

**REGULAR MEETING
ASHEBORO CITY COUNCIL
THURSDAY, DECEMBER 7, 2006
7:00 p.m.**

This being the time and place for a regular meeting of the Mayor and the City Council, a meeting was held with the following officials and members present:

David H. Jarrell) – Mayor Presiding

Talmadge Baker)
Linda Carter)
Keith Crisco)
Nancy Hunter) – Council Members Present
Archie Priest)
Walker Moffitt)
David Smith)

John N. Ogburn, III, City Manager
Dumont Bunker, P.E., City Engineer
John Evans, Code Enforcement Officer
Holly J. Hartman, City Clerk/Senior Legal Assistant
R. Wendell Holland, Zoning Administrator
Deborah P. Juberg, Finance Director
Timmy R. Lee, Police Captain
R. Reynolds Neely, Jr., Planning Director
Trevor L. Nuttall, Planner
O. Lynn Priest, Community Development Director
Jeffrey C. Sugg, City Attorney

1. Call to Order.

A quorum thus being present, Mayor Jarrell called the meeting to order for the transaction of business, and business was transacted as follows:

2. Pledge of Allegiance and Invocation.

Mayor Jarrell asked everyone to stand and repeat the Pledge of Allegiance. Reverend Mark Beane gave the invocation.

3. Appearance and recognition of guests and citizens.

Mayor Jarrell welcomed everyone in attendance.

4. Consent Agenda.

At the request of city staff and upon motion by Mr. Crisco and seconded by Ms. Carter, Council voted unanimously to continue the following consent agenda item to the next regular meeting of the council:

- Approval of a resolution authorizing the City of Asheboro to enter into a hangar lease agreement with Randolph Hangar Rentals, LLC to construct and sublease ten (10) nested aircraft hangars on the premises of the Asheboro Regional Airport for the amount of \$1,247.40 per year for a term of thirty (30) years.

Upon motion by Mr. Smith and seconded by Ms. Hunter, Council voted unanimously to approve the following consent agenda items:

- Approval of the minutes of the city council's regular meeting that was held on November 9, 2006.
- Approval of findings of fact, conclusions of law, and order in the matter of CUP-06-23.

IN THE MATTER OF THE APPLICATION OF WAYNE AND MERLE KING AND JOSEPH AND ZELDA
BURROWS FOR A CONDITIONAL USE PERMIT ALLOWING A
RETAIL SHOPPERS GOODS LAND USE

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING A CONDITIONAL USE
PERMIT

THIS MATTER came before the Asheboro City Council (hereinafter referred to as the "Council") for hearing during a regular meeting of the Council that was held on October 5, 2006. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby make the following:

FINDINGS OF FACT

1. A parcel of land owned by Wayne and Merle King is located at 163 Dublin Road Extension and consists of approximately 1.17 acres of land. Randolph County Parcel Identification Number 7760382594 more specifically identifies this parcel of land. An adjoining parcel of land, which is owned by Joseph and Zelda Burrows, is located in the northwest corner of the intersection of East Dixie Drive (United States Highway 64) and Dublin Road. The Burrows' parcel of land is identified by Randolph County Parcel Identification Number 7760382393 and consists of approximately 1.93 acres of land.
2. Wayne and Merle King along with Joseph and Zelda Burrows (hereinafter referred to as the "Applicants") jointly applied for a legislative rezoning of these two (2) parcels of land. The combined acreage of the two (2) parcels is approximately 3.10 acres of land, and the requested zoning district for the combined zoning lot (hereinafter referred to as the "Zoning Lot") is a Conditional Use B-2 zoning district. The Council approved the requested rezoning on October 5, 2006.
3. As part of the quasi-judicial portion of the Applicants' request, the Council considered the issuance of a Conditional Use Permit that would allow a "Retail Shoppers Goods" use, as defined by the Asheboro Zoning Ordinance, to exist on the Zoning Lot.
4. The "Retail Shoppers Goods" land use is permitted in the underlying B-2 zoning district.
5. The land uses immediately surrounding the Zoning Lot are single-family residential to the north, undeveloped and commercial uses to the south and east, and residential and commercial uses to the west.
6. The Zoning Lot is located in an area that is designated on the Growth Strategy Map as "Primary Growth" and is identified as "Neighborhood Residential" on the proposed Land Development Plan Map.
7. The Zoning Lot is located within the city limits, and all city services are available to the lot.
8. East Dixie Drive is a major thoroughfare. Dublin Road Extension provides access to four (4) residential properties from Dublin Road. Dublin Road is a minor thoroughfare.
9. Except in areas where residential land uses are accommodated, the width of the commercial corridor along Dixie Drive is generally greater than four hundred (400) feet from the centerline of the highway. Commercial zoning in the area of the Zoning Lot is between one hundred fifty (150) feet and three hundred (300) feet from the centerline of Dixie Drive.
10. The site plan and elevations submitted by the Applicants for the proposed land use have been reviewed by members of the planning department staff, and the site plan and elevations are in compliance with the provisions of the Asheboro Zoning Ordinance.
11. The proposed site plan does not impede the ability of the existing residential dwellings to access Dublin Road via Dublin Road Extension. The design changes impacting Dublin Road and Dublin Road Extension have been engineered in accordance with the applicable standards of the North Carolina Department of Transportation.
12. Once questions about the long-term ability of the existing residential dwellings to access public streets/highways were addressed by the Applicants' representative, no evidence was entered in opposition to the request for a conditional use permit.

Based on the foregoing findings of fact, the Council makes the following:

CONCLUSIONS OF LAW

1. The proposed use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
2. The evidence received during the public hearing established that the proposed use does meet all of the required conditions and specifications of the Asheboro Zoning Ordinance.
3. The evidence presented during the course of the hearing of this matter established that the proposed use would not substantially injure the value of the adjoining or abutting property.
4. The location and character of the Applicant's proposed use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

The Applicants are hereby issued a Conditional Use Permit that authorizes a "Retail Shoppers Goods" land use to be conducted on the Zoning Lot. This Conditional Use Permit shall remain valid so long as the Applicants, and their heirs, successors, and assigns, conduct this approved land use in compliance with the approved site plan, the provisions of the Asheboro Zoning Ordinance, and the following conditions that are hereby attached to this permit:

1. If Section 322A of the Asheboro Zoning Ordinance is amended subsequent to the Council's vote to approve the issuance of this permit, the Applicants shall be allowed to utilize the regulatory framework prescribed by Section 322A of the Asheboro Zoning Ordinance, as amended.
2. In the event the Applicants avail themselves of the immediately preceding condition, the Applicants shall prepare an approvable revised site plan that complies with the amended Section 322A of the Asheboro Zoning Ordinance. This revised site plan shall be submitted in a timely manner to the planning department for staff review, approval, and inclusion in the file without further review by the Council. This condition shall only apply to site plan revisions strictly related to compliance with the amended provisions of Section 322A of the Asheboro Zoning Ordinance, and not to revisions that would otherwise be defined as a permit modification.

