



**Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)**

Monday, October 2, 2017

7:00 PM

AGENDA

- I. Call to Order
- II. Approval of Minutes from September 11, 2017 meeting
- III. Review of Cases
- IV. Rezoning Items
 - a.) RZ-17-11: Request to rezone property located at 364 and 384 NC Hwy. 42 North from R10 (Medium-Density Residential) to B2 (General Commercial) and Parcel Identification Number 7761414104 from M (Mercantile) to B2
 - b.) RZ-17-12: Request to rezone property located at 1930 and 1940 Gold Hill Road (consisting of a portion of Randolph County Parcel Identification Number 7762798310) from R10 (Medium-Density Residential) to CU-R40 (Conditional Use Low-Density Residential)
 - c.) RZ-17-13: Request to rezone property located at 1380, 1514, 1530, and 1538 Old Cedar Falls Road, on the south side of East Presnell Street (identified as Parcel Identification No. 7761548926) from R10 (Medium-Density Residential) to CU-R40 (Conditional Use Low-Density Residential)
- V. Consideration of proposed 2017-2018 Redevelopment Area
- VI. Items Not on the Agenda
- VII. Adjournment

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**MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, SEPTEMBER 11, 2017
7:00 p.m.**

This being the time and place for the regular meeting of the Asheboro Planning Board, a meeting was held with the following officials and members present:

James Lindsey) - Vice Chair

Ritchie Buffkin)
Lynette Garner) - Members Present
David Henderson)
Thomas Rush)

Van Rich) - Members Absent
Dave Whitaker)

John Evans, Assistant Community Development Division Director
Brad Morton, Planning Technician/Deputy City Clerk
Trevor Nuttall, Community Development Division Director

Three (3) citizens were present at this meeting.

CALL TO ORDER

Mr. James Lindsey called the Asheboro Planning Board to order.

APPROVAL OF MINUTES FROM AUGUST 7, 2017

Mr. Buffkin moved to approve the minutes from the August 7, 2017. Mr. Henderson seconded the motion and the motion was carried unanimously

REVIEW OF CASES

Mr. Justin Luck informed the board on the zoning related cases at the regular August meeting of the City Council.

REZONING ITEMS

- a) **RZ-17-07: REQUEST TO REZONE PROPERTY LOCATED AT 1119 SOUTH COX STREET (AND ADJOINING PARCEL 7750970713) FROM R7.5 (MEDIUM-DENSITY RESIDENTIAL) TO OA6 (OFFICE-APARTMENT)**

Mr. Evans gave a visual presentation of the rezoning case located at 1119 South Cox Street, and the adjoining parcel number 7750970713. He stated that the request was to rezone from R7.5, Medium-Density Residential to OA6, Office-Apartment. He stated that the applicant was Branson-Coleman Properties and that H.R. Gallimore was their representing agent. He listed the parcel numbers as 7750879622 and 7750970713 (portions). He stated the size was 1.76 acres +/- total (1.04 acres +/- in rezoning). He also stated that the existing land use was a Two-Family Dwelling. He showed overview, rezoning, center city planning area, topographic/utilities, and aerial maps of the subject properties as well as photographs from all directions. He mentioned that the property was within Tier 3 of the Center City Planning Area, which applies certain impervious surface requirements. He mentioned steeper

topography at the rear of the properties and stated that a buffer would be required if a non residential use is constructed on the property. He stated that South Cox Street is a state-maintained minor thoroughfare at this location. He gave the Land Development Plan recommendations as follows:

Proposed Land Use Map:
City Activity Center

Growth Strategy Map:
Primary Growth

Goals/Policies Supporting Request (7):

- Checklist Item 1: Compliant with proposed Land Use map
- Checklist Item 3: Fit zoning ordinance intent
- Checklist Item 5: Complies with Growth Strategy Map
- Checklist Item 7: Compatible with small area plan
- Checklist Items 12-14: Outside of watershed, flood area, areas of steep slopes.

Goals/Policies Not Supporting Request:
None

He then gave staff's consistency statement, which included the following:

- Complies with LDP designation as part of City Activity Center, calling for mix of uses consistent with neighborhood's context
- Supported by Central Small Area plan
- OA6 district fits transitional nature of S. Cox Street
- Environmental factors

He stated that in light of the above analysis, staff recommends approval of the request.

There were no questions from the Board for Mr. Evans. Mr. Gallimore addressed the board and stated that the properties are in a transitional area near Dixie Drive and that the request was consistent with the area. There were no questions for Mr. Gallimore at this time.

Mr. Buffkin moved to recommend approval of the rezoning request as well as staff's consistency statement. Ms. Garner seconded the motion and the motion carried unanimously.

b) RZ-17-08: REQUEST TO REZONE PROPERTY LOCATED AT 920 SOUTH COX STREET FROM CU-B2 (CONDITIONAL USE GENERAL COMMERCIAL) TO R7.5 (MEDIUM-DENSITY RESIDENTIAL)

Mr. Evans gave a visual presentation of the rezoning case located at 920 South Cox Street. He stated that the request was to rezone from CU-B2, Conditional Use General Commercial, to R7.5 Medium-Density Residential. He stated that the applicant was Bertha Earlene Ward. He listed the parcel number as a portion of 7750881708. He stated the size was 0.38 acres +/- of 0.58 acres +/- . He stated that the existing land use was Retail shoppers' goods (last permitted use) (RZ-97-40). He showed overview, rezoning, center city planning area, topographic/utilities, and aerial maps of the subject properties as well as photographs from all directions. He mentioned that the property was within Tier 3 of the Center City Planning Area, which applies certain impervious surface requirements. He stated that South Cox Street is a state-maintained minor thoroughfare at this location. A Conditional Use Permit was previously issued for a dive shop operation (retail shoppers' goods) and office. The rear portion of the property was previously rezoned from R7.5 to B2. This is not included in this rezoning request and will remain B2. He gave the Land Development Plan recommendations as follows:

Proposed Land Use Map:
City Activity Center

Growth Strategy Map:
Primary Growth

Goals/Policies Supporting Request (8):

- Checklist Item 1: Compliant with proposed Land Use map
- Checklist Item 3: Fit zoning ordinance intent
- Checklist Item 4: Compatible with surrounding land uses
- Checklist Item 5: Complies with Growth Strategy Map
- Checklist Item 7: Compatible with small area plan
- Checklist Items 12-14: Outside of watershed, flood area, areas of steep slopes.

Goals/Policies Not Supporting Request:
None

He then gave staff's consistency statement, which included the following:

- Fits intent of City Activity Center as mixed use area by supporting investment in original residential use.
- Supported by Central Small Area plan, supporting preservation of existing neighborhoods
- Environmental factors

He stated that in light of the above analysis, staff recommends approval of the request.

There were no questions from the Board for Mr. Evans. Ms. Ward addressed the board at this time and stated that the idea was to go back to a residential use and if the board had questions she would answer them at this time. The board had no questions for Ms. Ward.

Ms. Garner moved to recommend approval of the rezoning request as well as staff's consistency statement. Mr. Henderson seconded the motion and the motion carried unanimously.

- c) **RZ-17-09: REQUEST TO REZONE PROPERTY LOCATED ON THE EAST SIDE OF NORTH CHURCH STREET AND THE SOUTH SIDE OF WEST SALISBURY STREET (A PORTION OF RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7751738346) FROM I2 (GENERAL INDUSTRIAL) TO RA6 (HIGH-DENSITY RESIDENTIAL)**

Mr. Evans gave a visual presentation of the rezoning case located on the East side of North Church Street and the South side of West Salisbury Street. He stated that the request was to rezone from I2, General Industrial, to RA6, High-Density Residential. He stated that the applicant was the Acme McCrary Corporation. He stated that the parcel was a portion of Parcel No. 7751738346. He stated that the size of the property in question was 0.85 acres +/- of 4.35 acres +/- on parcel. He stated that the existing land use was Manufacturing, Processing, and Assembly (vacant) including warehousing activities in the structure that is on the portion of the parcel being considered for a rezoning. He showed overview, rezoning, center city planning area, topographic/utilities, and aerial maps of the subject properties as well as photographs from all directions. He mentioned that the property was within Tier 1 of the Center City Planning Area. He stated that North Church Street is a state-maintained minor thoroughfare at this location. He stated that West Salisbury is a state-maintained major thoroughfare at this location. He also stated that the property is listed on the National Register of Historic Places. He gave the Land Development Plan recommendations as follows:

Proposed Land Use Map:
City Activity Center
Growth Strategy Map:
Primary Growth

Goals/Policies Supporting Request (8):

- Checklist Item 1: Compliant with proposed Land Use map
- Checklist Item 2: Consistent with LDP goals
- Checklist Item 3: Fit zoning ordinance intent
- Checklist Item 5: Complies with Growth Strategy Map
- Checklist Item 7: Compatible with small area plan
- Checklist Items 12-14: Outside of watershed, flood area, areas of steep slopes.

Goals/Policies Not Supporting Request:

None

He then gave staff's consistency statement, which included the following:

- Fits intent of City Activity Center and general goals of LDP to repurpose underutilized industrial uses.
- Supported by Central Small Area plan
- Development of property under RA6 requirements will have no impact on existing residential neighborhoods.
- Supported by other planning efforts, such as 2012 EPA Sustainable Design Workshop
- Character of area has transitioned from industrial to mix of uses
- Environmental factors

He stated that in light of the above analysis, staff recommends approval of the request.

Mr. Henderson inquired about parking requirements. Mr. Evans stated that parking will be addressed by site plan review and that certain high density residential uses, such as housing intended for elderly persons, are different in terms of parking. Mr. Nuttall stated that we would know more upon reviewing a site plan. There was also a question of limitations on building based on its historic designation. Mr. Nuttall stated that there were certain limitations to how construction can occur, such as when tax credits are being applied for by a developer.

