



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

Monday, July 9, 2018

7:00 PM

AGENDA

- I. Call to Order
- II. Approval of Minutes from June 4, 2018
- III. Review of Cases
- IV. RZ-18-09: Request to rezone from CU-B2 (Conditional Use General Commercial) to B2 (General Commercial) (western corner of East Dixie Drive and Arrowwood Rd.: Parcel ID #s 7760177267 & 7760177187)
- V. RZ-18-10/SUB-18-02: Requests related to property located on north side of East Allred Street, west of 1591 East Allred Street (Parcel #7762740259)
 - a.) Rezone from R10 (Medium-Density Residential) to CU-RA6 (Conditional Use High-Density Residential)
 - b.) Subdivision Sketch Design (Cane Creek Townhomes Planned Unit Development)
- VI. RZ-18-11: Request to rezone from RA6 (High-Density Residential) and CU-B2 (Conditional Use General Commercial) to O&I (Office & Institutional): 624 Brewer Street and 621 Franks Street
- VII. Items Not on the Agenda
- VIII. Adjournment

#

**MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, JUNE 4, 2018
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:

Van Rich) - Chair
Lynette Garner) - Vice Chair

Ritchie Buffkin)
David Henderson) - Members Present
Michael O'Kelley)
Thomas Rush)

James Lindsey) - Members Absent

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

Two (2) citizens were present at this meeting.

CALL TO ORDER

Mr. Van Rich called the Asheboro Planning Board to order.

APPROVAL OF MINUTES FROM MAY 7, 2018 MEETING

Mr. Rich inquired if there were any corrections to the minutes of the May 7, 2018 regular Planning Board meeting. There being no corrections, the minutes were approved as presented.

REVIEW OF CASES

Mr. John Evans informed the board of the zoning related cases which were heard at the regular May meeting of the Asheboro City Council.

RZ-18-08: REZONE FROM R10 (MEDIUM-DENSITY RESIDENTIAL), B2 (GENERAL COMMERCIAL), AND I2 (GENERAL INDUSTRIAL) TO CU-I2 (CONDITIONAL USE GENERAL INDUSTRIAL): 2445 & 2455 N. FAYETTEVILLE STREET, 200, 204, AND 208 PINEVIEW STREET

Mr. Evans gave a visual presentation of the rezoning case located at 2445 and 2455 North Fayetteville Street as well as 200, 204, and 208 Pineview Street, more specifically parcel numbers 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, 7753973059. He stated that the request was to rezone from the R10, Medium-Density Residential, B2 General Commercial, and I2, General Industrial zoning districts to the CU-I2, Conditional Use General Industrial zoning district. He stated that the applicant is Covanta Environmental and that Greg Russell, Vice-President was present and representing the company. He stated the size of the parcels totaled 5.19 acres +/- . He also stated that the existing land use was Commercial (Retail Shoppers' Goods), Two (2) Single-Family Dwellings, and Undeveloped land. He showed overview, rezoning, topographic/utilities,

and aerial maps of the subject properties as well as photographs from all directions. He mentioned that one of the properties (PIN # 7753976059) is split-zoned between R-10 and B2. He stated that North Fayetteville Street is a state-maintained major thoroughfare. Pineview Street is a state-maintained minor thoroughfare proposed for widening to include a center turn lane. He stated that the applicant is also requesting a Conditional Use Permit for a "Transfer Station" which is defined by the zoning ordinance as follows: "A use of land where nonhazardous or nontoxic waste such as residential, commercial, or industrial is temporarily deposited for the purpose of a break in bulk and further shipment to a landfill or other appropriate destination". He stated that the underlying I2 zoning district intent "to produce areas for intensive manufacturing, warehousing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts. He stated the property is located within an Opportunity Zone. These zones, comprised of lower income census tracts, provide certain federal tax incentives for qualifying economic investments. He gave the Land Development Plan recommendations as follows:

Proposed Land Use Map:
Employment Center, Commercial, Neighborhood Residential

Growth Strategy Map:
Primary Growth

Goals/Policies Supporting Request (7 total - 5 on entire property + 2 on part of property):

- Checklist Item 1: Compliant with LDP Proposed Land Use Map (Parcel 7753978243, 2455 N. Fayetteville St.)
- Checklist Item 3: Meets Zoning Ordinance Statement of Intent (Parcels 7753978243, 7763070038, 7753978029, 7753977009, and 7753976059)
- Checklist Item 5: Complies with Growth Strategy Map (Entire Property)
- Checklist Items 12-14: Outside of watershed, flood area, areas of steep (> 20%) slopes (Entire Property)
- Policy 1.1.1: Location within NCDC Development Area (Entire Property)

Goals/Policies Not Supporting Request (4 total - 1 on entire property + 3 on part of property):

- Checklist Item 1: Does not comply with LDP Proposed Land Use Map (Applies to properties except for 7753978243, 2455 N. Fayetteville St.)
- Checklist Item 3: Does not meet Zoning Ordinance Statement of Intent (7753975069, 7753974069, and 7753973059)
- Goal 2.2: Development not in appropriate locations (7753975069, 7753974069, and 7753973059)
- Policy 2.1.5: Lack of transition between high-intensity industrial use and low-intensity residential use (Entire Property)

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

- LDP Commercial designation supports request on one parcel (2455 North Fayetteville Street) supporting accommodation of industrial use and expansion of existing business.
- Adjoining industrial land uses to east, north, and south
- Conditional use permitting process allows heightened review
- Road improvements effect on residential character of area
- Concern with not having transition to residential areas, in reference to 200, 204, 208 Pineview Street

He stated that in light of the above analysis, staff recommends approval the following:

- Approve the requested rezoning of PINs 7753978243, 7763070038, 7753978029, 7753977009, and 7753976059
- Deny the requested rezoning of PINs 7753975069, 7753974069, and 7753973059.

He showed an aerial map highlighting each parcel and identified staff's recommendation to support or not support in connection with the parcels listed.

He asked the board if there were any questions for him. Mr. O'Kelley inquired about the NCDOT widening of Pineview Street with regard to the process of property acquisition. Mr. Evans stated that topography and the layout of the roadway would be dependent factors and that there would be design plans in the future. Mr. Trevor Nuttall stated that property owners would be contacted and informed as to this process. Mr. O'Kelley asked if the development could still be accommodated should a portion of the property not be rezoned. Mr. Evans stated that staff is still working with the property owner on the site plan and that some expansion may work, however the exact configuration may be subject to change.

