

**AGENDA  
REGULAR MEETING  
CITY COUNCIL, CITY OF ASHEBORO  
THURSDAY, JUNE 5, 2014, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Presentation to Dr. Diane Frost, retiring Superintendent of Asheboro City Schools.
4. Recognition of Judy Smith and Dina Tutterow on their successful completion of the Class IV Wastewater Laboratory Analyst exam given by the American Water Works Association - Water Environment Association - Wastewater Laboratory Analyst Certification Program.
5. Recognition of Brenda McMasters, Master Police Officer (Retired), for her years of dedicated service to the City of Asheboro.
6. Consent Agenda:
  - (a) Approval of the minutes of the regular meeting of the City Council held on May 8, 2014.
  - (b) Approval of the minutes of the special meeting of the City Council held on May 14, 2014.
  - (c) Approval of the minutes of the special meeting of the City Council held on May 20, 2014.
  - (d) Acknowledgement of the receipt on May 21, 2014, of the budget message and proposed budget for the Asheboro ABC Board for fiscal year 2014-2015.
  - (e) Approval of Change Order #1 (Final) on the Airport Obstruction Clearing Project (Terry's Plumbing and Utilities, Inc.) increasing the construction contract amount by \$7500 to \$77,718.00 for the clearing of three (3) additional acres as required by recently revised FAA Standards.
  - (f) Approval of a resolution authorizing the implementation of a sign maintenance policy to ensure compliance with minimum retroreflectivity requirements for traffic signage.

7. Legislative hearing on a zoning case (RZ-14-04) that was continued from the May meeting. Trevor Nuttall will present the staff's analysis of the request to rezone the property of Richard S. Stockner at 609 and 617 NC Highway 42 North from R10 and R7.5 (Medium-Density Residential) to OA6 (Office-Apartment).
8. Public hearing on the proposed budget for fiscal year 2014-2015. The finance director will provide an overview of the proposed budget, and then public input will be received.
9. Trevor Nuttall will present a report on the state of North Carolina's preliminary assessment of transportation priorities for Randolph County under the Strategic Transportation Investments Law.
10. The City Manager will introduce the city's new methodology for presenting performance measurement data (commonly referred to as the city's new dashboard).
11. Animal Control Items:
  - (a) Trevor Nuttall will present the staff's analysis of potential changes to the current restrictions in the Code of Asheboro pertaining to the maximum number of dogs and cats permitted in any one household.
  - (b) Chief Ralph Nortion will provide an update on the status of the city's contract with Randolph County for animal control services.
12. Public comment period.
13. Upcoming events:
  - Randolph County Economic Development Annual Meeting  
Tuesday June 24, 2014, 8:00 a.m. at AVS.
  - Special city council meeting on Thursday, June 26, 2014, at 12:30 PM to consider adoption of the budget for fiscal year 2014-2015.
14. Discussion of items not on the agenda and adjournment.

**BUDGET MESSAGE FOR FISCAL YEAR 2014-2015**

North Carolina General Statute § 18B-702 “Financial operations of local boards” requires the Asheboro ABC Board Finance Officer prepare for the Board’s consideration an annual budget applicable for fiscal years. Upon adoption, no monies may be expended except as provided by the budget or as authorized by specific statute.

Retail operation of the Board’s single store commenced with its first sale on November 18, 2008. As of April 30, 2014, the single store located at 700 South Fayetteville Street has collected \$15,723,837.79 in sales and tax revenues. Sales and tax revenues are differentiated in this message to emphasize the mission of a local ABC board to not only sell spirits in a controlled environment, but also to collect significant tax revenues from those electing to purchase spirits.

A review of the Board’s financial records for the current fiscal year to date (July 1, 2013 through April 30, 2014) indicates a 3.94% sales and tax collections increase over the same period the previous year. Revenues are expected to remain consistent in the coming year and the proposed budget reduces many line-item expenses and working capital (cash) reserves enabling the Board to begin saving \$40,000 a year for capital improvements (Future Facility Fund) without reducing the monthly \$15,500 monthly contribution to the City of Asheboro.