Mr. Henderson moved to recommend approval of the rezoning request as well as staff's consistency statement. Mr. Rush seconded the motion and the motion carried unanimously.

d) RZ-17-10: REQUEST TO REZONE PROPERTY LOCATED AT 419 EAST DORSETT AVENUE FROM R7.5 (MEDIUM-DENSITY RESIDENTIAL) TO OA6 (OFFICE-APARTMENT)

Mr. Evans gave a visual presentation of the rezoning case located at 419 East Dorsett Avenue. He stated that the request was to rezone from R7.5, Medium-Density Residential, to OA6, Office-Apartment. He stated that the applicant was Kenny Seabolt. He stated that the parcel number was 7750878064. He stated that the size of the property in question was 0.42 acres +/- . He stated that the existing land use was a single-family dwelling. He showed overview, rezoning, center city planning area, topographic/utilities, and aerial maps of the subject properties as well as photographs from all directions. He mentioned that the property was within Tier 3 of the Center City Planning Area, and subject to those requirements including impervious surface coverage limits. He stated that East Dorsett Avenue is a city-maintained street approximately 29' wide in this location. He gave the Land Development Plan recommendations as follows:

Proposed Land Use Map:

City Activity Center

Growth Strategy Map:

Primary Growth

Goals/Policies Supporting Request (6):

- Checklist Item 1: Compliant with proposed Land Use map
- Checklist Item 3: Fit zoning ordinance intent
- Checklist Item 5: Complies with Growth Strategy Map

- Checklist Item 7: Compatible with small area plan
- Checklist Items 12-14: Outside of watershed, flood area, areas of steep slopes.

Goals/Policies Not Supporting Request (1):

- Checklist Item 3: Does not fit zoning ordinance intent
(due to lack of direct access to minor thoroughfare or higher classification street)

He then gave staff's consistency statement, which included the following:

- Complies with LDP designation as part of City Activity Center, which supports mixed uses
- Transitional location
- Ability to continue to use property residentially, plus for appropriate lighter non-residential uses
- Environmental factors

He stated that in light of the above analysis, staff recommends approval of the request.

There were no questions for Mr. Evans from the board. Mr. Seabolt addressed the board and stated that there would likely be an office type development in the future. Mr. Rush asked Mr. Seabolt what type of business he is in. Mr. Seabolt replied that he is a general contractor for construction. There were no more questions for Mr. Seabolt at this time.

Ms. Garner moved to recommend approval of the rezoning request as well as staff's consistency statement. Mr. Henderson seconded the motion and the motion carried unanimously.

SUB-17-02: REVIEW OF PRELIMINARY PLAT FOR ROBINS NEST, PHASE 2

Mr. Evans gave a visual presentation on a Preliminary Plat review for Phase 2 of the Robins Nest Subdivision. He gave an overview of the case stating that the applicant was McDowell Timber Company. He stated that the location was North of the current terminus of Robins Nest Drive on the West side of Gold Hill Road and north of East Allred Street. He stated that the current zoning is R10, Medium-Density Residential. He listed the parcels as 7762658808, 7762750195, 7762751483, 7762752727, 7762754678. He stated that the size of the area is 27.51 acres +/- and that the existing land use is undeveloped land. He stated that the plat calls for the creation of 43 lots with an average lot size of 25,053 SF +/-, and would create approximately 1,967 +/- new linear feet of street. He showed the overview, topography/utilities, and aerial map, along with an excerpt of the preliminary plat. He stated that utilities which ran through the middle of the properties would be extended or relocated. He also mentioned that there was some flood area on the properties. He noted on major change which was a comment that the length of the cul-de-sac could not exceed 500' as a permanent street. He stated that if the adjoining property located on Draper Street were to be developed, the subject property and adjoining property could be connected since the right-of-way of Robins Nest Drive is proposed to extend to this property line. He mentioned the T-shape turnaround is no longer being considered and the cul-de-sac is better for public works as well as emergency service vehicles. He listed the development issues as follows:

- Property is in the city limits. City services are available to the property.
- R10 district permits single-family dwellings on lots with a minimum 10,000 SF and two-family dwellings on lots with a minimum of 15,000 SF.

He listed department comments as follows:

Engineering: Plat corrections and comments pending.

Public Works: Plat corrections and additional detail on utility locations are needed.

Planning: Plat corrections pending

Other: Fire Department has reviewed and determined plat is satisfactory (fire hydrant locations, etc.).

He stated that staff's recommendation would be to approve subject to the fulfillment of staff corrections and comments.

There were no questions for Mr. Evans from the board.

Ms. Garner moved to recommend approval of the preliminary plat for Phase 2 of the Robins Nest Subdivision. Mr. Henderson seconded the motion and the motion carried unanimously.

ITEMS NOT ON THE AGENDA

There were no items at this time.

ADJOURNMENT

With no further business to come before the board, Mr. Lindsey adjourned the meeting.

Bradley Morton, Planning Board Secretary

James Lindsey, Planning Board Vice Chairman



RZ-17-11: Request to rezone from R10 (Medium-Density Residential) and M (Mercantile) to B2 (General Commercial)

(364 and 384 NC Hwy. 42 North, plus Parcel Identification Number 7761414104.)

Staff Report

Rezoning Staff Report

RZ Case # **RZ-17-11**

Date 10/2/2017 Planning Bd.

11/9/2017 City Council

General Information

Applicant L & N Investment, LLC

Address 1 Red Oak Court

City Greensboro NC 27455

Phone 336-302-0996

Location 364 and 384 NC Hwy. 42 North

Requested Action Rezone from R10 (Medium-Density Residential) and M (Mercantile) to B2 (General Commercial)

Existing Zone R10/M

Existing Land Use Single family dwelling (on two parcels)/Undeveloped

Size 1.18 acres +/-

Pin # 7761413138, 7761414104, and 7761414160

Applicant's Reasons as stated on application

Developing this land will improve the community and grow businesses. The zone is designated commercial and plan calls for commercial use. Part of property was zoned M (Mercantile).

Surrounding Land Use

North Single-family residential

East Commercial

South YMCA (Place of Assembly)

West Health Services

Zoning History RZ-09-10: Parcel #7761414104 (undeveloped property between two dwellings) was rezoned from R10 (Medium-Density Residential) to Mercantile (M) (October, 2009).

Legal Description

The properties of L & N Investment, LLC, located at 364 and 384 NC Hwy. 42 N, including a vacant parcel located between these two addresses. The properties are more specifically identified by Randolph County Parcel Identification Numbers 7761413138, 7761414104, and 7761414160 and total approximately 1.18 acres +/-.

Analysis

1. The property is outside the City limits. The property is currently served by city water. City sewer is located approximately 280' from the subject property but can be extended in compliance with city policies upon annexation.
2. NC Hwy. 42 North is a state-maintained boulevard.
3. The 2014 Comprehensive Transportation Plan identifies this segment of NC Hwy. 42 North as over capacity based on 2012 volumes measuring average annual daily vehicles/day (11,600 capacity vs. 13,000 AADT 2012 volume).
4. In order to relieve the congestion that currently exists on NC Hwy. 42 North, the current NCDOT Transportation Improvement Program has committed funding to road improvements (Project No. U-5743). Proposed improvements include the addition of center turn lanes, sidewalks, curbing and guttering. Public right-of-way acquisition is currently scheduled to begin in 2019, with construction scheduled to begin in 2020.
5. There are currently two single-family dwellings on the property. If the property is rezoned to the requested B2 district, the existing uses of the property for single-family dwellings will become legal non-conforming, subject to the provisions of Article 800 of the zoning ordinance, which restrict expansion or modifications.
6. The undeveloped parcel is zoned Mercantile, a commercial zoning district which is more restrictive than the B2 district (in terms of permitted uses/maximum square footage), but less restrictive than other commercial districts.
7. The properties are located on a segment of NC Hwy. 42 North that contain a mix of commercial activities (primarily to the southeast) and residential, office/institutional (including medical uses), primarily to the northeast.

Rezoning Staff Report

RZ Case # RZ-17-11

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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.

Proposed Land Use Map Designation	Commercial
Small Area Plan	Central
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map.

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, and 14: 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%.

Rezoning Staff Report

RZ Case # RZ-17-11

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LDP Goals/Policies Which Do Not Support Request

Checklist Item 6: Existing infrastructure is not adequate to support the desired zone. (water, sewer, roads, schools, etc.). Specifically relates to existing design of this segment of NC 42 N. being over capacity.

Item 2.1.5: The City will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The proposed B2 General Commercial district is supported by the Land Development Plan's designation of the property for commercial use. The requested B2 district is also consistent with other properties zoned B2 along this section of NC Hwy. 42 North.