Adopted by the Asheboro City Council in regular session on the 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman, City Clerk

- Approval of findings of fact, conclusions of law, and order in the matter of SUP-06-10.

SUP-06-10
City Council
City of Asheboro

IN THE MATTER OF THE APPLICATION OF WATERFORD MEADOWS DEVELOPMENT COMPANY,
LLC FOR A SPECIAL USE PERMIT ALLOWING A RESIDENTIAL PLANNED UNIT DEVELOPMENT
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING A SPECIAL USE PERMIT

THIS MATTER came before the Asheboro City Council (hereinafter referred to as the "Council") for hearing during a regular meeting of the Council that was held on October 5, 2006. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby make the following:

FINDINGS OF FACT

1. Waterford Meadows Development Co., LLC, (hereinafter referred to as the "Applicant") has properly filed an application with the City of Asheboro Planning Department for a Special Use Permit that would allow the construction of a residential planned unit development consisting of fifty four (54) attached duplex townhouses for a total of 108 residential townhouse units and lots.
2. The Applicant proposes to build these townhouse units on a parcel of the Applicant's land that consists of approximately 47.83 acres.

3. This parcel of land (hereinafter referred to as the "Zoning Lot") is located along the north side of Hub Morris Road, approximately 700 feet east of the intersection of Hub Morris Road with North Fayetteville Street.

4. Randolph County Parcel Identification Number 7763168825 more specifically identifies the Zoning Lot.

5. The Zoning Lot is located in an R10 zoning district, and a planned unit development is permitted in an R10 zoning district.

6. The Growth Strategy Map identifies the area in which the Zoning Lot is located as "Primary Growth," and the Proposed Land Development Plan Map designates the area in question as "Neighborhood Residential."

7. The land uses to the north and east of the Zoning Lot are low-density residential, medium-density residential use is found to the south, and a mix of residential and commercial uses are located to the west.

8. The Zoning Lot is located within the corporate limits of the City of Asheboro, and all city services are available to the lot.

9. At the point along Hub Morris Road where the Zoning Lot is located, the road is a non-thoroughfare. Hub Morris Road becomes a major thoroughfare east of its intersection with Forest Park Drive.

10. The submitted site plan identifies two (2) access points for the proposed development. One access point is located along Hub Morris Road, and the other access point is located along Forest Park Drive.

11. Without this permit and under a traditional subdivision design, the existing R10 zoning district would permit in excess of one hundred twenty-five (125) single-family lots to be developed on the Zoning Lot. The density requested in this application is allowable under the city's zoning regulations.

12. Members of the city's staff in the planning department have reviewed the site plan and elevations submitted by the Applicant, and the said site plan and elevations do comply with the requirements of the Asheboro Zoning Ordinance.

13. Mr. H.R. Gallimore, who is a licensed real estate agent, testified that, in his opinion, the proposed development would have a positive impact on the value of all of the property located in the area surrounding the Zoning Lot.

14. During the hearing of this matter, no testimony or other form of evidence was submitted to the Council in opposition to the Applicant's request.

Based on the foregoing findings of fact, the Council hereby enters the following:

CONCLUSIONS OF LAW

1. During the hearing of this matter, the evidence submitted to the Council indicated that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

2. The proposed use meets all required conditions and specifications of the Asheboro Zoning Ordinance.

3. The Applicant's proposed use will not substantially injure the value of the adjoining or abutting property.

4. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

Waterford Meadows Development Co., LLC is hereby issued a Special Use Permit that authorizes a residential "Planned Unit Development" land use to be conducted on the Zoning Lot. This Special Use Permit shall remain valid so long as the Applicant, and its successors and assigns, conduct this approved land use in compliance with the approved site plan, the provisions of the Asheboro Zoning Ordinance, and the following conditions that are hereby attached to this permit:

1. General landscaping must be provided within the thirty foot front yard setback located along Hub Morris Road and Forest Park Drive in a manner that is consistent with the requirements set forth in Section 308A of the Asheboro Zoning Ordinance. This landscaping may include the retention of existing significant trees, or the planting of new trees and evergreen shrubs, or a combination thereof.

2. Detailed recreation plans shall be presented as part of the submittals for preliminary subdivision plat approval in order to ensure that adequate recreational facilities are provided as required by the Asheboro Zoning and Subdivision Ordinances.

Adopted by the Asheboro City Council in regular session on the 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman, City Clerk

- Approval of findings of fact, conclusions of law, and order in the matter of CUP-06-37.

CUP-06-37
City Council
City of Asheboro

IN THE MATTER OF THE APPLICATION OF MORTON & SEWELL DEVELOPMENT COMPANY, INC.
FOR A CONDITIONAL USE PERMIT

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING A CONDITIONAL USE
PERMIT

THIS MATTER came before the Asheboro City Council (hereinafter referred to as the "Council") for hearing during a regular meeting of the Council that was held on October 5, 2006. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby make the following:

FINDINGS OF FACT

1. Morton & Sewell Development Company, Inc. (hereinafter referred to as the "Applicant") has properly filed with the City of Asheboro Planning Department an application for a conditional use permit that would authorize manufactured homes that exceed the current age limitations to be placed in the Applicant's existing subdivision. Specifically, the Applicant is seeking a permit that would allow manufactured homes that are no more than ten (10) years old at the time of placement to be located within the development.

2. The Applicant's existing single-family residential development is commonly referred to as the North Point Acres Subdivision. This development (hereinafter referred to as the "Zoning Lot") is located along the entirety of Humble Hollow Drive, consists of approximately 19.23 acres of land, and is more specifically described on a plat of survey recorded in the Office of the Randolph County Register of Deeds in Plat Book 85, Page 5.

3. The Growth Strategy Map designates the area in which the Zoning Lot is located as a "Primary Growth" area, and the Proposed Land Development Plan Map identifies the area as "Neighborhood Residential."

