

MINUTES
The Regular Meeting of the
Aberdeen Planning Board

March 18, 2010
Thursday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Planning Board met Thursday, March 18, 2010 at 6:00 p.m. for their regular Board Meeting. Members present were Chairman Bob Rigsby, Vice Chair Johnny Ransdell, Elease Goodwin, Bill Prevatte, Sarah Ahmad, and Owen Gallagher. Joe Dannelley was not present during the meeting. Others in attendance were Planning Director Kathy Liles, Planner I Patti Jilson and Secretary Jenni Secrist. Members of the public present were Joe Ussery and Maurice Holland.

1. Call to Order:

Chairman Rigsby called the meeting to order at 6:00pm.

2. Approval of Minutes of February 18, 2010

Mr. Gallagher moved to approve the minutes of February 18, 2010 with change of time to 6:00 p.m.

Mr. Ransdell seconded

VOTE: Unanimous

3. New Business

- a. Application for Conditional Use CU#10-01 submitted by Tony Fairley to open a used car lot at 517 S. Sandhills Blvd.

Ms. Liles presented the staff report. The applicant Mr. Fairley would like to open a used car lot in addition to his existing businesses located at 517 S. Sandhills Blvd. This property is located in the HC Highway Commercial district and automobile sells are a conditional use.

During the presentation a change to the conditions was added by staff stating "vehicles must be stored as designated in the application."

Mr. Ussery attended the meeting as a representative for the applicant. Mr. Ussery stated Mr. Fairley has several businesses located on this property. Mr. Ussery explained Mr. Fairley wants to sell 4 or 5 used cars on the property and he has no problem with this request.

Mr. Gallagher requested the Board add a condition stating there will be no servicing of vehicles on the property. This will include oil changes and similar maintenance.

Mr. Ussery stated the building was the old Town of Aberdeen Public Works Building and was already equipped as a maintenance shop for all town vehicles.

Mr. Gallagher questioned when the facilities were put in?

Mr. Ussery explained he did not know when they were put in but they have been there a long time and are inspected by the state.

Ms. Jilson ask Mr. Ussery if the applicant will only be using these facilities for the vehicles he plans on selling and would not be accepting costumers from the general public.

Mr. Ussery stated the servicing of vehicles will be limited to preparing cars to sell.

Chairman Rigsby clarified the only servicing of vehicles will be to prepare a vehicle to be sold on the lot. Mr. Ussery stated this statement was correct.

Mr. Prevatte made a motion to approve and recommend approval of the Conditional Use CU#10-01 to the Board of Commissioners with the following findings:

- A) The establishment, maintenance, or operation will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare. *Applicant is not making any structural changes and a maximum of five (5) used cars shall be housed on site.*
- B) The facility 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. *Use is consistent with surrounding property uses.*
- C) The facility will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the HC Highway Commercial Zoning District. *Use is consistent with surrounding property uses. This activity is not anticipated to increase traffic above existing levels.*
- D) The exterior architectural appeal and function plan of the proposed use 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. *No structural changes are to be made.*
- E) Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided. *On town water and sewer.*
- F) Adequate measures have been taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. *Existing Driveway - no permit required by DOT. This activity is not anticipated to increase traffic above existing levels.*

- G) The conditional use shall, in all other respects, conform to the applicable regulations of the HC Highway Commercial Zoning District in which it is located, except as such regulations may be modified by the Board of Commissioners pursuant to the recommendation of the Planning Board.

and attach the following conditions:

1. Applicant must submit to the Planning Staff a copy of "Vehicle Dealer's License" prior to opening or being issued an Aberdeen Business License.
2. Maximum number of vehicles restricted to 5.
3. Must submit a sign application prior to installation of any signage.
4. Vehicles must be stored as designated in the application.
5. Service and repair be limited to work associated with the cars for sale and not as a primary use.

Mr. Gallagher seconded.

Vote: Unanimous

- b. Application for Rezoning RZ#10-01. Staff sponsored rezoning for LRK #49693, The Academy of Moore to O-I.

Ms. Liles presented the staff report. The Academy of Moore was annexed into town limits on January 26, 2010. This property was in the county's zoning jurisdiction prior to annexation. Staff is requesting the property be designated in the O-I Office Institutional zoning district. Staff is requesting two recommendations from the Board. These would be to recommend the application is/is not consistent with the 2030 Land Development Plan and recommend approval/disapproval to the Board of Commissioners.

Ms. Ahmad questioned what happens to the approved site plan for that property if the proposed school is not built.

Ms. Liles stated when Moore County approved the site plan it was approved as a school with certain proposed building uses on the property. When the property was annexed, it was annexed with vested rights. The right to build out the site plan remains regardless of zoning. If the Town zones this property to O-I, any use allowed as a use by right in the district can occur in that building or some one else could put a school in as long as they follow that site plan. If someone wanted to make a change, or put in a different type of conditional use on that property, then they would have to come in and the Board will have to approve any modification to the site plan.

Mr. Gallagher made a motion finding the Rezoning is consistent with the 2030 Land Development Plan.

Ms. Goodwin Seconded

Vote: Unanimous

Vice Chair Ransdell abstained from voting.

Mr. Prevatte made a motion to approve and recommend approval to the Board of Commissioners.

Mr. Gallagher seconded.

Vote: Unanimous
Vice Chair Ransdell abstained from voting.

4. Meeting Adjourned: 7:00 pm

Bob Rigsby, Chairman

Jenni Secrist, Secretary