On-going goals include continuation of the Board’s mission of responsibly controlling the sale and distribution of alcoholic beverages, superior customer service, and operational efficiency designed to increase profit margins.

The Asheboro ABC Board Budget Ordinance for fiscal year July 1, 2014, through June 30, 2015, prepared in accordance with governing laws and the Board’s stated desire to continue a responsibly sound fiscal policy, is hereby presented to the Board for consideration.

Respectfully submitted for consideration this the 20th day of May 2014.

  
Rodney E. Johnson  
General Manager  
Budget Officer

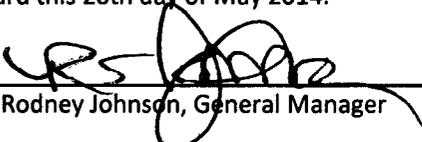
Attachment: Proposed Budget Ordinance for Fiscal Year 2014-2015

cc: Jeff Sugg, City of Asheboro  
NC ABC Commission

**PROPOSED**  
**ASHEBORO ABC BOARD**  
**ANNUAL BUDGET FOR FISCAL YEAR**  
**2014-15**

Sales		3,179,000.00
Other Income		300.00
	<b>Total</b>	<b>\$3,179,300.00</b>
Less Taxes		898,524.50
	<b>Net Sales</b>	<b>\$2,280,775.50</b>
Less:		
Cost of Sales		1,558,950.50
	<b>Gross Profit</b>	<b>\$721,825.00</b>
Less:		
<b><u>Operating Expenses</u></b>		
Salaries, benefits and fees		250,500.00
Payroll taxes		20,150.00
Rent		64,800.00
Repairs and maintenance		6,500.00
Utilities		16,725.00
Insurance - general and bonds		14,050.00
Supplies and janitorial		11,500.00
Travel and training		3,100.00
Professional services		9,250.00
Dues and subscriptions		1,250.00
Bank fees and charges		30,000.00
Miscellaneous & Contingencies		7,000.00
	<b>Total Operating Expenses</b>	<b>\$434,825.00</b>
	<b>Operating Income</b>	<b>\$287,000.00</b>
Less:		
<b><u>Capital Expenditures</u></b>		
Future Facility Fund		40,000.00
Capital Improvements		25,000.00
	<b>Total Capital Expenditures</b>	<b>\$65,000.00</b>
		<b>\$222,000.00</b>
Net Income before Distributions		<b>\$222,000.00</b>
Less:		
<b><u>Distributions</u></b>		
Law Enforcement		15,000.00
Alcohol Education and Rehab		21,000.00
City of Asheboro General Fund		186,000.00
	<b>Total Distributions</b>	<b>\$222,000.00</b>
	<b>Net Income after Distributions</b>	<b>-</b>

Presented to the Asheboro ABC Board this 20th day of May 2014.

  
 \_\_\_\_\_  
 Rodney Johnson, General Manager



**RZ-14-04: Request to rezone from R10/R7.5 (Medium-Density Residential) to  
OA6 (Office-Apartment)**

(Richard S. Stockner/Carol Burrow, Agent)

**Planning Board Recommendation and Staff Report**

## Planning Board Recommendation & Comments to City Council

**NOTE: Have applicant Certify to Council mailings to all adjoining property owners.**

**Case #** RZ-14  
-04

**Date** 4/7/14, 5/5/14, 6/2/14  
PB; 6/5/14 CC

**Applicant** Richard Stockner

### **Legal Description**

The property of Iris B. Stockner, located at 617 NC Hwy. 42 North, identified by Randolph County Parcel Identification Numbers 7761321382 and 7761322224, Richard S. Stockner and Robin S. Stockner, located at 609 NC Hwy. 42 N. identified by Parcel ID #7761322047 and Parcel ID #7761312710. These properties total approximately 1.79 acres (+/-).

**Requested Action** Rezone from R7.5 and R10 (Medium-Density Residential) to OA6 (Office-Apartment)

**Existing Zone** R7.5/R10

**Land Development Plan** See Staff Report

### **Planning Board Recommendation**

**4-7-14:** The Planning Board considered the request but voted to to continue it to allow the owner additional time to contemplate amending the application to a conditional use district request.