4. The Zoning Lot is located in a CU-R40 zoning district, and the existing manufactured home development is a permitted use in the underlying R40 zoning district.

5. The land uses surrounding the Zoning Lot consist of medium-density residential uses to the north, south, and west, while a manufactured home park is located to the east of the Zoning Lot.

6. The Zoning Lot is located within the corporate limits of the City of Asheboro, and all city services are available to the Zoning Lot.

7. Humble Hollow Drive is a city-maintained street that can serve nineteen (19) residential lots. According to the Applicant's site plan, nine (9) homes are located on Humble Hollow Drive as of the date of the hearing of this matter.

8. Due to the fact that this development is located in a conditional use zoning district, a conditional use permit is required for a specific use to be conducted on the Zoning Lot. The existing Conditional Use Permit was issued under planning department file number CUP-04-02, and this existing

permit restricts the age of any manufactured home placed in the development to no more than three (3) years of age at the time of placement.

9. Subsequent to the issuance of the existing permit, this Council amended the city's zoning ordinance to permit manufactured homes constructed no more than ten (10) years prior to the date of application for a zoning compliance permit to be placed in manufactured home parks. With this current request, the Applicant is requesting that its existing Conditional Use Permit be amended in order to permit homes to be placed within the Applicant's development that are comparable in terms of age to the homes permitted in manufactured home parks.

10. The Applicant's request is strictly limited to amending the allowable age of manufactured homes placed within the development. No other changes are proposed for the existing land use.

11. The Applicant's representative testified as to the Applicant's continuing compliance with the existing permit and the continuing validity of the evidence originally presented in support of the issuance of the existing Conditional Use Permit under file number CUP-04-02.

12. The planning department staff reviewed the site plan submitted with this application and testified as to the continuing compliance of the site plan with the requirements of the Asheboro Zoning Ordinance.

13. During the hearing of this matter, no evidence was presented in opposition to the Applicant's request for the issuance of a Conditional Use Permit.

Based on the foregoing findings of fact, the Council makes the following:

CONCLUSIONS OF LAW

1. During the hearing of this matter, the evidence submitted to the Council indicated that the continuing use, as modified by this application, of the Zoning Lot will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

2. The proposed use continues to meet all of the required conditions and specifications of the Asheboro Zoning Ordinance.

3. The Applicant's proposal for its continued use of the Zoning Lot will not substantially injure the value of the adjoining or abutting property.

4. The location and character of the use if developed according to the plan as submitted and approved will continue to be in harmony with the area in which it is located and in general conformity with the plan of development of Asheboro and its environs.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

The Applicant is hereby issued a Conditional Use Permit that authorizes for the Zoning Lot a single-family residential development, specifically a manufactured home subdivision. This Conditional Use Permit shall remain valid so long as the Applicant, and its successors and assigns, conducts this approved land use in compliance with the approved site plan, the provisions of the Asheboro Zoning Ordinance, and the following conditions that are hereby attached to this permit:

1. This manufactured home subdivision shall have a maximum of nineteen (19) lots.

2. All manufactured homes shall conform to the "Manufactured/Mobile Home" definition established in Article 1100 of the Asheboro Zoning Ordinance.

3. With the exception of that portion of the Zoning Lot fronting a public street, a no cut buffer zone that is fifteen feet (15') in width shall be maintained around the outer perimeter of the manufactured home subdivision depicted in the site plan submitted to the Council as part of the application for this Conditional Use Permit.

Adopted by the Asheboro City Council in regular session on the 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman, City Clerk

- Approval of findings of fact, conclusions of law, and order in the matter of SUP-06-11.

SUP-06-11
City Council
City of Asheboro

IN THE MATTER OF THE APPLICATION BY LARRY McKENZIE FOR A SPECIAL USE PERMIT
ALLOWING A RESIDENTIAL PLANNED UNIT DEVELOPMENT WITH A MAXIMUM FLOOR AREA
THAT IS NOT TO EXCEED 22%

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING A
SPECIAL USE PERMIT

THIS MATTER came before the Asheboro City Council (hereinafter referred to as the "Council") for hearing during a regular meeting of the Council that was held on October 5, 2006. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby make the following:

FINDINGS OF FACT

1. Mr. Larry McKenzie (hereinafter referred to as the "Applicant") has properly filed an application with the City of Asheboro Planning Department for a Special Use Permit authorizing a residential Planned Unit Development with a maximum floor area (hereinafter referred to as a "FAR") that is not to exceed 22%.
2. The parcel of land for which a Special Use Permit is sought is located on the east side of South Main Street, approximately 300 feet northeast of the intersection of South Main Street with South Cox Street. This parcel of land (hereinafter referred to as the "Zoning Lot") is more specifically identified by Randolph County Parcel Identification Number 7750896775.
3. The Zoning Lot consists of approximately 3.25 acres of land that are undeveloped as of the date of the hearing of this matter.
4. The Growth Strategy Map designates the area in which the Zoning Lot is located as "Primary Growth," and the Proposed Land Development Plan Map indicates that said lot is located in an area designated as "Urban Residential."
5. The land uses to the north and east are classified as single-family residential. A mixture of single-family and multi-family residential uses is located to the south. To the west, a mixture of single-family residential and institutional land uses can be found.
6. The Zoning Lot is located within the corporate limits of the City of Asheboro, and all city services are available to the Zoning Lot.
7. South Main Street is a city-maintained collector street.
8. The proposed land use is a residential planned unit development consisting of 14 townhouses with a maximum floor area that is not to exceed 22%. A private street that is to be maintained by the homeowners would serve the proposed development.
9. The Zoning Lot is located in an RA6 zoning district. A residential planned unit development with a maximum floor area of 22%, as opposed to 17%, is permitted in an RA6 zoning district with a special use permit.
10. The RA6 zoning district is intended to produce high intensity residential uses in close proximity to major nodes of non-residential development.
11. The density proposed by the Applicant for this development is similar to the allowable density of a traditional subdivision development in the RA6 zoning district.
12. The site plan and elevations submitted by the Applicant have been reviewed by all of the applicable city departments, and these plans have been found to be in compliance with the Asheboro Zoning Ordinance.
13. The Applicant is an experienced real estate developer, and he testified as to his opinion that the proposed upper scale townhouses will improve property values in the neighborhood surrounding the development.
14. The Applicant and an adjoining property owner, Mr. James B. King, testified as to their agreement, prior to the hearing of this matter, to the installation of a hedgerow of trees and a solid wooden fence around the designated picnic area for the development and along the development's common boundary line with Mr. King. The Applicant acknowledged during the hearing of this matter that

the agreed upon installation of a hedgerow of trees and a fence is in addition to the requirements prescribed by the zoning ordinance for the buffers indicated on the submitted site plan.

