

MINUTES
Regular Meeting of the
Planning Board

May 21st, 2020
Thursday, 6:00 pm

Aberdeen Lake Park
301 Lake Park Crossing
Aberdeen, North Carolina

The Aberdeen Planning Board met Thursday, May 21, 2020 at 6:00 pm for a Regular Meeting. Members present were Chairperson Janet Peele, Vice Chair Brooks Pomeranz, Roger Bone, Diane Innes, Barbara Allred, and Bill Prevatte. Staff in attendance were Planning Director Justin Westbrook, Planner Christian Haas, IT Support Specialist Dean Wrightson, and Administrative Assistant Maria Carpenter. Others in attendance were approximately 6 other interested citizens.

1. Call to Order

The meeting was called to order by Chairperson Peele at 6:12 pm.

2. Approval of Agenda

A motion was made by Mr. Prevatte, seconded by Mr. Pomeranz, to approve the agenda as presented. Motion unanimously carried 6-0.

3. Approval of Minutes

a. Regular Meeting of January 16th, 2020

A motion was made by Mr. Prevatte, seconded by Mr. Bone, to approve the minutes from the January meeting as presented. Motion unanimously carried 6-0.

4. New Business

a. Alan Hill (Triad Design Group), Special Use Permit (SU-20-01)

A request by Alan Hill (Triad Design Group) for Thomas Tire to establish a "vehicle establishment, minor" use in a Conditional Zoning - Office & Institutional (CZ-OI) District. The property is located at 1580 N. Sandhills Blvd.

(fronting N. Poplar St.) and consists of a parcel (PIDs: 00050835) within the Town's corporate limits.

Director Westbrook gave an overview on the Special Use Permit for Alan Hill/Thomas Tire and showed a general site plan for the repair center. Director Westbrook noted that the address is on Sandhills Blvd, but the property does not have road frontage on Sandhills Blvd, and actually fronts North Poplar Street.

The applicants, Sally Thomas, David Bolling, and Alan Hill, gave an overview of the site plan and what it should look like when finished, including traffic flow, possible speed bump locations, and the new building.

Linda Pope, of Carthage, stated she is concerned that this may increase traffic on Poplar Street, and came out to hear what the impact may be. Chairperson Peele stated that Ms. Pope may want to attend the Board of Commissioners meeting and speak there since they will be the decision-making board on the special use permit request.

A motion was made by Mr. Pomeranz, seconded by Mr. Prevatte, that SU-20-01 is within the jurisdiction of the Planning Board according to the Table of Permissible Uses. Motion unanimously carried 6-0.

A motion was made by Ms. Innes, seconded by Ms. Allred, that SU-20-01 is complete as submitted. Motion unanimously carried 6-0.

A motion was made by Mr. Prevatte, seconded by Mr. Pomeranz, that SU-20-01 satisfies Finding #1 (will not materially endanger the public health or safety if located where proposed). Motion unanimously carried 6-0.

A motion was made by Mr. Pomeranz, seconded by Ms. Allred, that SU-20-01 satisfies Finding #2 (complies with all required standards, conditions, and specifications of the Unified Development Ordinance). Motion unanimously carried 6-0.

A motion was made by Mr. Prevatte, seconded by Ms. Allred, that SU-20-01 satisfies Finding #3 (will be in harmony with the area in which it is located). Motion carried 5-1.

A motion was made by Mr. Pomeranz, seconded by Mr. Prevatte, that SU-20-01 satisfies Finding #4 (will be in general conformity with the Town's adopted policy guidance). Motion unanimously carried 6-0.

A motion was made by Mr. Pomeranz, seconded by Mr. Prevatte, that based on the Findings of Fact and the evidence presented the Planning Board recommends approval with conditions of SU-20-01 as follows:

- Special Use Permits (SUP) run with the land and as such SU-20-01 applies to the entirety of the properties, reflected as PID 00052290 (PIN:856000159803). An amendment to the SUP is needed to remove property from the SUP or to make changes to the SUP.
- The Aberdeen Planning & Inspections Department shall be notified of any new uses, activities, significant site changes, or construction on the property subject to SU-20-01 and all applicable reviews and/or permits and inspections shall be obtained in accordance with the UDO.
- A gate, or similar feature, will be installed at the "rear" entrance to N. Poplar Street and "speed humps" will be installed in the parking

lot at locations to be determined by the Technical Review Committee (TRC) to deter cut-through traffic.

Motion unanimously carried 6-0.

b. Neil Smith (Neil Smith Engineering), Text Amendment (TA-20-02)

A request by Neil Smith (Neil Smith Engineering) to amend the Unified Development Ordinance (UDO) to:

- Add "Retail Sales, Large" to the Principal Use Table (Table 4.1.9) as a by-right use to the Light Industrial (LI) District.
- Amend the "Retail Sales, Large" Use Specific Standards (Section 4.3.4.F) to allow the use in Light Industrial (LI) District subject to a minimum 35-acre lot size.
- Add "Flea Market/Antique Mall, Indoor" to the Principal Use Table (Table 4.1.9) as a by-right use to the Light Industrial (LI) District.
- Amend the "Flea Market" Use Specific Standards (Section 4.3.4.F.3) to allow the use in Light Industrial (LI) District subject to a minimum 35-acre lot size.