**5-5-14:** The Planning Board continued the case at the request of the applicant.

**6-2-14:** The Planning Board is scheduled to consider this request.

### **Reason for Recommendation**

**Staff Note:** As of May 28, 2014, the request is still to rezone the property to OA6.

### **Planning Board Comments**

# Rezoning Staff Report

**RZ Case #** RZ-14-04

**Date** 6/2/14 PB; 6/5/14 CC

## General Information

**Applicant** Richard S. Stockner  
**Address** 6601 Old NC Hwy 13  
**City** Asheboro NC 27203  
**Phone** 336-465-6525  
**Location** 609 and 617 NC Hwy. 42 North  
**Requested Action** Rezone from R7.5 and R10 (Medium-Density Residential) to OA6 (Office-Apartment)

**Existing Zone** R7.5 and R10

**Existing Land Use** Single-family residential (2 dwellings)

**Size** 1.79 acres

**Pin #** 7761322047, 7761321382, 7761312710, 7761322224

## Applicant's Reasons as stated on application

Due to extremely high traffic on Dixie Drive, Hwy. 42 is used as a cut thru from Dixie Drive to Salisbury Street. The surrounding properties are already zoned commercial and office(s). Due to high traffic use on Hwy. 42 between Salisbury Street and Dixie Drive, we request that the properties be rezoned OA6.

## **Surrounding Land Use**

**North** Undeveloped/Commercial/Single-family res. **East** Commercial/Office

**South** Single-family residential **West** Undeveloped residential/Church

**Zoning History** N/A

## **Legal Description**

The property of Iris B. Stockner, located at 617 NC Hwy. 42 North, identified by Randolph County Parcel Identification Numbers 7761321382 and 7761322224, Richard S. Stockner and Robin S. Stockner, located at 609 NC Hwy. 42 N. identified by Parcel ID #7761322047 and Parcel ID #7761312710. These properties total approximately 1.79 acres (+/-).

## **Analysis**

1. The property is inside the city limits. All city services are available.
2. NC Hwy. 42 North is a state-maintained major throughfare.
3. According to the Zoning Ordinance (Art. 200, Sec. 210): The OA6 District is intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designed [sic] OA6 shall normally be located with access to a major or minor thoroughfare with access to local residential streets discouraged.
4. The west side of NC Hwy. 42 consists primarily of residential uses in this area except for two churches. On the east side of NC Hwy. 42 is Triangle Park, a 4 acre office and commercial complex.
5. The existing R7.5 and R10 residential districts permit single or two-family dwellings.
6. The OA6 district permits single-family and multi-family residential uses with a floor area ratio (FAR) of up to 17 percent and non-residential structures with a FAR of up to 30 percent. If this rezoning is approved, all uses permitted by right would be allowed, including residential development of up to approximately 13,255 square feet or non-residential development of up to approximately 23,391 square feet. In addition to single- and multi-family residential uses, other uses allowed by right include offices, churches, schools, and some services uses (such as laundry facilities, beauty/barber shops, and banks). Heavier commercial uses, such as retail, restaurants, sales of motor vehicles, etc. are not permitted in the OA6 district.

# Rezoning Staff Report

RZ Case # RZ-14-04

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## Consistency with the 2020 LDP Growth Strategy designations

*In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.*

<b>Growth Strategy Map Designation</b>	Primary Growth
<b>Proposed Land Use Map Designation</b>	Neighborhood Residential
<b>Small Area Plan</b>	Central

## LDP Goals/Policies Which Support Request

**Checklist Item 3:** The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. (Article 200, Section 210, Schedule of Statements of Intent)

**Checklist Item 5:** The proposed rezoning is compliant with the objectives of the Growth Strategy Map.

**Checklist Items #12, #13, #14, and #15:** 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area. 14.) Rezoning is not located on steep slopes of greater than 20%. 15.) Rezoning is not located on poor soils

# Rezoning Staff Report

RZ Case # RZ-14-04

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## LDP Goals/Policies Which Do Not Support Request