Mr. Henderson inquired as to why the split-zoned parcel was split and if the split-zoning was intentional for buffering purposes. Mr. Evans stated that prior to GIS technology this property was zoned and the zoning lines do not appear to follow property boundaries, however with the Conditional Use Permit request, a site specific layout can address any buffering requirements.

Mr. Greg Russell, Vice President of Covanta Environmental, spoke on the request and stated that the far western parcel would serve as a buffer, and the next lot would serve as a driveway, so no development of structures would be placed on the westernmost two (2) properties. Mr. O'Kelley asked where the driveway would be placed. Mr. Russell showed the numbered map and stated that the "A2" property would be where the driveway would be placed and that all the residential structures would be removed. He stated that if there were any other questions he would be happy to answer them. There were no more questions at this time for Mr. Russell.

Ms. Joy Hoover spoke on behalf of Ms. Martha Shoemacher stating that she owns property on Pineview Street and stated that she wanted clarification as to the location of the development. Mr. O'Kelley stated that the proposal was to be across the street from Ms. Shoemacher's property. There were no other statements from Ms. Hoover.

Mr. Henderson moved to recommend approval of the staff's consistency statement and recommendation. He further clarified that this would be to recommend approval of the requested rezoning of PINs 7753978243, 7763070038, 7753978029, 7753977009, and 7753976059 and to recommend denial the requested rezoning of PINs 7753975069, 7753974069, and 7753973059.

After board discussion, Mr. Thomas Rush seconded the motion and the motion carried unanimously.

SUBDIVISION CASE SUB-18-01: ZOOCREST TOWNHOMES: SKETCH DESIGN

Mr. Evans presented the case, stating that the request was for the Subdivision Sketch Design Plat for Zoocrest Townhomes, located at Parcel Identification Number 7669289834. He stated that the request made up approximately 10.46 +/- acres. He stated that there were 36 lots + common area that make up this request. He stated that the average lot size would be 2,630 square feet and that there is approximately 1,200 linear feet (0.23 miles +/-) of public street. He showed maps of the area and listed the surrounding uses. He then presented plat excerpts to the board.

Mr. Evans then presented all development issues as follows:

1. A rezoning request rezoning the property from R-15 (Low-Density Single-Family Residential) to CU-R10 (Conditional Use Medium-Density Residential) and Conditional Use Permit for a Residential Planned Unit Development have been filed. The Planning Board reviewed this request during its May 7, 2018 meeting.
2. The applicant is proposing a total of 36 dwelling units. The units are single-story duplex style units with two dwelling units in each of the 18 structures.

3. One recreational area (with play and picnic areas) is proposed between the pond on the property and Zoo Parkway.

4. One entrance from Crestview Church Road is proposed to serve the internal portion of the development. Some of the units are directly adjacent to either Zoo Pkwy. or Crestview Church Rd. All driveways accessing the units are within the development, with the exception of two dwelling units from Zoo Pkwy. These two units will require NCDOT driveway permit approval.

Mr. Evans then reviewed Department Comments as follows:

Engineering/Public Works:

- Plat corrections/comments have been addressed.

Planning:

- Plat corrections have been addressed.
- Homeowners documents are required to be recorded with the final plat, which must include maintenance mechanisms for the common area, and restrictions concerning RV parking.

Randolph County Schools:

- Development feeds into Southmont Elementary, Southwestern Randolph Middle and Southwestern Randolph High.
- Southmont is currently at 87% capacity.
- Southwestern Randolph Middle is at 76% capacity.
- Southwestern Randolph High is at 92% capacity.
- No significant concerns are present.

Mr. Evans stated that staff's recommendation is to approve conditioned on staff comments.

Mr. O'Kelley mentioned that access into the development looks unsafe, to which Mr. Nuttall stated that the NCDOT has paid attention to ingress/egress by requesting the proposed driveway locations to be marked or staked. Mr. Evans mentioned that NCDOT has reviewed the plan and staff has a condition on the Conditional Use Permit to ensure the plan has their approval.

Ms. Lynette Garner moved to recommend approval of the request. Mr. Rush seconded the motion and the motion carried unanimously.

ANNUAL REPORT CONCERNING PLANNING BOARD ACTIVITIES, EXPENDITURES, AND BUDGET ESTIMATES

Mr. Trevor Nuttall summarized the Planning Board's fiscal year operations. He stated that the board has reviewed a total of 27 cases, an increase of 14 cases over the prior year. He stated that the City Council would be forwarded the Planning Board Annual Report at the Regular June 7, 2018 meeting.

ITEMS NOT ON THE AGENDA

There were no items at this time.

ADJOURNMENT

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

Bradley Morton, Planning Board Secretary

Van Rich, Planning Board Chair



RZ-18-09: Request to rezone from CU-B2 (Conditional Use General Commercial) to B2 (General Commercial)

(western corner of East Dixie Dr. and Arrowwood Rd.)

Staff Report

Rezoning Staff Report

RZ Case # **RZ-18-09**

Date 7/9/2018 Planning Bd.

8/9/2018 City Council

General Information

Applicant Mark Hammer

Address 1333 Plantation Circle

City Asheboro NC 27203

Phone 336-465-0767

Location East Dixie Drive (at western intersection of Arrowwood Road)

Requested Action Rezone from CU-B2 (Conditional Use General Commercial) to B2 (General Commercial)

Existing Zone CU-B2

Existing Land Use Commercial (Access for eating establishment/undeveloped)

Size 0.73 acres +/-

Pin # 7760177267 & 7760477187

Applicant's Reasons as stated on application

Dixie Drive has become a retail corridor. Consistent with the map plan. To be consistent with most of the surrounding properties.

Surrounding Land Use

North Commercial

East Commercial/Single-family

South Single-family

West Commercial

Zoning History RZ-85-03: The property, along with other properties on E. Dixie Dr., was rezoned from R10 to CU-B2.

Legal Description

The property of Andy B. Archibald and Dreama H. Archibald located at the western corner of E. Dixie Dr. and Arrowwood Rd. (Randolph County Parcel # 7760177267) and the parcel immediately south (Parcel #7760177187) owned by Karl Mark Hammer. Both parcels total approximately 0.73 acres +/-.