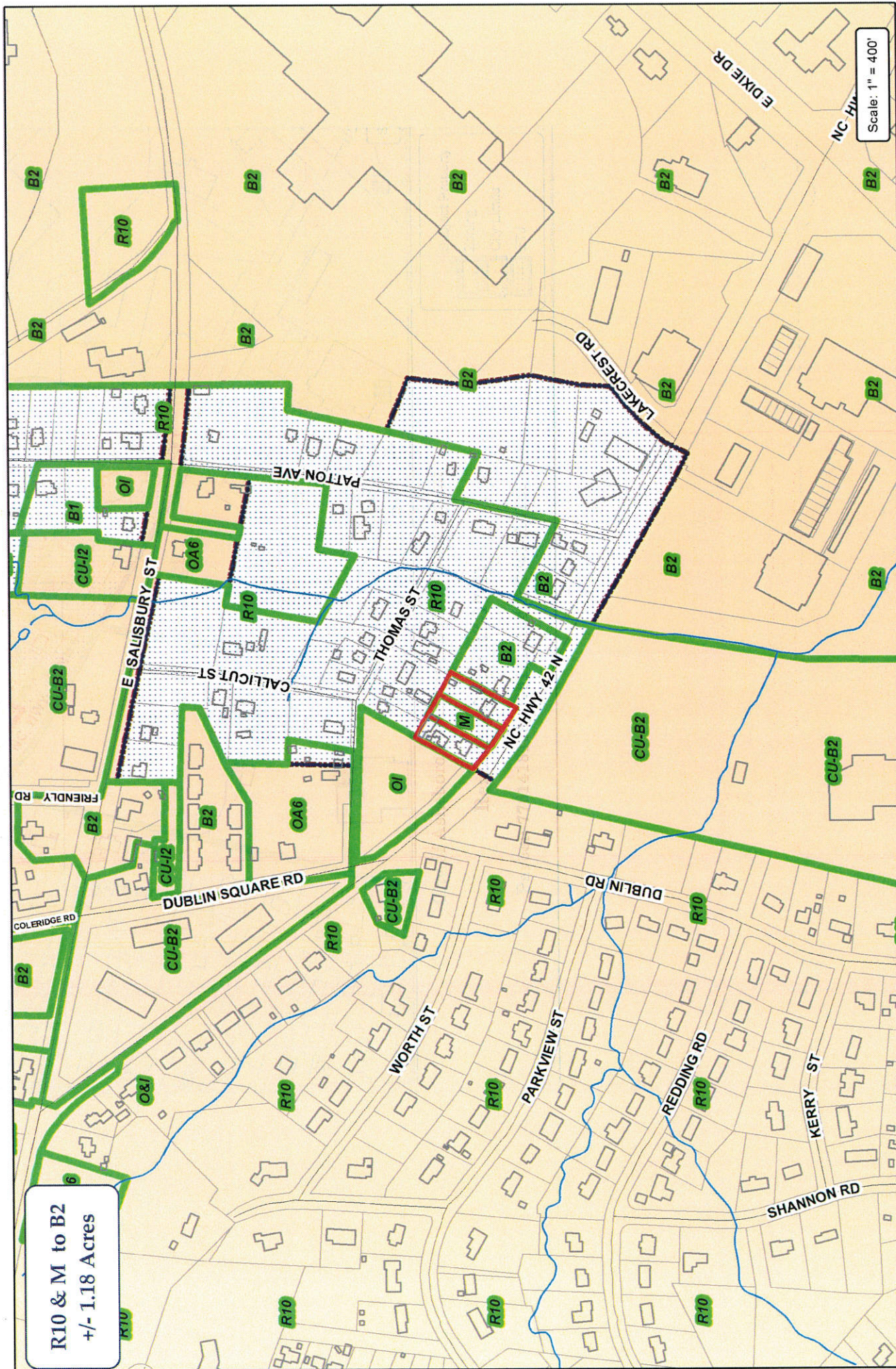
The property's growth strategy designation as an "Adjacent Developed Area" and the close proximity of city sewer service to the property also support the request and designating the property with a B2 General Commercial district.

While staff recognizes the limitations of the existing NC Hwy. 42 North, improvements that have been committed in the current approved Transportation Improvement Program, help mitigate concerns over traffic impacts from uses allowable in the B2 district.

Finally, known environmental factors (outside of a watershed, flood area, or area with significantly steep slopes) are supportive of this request.

Given these factors, staff believes the requested B2 district allows a reasonable use of property and is generally in the public interest.

Recommendation In light of the above analysis, staff's recommendation is to approve the request.



R10 & M to B2
+/- 1.18 Acres

Scale: 1" = 400'



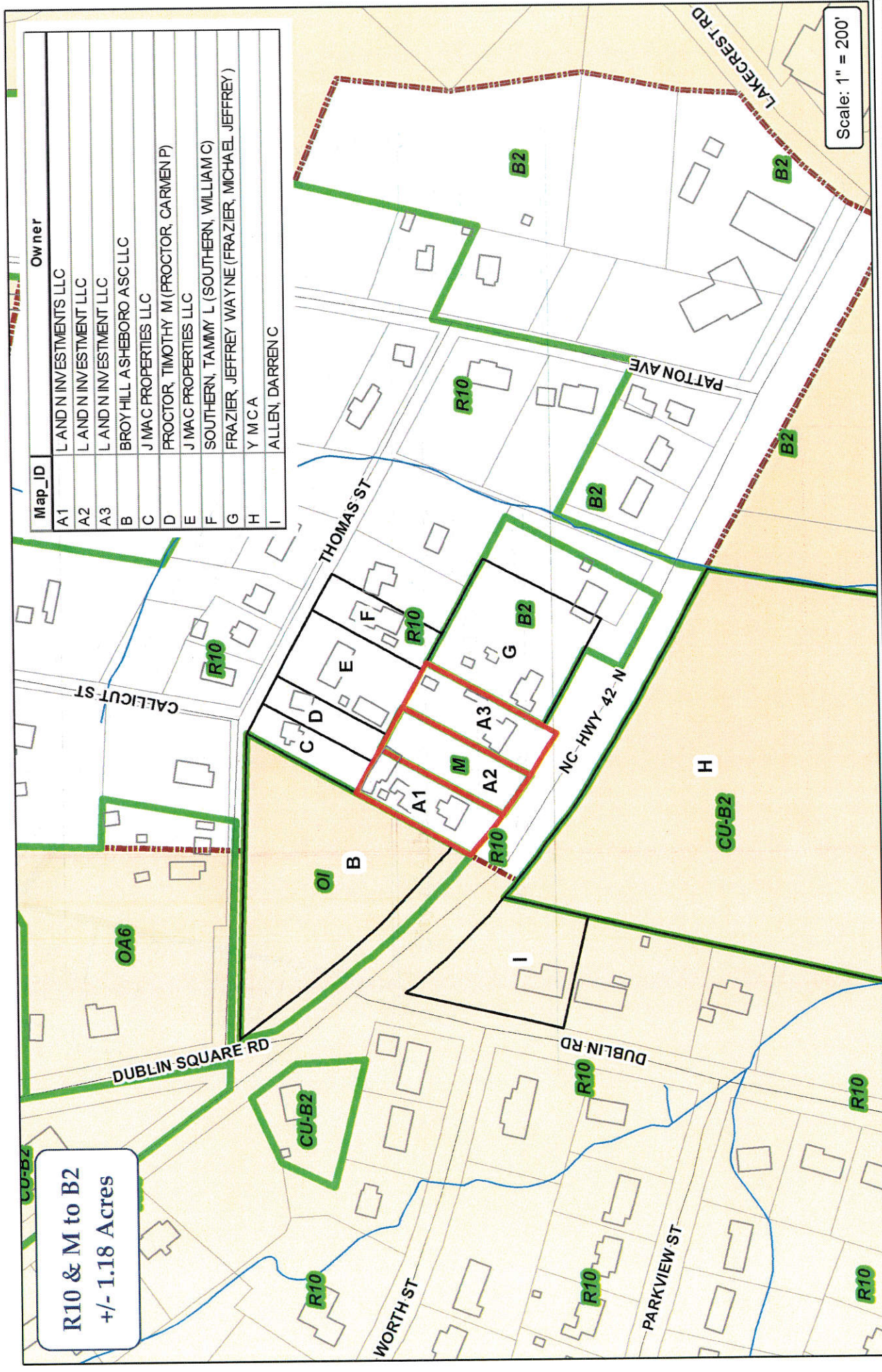
- Subject Property
- Zoning
- City Limits
- ETJ

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-11

Parcel: 7761413138, 7761414104 & 7761414160





R10 & M to B2
+/- 1.18 Acres

Map_ID	Owner
A1	L AND N INVESTMENTS LLC
A2	L AND N INVESTMENT LLC
A3	L AND N INVESTMENT LLC
B	BROY HILL ASHEBORO ASC LLC
C	J MAC PROPERTIES LLC
D	PROCTOR, TIMOTHY M (PROCTOR, CARMEN P)
E	J MAC PROPERTIES LLC
F	SOUTHERN, TAMMY L (SOUTHERN, WILLIAM C)
G	FRAZIER, JEFFREY WAYNE (FRAZIER, MICHAEL JEFFREY)
H	Y M C A
I	ALLEN, DARREN C