**Checklist Item #1:** Rezoning is not compliant with the Proposed Land Use Map.

**Checklist Item #7:** Rezoning is not compatible with the Central Small Area Plan

**Checklist Item #10:** Rezoning is not consistent with Land Category Descriptions

### Recommendation

Deny

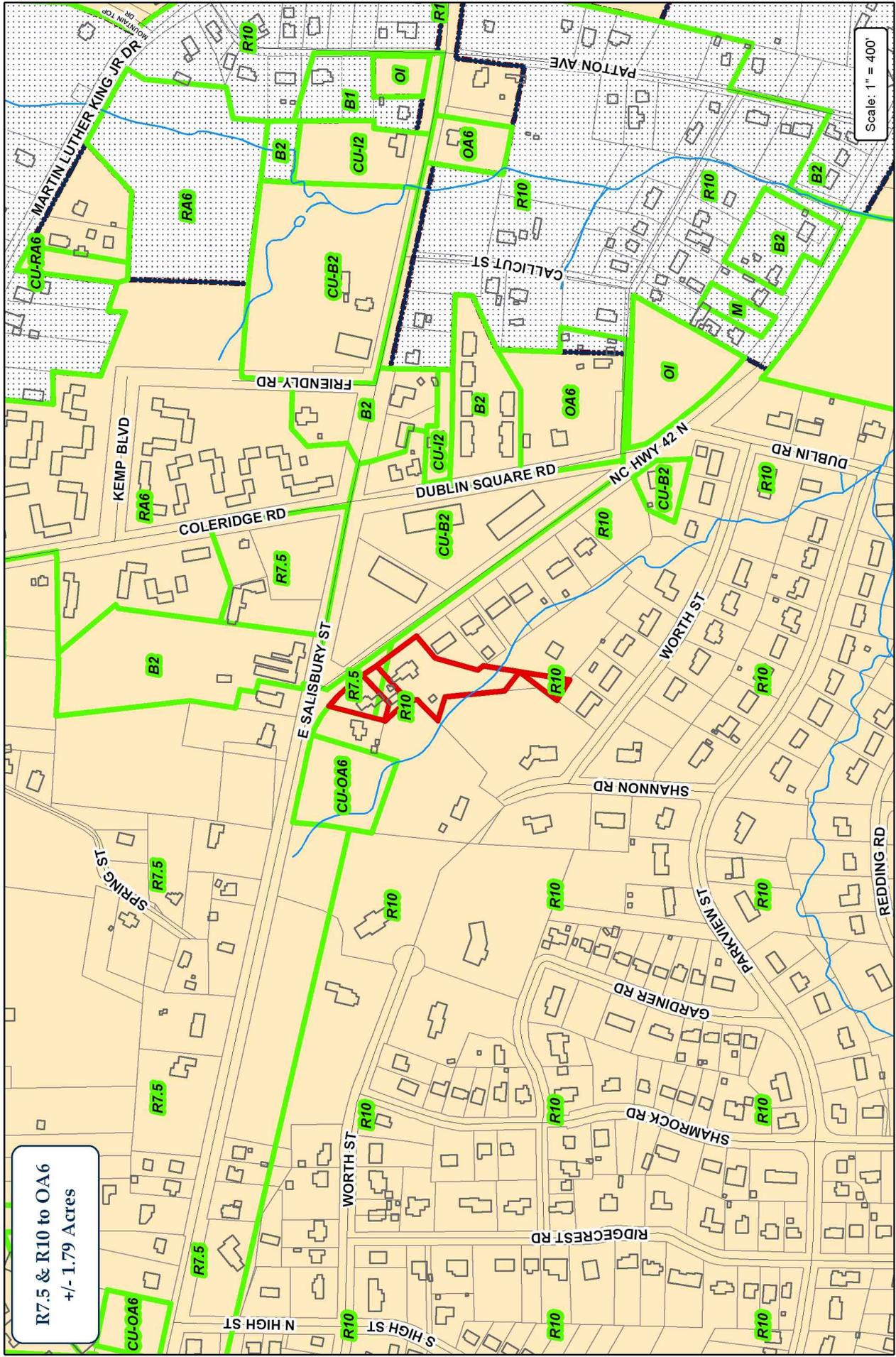
### Reason for Recommendation

There are a number of goals and policies supporting the request. The property is located on a major thoroughfare (NC Hwy. 42 N.) near its intersection with another major thoroughfare (E. Salisbury St.) and is adjacent to or near commercial, office, and institutional uses. The OA6 district can be an appropriate transition between commercial and residential uses.