Analysis

1. Both properties are in the city limits.
2. East Dixie Drive is a state-maintained boulevard (a type of major thoroughfare). Arrowwood Road is a local, city-maintained street. The intersection of East Dixie Drive and Arrowwood Road in front of the subject property contains a traffic signal for traffic exiting Arrowwood Road, and going left and straight/right.
3. The property is currently used for driveway access to the adjoining eating establishment. While there is no structure on the property, permits for seasonal sales activities have also been permitted on the property.
4. The existing conditional use permit (CUP-85-03) included a broad array of permitted uses, including a "unified housing development" that would not be permitted in a B2 district under current requirements.
5. The zoning ordinance states that the intent of the B2 district is *to serve the convenience goods, shoppers goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to major or minor thoroughfares, never local streets.*
6. Along with other zoning requirements (including but not limited to paving of required parking, landscaping, etc.), new commercial construction requiring a Building Permit and located on a street with curb and gutter generally requires the owner or developer to sidewalk along the property's public street frontage.

Rezoning Staff Report

RZ Case # RZ-18-09

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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%. (Items 12-14 apply to entire property)

Rezoning Staff Report

RZ Case # RZ-18-09

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LDP Goals/Policies Which Do Not Support Request

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

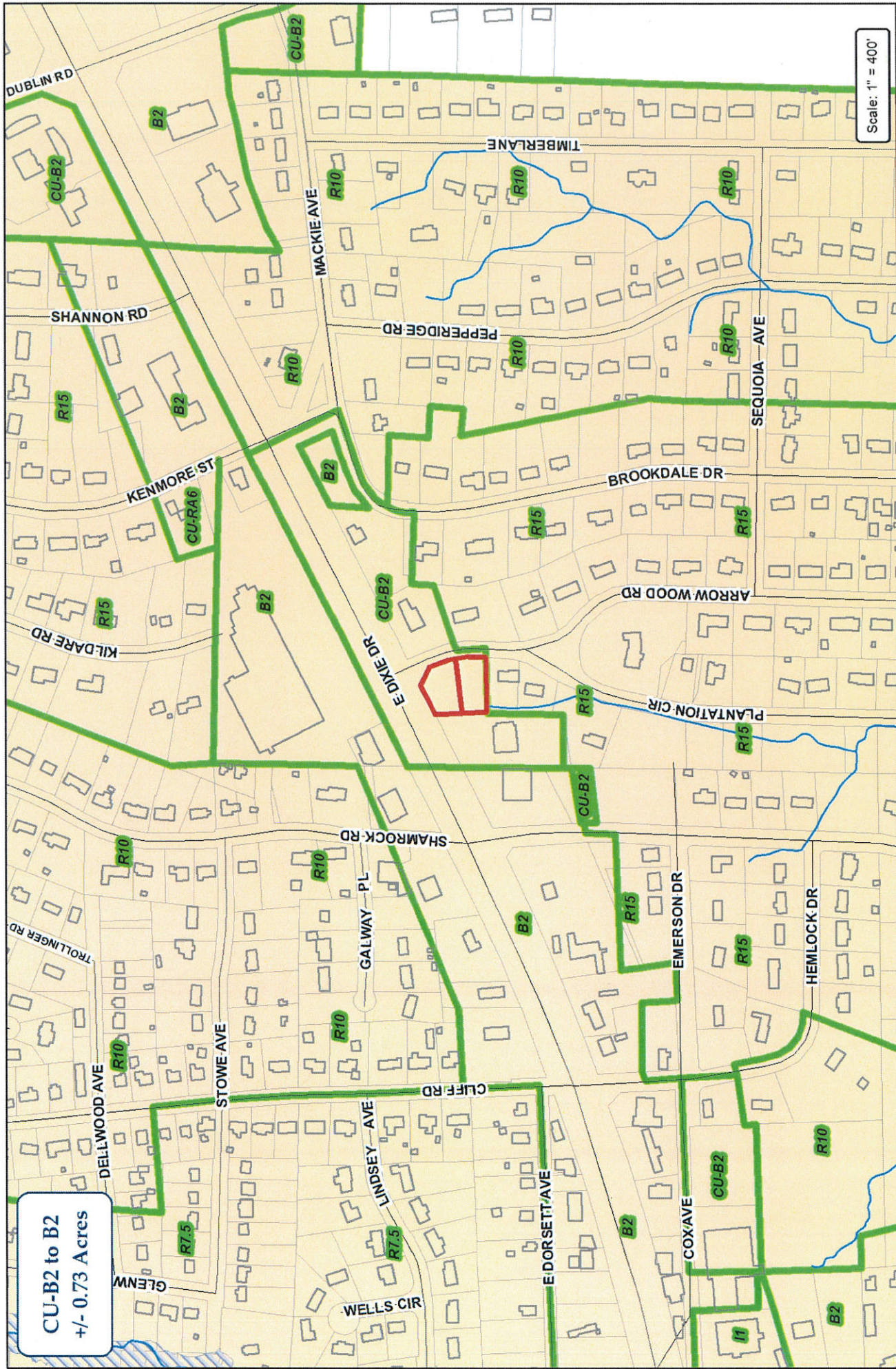
Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The land development plan designates this property for commercial use in its entirety, recognizing that East Dixie Drive has increasingly been one of the city's primary commercial areas since the CU-B2 designation was applied to this property over three decades ago. Since that time, numerous general district rezoning requests have been applied for and granted, solidifying much of the corridor for commercial use.

The direct access to East Dixie Drive, with a signalized intersection at Arrowwood Road also support the request for a B2 General Commercial designation.

While staff acknowledges the possibility that a conditional use district and permitting process typically offer greater certainty in knowing the specific use and manner in which a property develops , staff also acknowledges that many of the conditions applied to the property at that time (i.e. buffering, lighting, paved parking, building design requirements, etc.) are now a standard requirement for any new commercial development located in a B2 zoning district. Considering these factors, staff believes the request is consistent with the adopted comprehensive Land Development and therefore reasonable and in the public interest.