Subject Property

Adjoining Properties

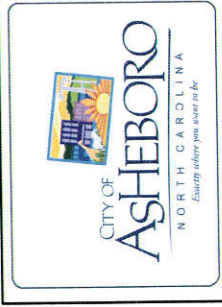
Zoning

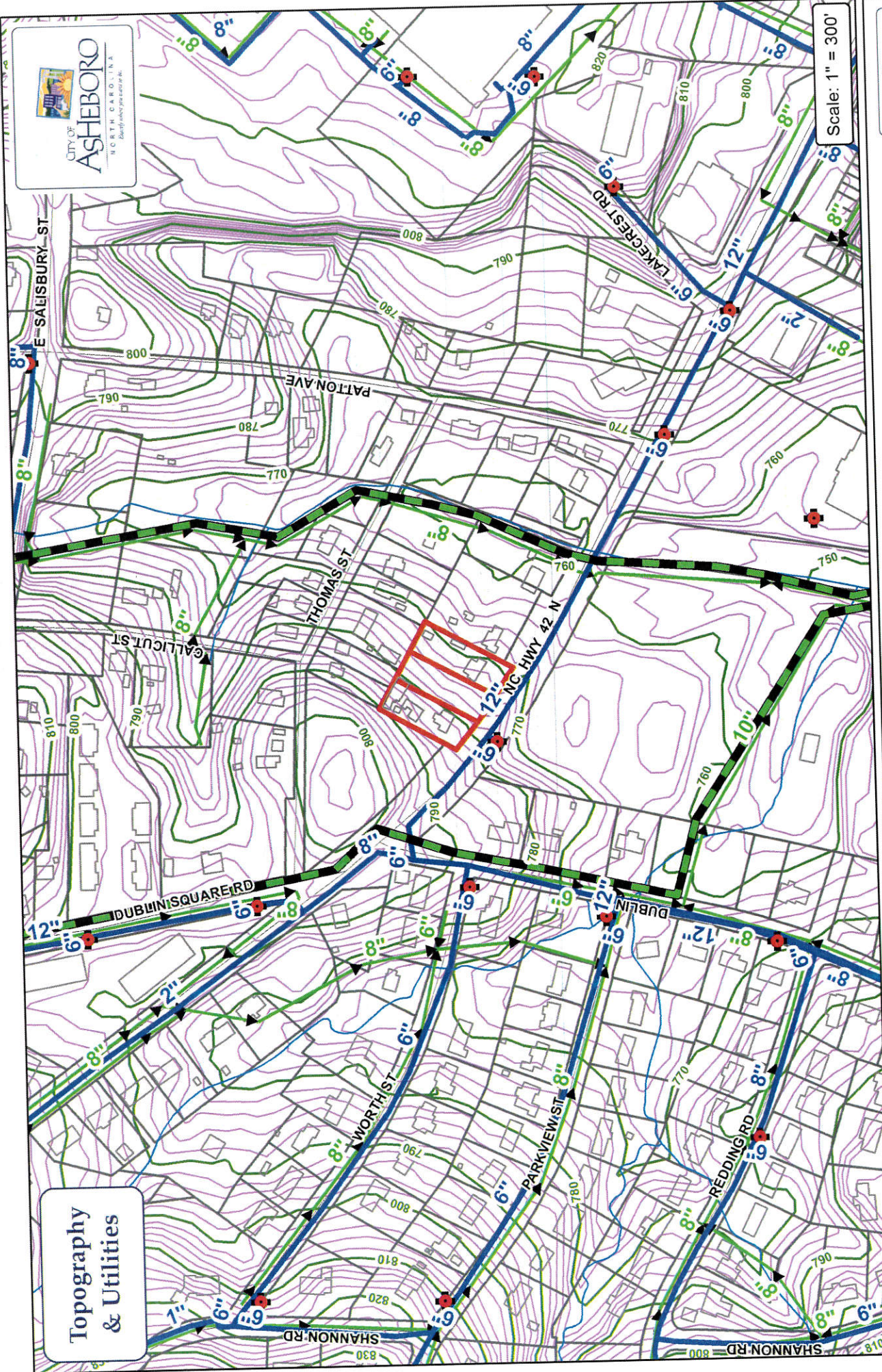
City Limits

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-11

Parcel: 7761413138, 7761414104 & 7761414160





Topography
& Utilities

Scale: 1" = 300'



Subject Property

City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-17-11

- Water Main
- Fire Hydrant
- Sewer Main
- Pump Station
- Force Main

Parcel: 7761413138, 7761414104 & 7761414160



Scale: 1" = 200'

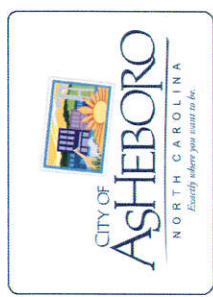


Subject Property
Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-11

Parcel: 7761413138, 7761414104 & 7761414160





RZ-17-12: Request to rezone from R10 (Medium-Density Residential) to CU-R40 (Conditional Use Low-Density Residential)

(1930 and 1940 Gold Hill Road)

Staff Report

Rezoning Staff Report

RZ Case # RZ-17-12

Date 10/2/2017 Planning Bd.
11/9/2017 City Council

General Information

Applicant Tanager Holdings, LLC c/o Mr. Peden Harris

Address 1125 E. Morehead St., Suite 202

City Charlotte NC 28204

Phone 704-644-7733

Location 1930 Gold Hill Rd (newly assigned address), 1940 Gold Hill Rd. (existing dwelling)

Requested Action Rezone from R10 (Medium-Density Residential) to CU-R40 (Conditional Use Low-Density Residential).

Existing Zone R10

Existing Land Use Single-family dwelling

Size 7.3 acres +/- of 38.99 acres +/- total

Pin # 7762798310 (portion)

Applicant's Reasons as stated on application

See attached

Surrounding Land Use

North Medium-Density Residential

East Low-Density Residential/Agricultural

South Low-Density Residential

West Low- and Medium-Density Residential

Zoning History See Item (3) in Analysis below.

Legal Description

The property of Margaret Millikan consisting of approximately 7.3 acres +/- (located within City of Asheboro) of a 38.99 acres +/- located at 1930 and 1940 Gold Hill Road and more specifically described by a portion of Randolph County identification Number 7762798310.

Analysis

1. Gold Hill Road is a state-maintained minor thoroughfare.
2. The majority of the property is within Randolph County's zoning jurisdiction. The portion of the property within the City limits is requested for rezoning. City services are available to the portion of the property within the City limits.
3. The portion of the property within Randolph County's zoning jurisdiction was formerly in the City of Asheboro's zoning district. In 2013, the City released a substantial portion of its extraterritorial zoning jurisdiction (ETJ) to Randolph County. This included the subject property.
4. This portion of the property formerly in the City's zoning jurisdiction was zoned R40 (Low-Density Residential).
5. There is currently a single-family residence on the property located within the City of Asheboro's zoning jurisdiction.
6. The area is primarily low- to medium-density residential, with a public use facility (electric substation) less than five hundred (500) feet from the property.
7. The applicant has filed a request for a Conditional Use Permit for a Solar Farm. The R40 (Low-Density Residential) or CU-R40 (Conditional Use Low-Density Residential) district are the only residential zoning districts that permit a solar farm. When located in these districts, either a Special Use Permit (R40) or Conditional Use Permit (CU-R40) district are required for a solar farm.
8. The zoning ordinance statement of intent describes the underlying R40 zoning district as "intended to provide regulations which will produce a low intensity mixture of single family, duplex dwellings, and Class A Mobile Home dwellings usually served by individual wells and/or sewage disposal systems, plus the necessary governmental and other support facilities to provide service to such suburban intensity living."
9. A small area on the southern side of the property within the city's jurisdiction is identified as having slopes greater than 20%.
10. Development of the remainder of the parcel in Randolph County's jurisdiction is subject to the requirements of Randolph County.

Rezoning Staff Report

RZ Case # RZ-17-12

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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.

Proposed Land Use Map Designation Neighborhood Residential

Small Area Plan Northeast

Growth Strategy Map Designation Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Complies with LDP map

Checklist Items 12-13: Outside of watershed, flood areas *Staff Note: The presence of steep slopes on the southern side of the property (within the City ETJ) mentioned in the staff analysis is neither a positive or negative factor in evaluating the CU-R40 request in comparison to the existing R10 zoning district.*

Goal 5.1: Cost effective, efficient and coordinated infrastructure in appropriate locations (based on use proposed by CUP request)

Rezoning Staff Report

RZ Case # RZ-17-12

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LDP Goals/Policies Which Do Not Support Request

Checklist Item 5: Rezoning is not consistent with Growth Strategy Map

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

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

Staff's analysis considers all development that is permitted in the underlying zoning district including the requested solar farm use. While a general R40 district may not be appropriate at this location where most residentially zoned properties are designated R10 (Medium-Density Residential), the Conditional Use permitting process helps mitigate concerns over whether potential development can be compatible with surrounding properties, which is a primary concern with properties designated for "Neighborhood Residential" use by the Land Development Plan.

Furthermore, many properties in the area, including the subject property, currently have lower-density than what is allowable in the existing R10 zoning district, which also helps make the requested CU-R40 district appropriate. The former R40 designation on the balance of the parcel that was located within the City's extraterritorial jurisdiction prior to 2013 also helps support the request.

Given these factors, staff believes the requested CU-R40 zoning designation will allow a reasonable use of property and is generally in the public interest.

Recommendation

In light of the above analysis, staff's recommendation is to approve the request.

Ordinance Amendment Information Questions **Provided by Applicant**

1. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.
No.
2. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

The property is a 40 acre vacant tract that straddles the boundary line between the City of Asheboro and Randolph County. The majority of the property lies within Randolph County's jurisdiction. The proposed downzoning from R-10 to CU-R40 would allow for only solar farm use on the property, subject to receipt of a conditional use permit.

As the United States rethinks its continued reliance on environmentally less-friendly forms of energy, local governments in North Carolina have also recognized that the use of alternative energy such as solar power does in fact promote public health, safety and welfare of its citizens. Tanager Holdings, LLC's developer, Birdseye Renewable Energy, has been working closely with the landlord in development of this project, our first in the City of Asheboro/Randolph County, and believes successful completion of this project is a win for all of us. In today's economy, landowners can no longer rely with any long term certainty on income from typical year-to-year agricultural leases for any individual property since crop and hay commodity prices can be highly variable and unpredictable in the long run. Large tract property owners often feel pressure to develop or sell the land for development that, although permitted by ordinance, may not be the best fit for the community. Solar farm use assures the landlord a certain annual income for a fixed term of 20 years with a likely 20 year tenant extension at a rate significantly higher than on an agricultural lease.

The solar farm will not burden existing infrastructure in that it generates only a minimal amount of traffic and requires no water, sewer, electrical or trash collection services. Construction of the project requires minimal grading and impervious area post-construction.

