

**TOWN OF ABERDEEN
PLANNING BOARD REGULAR MEETING
January 18, 2006
MINUTES**

Members Present: Jim Thomas Maurice Holland
 Elease Goodwin Bill Prevatte
 Mike Dunn Kemp Lowder
 Ray Bosworth Elaine Smith, ETJ Alternate

Members Absent: Roger Bone

Staff Present: Giles Hopkins, Planning Director
 Patti Jilson, Admin. Planning & Code Technician

Others Present: Pat Ann McMurray, Robbie Farrell

I. Call To Order:

Chairman Thomas called the meeting to order at 7:00 pm.

II. Approval of Minutes – Regular Meeting of December 13, 2005.

Mike Dunn made a motion, seconded by Elease Goodwin, to approve the minutes of the Regular Meeting of December 13, 2005. Motion unanimously carried.

III. Old Business:

A. Proposed Zoning Code Text Amendment ZA#05-07 regarding Cultural, Entertainment, and Recreation Not Elsewhere Classified.

Mr. Hopkins stresses the decision to be made tonight is whether to recommend to the Board of Commissioners to add “Cultural, Entertainment, and Recreation Not Elsewhere Classified” to I-H Industrial District (Heavy).

After discussion, initially by concerns, the Planning Board decided to change the wording of the text amendment from “Cultural, Entertainment, and Recreation Not Elsewhere Classified” to “Indoor skate boarding/roller blade type activities.” To more clearly reflect the use being considered.

A motion was made by Maurice Holland and seconded by Bill Prevatte to approve and recommend approval of Proposed Zoning Code Text Amendment ZA#05-07 with the language changed to “Indoor skate boarding/roller blade type activities” to the Town Board of Commissioners. Motion carried 4 to 3. Voting for the motion were Jim Thomas, Ray Bosworth, Maurice Holland, Bill Prevatte, voting against the motion were Mike Dunn, Elease Goodwin and Kemp Lowder.

IV. New Business:

- A. An application for Conditional Use Permit CU#05-14 has been submitted by Ben Himsel for an automobile sales lot to be located on the west side of US 1 HWY at the corner of NC 5 HWY. The property is owned by Patrick Simpson and is located in a HC Highway Commercial District, which allows automobile sales lots as a Conditional Use.

A motion was made by Kemp Lowder, seconded by Mike Dunn, to make the following findings of fact:

- A. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- D. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within the neighborhood;
- E. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- G. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the Board of Commissioners pursuant to the recommendation of the Planning Board.

and approve and recommend approval of Application for Conditional Use Permit CU#05-14 to the Town Board of Commissioners. Motion unanimously carried.

- B.** An application for Conditional Use Permit CU#05-15 has been submitted by David Polny for an automotive restoration facility to be located at 707 South Pinehurst Street. The property is owned by LQ Properties, LLC and is located in a CI Commercial Industrial (Light) District, which allows "... automobile repairs and services,..." as a Conditional Use.

A motion was made by Bill Prevatte, seconded by Mike Dunn, to make the following findings of fact:

- A. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- D. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within the neighborhood;
- E. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- G. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the Board of Commissioners pursuant to the recommendation of the Planning Board.

and approve and recommend approval of Application for Conditional Use Permit CU#05-15 to the Town Board of Commissioners. Motion unanimously carried.

- C.** Amendment to Application for Conditional Use Permit CU#05-08 and Application for Site Plan Review SP#05-13 for a residential planned development.

Mr. Hopkins reminded the Planning Board that a Conditional Use Permit CU#05-08 was granted for this location November 14, 2005. In view of the fact that the State of North Carolina does not/will not issue a Storm Water Plan or approve one at this location it is necessary to amend the Conditional Use Permit CU#05-08 by deleting that requirement from the conditions of the permit. In place of the State Plan the staff recommends that a NC registered engineer be required to develop a storm water plan.

A motion was made by Ray Bosworth and seconded by Mike Dunn to approve and recommend approval of Amendment to Application for Conditional Use Permit CU#05-08 to the Town Board of Commissioners, to replace the condition requiring State of North Carolina approved storm water plan to a storm water plan development by and sealed by a North Carolina Registered Engineer. Motion unanimously carried.

- D.** Application for Final Plat Review FP#05-04 submitted by Partners in the Pitt for Vacation Villas at The Pit Golf Links.

A motion was made by Mike Dunn and seconded by Bill Prevatte to approve Final Plat Review FP#05-04 subject to receipt of letter of credit in the amount of \$70,000.00. Motion unanimously carried.

V. Other Business:

Mr. Hopkins informed the Planning Board that Ben Warren will be starting on January 30, 2006 as the new Deputy Planning Director. Planning Board dinner was scheduled for Tuesday, February 21, 2006.

VI. Adjourn

With no further items for discussion, the meeting adjourned at 7:40PM

Patti Jilson,
Administrative Planning & Code Technician