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



CU-B2 to B2
+/- 0.73 Acres

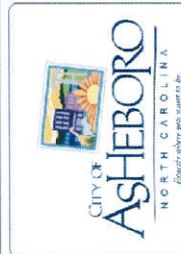
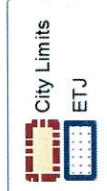
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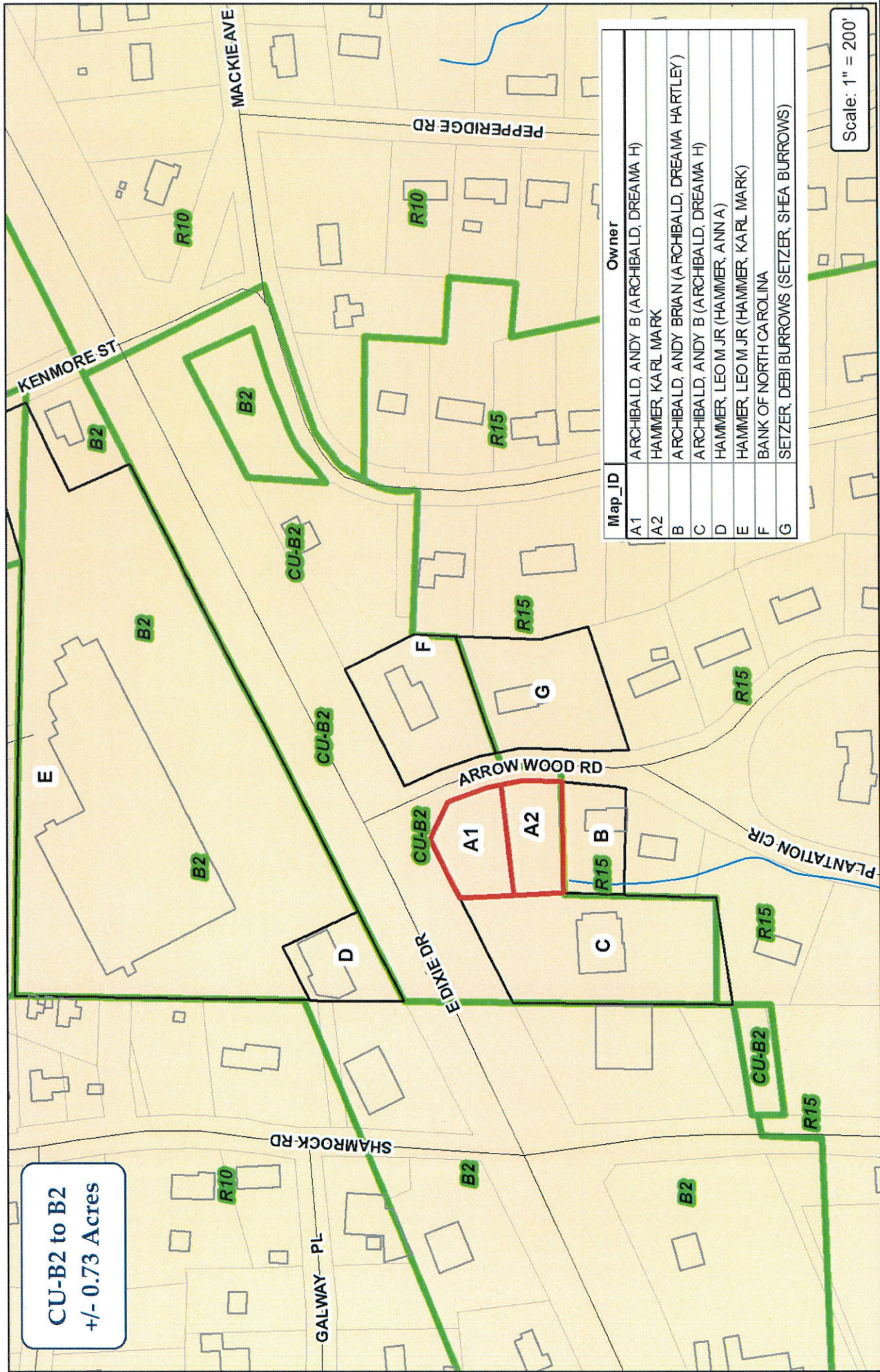


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-09

Parcel: 7760177267 & 7760177187





CU-B2 to B2
+/- 0.73 Acres

Map_ID	Owner
A1	ARCHIBALD, ANDY B (ARCHIBALD, DREAMA H)
A2	HAMMER, KARL MARK
B	ARCHIBALD, ANDY BRIAN (ARCHIBALD, DREAMA HARTLEY)
C	ARCHIBALD, ANDY B (ARCHIBALD, DREAMA H)
D	HAMMER, LEO M JR (HAMMER, ANNA)
E	HAMMER, LEO M JR (HAMMER, KARL MARK)
F	BANK OF NORTH CAROLINA
G	SETZER, DEBI BURROWS (SETZER, SHEA BURROWS)

Scale: 1" = 200'