3. In what manner will the proposed amendment carry out the intent of the Land Development?

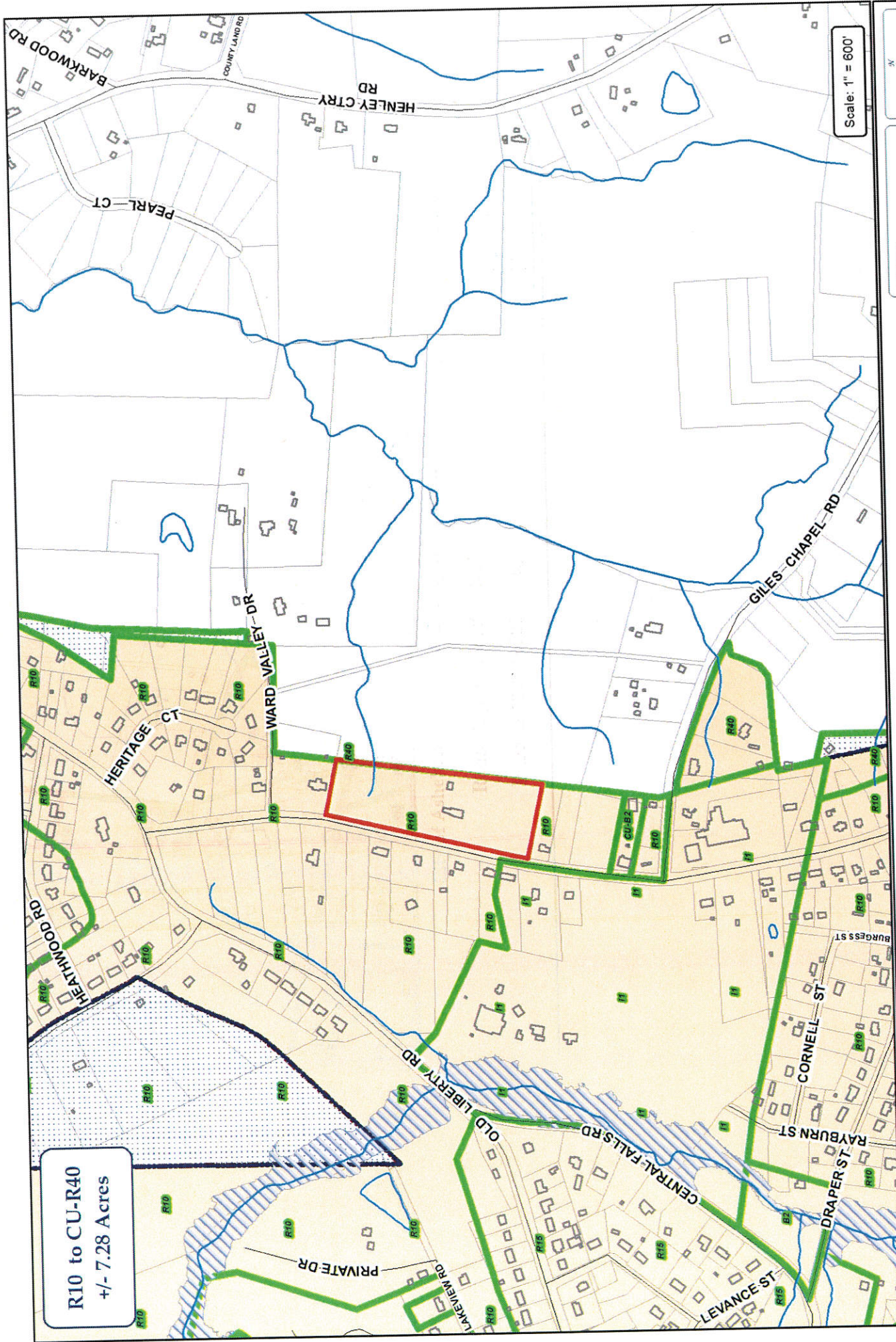
Given the proposed project's quiet, low intensity use, it harmonizes well and is compatible with suburban residential developments as envisioned by the City's 2020 Land Development Plan ("LDP").

It is also heartening to see an explicit commitment to environmental stewardship within the LDP, and this solar energy project fits in well with the City's aim to encourage smart, and sustainable growth. Electric power production from solar generation facilities directly mitigates negative environmental impact. The successful rezoning of the portion of our property that is within the City's jurisdiction is essential to complete our solar project, and we value the City's pledge (Section 4.2.1 of LDP) to amend zoning ordinances to encourage alternative energies.

4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

Solar farms are quiet, generating only a quiet hum during daylight hours. The solar arrays and equipment (with the exception of any power poles on-site) do not exceed 25 ft in height, and the solar panels typically do not exceed 12' at their highest. They emit no odor. A solar farm generates fewer vehicle trips throughout its life than does an average home. Employees visit the site once a week, or even more infrequently. Panels are designed to absorb light rather than reflect it. As recognized by the Zoning Ordinance, these qualities make solar sites great neighbors and a harmonious land use within residential districts.

The project will comply with all NC Department of Environmental Quality regulations regarding erosion control measures. The proposed project will not be constructed with, and will not generate any hazardous substances. The project's equipment will be manufactured to applicable safety standards and UL rated and installed by licensed electrical contractors. The working portion of the solar farm is enclosed in a 6 ft. high chain-link fences to protect both citizens and the project from unauthorized access, while maintaining access for fire and police departments.



Scale: 1" = 600'



Subject Property
 Zoning
 City Limits
 ETJ

City of Asheboro Planning & Zoning Department

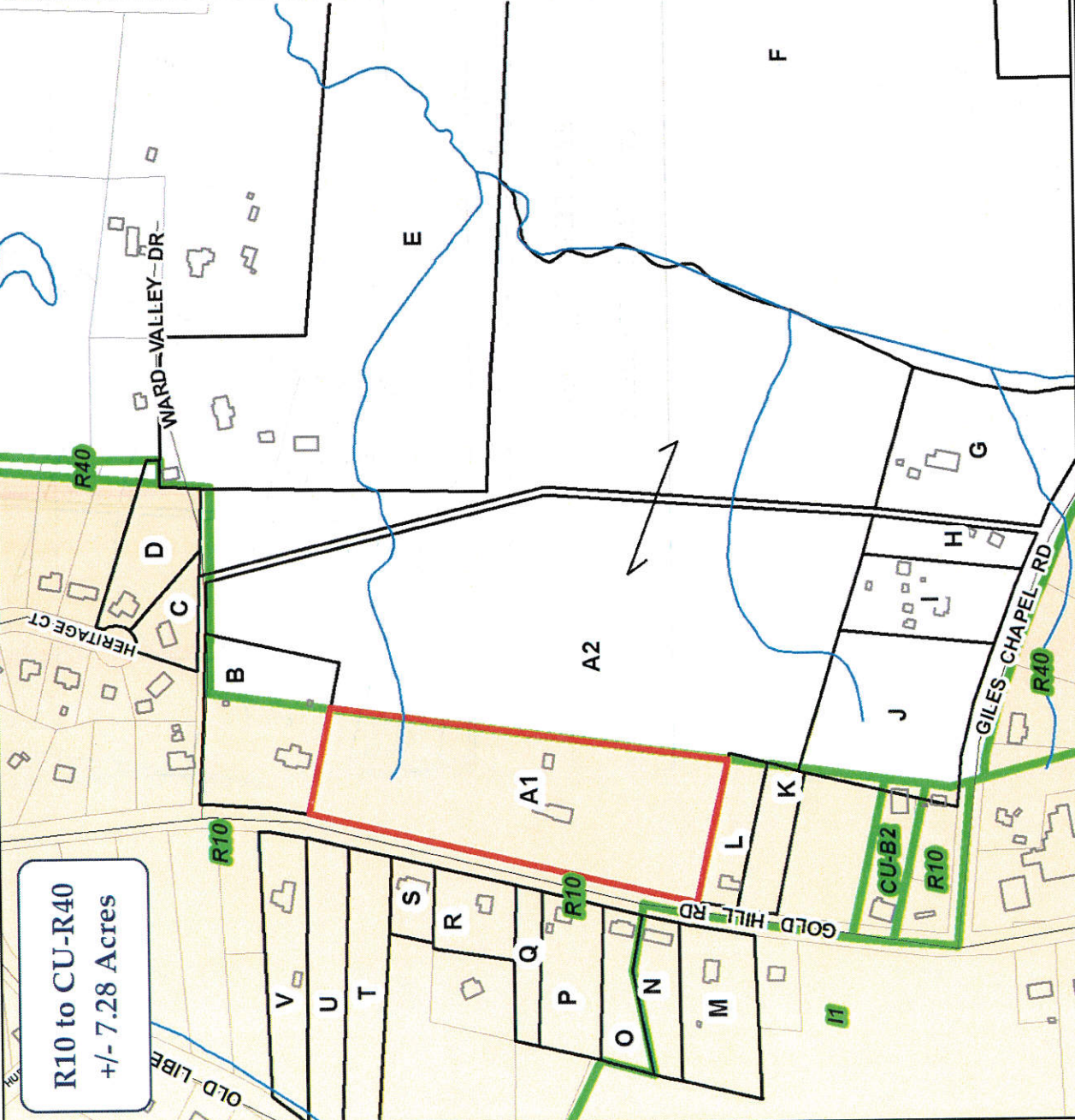
Rezoning Case: RZ-17-12

Parcel: 7762798310 (pt.)