15. Aside from the issues resolved by the Applicant and Mr. King with the agreement described in the immediately preceding finding, no testimony or other form of evidence was presented to the Council in opposition to the Applicant's request.

Based on the foregoing findings of fact, the Council hereby makes the following:

CONCLUSIONS OF LAW

1. The proposed land use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

2. The proposed land use meets all required conditions and specifications of the Asheboro Zoning Ordinance.

3. The Applicant's proposed land use will not substantially injure the value of the adjoining or abutting property.

4. The location and character of the proposed land use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

The Applicant, Mr. Larry McKenzie, is hereby issued a Special Use Permit that authorizes a residential "Planned Unit Development" land use with a maximum floor area that is not to exceed 22% to be conducted on the Zoning Lot. This Special Use Permit shall remain valid so long as the Applicant, and his heirs, successors, and assigns, conduct this approved land use in compliance with the approved site plan, the provisions of the Asheboro Zoning Ordinance, and the following conditions that are hereby attached to this permit:

1. In addition to the buffer specified on the site plan submitted to the Council and approved during the hearing of this matter, a hedgerow of 4-foot to 6-foot tall trees shall be installed and maintained 6 to 8 feet on center along the approximately 190-foot length of the common boundary line between the development and Mr. James B. King. This hedgerow of trees shall be installed and maintained to the inside of the buffer indicated on the approved site plan.

2. In addition to the buffer specified on the site plan submitted to the Council and approved during the hearing of this matter, a 6-foot high solid wooden fence shall be installed/constructed and maintained along the approximately 52-foot length of the development's common property line with James B. King and the approximately 82-foot length of the development's common property line with Benjamin Lockwood that is within close proximity to the development's proposed picnic area. This solid wooden fence shall be installed/constructed and maintained to the inside of the buffer indicated on the approved site plan.

3. The Applicant shall prepare an approvable revised site plan that conforms to the specifications prescribed by conditions 1 and 2 above. This revised site plan shall be submitted in a timely manner to the planning department for staff review, approval, and inclusion in the file without further review by the Council. This condition shall only apply to site plan revisions strictly related to compliance with the conditions expressly imposed by this permit, and not to revisions that would otherwise be defined as a permit modification.

Adopted by the Asheboro City Council in regular session on the 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman, City Clerk

- Approval of a resolution per G.S. 143-64.32 exempting the City of Asheboro from the advertisement/qualification based selection procedure to contract with Trittech Civil Environmental, PC for surveying and engineering services for the following projects at a contract amount of \$44,300:

- Project #1: Water line replacements along Sunny Lane, Keystone Drive and Twain Drive.
- Project #2: Sewer line extensions along Sunny Lane, Brookwood Drive and Twain Drive, including a sewer easement survey.

- Project #3: Annexation survey and map for Legend Park (portions of Brookwood Drive and Twain Drive), North Shore and a portion of Hamlet Lakes (Snowden Court).

62 RES 12-06

RESOLUTION EXEMPTING THREE (3) PROJECTS FROM THE PROVISIONS OF ARTICLE 3D OF CHAPTER 143 OF THE NORTH CAROLINA GENERAL STATUTES

WHEREAS, Section 143-64.31 of Chapter 143, Article 3D of the North Carolina General Statutes provides in pertinent part as follows:

It is the public policy of this State and all public subdivisions and Local Governmental Units thereof . . . to announce all requirements for architectural, engineering, surveying, and construction management at risk services, to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm; and

WHEREAS, Section 143-64.32 of the North Carolina General Statutes provides in pertinent part as follows:

Units of local government . . . may in writing exempt particular projects from the provisions of this Article (Article 3D) in the case of:

- (a) Proposed projects where an estimated professional fee is in an amount less than thirty thousand dollars (\$30,000), or
- (b) Other particular projects exempted in the sole discretion of . . . the unit of local government, stating the reasons therefore and the circumstances attendant thereto; and

WHEREAS, the City of Asheboro is undertaking a water line replacement project that will entail replacing water lines along Sunny Lane, Keystone Drive, and Twain Drive; and

WHEREAS, the City of Asheboro is undertaking a sewer line extension project, including sewer easement surveys, along Sunny Lane, Brookwood Drive, and Twain Drive; and

WHEREAS, in preparation for the potential statutory annexation of the areas known as Legend Park (portions of Brookwood Drive and Twain Drive), North Shore, and a portion of Hamlet Lakes (Snowden Court), the City of Asheboro is undertaking a project to procure annexation surveying and mapping for the areas under review; and

WHEREAS, the successful implementation of each of these projects will require the procurement of engineering services and/or surveying services; and

WHEREAS, Trittech Civil Environmental, PC has the in-house capability to provide the requisite engineering and surveying services for each of the projects listed above; and

WHEREAS, during previous projects, Trittech Civil Environmental, PC has demonstrated to the city's engineering department the desired level of competence and responsiveness in providing engineering and surveying services similar to the services that will be needed in order to successfully complete the projects listed above; and

WHEREAS, Trittech Civil Environmental, PC has proposed to provide the engineering services required for the water line replacement project along Sunny Lane, Keystone Drive, and Twain Drive in consideration of an estimated professional fee of sixteen thousand seven hundred fifty and no/100 dollars (\$16,750.00); and

WHEREAS, Trittech Civil Environmental, PC has proposed to provide the engineering and surveying services required for the sewer line extension project along Sunny Lane, Brookwood Drive, and Twain Drive in consideration of an estimated professional fee of nineteen thousand one hundred fifty and no/100 dollars (\$19,150.00); and

WHEREAS, Trittech Civil Environmental, PC has proposed to provide the surveying services required for the annexation surveying and mapping project for Legend Park (portions of Brookwood Drive and Twain Drive), North Shore, and a portion of Hamlet Lakes (Snowden Court) in consideration of an estimated professional fee of eight thousand four hundred and no/100 dollars (\$8,400.00); and

WHEREAS, Trittech Civil Environmental, PC has conditioned the proposed professional fees listed above on the ability to achieve certain efficiencies of scale by receiving approval from the city to proceed concurrently with all three (3) projects and consolidate tasks where possible; and

WHEREAS, on the basis of the estimated professional fees for each project as well as the qualifications and demonstrated suitability of Trittech Civil Environmental, PC for meeting the city's current need for a combination of engineering and surveying services, the City Manager and the City Engineer have concluded that Trittech Civil Environmental, PC should be utilized to provide the engineering and surveying services needed to successfully implement each of the above-referenced projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro as follows:

Section 1. The water line replacement project encompassing Sunny Lane, Keystone Drive, and Twain Drive is hereby exempted on the basis of the above-cited factors from the provisions of Article 3D of Chapter 143 of the North Carolina General Statutes.