Subject Property

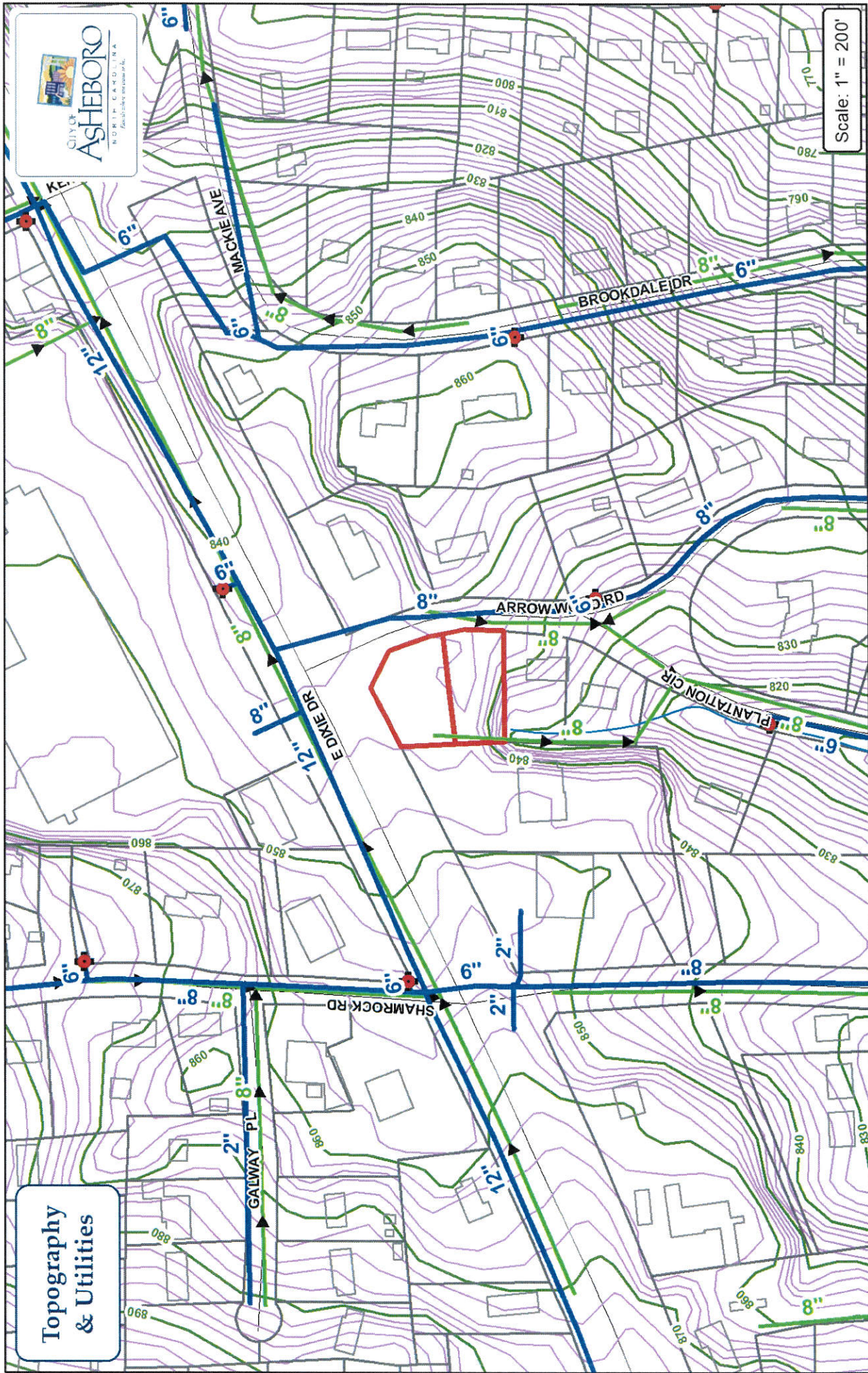
Adjoining Properties

Zoning

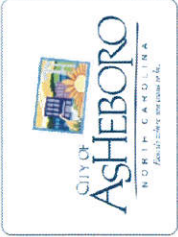
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-09

Parcel: 7760177267 & 7760177187



Topography
& Utilities



Scale: 1" = 200'



Subject Property

City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-18-09
Parcel: 7760177267 & 7760177187

	Water Main		Fire Hydrant
	Sewer Main		Pump Station
	Force Main		



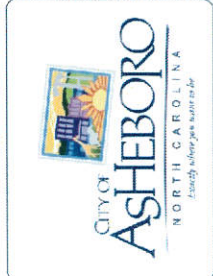
Subject Property

Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-09

Parcel: 7760177267 & 7760177187





**RZ-18-10: Request to rezone from R10 (Medium-Density Residential) to
CU-RA6 (Conditional Use High-Density Residential)**

(North side of East Allred Street, west of 1591 E. Allred St.)

Staff Report

Rezoning Staff Report

RZ Case # RZ-18-10

Date 7/9/2018 Planning Bd.

8/9/2018 City Council

General Information

Applicant McDowell Timber Company

Address 1926 Old Humble Mill Rd

City Asheboro NC 27205

Phone 336-902-9225

Location North side of East Allred Street, west of Gold Hill Road

Requested Action Rezone from R10 (Medium-Density Residential) to Conditional Use High Density Residential (CU-RA6)

Existing Zone R10

Existing Land Use Undeveloped

Size 4.02 acres +/-.

Pin # 7762740259

Applicant's Reasons as stated on application

Surrounding areas are becoming more densely residential; this site development will complement the direction this area is heading...this will allow for more housing options & types while ensuring it's developed to surrounding areas.

Surrounding Land Use

North Medium-Density Residential

East Medium-density residential

South Undeveloped Residential

West Medium-Density Residential

Zoning History The property was rezoned from R10 Medium-Density Residential to CU-RA6 and a conditional use permits was issued for a residential Planned Unit Developments in 2001 (RZ/CUP-01-26).
Due to a lack of activity, the city initiated rezoning it back to R10 in 2015 (RZ-15-06 effective 7-16-2015).

Legal Description

The property of McDowell Timber Company located on the north side of E. Allred St., immediately west of 1591 E. Allred St. This property contains approximately 4.02 acres (+/-) and is more specifically identified by Randolph County Parcel ID No. 7762740259.

Analysis

1. This property is inside of the city limits.
2. East Allred Street is a state-maintained minor thoroughfare.
3. As stated in the "Zoning History" above, this property was rezoned in 2001 and 2002. Conditional Use Permits were also issued for two Residential Planned Unit Developments but never initiated. In 2015, the city rezoned the property back to the general R10 district in accordance with the provisions of the Asheboro Zoning Ordinance.
4. The current R10 district allows a single-family dwelling on a lot with at least 10,000 SF and a two-family dwelling on a property with at least 15,000 SF. The RA6 district allows single, two-family and multi-family dwellings.
5. The western portion of the property (approximately 1.6 acres) is located within a flood hazard area.
6. Along with the rezoning application, the applicant has filed a request for a Conditional Use Permit for a Residential Planned Unit Development, consisting of 11 dwelling units.
7. The zoning ordinance describes the RA6 Residential District as "intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land designated RA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."

Rezoning Staff Report

RZ Case # RZ-18-10

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 Primary Growth

LDP Goals/Policies Which Support Request

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

Checklist Item 11: Rezoning will promote the type of development described in Design Principles

Checklist Item 12: Property is located outside of watershed

Goal 4.1.6: The City will participate the National Flood Insurance Program and utilize its Flood Damage Prevention regulations to strongly discourage development in high-risk areas.