CITY OF
ASHEBORO
 NORTH CAROLINA
Official website: www.asheboro-nc.gov

R10 to CU-R40
+/- 7.28 Acres



Map_ID	Owner
A1	MILLIKAN, MARGARET
A2	MILLIKAN, MARGARET
B	MILLIKAN, JERRY R (MILLIKAN, RONDA T)
C	LONG, JONATHAN DAVID (LONG, LORETTA M)
D	STRATTON, RICHARD M (STRATTON, PATRICIA E)
E	WARD, WILLIAM E (WARD, DORIS OWENS)
F	MURRAY, JAMES H (MURRAY, MARTHA C)
G	WILKERSON, JIMMY LEE (WILKERSON, ROBIN B)
H	BURROW, WILLIAM ROBERT
I	BURROW, WILLIAM ROBERT
J	BURROW, WILLIAM ROBERT
K	KEY E. ROBERT DANIEL (KEY E. DOLORES A)
L	PATINO, ELOISA TEJEDA
M	SMITH, MICHAEL A (SMITH, DREAMA)
N	HOLLOWAY, JERREL RAY (HOLLOWAY, ALTA H)
O	SYRIAC, ROBERT W
P	KEY E. ROBERT D
Q	PERKINS, WILLIAM D (PERKINS, JUNE P)
R	PERKINS, WILLIAM D (PERKINS, JUNE)
S	GASCA, MARTHA CECILIA A BELLA
T	PROGRESS ENERGY CAROLINAS
U	RICH, DAVID FREEMAN (RICH, JANET V UNCAANNON)
V	RICH, DAVID F (RICH, JANET V)

Scale: 1" = 400'

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-12

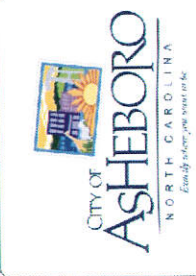
Parcel: 7762798310 (pt.)

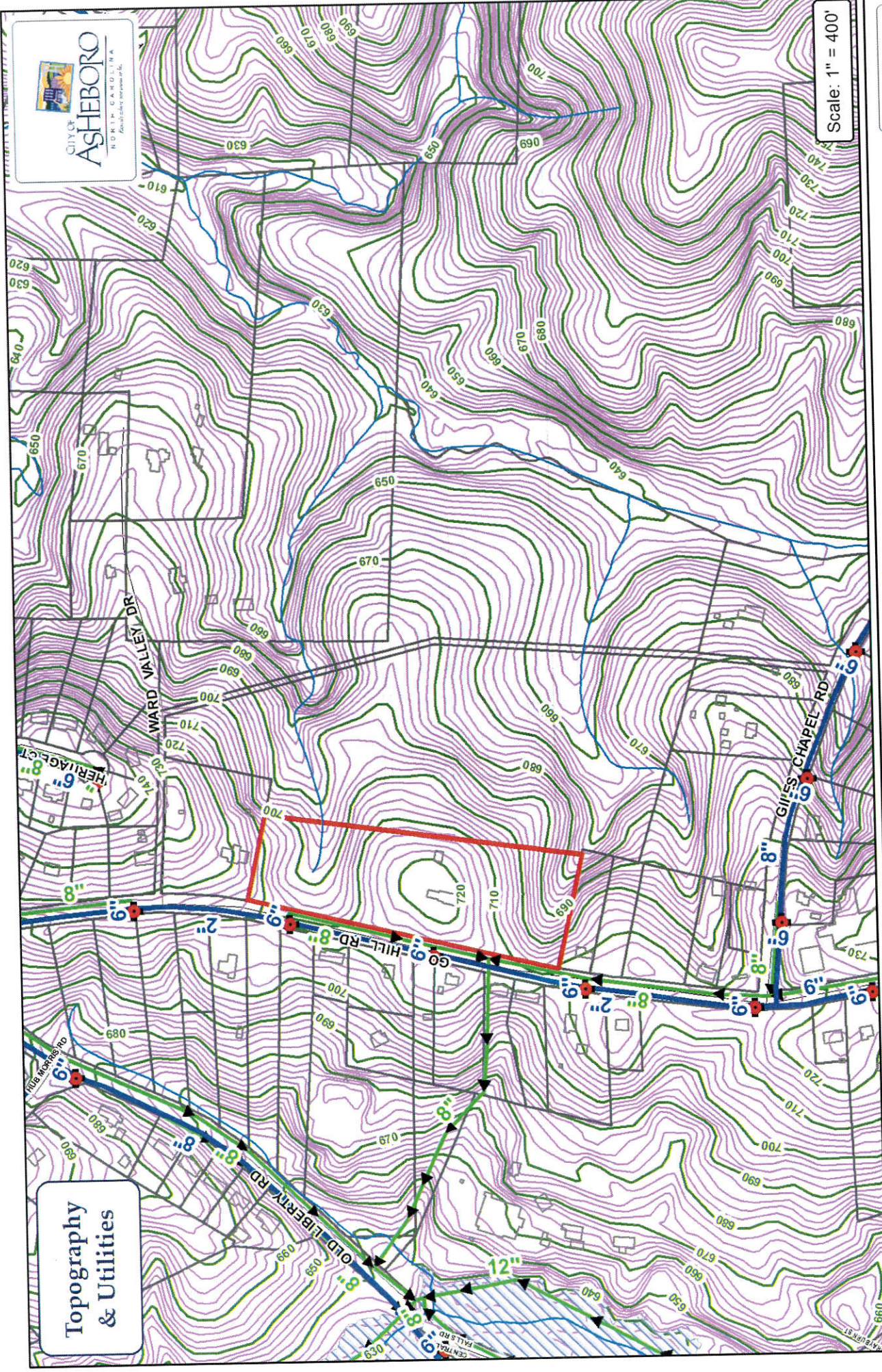
Subject Property

Adjoining Properties

Zoning

City Limits







Scale: 1" = 400'



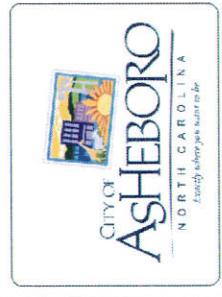
Subject Property

Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-12

Parcel: 7762798310 (pt.)





**RZ-17-13: Request to rezone from R10 (Medium-Density Residential) to
CU-R40 (Conditional Use Low-Density Residential)**

(1378, 1380, 1514, 1510, 1530, 1538 Old Cedar Falls Road)

Staff Report

Rezoning Staff Report

RZ Case # **RZ-17-13**

Date 10/2/2017 Planning Bd.
11/9/2017 City Council

General Information

Applicant Old Cedar Solar, LLC
Address 5310 S. Alston Ave., Suite 300
City Durham NC 27203
Phone 919-921-8701
Location 1378, 1380, 1510, 1514, 1530, 1538 Old Cedar Falls Rd.
Requested Action Rezone from R10 (Medium-Density Residential) to CU-R40 (Conditional Use Low-Density Residential)
Existing Zone R10
Existing Land Use Single-family dwellings (2), Nonconforming commercial (vacant)
Size 45.48 acres +/- **Pin #** 7761548926

Applicant's Reasons as stated on application

See attached applicant statement.

Surrounding Land Use

North Place of Worship/Commercial

East Commercial/Industrial/Single-family residential

South Public Use Facility/Congregate Living facility

West Place of worship/Single-family

Zoning History N/A

Legal Description

The property of John Harris Kidd and Kathy Kidd located at 1378, 1510, 1530, 1538 Old Cedar Falls Rd., located south of E. Presnell Street, totaling approximately 45.48 acres +/- and more specifically identified by Randolph County Parcel Identification Number 7761548926.

Analysis

1. Old Cedar Falls Road and East Presnell Street are state-maintained minor thoroughfares.
2. The property is outside the city limits. Water is currently available to the property. Sewer is currently unavailable to the property, located approximately 1300 feet southwest along Old Cedar Falls Road.
3. There are currently two single-family dwellings on the property. There is also a structure that was designed and last used for retail activities that have been discontinued.
4. The applicant has filed a request for a Conditional Use Permit for a Solar Farm. The R40 (Low-Density Residential) or CU-R40 (Conditional Use Low-Density Residential) district are the only residential zoning districts that permit a solar farm. When located in these districts, either a Special Use Permit (R40) or Conditional Use Permit (CU-R40) district are required for a solar farm.
5. The area primarily consists of low to medium-density residential uses. There are also some institutional uses (two places of worship), a public use facility (electric substation) and congregate living facility adjacent to the property.
6. A small area on the eastern side of the property is identified as having slopes greater than 20%.
7. The zoning ordinance statement of intent describes the underlying R40 zoning district as "intended to provide regulations which will produce a low intensity mixture of single family, duplex dwellings, and Class A Mobile Home dwellings usually served by individual wells and/or sewage disposal systems, plus the necessary governmental and other support facilities to provide service to such suburban intensity living."

Rezoning Staff Report

RZ Case # RZ-17-13

Page 2

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.

Proposed Land Use Map Designation Neighborhood Residential

Small Area Plan East

Growth Strategy Map Designation Economic Development

LDP Goals/Policies Which Support Request

Checklist Item 1: Complies with LDP proposed land use map

Checklist Items 12-13: Outside of flood, watershed areas. *Staff Note: The presence of steep slopes on the eastern side of the property mentioned in the staff analysis is neither a positive or negative factor in evaluating the CU-R40 request in comparison to existing R10 zoning.*

Goal 5.1: Cost effective, efficient and coordinated infrastructure in appropriate locations (based on use proposed by CUP request)

Rezoning Staff Report

RZ Case # RZ-17-13

Page 3

LDP Goals/Policies Which Do Not Support Request

Checklist Item 5: Rezoning is not consistent with Growth Strategy Map

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

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

Staff's analysis considers all development that is permitted in the underlying zoning district including the requested solar farm use. While a general R40 district may not be appropriate at this location where most residentially zoned properties are designated R10 (Medium-Density Residential), the Conditional Use permitting process helps mitigate concerns over whether potential development can be compatible with surrounding properties, which is a primary concern with properties designated for "Neighborhood Residential" use by the Land Development Plan.

