

**TOWN OF ABERDEEN
PLANNING BOARD REGULAR MEETING
OCTOBER 16, 2008
MINUTES**

Members Present: Broadus Combs, Chairman
Bob Rigsby, Vice-Chair
Bill Prevatte
Elease Goodwin
Johnny Ransdell
Owen Gallagher

Members Absent: Sarah Ahmad, In-Town Alternate

Staff Present: Kathy Liles, Planning Director
Patti Jilson, Deputy Planner

Public Present: Jeremy Rust

I. Call To Order

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

II. Approval of Minutes – Minutes to be submitted at the November meeting.

III. New Business

- A. Zoning Code Text Amendment ZA#08-07, submitted by staff to control the use of warehousing on the first floor of buildings located in the DROD.

Ms. Liles stated the Board of Commissioners found the current language in the DROD concerning warehousing to be inadequate and requested staff amend the language.

The current language reads:

Warehousing and storage shall be permitted of right in the first story of all buildings within the DROD, provided that the first fifteen feet (15') or front twenty percent (20%), whichever is greater, of any building shall not be used for warehousing or other kinds of storage. This area shall be used for any other use permitted of right or by conditional use permit in the first story of buildings in the DROD. The bulk storage of volatile, flammable, or toxic chemicals or compounds is prohibited.

Staff has drafted the proposed language as follows:

Storage may be permitted in the first story of all buildings within the DROD provided it is incidental to the business and provided the first twenty feet (20') or front twenty percent (20%), whichever is greater, shall not be used for storage. This area shall be used for any other permitted use or by conditional use permit in the first story of buildings in the DROD. The bulk storage of volatile, flammable, or toxic chemicals or compounds is prohibited.

A motion was made by Bob Rigsby, seconded by Elease Goodwin finding the amendment to the text of the Aberdeen Zoning Ordinance entitled Zoning Code Text Amendment ZA#08-07 Downtown Retail Overlay District is consistent with the Town of Aberdeen 2030 Comprehensive Land Development Plan, and approving and recommending approval to the Board of Commissioners. Motion carried.

- B. Application for Rezoning RZ#08-03, submitted by staff to rezone property from R-20 Residential to RA Rural Agricultural.

Ms. Liles stated the rezoning area contains two duplexes (four dwelling units), two homes, and several outbuildings that the property owner has indicated are to be incorporated into the proposed use. It has also been used for forestry. The surrounding properties are predominantly R-20 and include The Legacy. The proposed rezoning is also adjacent to I-H, Heavy Industry on the north and R-10MH Residential at Pee Dee Road.

The Future Land Use Map defines these parcels as "residential" with "wetlands/floodplain." The Conservation Areas Map shows the parcels containing primary and secondary conservation areas. These are areas suitable for preservation and not recommended for development. Rezoning this property to RA will reduce density to no more than one dwelling unit per five acres and provide for agricultural uses" and "therapeutic wilderness camps" as a use by right with "land clearing and inert debris landfills" as a conditional use. The proposed rezoning will forward the objectives of the 2030 Land Development Plan to help protect significant conservation areas although it will reduce acreage available to meet the projected need for residential densities. The Plan projects that 973 acres of vacant commercial or farmland will be needed to support future residential growth. In 2005, the Land Development Plan identified 3,191 acres as vacant commercial, farmland, or areas not committed to residential or industrial uses. This rezoning could potentially remove approximately 695 acres from consideration for residential development.

A motion was made by Owen Gallagher, seconded by Johnny Ransdell finding the Rezoning RZ#08-03 is consistent with the Town of Aberdeen 2030

Comprehensive Land Development Plan, and approving and recommending approval to the Board of Commissioners. Motion carried.

- C. Application for Conditional Use Permit CU#08-03, and Site Plan Review SP#08-11, submitted by Andy & Kathleen White, for a multi-family development located on Roseland Road.

Ms. Liles stated the plans consist of six (6) duplex townhomes, located on the north side of Roseland Road west of Pinehurst Street. The applicant has submitted the multi-family units as a Residential Planned Development. The applicant proposes a combined total of .59 acres to be dedicated as open space. Each unit will be approximately 1200 sq. ft. Ms. Liles stated that Mr. White has submitted his application for Sedimentation & Erosion Control Plan and no building permit (if approved) shall be issued until storm water management permit has been obtained.

A motion was made by Bill Prevatte, seconded by Bob Rigsby to approve and recommend approval with the following recommendations and finding of facts

1. Open space shall be labeled as permanent on plats to be recorded.
2. NCDOT driveway access and drainage approvals must be received prior to site construction.
3. NCDENR Sedimentation and Erosion Control Plan approvals must be received prior to site construction.
4. Any NCDENR required stormwater management permit must be received prior to issuance of a building permit.
5. Applicant shall meet all requirements of the Town of Aberdeen Water and Sewer Extension Policy, including annexation and the placement of all utilities.
6. Access easements for utilities and other infrastructure shall be shown on final plats.
7. Preliminary plat approval is required for the entire site prior to site development. Final plats may be approved as each duplex is completed.
8. All construction is to be completed in accordance with submitted plans. Minor variations to landscaping such as substitution of vegetation type may be approved by staff when consistent with the objectives of the site plan.

- A. The establishment, maintenance, or operation of a multi-family planned development will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare. *The multi-family planned development will is proposed to meet all regulatory requirements and will use public water and sewer. DOT will permit driveway access to ensure safe operations. The internal road has been designed to accommodate emergency vehicles.*

- B. The multi-family planned development 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. *The planned development will be subject to restrictive covenants to ensure appropriate management of the site. The perimeter setbacks and landscaping will provide separation from adjoining residential uses.*
- C. The establishment of a multi-family planned development will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the R-10 Residential Zoning District. *The use is consistent with the zoning district. The extension of sewer from Sanborn and water from Roseland along with permanent stormwater management for the site will not impede development of surrounding property. The project fronts Roseland Road and will not cause unacceptable increases in traffic volume.*
- D. The exterior architectural appeal and function plan of the proposed multi-family planned development will not be so at variance with either the exterior architectural appeal and function plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the of the applicable district as to cause a substantial depreciation in the property values within the neighborhood. *The exterior will consist of brick and vinyl siding; each unit will be 1233 +/- square feet. Although the area is predominantly single family residential in use and design, the proposed architectural detail of the duplexes will be consistent with area architectural styles.*
- E. Adequate utilities, access roads, drainage, and necessary facilities have been proved, as shown on site plan SP#08-11. *Adequate facilities have been proposed subject to permitting and approval. A fire hydrant is proposed for the site.*
- F. Adequate measures have been taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. *The project is designed on an internal road, avoiding multiple driveway cuts. Projected traffic volume is low (at 6 vehicle trips per day per unit) - approximately 72 total trips into and out of the development.*
- G. The conditional use shall, in all other respects, conform to the applicable regulations of the R-10 Residential 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. *The Zoning Ordinance provides for reductions in setbacks as part of a residential planned development subject to approval by the Board of Commissioners. The applicant has offered a design to compensate for zero lot line development with the interior wall of the duplex set to the property line and the remainder of the lot containing the yard. The lots are then surrounded by open space. The closest units are separated by 10 to 15 feet.*

to the Board of Commissioners. Motion carried.

- IV. Staff Report – Discussed Christmas party, we will have our meeting on December 18, 2008 and have a dinner following.

V. Adjourn - With no further items to discuss the meeting adjourned at 7.15 pm

Patti Jilson, Deputy Planner