Rezoning Staff Report

RZ Case # RZ-18-10

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LDP Goals/Policies Which Do Not Support Request

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

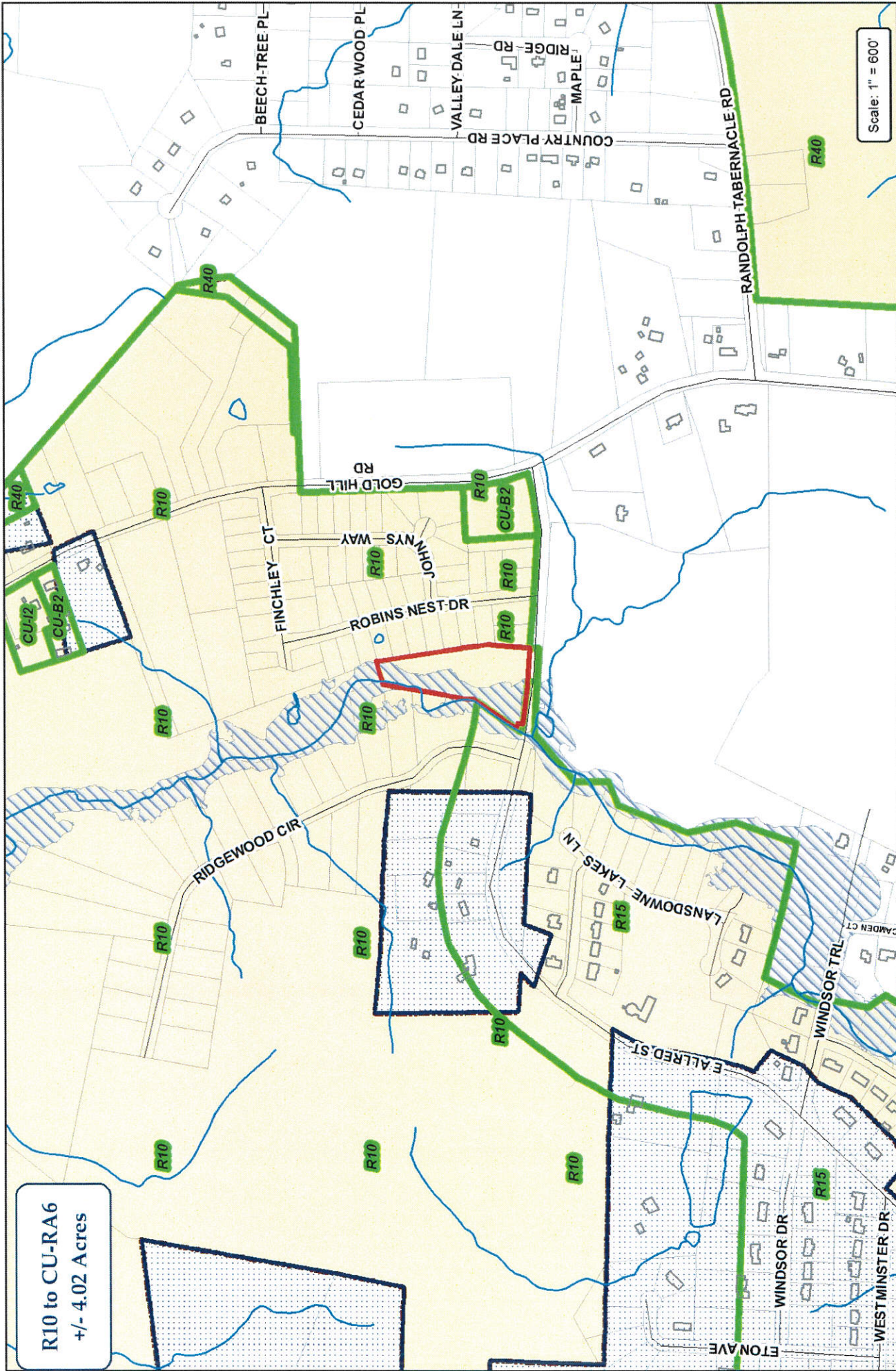
Checklist Items 13-14: 13.) The property is located within of Special Hazard Flood Area. 14.) Rezoning is located on steep slopes of greater than 20%.

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

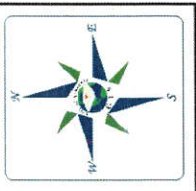
Prior to the city-initiated rezoning of the property in 2015, the property had been in the CU-RA6 district. City staff took action to rezone the property to R10 due to inactivity of the conditional use permits as prescribed by the zoning ordinance. The current request does include a corresponding Conditional Use Permit and site plan review that can best ensure the property is developed in harmony with surrounding uses and also incorporate design elements promoted by the Land Development Plan's Neighborhood Residential designation. Such elements include sidewalks, open space and recreation area that typically are not required in conventional subdivisions.

Additionally, the CU-RA6 district and conditional use permitting process can lead to less disturbance of flood area, steep slopes, and other environmentally sensitive features that are unique to this property. Considering these factors, staff believes that the requested CU-RA6 district is consistent with the Land Development Plan and therefore reasonable and in the public interest.

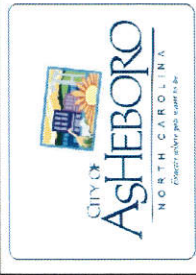
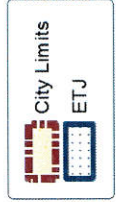
Recommendation In light of the above analysis, staff's recommendation is to approve the request.