Director Westbrook presented Text Amendment (TA-20-02), a request from Neil Smith Engineering to amend the UDO to add "retail sales, large" and "flea market/antique mall, indoor" as use types allowed in the LI zoning districts. Director Westbrook stated that as a text amendment, this would apply to all this zoning, not just one property. Director Westbrook stated the applicant is seeking the text amendment since the current zoning does not allow the use that they desire.

The applicant, Neil Smith of Neil Smith Engineering, stated that he has been working with the O'Malleys and the Gulistan building for years and they are now working on having an antique mall come in. Mr. Smith stated the zoning

is currently LI and they would like to keep it LI, so they do not want to do a rezoning. Mr. Smith stated the rest of the building is LI use and under LI zoning they could add a motel or truck stop, but would rather do an antique mall, so they came up with doing a text amendment to allow that. Mr. Smith stated he felt the likelihood of someone doing this type of use from scratch is slim and probably would not affect Aberdeen in other places. Mr. Smith stated they are just asking for an additional use that fits this type of zoning.

Mr. Pomeranz asked which are the other 3 parcels that would be affected. Mr. Smith stated the Carolina Power and Light property, Dave Upchurch has a 40 acre property, and Aberdeen Rockfish Railroad.

Director Westbrook stated that this text amendment would be town wide and will affect other properties, that is why a rezoning would be more appropriate, and that having a site specific requirement for acreage would allow anyone to come in and ask for a variance so other properties could this.

Katherine King, owner of the Design Center on NC-5 Highway, stated she is starting her fifth year in business at Gulistan and this would not be just an antique mall, it would be a whole experience, with the main draw being retail, but would also have office space for artists to have studios. Ms. King stated she would really like to keep her business in Aberdeen and wants to remain compliant, but would also like to be able to expand and bring in other things.

Mr. Bone stated that it is not so much about the business, for the Board it is about zoning part of a building and having to change the UDO to permit a specific use. Chairperson Peele stated the Board is concerned about changing things for one business owner that would change the rules across the whole town.

Jim O'Malley, a local property owner, stated he is hoping that an establishment like this will make Aberdeen a destination, and that they want to make it a safe place. Mr. O'Malley stated the current zoning would allow for businesses like pawn shops, truck stops, and motels, but he doesn't feel those are appropriate for this site, and the antique mall would be an appropriate use.

Chairperson Peele stated the Board understood what they wanted to do, but the issue is doing what is best for the town since whatever they decided would encompass the whole town, and not just this property.

A motion was made by Chairperson Peele, seconded by Mr. Pomeranz, to approve the text amendment as proposed. All opposed, the motion was defeated.

c. Town of Aberdeen, Text Amendment (TA-20-01)

A request by the Town of Aberdeen to amend various chapters of the Unified Development Ordinance (UDO) which include, but is not limited to: correction of typographical errors, references to State statutes, and the inclusion of language intended to bolster the intent of the UDO and provide better clarity for the document.

Director Westbrook stated the new UDO, having been done so quickly, required a few changes to areas that need to be cleaned up and addressed. Most of the changes consist of typos and omissions, but some are from the Town Attorney and are necessary for enforcement, clarity of intent, and legal scrutiny.

A motion was made by Ms. Innes, seconded by Mr. Bone, to adopt the text amendment changes to the UDO. Motion unanimously carried 6-0.

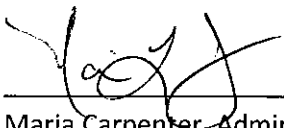
5. Other Business

Director Westbrook gave updates on projects around town. Director Westbrook stated the Blake Village development is dormant, but the property owner and real estate broker have the intent to move forward with the project. Director Westbrook stated the Martin property did some restructuring and will go before the Board of Commissioners on Tuesday night.

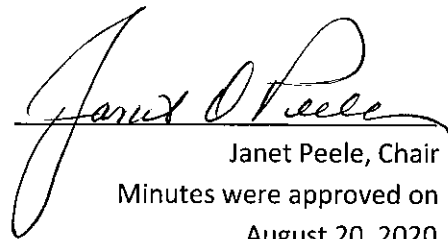
Mr. Pomeranz asked about the proposed restaurant on NC 211 Highway. Director Westbrook stated they submitted 2 site plans but still have issues with wetlands and sewer.

6. Adjournment

Chairperson Peele adjourned the meeting at 8:40 pm.



Maria Carpenter, Admin Assistant
Minutes were completed in
Draft form on May 21, 2020



Janet Peele, Chair
Minutes were approved on
August 20, 2020