However, several LDP goals and policies do not support the request. The proposed land use map designates the property for neighborhood residential use, which encourages residential development of density similar to existing neighborhoods while limiting multi-family development. The neighborhood residential designation doesn't encourage non-residential development outside of designated neighborhood commercial centers and the Central Small Area plan emphasizes preservation of existing residential neighborhoods. Additionally, the city's draft Comprehensive Transportation Plan identifies NC Hwy. 42 N. as needing improvement. The ability to effectively address adverse impacts, such as mitigating worsening traffic congestion through access management, becomes impractical without the ability to review a site-specific development plan.

### Evaluation of Consistency with Adopted Comprehensive Plans/Reasonableness and Public Interest

After considering the above factors, staff believes the existing zoning designation will allow a reasonable use of the property and ensure consistency with the Land Development Plan.

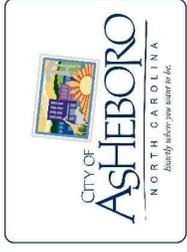


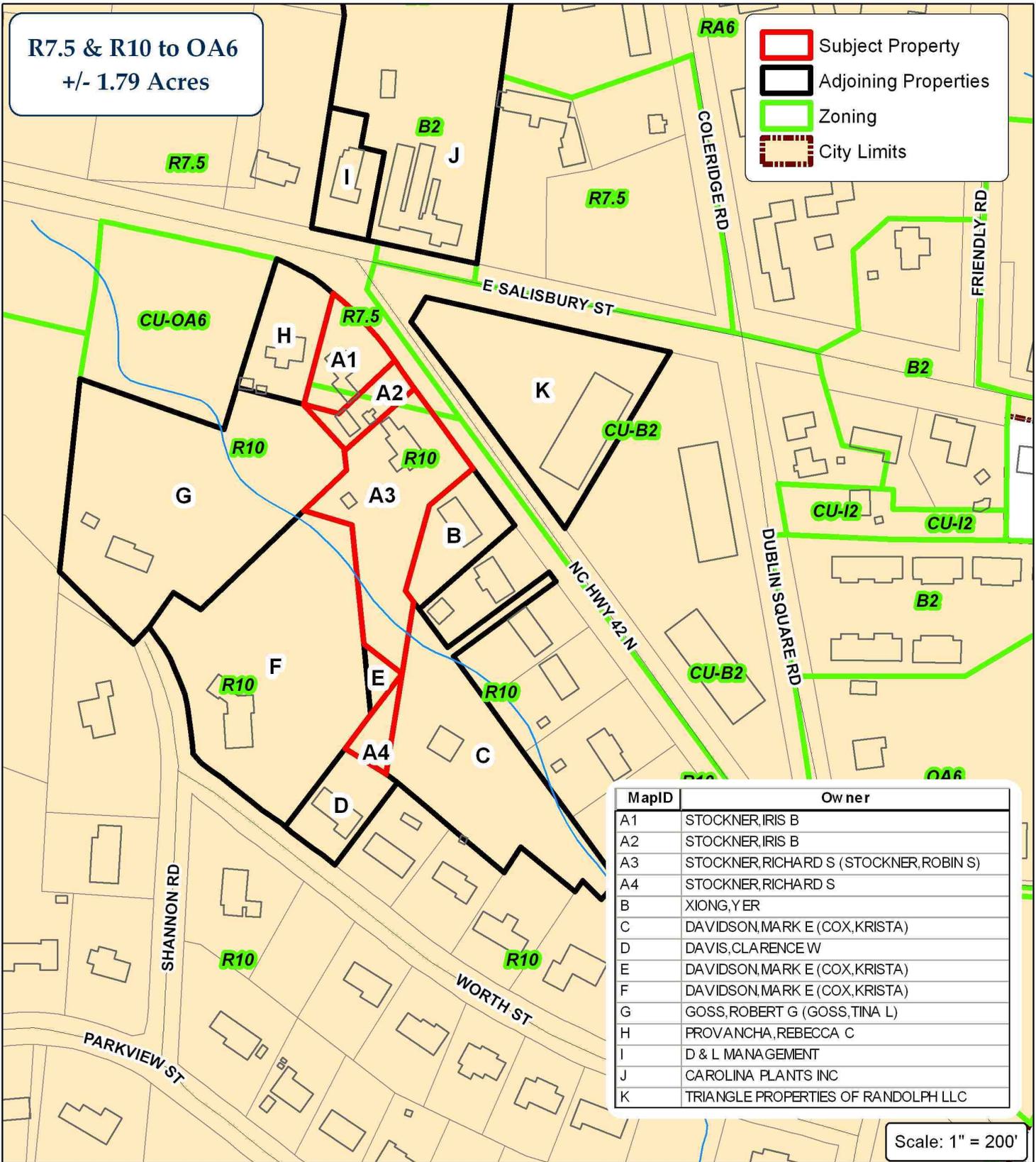
R7.5 & R10 to OA6  
+/- 1.79 Acres



Subject Property  
Zoning  
City Limits  
ETJ

City of Asheboro  
Planning & Zoning Department  
Rezoning Case: RZ-14-04  
Parcels: 7761321382, 7761322047, 7761312710 & 7761322224





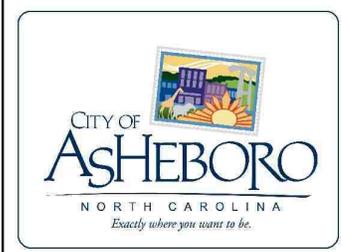
R7.5 & R10 to OA6  
+/- 1.79 Acres

**Legend**

- Subject Property
- Adjoining Properties
- Zoning
- City Limits

MapID	Owner
A1	STOCKNER, IRIS B
A2	STOCKNER, IRIS B
A3	STOCKNER, RICHARD S (STOCKNER, ROBIN S)
A4	STOCKNER, RICHARD S
B	XIONG, YER
C	DAVIDSON, MARK E (COX, KRISTA)
D	DAVIS, CLARENCE W
E	DAVIDSON, MARK E (COX, KRISTA)
F	DAVIDSON, MARK E (COX, KRISTA)
G	GOSS, ROBERT G (GOSS, TINA L)
H	PROVANCHA, REBECCA C
I	D & L MANAGEMENT
J	CAROLINA PLANTS INC
K	TRIANGLE PROPERTIES OF RANDOLPH LLC