R10 to CU-RA6
+/- 4.02 Acres

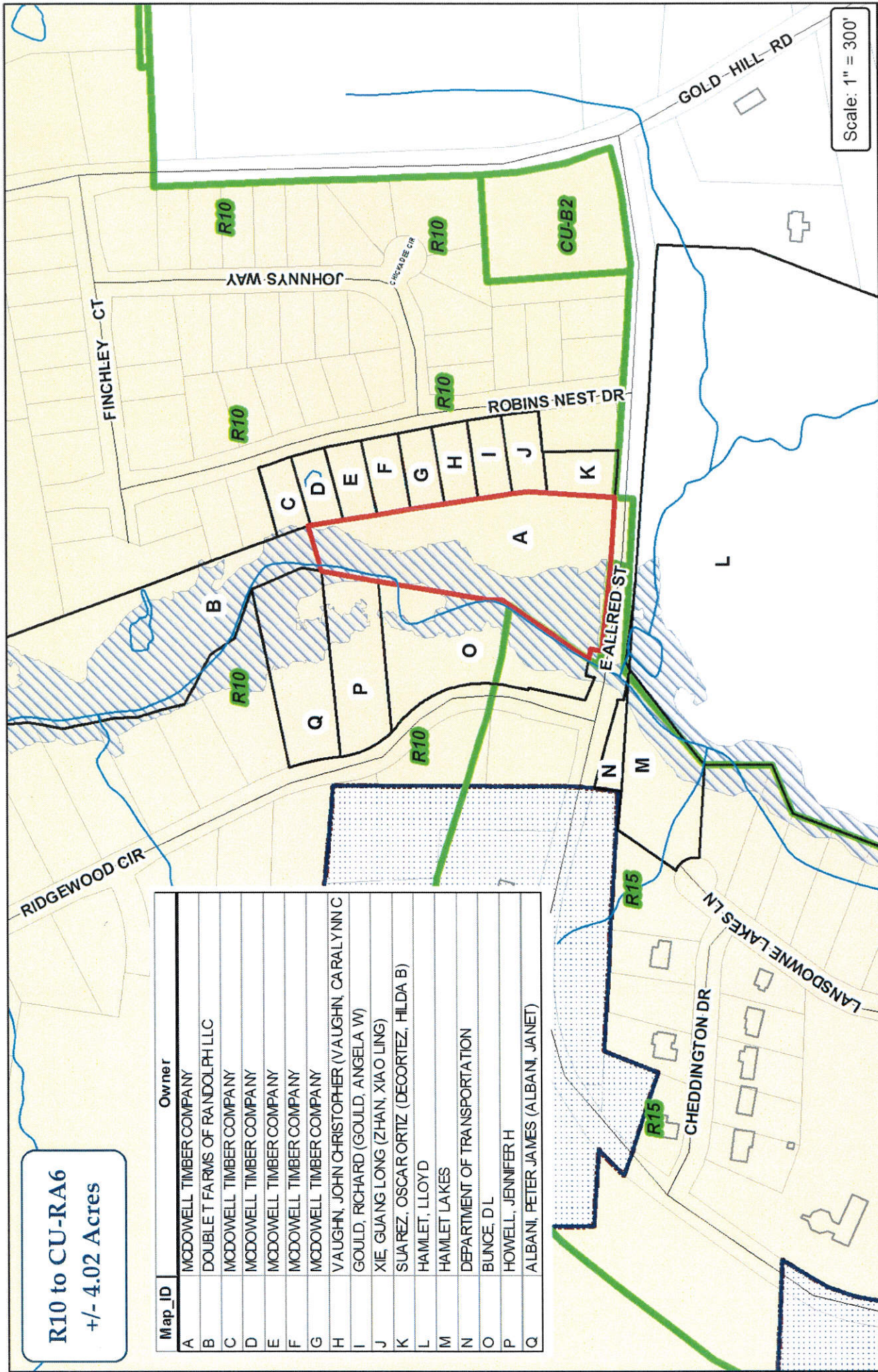


City of Asheboro Planning & Zoning Department
 Rezoning Case: RZ-18-10
 Conditional Use Permit: CUP-18-10
 Subdivision Case: SUB-18-02
 Parcel: 7762740259



R10 to CU-RA6
+/- 4.02 Acres

Map_ID	Owner
A	MCDOWELL TIMBER COMPANY
B	DOUBLE T FARMS OF RANDOLPH LLC
C	MCDOWELL TIMBER COMPANY
D	MCDOWELL TIMBER COMPANY
E	MCDOWELL TIMBER COMPANY
F	MCDOWELL TIMBER COMPANY
G	MCDOWELL TIMBER COMPANY
H	VAUGHN, JOHN CHRISTOPHER (VAUGHN, CARALYN N C
I	GOULD, RICHARD (GOULD, ANGELA W)
J	XIE, GUANG LONG (ZHAN, XIAO LING)
K	SUA REZ, OSCAR ORTIZ (DEORTEZ, HILDA B)
L	HAMLET, LLOYD
M	HAMLET LAKES
N	DEPARTMENT OF TRANSPORTATION
O	BUNCE, D L
P	HOWELL, JENNIFER H
Q	ALBANI, PETER JAMES (ALBANI, JANET)



Subject Property

Adjoining Properties

Zoning

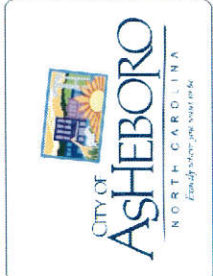
City of Asheboro Planning & Zoning Department