Section 2. The sewer line extension project, which encompasses Sunny Lane, Brookwood Drive, and Twain Drive and specifically includes the procurement of sewer easement surveys, is hereby exempted on the basis of the above-cited factors from the provisions of Article 3D of Chapter 143 of the North Carolina General Statutes.

Section 3. The annexation surveying and mapping project encompassing Legend Park (portions of Brookwood Drive and Twain Drive), North Shore, and a portion of Hamlet Lakes (Snowden Court) is hereby exempted on the basis of the above-cited factors from the provisions of Article 3D of Chapter 143 of the North Carolina General Statutes.

Adopted by the Asheboro City Council in regular session on the 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman, City Clerk

- Approval of a resolution per G.S. 143-64.32 exempting the City of Asheboro from the advertisement/qualification based selection procedure to contract with ECS Carolinas, LLP to provide geotechnical engineering services for the proposed 16" water line along U.S. 220 Bypass between Park Drive and Pineview Road, including a 12" water line along a portion of Spero Road and an 8" water line along a portion of Davidson Road, for an estimated fee of \$27,900.

63 RES 12-06

RESOLUTION EXEMPTING A PROJECT FROM THE PROVISIONS OF ARTICLE 3D OF CHAPTER 143 OF THE NORTH CAROLINA GENERAL STATUTES

WHEREAS, Section 143-64.31 of Chapter 143, Article 3D of the North Carolina General Statutes provides in pertinent part as follows:

It is the public policy of this State and all public subdivisions and Local Governmental Units thereof . . . to announce all requirements for architectural, engineering, surveying, and construction management at risk services, to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm; and

WHEREAS, Section 143-64.32 of the North Carolina General Statutes provides in pertinent part as follows:

Units of local government . . . may in writing exempt particular projects from the provisions of this Article (Article 3D) in the case of:

- (c) Proposed projects where an estimated professional fee is in an amount less than thirty thousand dollars (\$30,000), or
- (d) Other particular projects exempted in the sole discretion of . . . the unit of local government, stating the reasons therefore and the circumstances attendant thereto; and

WHEREAS, the City of Asheboro is preparing to undertake a project to construct a 16" water line along the United States Highway 220 Bypass between Park Drive and Pineview Road, and this project

includes the construction of a 12" water line along a portion of Spero Road and an 8" inch water line along a portion of Davidson Road; and

WHEREAS, in order to successfully implement and complete this project, the city will have to procure geotechnical engineering services; and

WHEREAS, ECS Carolinas, LLP has the capability to provide the requisite geotechnical engineering services for the project listed above; and

WHEREAS, ECS Carolinas, LLP has proposed to provide the needed geotechnical engineering services for the project listed above in consideration of an estimated professional fee of twenty-seven thousand nine hundred and no/100 dollars (\$27,900.00); and

WHEREAS, on the basis of the firm's qualifications and the estimated professional fee for this project, the City Manager and the City Engineer have concluded that ECS Carolinas, LLP should be utilized to provide the geotechnical engineering services needed to successfully implement and complete the project described above.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the project to construct a 16" water line along the United States Highway 220 Bypass between Park Drive and Pineview Road, including the construction of a 12" water line along a portion of Spero Road and an 8" inch water line along a portion of Davidson Road, is hereby exempted from the provisions of Article 3D of Chapter 143 of the North Carolina General Statutes on the basis of the fact that the estimated professional fee for the needed geotechnical engineering services is less than thirty thousand and no/100 dollars (\$30,000.00).

Adopted by the Asheboro City Council in regular session on the 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman, City Clerk

OLD BUSINESS:

5. **RZ/CUP-06-38: Rezone from R10 to CU-RA6 / South side of Martin Luther King, Jr. Drive west of 1314 Martin Luther King, Jr. Drive.** The property of Timothy and DeShandra Woodle is located on the south side of Martin Luther King, Jr. Drive west of 1314 Martin Luther King, Jr. Drive and consists of approximately 24,393 square feet of land. Randolph County Parcel Identification Number 7761436218 more specifically describes the property.

Mayor Jarrell re-opened the public hearing on the following request that was originally heard in November, 2006 and continued to this meeting.

Since the initial hearing of the application by Timothy and DeShandra Woodle for a rezoning of the above-described property from an R10 Medium-Density Residential District to an RA6 High-Density Residential District, the Woodles amended their application to request a CU-RA6 zoning district along with a conditional use permit for a multi-family development consisting of four dwelling units.

Mr. Neely was sworn in and presented the staff's analysis of the applicants' request, including the submitted site plan. Additionally, Mr. Timothy Woodle was sworn in and addressed the four standard tests.

There being no comments nor opposition from the public, Mayor Jarrell closed the public hearing. An audiotape of the testimony presented during this hearing is on file in the City Clerk's office.

Upon motion by Ms. Carter and seconded by Ms. Hunter, Council unanimously voted to approve the request and placed the above-referenced property in a CU-RA6 High-Density Residential zoning district.

The applicants' decision to seek a conditional use district rather than an RA6 zoning district mitigated the concerns noted by the staff and Planning Board in relation to the Land Development Plan.

Upon motion by Mr. Baker and seconded by Mr. Crisco, Council unanimously voted to approve the requested Conditional Use Permit. The issuance of this permit was based on the four standard tests being met.

The formal findings of fact, conclusions of law, and order for this Conditional Use Permit will be entered by the Council in regular session on January 4, 2007. There were no conditions attached to the issuance of this permit.

6. **CUP-06-39: Conditional Use Permit Modification / 2159 and 2201 N. Fayetteville Street.**
The Property of Summers Run, LLC is located at 2159 and 2201 North Fayetteville Street and consists of approximately 13.69 acres of land. Randolph County Parcel Identification Number 7763033287 (a portion) more specifically identifies the property.