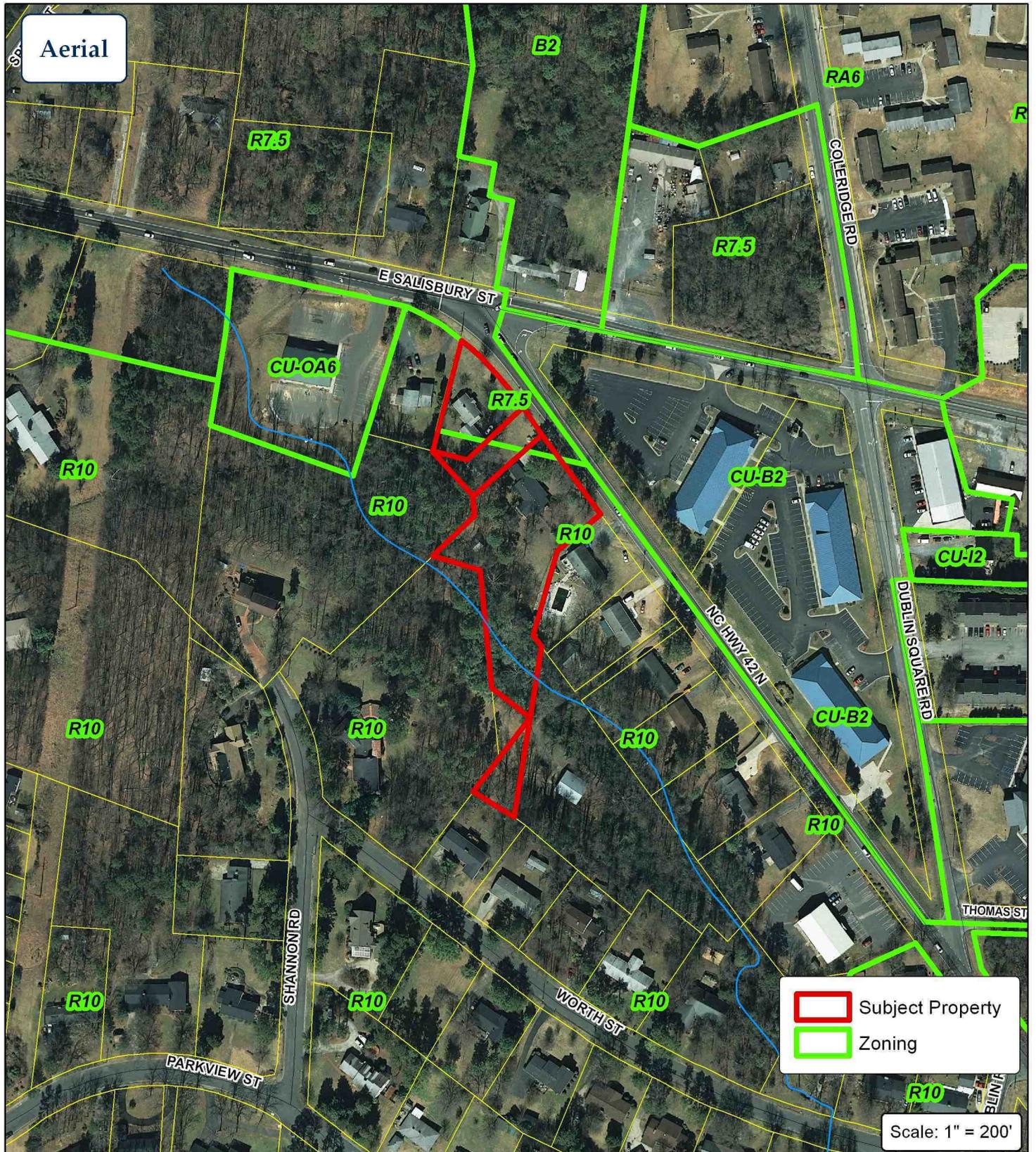
Scale: 1" = 200'



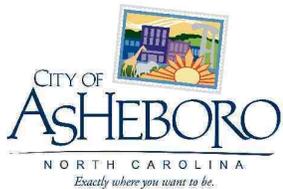
**City of Asheboro**  
**Planning & Zoning Department**  
**Rezoning Case: RZ-14-04**  
**Parcels: 7761321382, 7761322047,**  
**776132710 & 7761322224**







Aerial



**City of Asheboro  
Planning & Zoning Department**

**Rezoning Case: RZ-14-04**

**Parcels: 7761321382, 7761322047,  
7761312710 & 7761322224**





TO: John Ogburn, City Manager  
FROM: Trevor L. Nuttall, Community Development Director   
DATE: 5-30-14  
RE: Proposed Amendments to Code of Asheboro Section 91.05 (Maximum Number of Dogs on Premises) and 91.06 (Maximum Number of Cats on Premises)

At the June 5, 2014 regular meeting of the City Council, staff will be proposing to amend the Code of Asheboro to allow a household located within the city limits to keep a maximum of three dogs and three cats on a parcel or zoning lot having less than 30,000 s.f. Currently, regulations allow a household located within the city limits to keep a maximum of two dogs and two cats on a parcel or zoning lot having less than 30,000 s.f.

These proposed amendments are made following a review of data that indicated 81% of residential lots or parcels within the city limits currently are limited to 2 dogs and two cats. The amendments would permit all households located within the city limits to keep at least 3 dogs and 3 cats.