There is also R40 zoning directly across Old Cedar Falls Road from the subject properties, and some of the area, including the subject property, have developed at a density similar to what is allowable in the R40 district, which helps support the request.

The current lack of public sewer accessible to this property hampers the ability to fully support the medium-density residential development described by the Land Development Plan's Neighborhood Residential Land Category Descriptions, along with other intensive economic development activities.

Given these current constraints, staff believes the requested CU-R40 zoning designation will allow a reasonable use of property and is generally in the public interest.

Recommendation

In light of the above analysis, staff's recommendation is to approve the request.

Provided by applicant

1. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

The alleged error in this Ordinance that this proposed amendment seeks to correct is that the zoning designation given to a parcel does not allow for a solar farm to be constructed in an area otherwise well suited for a such a development. In its current zoning district, R10, this parcel cannot be the location of a solar farm. This proposed amendment is a rezone of this parcel to the R40 district so that it will have the opportunity to be used for generating clean energy by way of a solar farm.

2. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

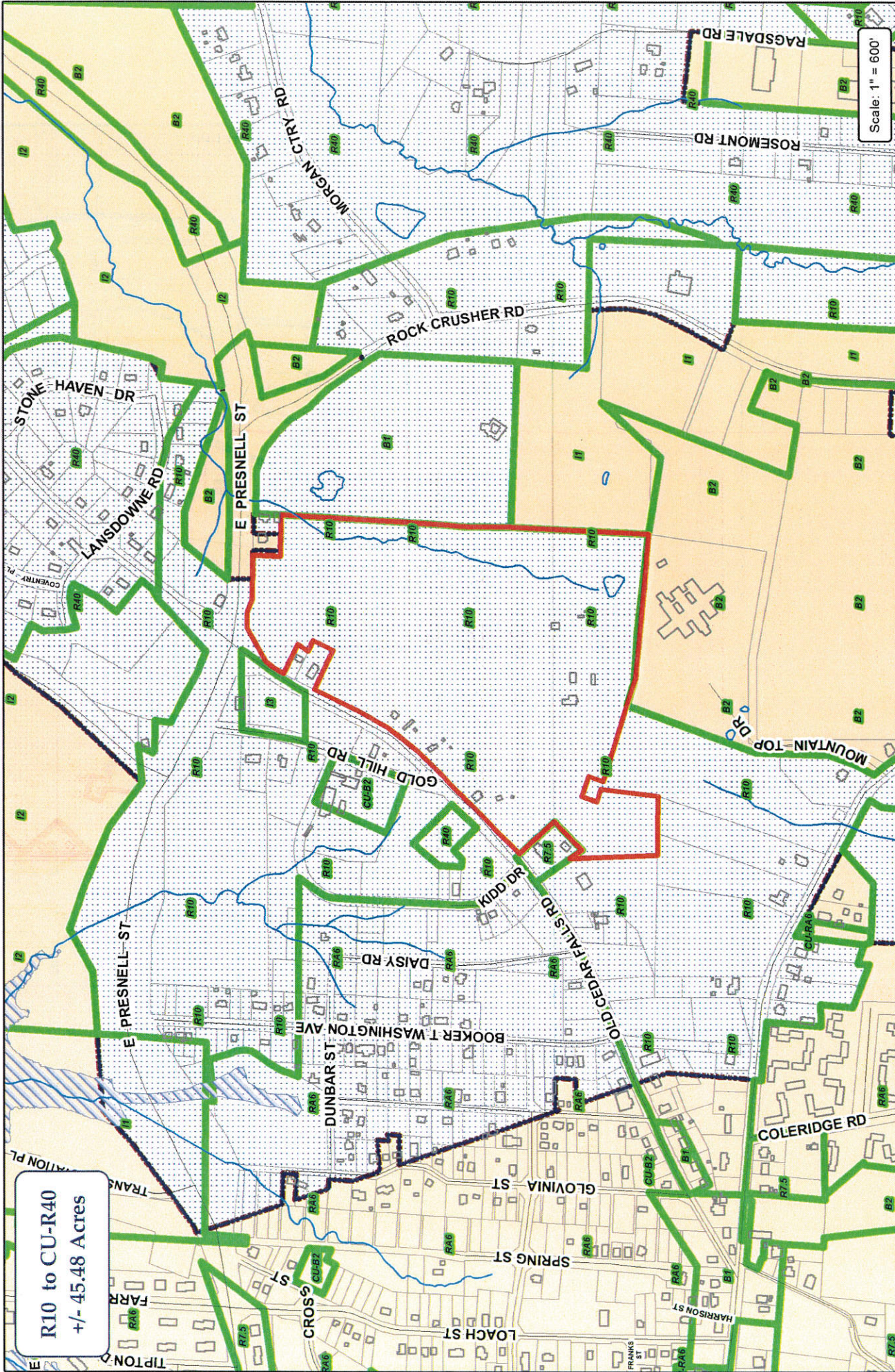
This proposed amendment is necessary to provide the opportunity for this parcel to serve as the location of a solar farm, which is a viable form of alternative energy generation, while also protecting the public health, safety, and general welfare. The steady population growth of the City of Asheboro means there is a need for providing clean energy to the community. Rezoning this parcel is reasonably necessary to provide an avenue for solar energy development that the City of Asheboro will benefit from.

3. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

The proposed amendment will carry out the intent of the Land Development Plan by rezoning a parcel to allow for a solar farm to be developed on it which will in turn strengthen the City of Asheboro's ability to maintain and improve the quality and diversity of its local economy. A solar farm will contribute to the vision of establishing a strong, diverse, and sustainable economy with good paying jobs and a robust tax base. This proposed amendment seeks to enable a smart, sustainable development which will add value to the City's character thus stimulating economic development.

4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

There will no need for central water supply or sewer disposal systems due to the nature of the development that this proposed amendment seeks to enable. Additionally, by rezoning this parcel from R10 to R40 zoning district, the only change being made to the land use regulations is the level of intensity that will be promoted. The proposed amendment will change the development intensity level of this parcel from moderate to low which is line with the character of its surroundings.



R10 to CU-R40
+/- 45.48 Acres

Subject Property

Zoning

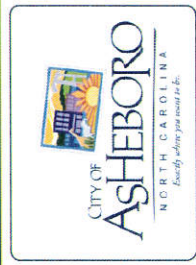
City Limits

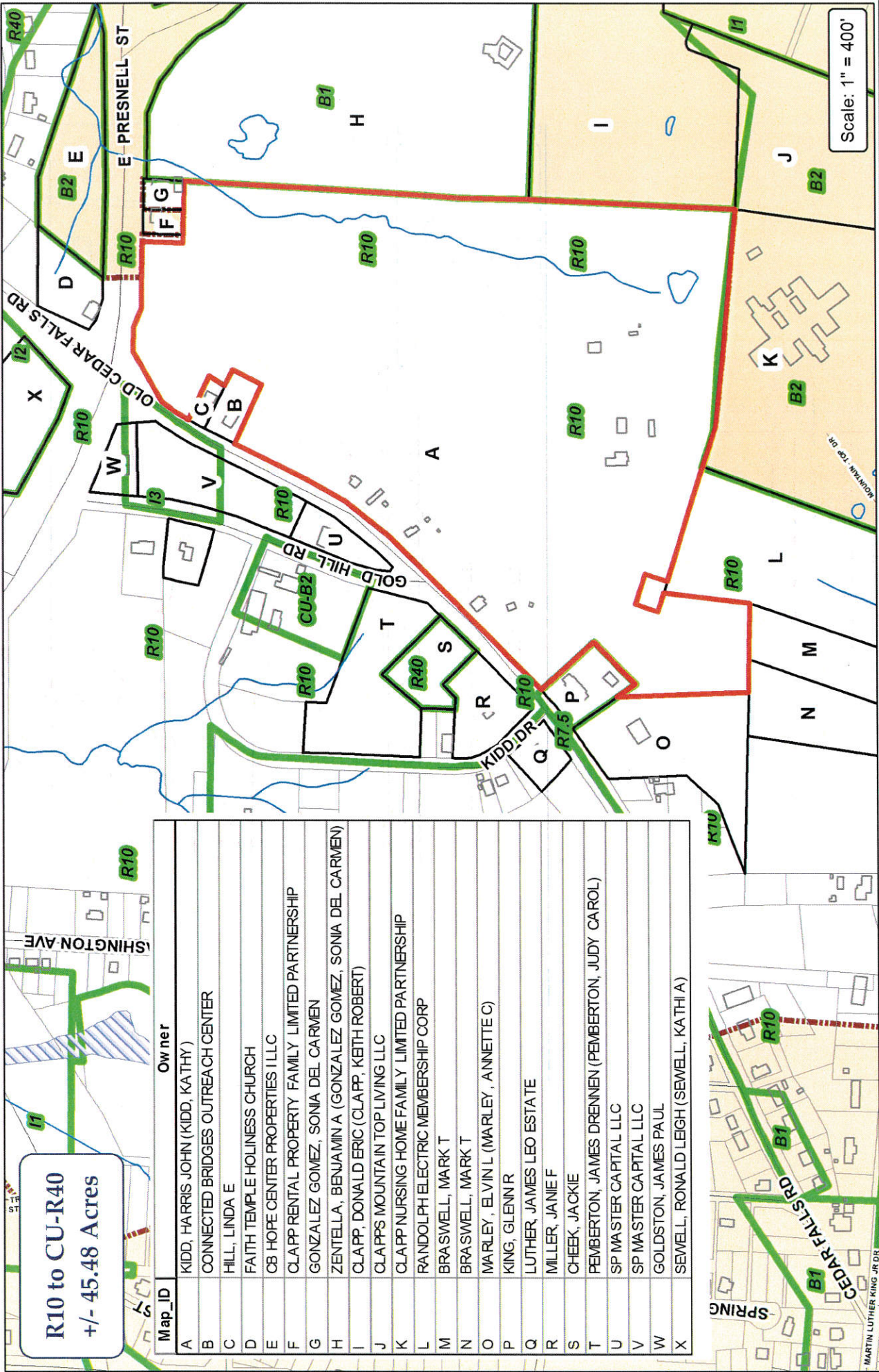
ETJ

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-13

Parcel: 7761548926





City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-13

Parcel: 7761548926

Scale: 1" = 400'