Mayor Jarrell re-opened the public hearing on the following request, which was continued from the Council's November 2006 regular meeting upon the written request of the applicant.

Mr. Neely was sworn in and presented the staff's analysis of the proposed site plan and the request by Summers Run, LLC for a Conditional Use Permit authorizing a modification of the previously approved site plan and approving a change in the design and layout of a multi-family development with a Floor Area Ratio of up to 22 percent.

On behalf of the Applicant, Mr. Jon Megerian, Esq. was sworn in and addressed the four standard tests.

There being no comments nor opposition from the public, Mayor Jarrell closed the public hearing. An audiotape of the testimony presented during this hearing is on file in the City Clerk's office.

Upon motion by Mr. Moffitt and seconded by Mr. Priest, Council voted unanimously to approve a Conditional Use Permit that authorizes a change in the design and layout of a multi-family development with a Floor Area Ratio of up to 22 percent. The issuance of this permit was based on the four standard tests being met and the attachment of three conditions to the permit.

The formal findings of fact, conclusions of law, and order granting this Conditional Use Permit will be entered by the Council in regular session on January 4, 2007. This order will reflect the specific conditions imposed upon this permit as a consequence of the testimony presented during the hearing of this matter.

7. **RZ-06-40: Rezone from CU-OA6 to B2 / North of 2159 and 2201 N. Fayetteville Street.** The property of Summers Run, LLC is located on the west side of North Fayetteville Street north of 2201 North Fayetteville Street and consists of approximately 34,413 square feet of land. Randolph County Parcel Identification Number 7763033287 (a portion) more specifically identifies the property.

Mayor Jarrell re-opened the public hearing on the following request, which was continued from the Council's November 2006 regular meeting upon the written request of the applicant.

Mr. Neely presented the Planning Department Staff's analysis of the request by Summers Run, LLC to rezone the above-described property from CU-OA6 Conditional Use Office and Apartment to B2 General Business. The Planning Board recommended denial in that the "request is not supported by the policies, goals, and maps of the Land Development Plan." On behalf of the Applicant, Mr. Jon Megerian, Esq. presented comments in support of the requested rezoning.

There being no comments nor opposition from the public, Mayor Jarrell closed the public hearing.

Upon motion by Mr. Smith and seconded by Mr. Moffitt, Council voted unanimously to approve the request and placed the above-described property in a B2 General Business zoning district. In rejecting the staff and Planning Board recommendation, the Council determined that, to the degree the Land Development Plan failed to account for the current location of B2 land uses up and down heavily traveled North Fayetteville Street, the Plan's recommendation is not persuasive. Furthermore, Council members found the requested rezoning to be in harmony with the village center concept and the desire to provide convenience for shoppers in an urban setting.

NEW BUSINESS

8. Land Use Issues:

Mayor Jarrell opened the public hearing on the following request:

- (a) **RZ-06-42: Rezone Randolph County Zoning to City R40 / South side of Randolph Tabernacle Road at Country Place and the north side of Old Cedar Falls Road 4000 feet west of Henley Country Road.** The property of Larry and Julie Pickett is located on the south side of Randolph Tabernacle Road at Country Place Road and consists of approximately 79.4 acres of land. Randolph County Parcel Identification Number 7762926049 more specifically identifies the property. The property of David and Ginger Lawson is located on the north side of Old Cedar Falls Road approximately 4,000 feet west of the intersection of Old Cedar Falls Road and Henley Country Road and consists of approximately 106.1 acres of land. Randolph County Parcel Identification Number 772117810 more specifically identifies the property.

Mr. Neely presented the Planning Department's request to rezone the entirety of the above-described property from Randolph County Zoning to City Zoning as an R40 Low-Density

Residential zoning district. The Planning Board recommended approval of the request based on the following:

“The R40 zoning district is consistent with both the city’s zoning pattern and Randolph County’s Growth Management designation for the area. The Low-Density Residential district is an appropriate initial city zoning for the properties because the properties currently lack access to city water and sewer. The zoning is also in the public’s interest because it establishes city zoning on property now within the city limits, as required by state law.”

Mr. Mike Brough, Esq., presented comments in support of the requested rezoning.

Mr. Dallas Turner, and Ms. Dana Urbanski presented comments and concerns in opposition to the request.

There being no further comments from the public, Mayor Jarrell closed the public hearing.

Upon motion by Mr. Crisco and seconded by Mr. Baker, Council adopted the recommendation of the Planning Board and approved the requested rezoning.

- (b) SUP-06-12: Special Use Permit / South side of Randolph Tabernacle Road at Country Place and the north side of Old Cedar Falls Road 4000 feet west of Henley Country Road. The property of Larry and Julie Pickett is located on the south side of Randolph Tabernacle Road at Country Place Road and consists of approximately 79.4 acres of land. Randolph County Parcel Identification Number 7762926049 more specifically describes the property. The property of David and Ginger Lawson is located on the north side of Old Cedar Falls Road approximately 4000 feet west of the intersection of Old Cedar Falls Road and Henley Country Road and consists of approximately 106.1 acres of land. Randolph County Parcel Identification Number 7772117810 more specifically describes the property.

Mayor Jarrell opened the public hearing on the following request for a Special Use Permit.

Mr. Neely was sworn in and presented the staff’s analysis of the proposed site plan and the request by 5 Star RV Resort Properties, LLC for a Special Use Permit to allow a Recreational Vehicle Resort to be developed on the above-described property.

On behalf of the Applicant, Mr. Mike Brough, Esq., Mr. Shawn Toohey, Mr. Steve Goldie, Mr. Jim Wright, and Mr. Don Spence were sworn in and addressed the four standard tests.

Mr. Jerry Eagin, Mr. John Marlowe, Ms. Janette Pickard, Mr. Herman Roberts, Ms. Nancy Davis, Mr. Alvin Lambeth, and Mr. Steve Grant presented testimony in support of the request.

Mr. Dallas Turner, Ms. Martie Brown, Ms. Jenny Smith, Mr. Pete Urbanski, and Mr. Garrett Smith presented comments and concerns in opposition to the request.

Upon determining that neither the applicants, opponents of the request, or any other member of the public had further testimony/evidence to offer, Mayor Jarrell closed the public hearing. An audiotape of the testimony presented during this hearing is on file in the City Clerk’s office.

After substantive discussion and upon motion by Mr. Moffitt and seconded by Mr. Priest, Council voted unanimously to approve the requested Special Use Permit. This approval is based on the sufficiency of the evidence presented to meet the four standard tests and the attachment of seven conditions to the permit.

