles, seconded by Janet Peele, based on the Findings of Fact and the evidence presented, the Planning Board:

- Recommends approval with conditions of CU #16-04 as follows:
  1. Conditional Use Permits (CUPs) run with the land and as such CU #16-04 applies to the entirety of the property reflected in Parcel IDs #00049527. 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 by the CUP, however, approval of CU #16-04 is contingent on a successful inter-departmental review to insure that the development has met all Federal, State and local regulations and permitting requirements, as well as any conditions attached to the CUP approval. Plans submitted for this review shall include, but not be limited to, landscaping and open space calculations showing compliance with UDO requirements, building plans and elevations showing compliance with requirements for multi-family developments, and evidence that proposed stormwater measures meet or exceed the requirements Article XVI, Part 2, Drainage, Erosion Control and Stormwater Management of the UDO.
  3. 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.
  4. The development is authorized to create a maximum of twelve (12) multifamily lots and construction documents generally based on the Sketch Overlay Plan submitted with the conditional use permit

application.

5. Prior to approval of the Notice to Proceed for the development, the applicant shall establish a Homeowner's Association with covenants to include a policy for maintenance of the open space, including any improvements such as walking trails. A copy of the covenants shall be provided to staff for review and record-keeping. Covenants shall comply with the requirements of §152-179 and 180.
6. Tree harvest and mass grading are not authorized as a result of this approval. Construction documents, including a grading plan, shall be reviewed by staff for compliance with the UDO.
7. The Fire Department must sign off on the drawings as well as available capacity for treating fires. Hydrants are required consistent with Fire Department spacing requirements.
8. All additional conditions or requirements as provided by the Town of Aberdeen Unified Development Ordinance are enforceable with Regards to proposal CU #16-04.

Motion unanimously carried.

- c. Unified Development Ordinance Text Amendment UDO #16-06 Regarding Nonconforming Signs.

Planning Director Graham gave a presentation on Unified Development Ordinance Text Amendment UDO #16-06 regarding nonconforming signs.

Motion 1 made by Raymond Lee, seconded by Janet Peele, UDO #16-06 is consistent with comprehensive plans that have been adopted by the Town of Aberdeen. Motion unanimously carried.

Motion 2 made by Bryan Bowles, seconded by Bill Prevatte, UDO #16-06 is reasonable and in the public interest. Motion unanimously carried.

Motion 3 made by Janet Peele, seconded by Bryan Bowles, the Planning Board does recommend the following amendment to the Town of Aberdeen Board of Commissioners to:

- Amend subsection 152-284 as indicated in the attached draft text amendment as modified

Motion unanimously carried.

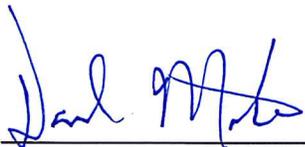
6. Progress Report

Planning Director Graham indicated that there will be a grand opening for the new hotel in the near future.

Planning Director Graham also indicated that Chairman Ransdell has agreed to stay on the Planning Board until a replacement has been identified.

7. Adjourn

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



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Daniel Martin,  
Minutes were completed in  
Draft form on June 13, 2016.



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Raymond Lee, Vice Chairman  
Minutes were approved on  
June 16, 2016.