Subject Property

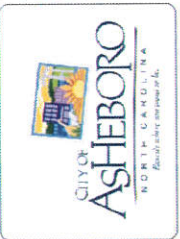
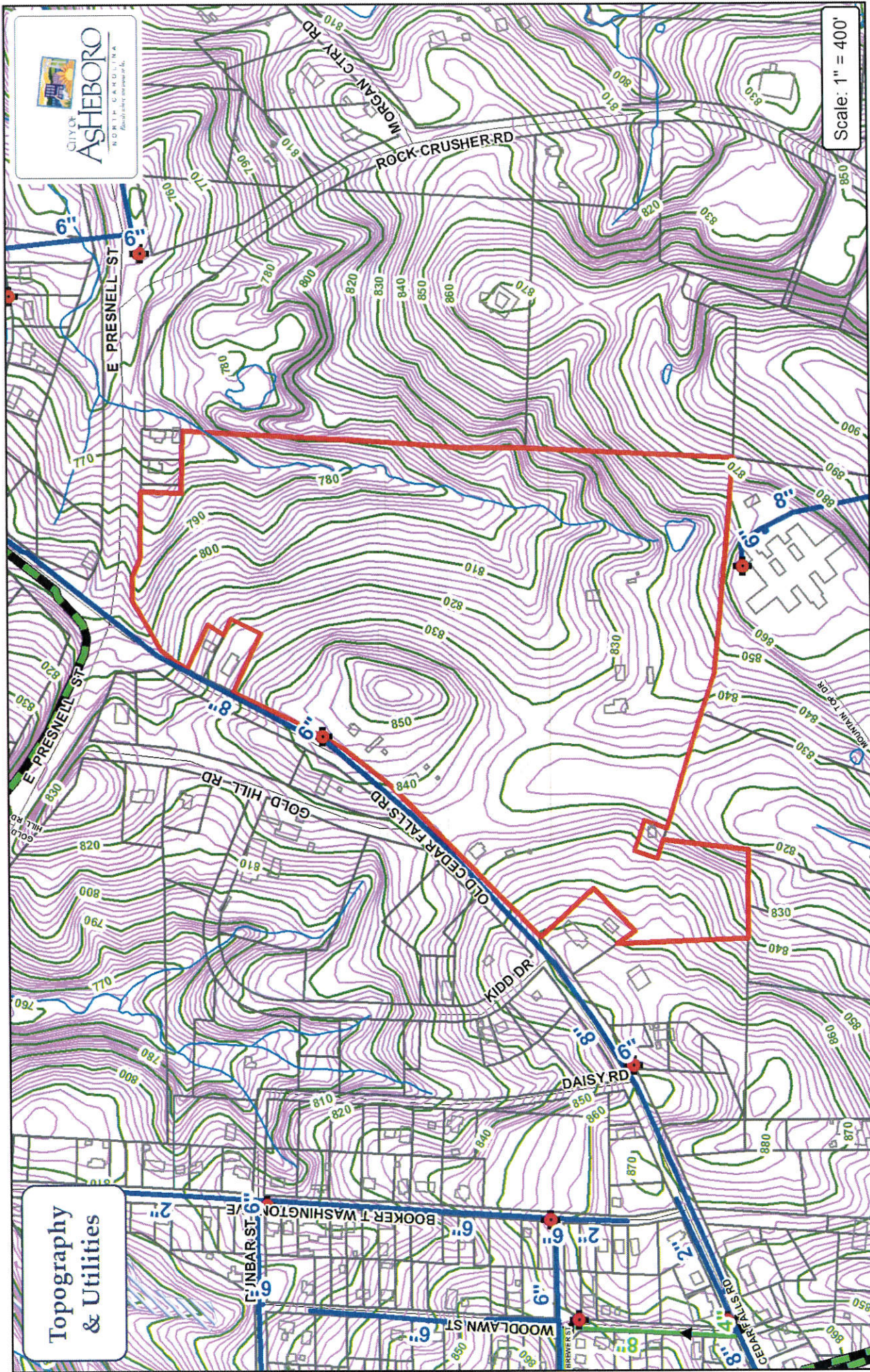
Adjoining Properties

Zoning

City Limits

CITY OF
ASHEBORO
NORTH CAROLINA

Equality where you want to live



Scale: 1" = 400'



City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-17-13
Parcel: 7761548926

Water Main

Fire Hydrant

Sewer Main

Pump Station

Force Main



Scale: 1" = 400'



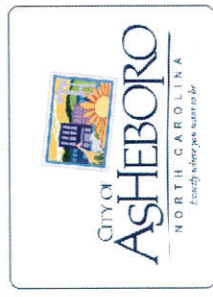
Subject Property

Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-13

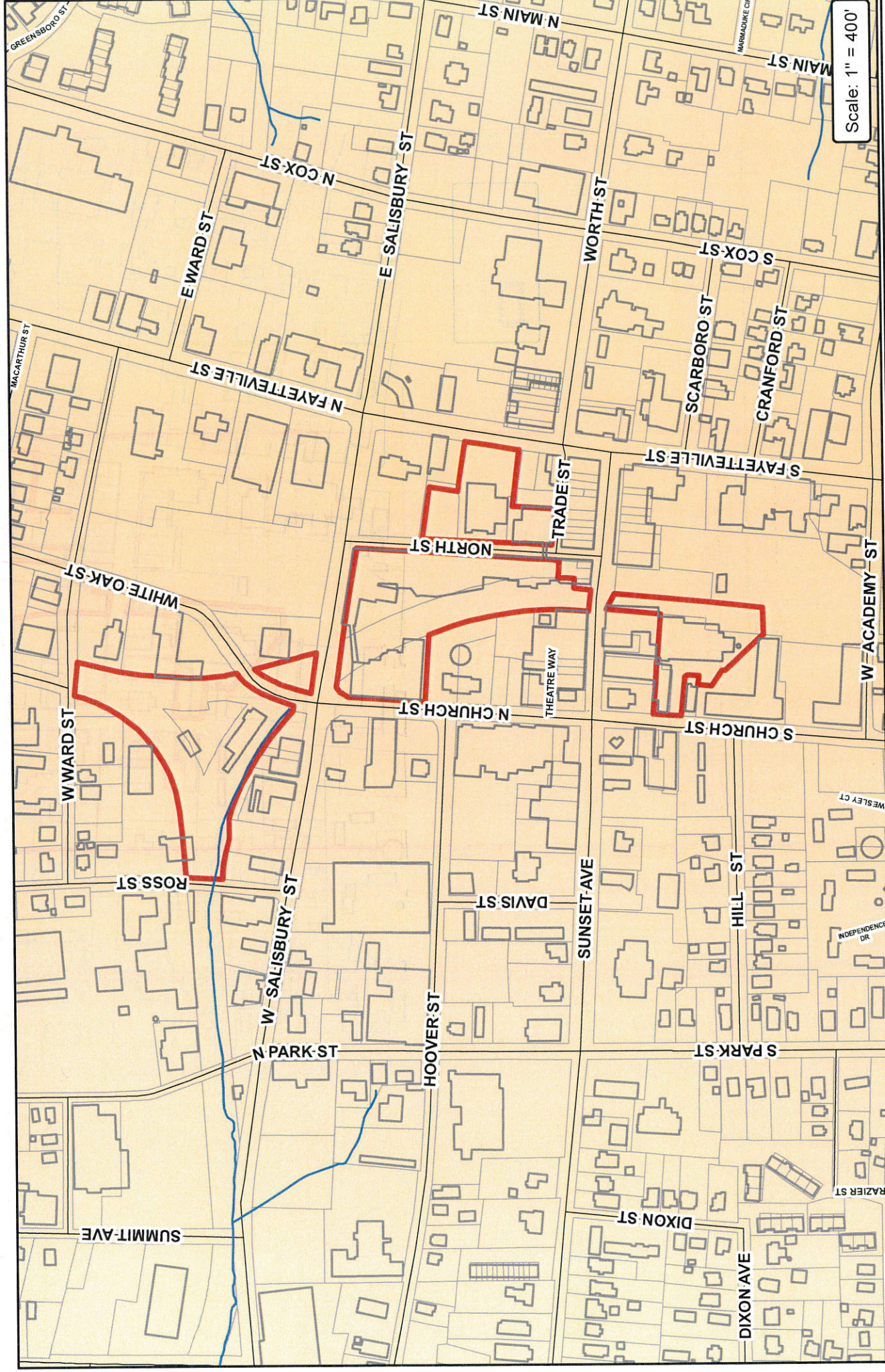
Parcel: 7761548926



Aerial



Consideration of proposed 2017-2018 Redevelopment Area



2017 Central Business District Proposed Redevelopment Area