The formal findings of fact, conclusions of law, and order for this Special Use Permit will be entered by the Council in regular session on January 4, 2007. This order will reflect the specific conditions imposed upon this permit as a consequence of the testimony presented during the hearing of this matter.

- (c) SUB-06-05: 5 Star RV Resort Properties, LLC. Country Harvest Farm – Sketch Design Approval.

Mr. Neely presented the sketch design for the proposed Country Harvest Farm Subdivision. 5 Star RV Resort Properties, LLC requests the approval of a sketch design plat for a subdivision to be located along Randolph Tabernacle Road and Old Cedar Falls Road. The proposed subdivision contains approximately 186.72 acres of land, consisting of approximately 186 lots.

All departments have reviewed the sketch design plat. Both Planning Department Staff and the Planning Board recommended approval with the following comments:

1. All city-maintained sewer lift stations shall be properly conveyed to the city in accordance with the City of Asheboro codes and policies.
2. Compliance with Article XII Section IV.B3 shall be demonstrated prior to Preliminary Plat Approval.

Upon motion by Mr. Smith and seconded by Mr. Baker, Council accepted the recommendation of the Planning Board and approved the sketch design plat for Country Harvest Farm with the comments listed above.

(The aforementioned sketch design plat is on file in the City Clerk's office.)

9. Consideration of an ordinance to amend Title VII (Traffic Code) of the Code of Asheboro and to designate parking zones within the central business district.

Mr. Bunker presented and recommended adoption, by reference, of an ordinance amending Title VII (Traffic Code) of the Code of Asheboro and an ordinance designating parking zones within the central business district of the City of Asheboro.

Upon motion by Mr. Priest and seconded by Ms. Hunter, Council voted unanimously to adopt the following ordinances by reference.

54 ORD 12-06

**AN ORDINANCE AMENDING TITLE VII (TRAFFIC CODE) OF
THE CODE OF ASHEBORO**

WHEREAS, during the course of reviewing the proposed designation of certain parking zones in the city's central business district, the city staff members concluded that certain provisions in the city's traffic code needed to be updated; and

WHEREAS, the City Council concurs with this assessment and the accompanying recommendations from city staff for updating the traffic code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. Section 71.01 of Chapter 71 of the Code of Asheboro is hereby amended to provide as follows:

§ 71.01 DETERMINATION AND MARKING OF AREAS IN WHICH PARKING PROHIBITED OR REGULATED.

(A) Pursuant to instructions given to him by the City Council from time to time and entered in the council minute book, the City Manager shall:

(1) Cause all streets and parts of streets where parking shall be prohibited during prescribed time periods or at all times to be posted accordingly, or cause the curbs thereof to be painted yellow. He shall then notify the City Clerk, who shall enter the description of such streets or parts of streets in ~~schedule~~ Schedule 1 of § 72.02.

(2) Cause all streets and parts of streets where parking shall be limited to one hour during prescribed time periods or at all times to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such streets or parts of streets in ~~schedule~~ Schedule 2 of § 72.02.

(3) ~~Cause all streets and parts of streets where parking shall be limited to one hour each day during the period from 7:00 a.m. to 6:00 p.m., except Sundays and holidays, to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such streets and parts of streets in schedule 3 of § 72.02.~~ Cause all streets and parts of streets where parking shall be limited to two hours during prescribed time periods or at all times to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such streets or parts of streets in Schedule 3 of § 72.02.

(4) Cause all streets and parts of streets where parking shall be limited to 15 minutes during prescribed time periods or at any time to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such streets and parts of streets in ~~schedule~~ Schedule 4 of § 72.02.

(5) Cause all areas designated as taxicab stands, bus stops, loading zones, reserved parking spaces and similar limited-purpose parking areas to be posted

or marked accordingly. He shall then notify the City Clerk, who shall enter the description and limitation of such areas in ~~schedule~~ Schedule 5 of § 72.02.

(6) Cause all streets and parts of streets where angle parking shall be required to be marked or posted so as to indicate where and at what angles vehicles shall be parked. He shall then notify the City Clerk, who shall enter the description of such streets and parts of streets, and the angle-parking requirements thereof, in ~~schedule~~ Schedule 13 of § of 72.02.

(7) Cause all streets and parts of streets where parking shall be limited to 30 minutes during prescribed time periods or at any time to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such streets and parts of streets in Schedule 18 of § 72.02.

(B) The City Manager, and the Chief of Police through the City Manager, shall from time to time recommend to the City Council such proposed amendments to ~~schedules~~ Schedules 1 to 5 and ~~schedule~~ Schedule 13 of § 72.02 as they shall deem necessary for the benefit of the city.

Section 2. Section 71.12 of Chapter 71 of the Code of Asheboro is hereby amended to provide as follows:

§ 71.12 NO PARKING AT ANY TIME; YELLOW CURBS.

~~When authorized signs are placed, erected, or installed giving notice thereof that parking is prohibited at all times, or the curbing has been painted yellow in lieu of such sign signage, no person shall park a vehicle at any time upon any of the streets described in Schedule 1 of § 72.02~~ all streets or parts of streets so designated.

Section 3. Section 71.13 of Chapter 71 of the Code of Asheboro is hereby amended to provide as follows:

§ 71.13 ONE HOUR PARKING LIMIT AT ANY TIME COMPLIANCE WITH CHAPTER.

~~When authorized signs are placed, erected or installed, giving notice thereof, no person shall park a vehicle for longer than one hour upon any of the streets described in Schedule 2 of § 72.02. It shall be unlawful for any person to do any act prohibited by this chapter, specifically including without limitation parking in violation of the restrictions authorized by Section 71.01 of this Chapter. For purposes of determining whether a person has complied with the parking restrictions authorized by Section 71.01, the changing of the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking period.~~

Section 4. Section 71.14 of Chapter 71 of the Code of Asheboro is hereby amended to provide as follows:

§ 71.14 ONE HOUR PARKING LIMIT DURING CERTAIN TIMES RESERVED FOR FUTURE USE.

~~When authorized signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than one hour at any time between the hours of 7:00 a.m. and 6:00 p.m. of any day except Sunday and public holidays, upon any of the streets described in Schedule 3 of § 72.02, and the changing of the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking period.~~

Section 5. Section 71.15 of Chapter 71 of the Code of Asheboro is hereby amended as follows:

§ 71.15 FIFTEEN MINUTE PARKING LIMIT AT ALL TIMES RESERVED FOR FUTURE USE.

~~When authorized signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than 15 minutes at any time upon any streets described in Schedule 4 of § 72.02, and the changing of the position of a vehicle from one point directly to another point within the same block shall be deemed as one continuous parking period.~~

Section 6. Section 71.33 of Chapter 71 of the Code of Asheboro is hereby amended as follows:

§ 71.33 PARKING SIGNS; THIRTY MINUTE LIMIT AT ANY TIME RESERVED FOR FUTURE USE.

~~When authorized signs are placed, erected or installed, giving notice thereof, no person shall park a vehicle for longer than 30 minutes upon any of the streets within the areas so designated. The designated area shall be listed in Schedule 18 of § 72.02; provided that failure to so list shall not affect the parking requirements set forth herein.~~

Section 7. Section 71.34 of Chapter 71 of the Code of Asheboro is hereby amended as follows:

~~**§ 71.34 PARKING SIGNS, TWO HOUR LIMIT AT ANY TIME RESERVED FOR FUTURE USE.**~~

~~When authorized signs are placed, erected or installed, giving notice thereof, no person shall park a vehicle for longer than two hours upon any of the streets within the areas so designated. The designated area shall be listed in Schedule 19 of § 72.02; provided that failure to so list shall not affect the parking requirements set forth herein.~~

Section 8. Section 72.02 of Chapter 72 of the Code of Asheboro is hereby amended as follows:

§ 72.02 ENUMERATED BY SUBJECT MATTER.

- Schedule 1. Where parking prohibited ~~at all times.~~
- Schedule 2. Where parking limited to one hour ~~at any time.~~
- Schedule 3. Where parking limited to ~~one hour between the hours of 7:00 a.m. and 6:00 p.m. on any day except Sunday and public holidays~~ two hours.
- Schedule 4. Where parking limited to 15 minutes ~~at any time.~~
- Schedule 5. Places reserved for stands for specific purposes.
- Schedule 6. Through streets.
- Schedule 7. Stop intersections.
- Schedule 8. One-way streets.
- Schedule 9. Where left turns to be made at left of center intersection.
- Schedule 10. Intersections at which left turns prohibited.
- Schedule 11. Intersections at which right turns prohibited.
- Schedule 12. Intersections at which U turns prohibited.
- Schedule 13. Places where angle parking required.
- Schedule 14. Places where "children playing" signs erected.
- Schedule 15. Places where "yield right of way" signs erected.
- Schedule 16. Speed restrictions.
- Schedule 17. Parking prohibited on privately owned property.
- Schedule 18. Parking limited to 30 minutes ~~at any time.~~
- Schedule 19. ~~Parking limited to two hours at any time.~~

Section 9. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 10. This ordinance shall take effect and be in force from and after the date of its adoption.

Adopted by the Asheboro City Council in regular session on the 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman City Clerk

55 ORD 12-06

**AN ORDINANCE DESIGNATING CERTAIN PARKING ZONES IN THE
CENTRAL BUSINESS DISTRICT**

WHEREAS, based upon input from merchants in the central business district and an analysis by members of the city staff of the parking situation in the central business district, the City Manager has recommended to the City Council that certain parking zones in the said district be designated in order to update the city's parking regulations to address the current parking needs of merchants, shoppers, visitors, and citizens in the central business district; and

WHEREAS, the comprehensive parking plan for the central business district that was prepared by city staff and submitted to the City Council is attached hereto as Exhibit 1 and is incorporated into this resolution by reference as if copied fully herein; and

WHEREAS, the City Council is in agreement with the parking plan developed by the city staff.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. The parking plan submitted by the city staff and attached hereto as Exhibit 1 is hereby approved and adopted without modification.

Section 2. Pursuant to and in accordance with Section 71.01 of the Code of Asheboro, the City Manager is hereby directed to cause all streets within the corporate limits of the City of Asheboro to be posted or otherwise marked in a manner that will fully implement the parking plan attached hereto as Exhibit 1.

Section 3. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall take effect and be in force from and after the date of its adoption.

Adopted by the Asheboro City Council in regular session on the 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman City Clerk

(Exhibit 1 that is referred to in this ordinance is attached to the original ordinance on file in the City Clerk's office.)

10. Public Comment Period.

There being no comments from the public, Mayor Jarrell closed the public comment period.

11. Consideration of a resolution approving requests for State Aid to the Asheboro Regional Airport in the aviation element of the FY 2008-2012 Transportation Improvement Program.

Mr. Bunker presented and recommended adoption, by reference, of the above-referenced resolution.

After substantive discussion and upon motion by Mr. Smith and seconded by Ms. Carter, Council voted unanimously to adopt the following resolution by reference.

64 RES 12-06

**RESOLUTION APPROVING REQUESTS FOR STATE AID TO THE
ASHEBORO REGIONAL AIRPORT IN THE AVIATION ELEMENT OF THE TRANSPORTATION
IMPROVEMENT PROGRAM BY THE CITY COUNCIL
OF THE CITY OF ASHEBORO**

WHEREAS, the North Carolina Department of Transportation Division of Aviation has requested that the City of Asheboro submit a list of projects for the Aviation Element of the FY 2008-2012 Transportation Improvement Program; and

WHEREAS, the City of Asheboro has prepared a list titled "Asheboro Regional Airport Transportation Improvement Program (TIP) 2008-2012 Project Listing" incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the Asheboro City Council has reviewed the referenced TIP submission, and that the City Council hereby formally approves the submission of these requests for State Aid to Airports and for the State Block Grant Program where applicable.

Adopted in regular session on this 7th day of December, 2006.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Holly J. Hartman
Holly J. Hartman, City Clerk

(The list titled "Asheboro Regional Airport Transportation Improvement Program (TIP) 2008-2012 Project Listing" that is referred to in this resolution is attached to the original resolution on file in the City Clerk's office.)

12. Discussion of items not in the agenda.

- Friday, December 8, 2006 – Christmas on Sunset, 6:00 p.m. to 9:00 p.m.
- Thursday, December 14, 2006 – Recognition of the City of Asheboro for its support of the Asheboro City Schools during the Board of Education Meeting, 7:30 p.m.
- Thursday, January 4, 2007 – City Council Meeting, 7:00 p.m.

There being no further business, the meeting was adjourned at 10:43 p.m.

Holly J. Hartman, City Clerk

David H. Jarrell, Mayor