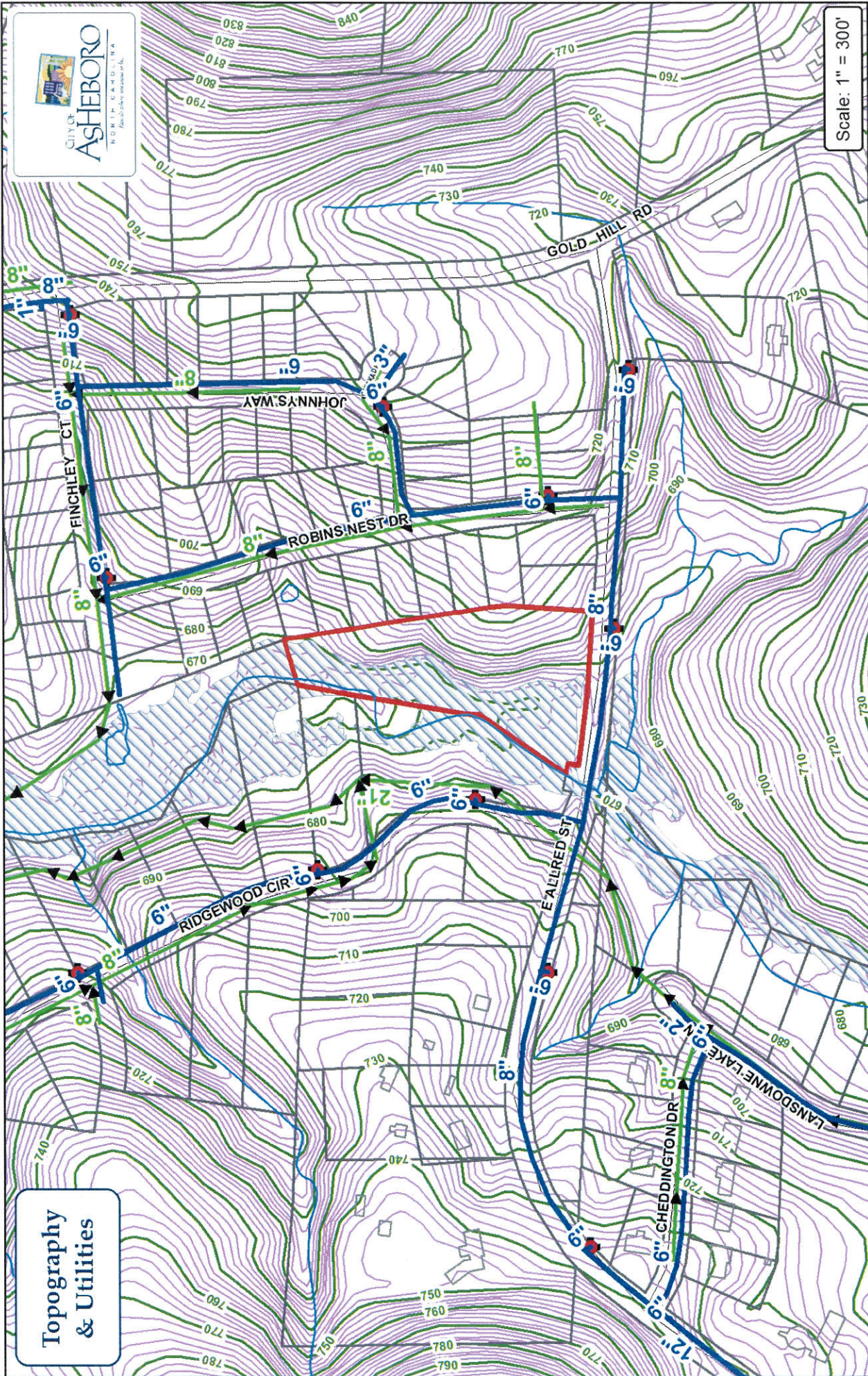
Rezoning Case: RZ-18-10
Conditional Use Permit: CUP-18-10
Subdivision Case: SUB-18-02

Parcel: 7762740259

City Limits

ETJ





City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-10

Conditional Use Permit: CUP-18-10

Subdivision Case: SUB-18-02

Parcel: 7762740259

	Force Main		Fire Hydrant
	Water Main		Pump Station
	Sewer Main		



Aerial

Scale: 1" = 300'



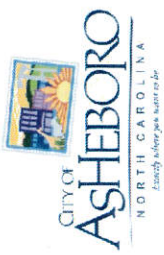
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-10

Conditional Use Permit: CUP-18-10

Subdivision Case: SUB-18-02

Parcel: 7762740259





SUB-18-02: Subdivision Sketch Design
(Cane Creek Townhomes Planned Unit Development)

(North side of East Allred Street, west of 1591 E. Allred St.)

Staff Report

Note: Please see RZ-18-09 for maps. The property associated with SUB-18-02 is the same property related to that request.

SUBDIVISION STAFF REPORT

Sketch Design

CASE # SUB-18-02

Date 7/9/2018 Planning Board

GENERAL INFORMATION

Subdivision Name Cane Creek Townhomes
Requested Action Subdivision Sketch Design
Applicant McDowell Timber
Address 1926 Old Humble Mill Rd., Asheboro, NC 27205
Phone 336-902-9225
Location north side of East Allred Street

PARCEL INFORMATION

PIN 7762740259

Size 4.02 acres +/-

Number of Lots 11 + common area

Existing Zoning R10

Average Lot Size Pending

Existing Land Use Undeveloped

Surrounding Land Use

North Medium-Density Residential

East Medium-Density Residential

South Undeveloped Residential

West Medium-Density Residential

LAND DEVELOPMENT PLAN

Growth Strategy Map Primary Growth

Proposed Land Use Map Neighborhood Residential

Small Area Plan Map East

Identified Activity Center? No

Development Issues

1. The development (Residential Planned Unit Development) also requires a Conditional Use Permit and rezoning from R10 (Medium-Density Residential) to CU-RA6 (Conditional Use High-Density Residential) due to having more than two dwellings per structure. These requests are scheduled to be heard by City Council during its August 9, 2018 meeting.
2. A portion of the property is within a Special Hazard Flood Area.
3. The subdivision ordinance limits the use & length of dead end streets exceeding 500 feet unless topography or property configuration necessitates their use. Staff has reviewed the proposal and believes the presence of extensive flood plain and adjacent development patterns supports the subdivision proposal's street layout. The length of the proposed street is 593 linear feet and includes public service vehicle turnaround.
4. One recreational area is shown near the entrance of the development.

SUBDIVISION STAFF REPORT
Sketch Design

DEPARTMENT COMMENTS

Engineering Plat comments/corrections are pending as of 6-29-2018.

Public Works Plat comments/corrections are pending as of 6-29-2018.

Planning Plat comments/corrections are pending as of 6-29-2018.

Homeowners documents are required to be recorded with the final plat, which must include maintenance mechanisms for the common area, and restrictions concerning recreational vehicle (RV) parking.

Other The proposal was shared with Asheboro City Schools. Their office has returned no comments or concerns.

Staff Recommendation Staff's recommendation is pending. A more specific recommendation will be presented during the July 9, 2018 Planning Board meeting.

**Planning Board
Recommendation**



RZ-18-11: Request to rezone from RA6 (High-Density Residential) and CU-B2 (Conditional Use General Commercial) to O & I (Office and Institutional)

(624 Brewer Street and 621 Franks Street)

Staff Report

Rezoning Staff Report

RZ Case # RZ-18-11

Date 7/9/18 Planning Board
8/9/18 City Council

General Information

Applicant Eastside Improvement Association, Inc.

Address PO Box 423

City Asheboro NC 27204

Phone 336-328-7277

Location 624 Brewer Street

Requested Action Rezone from RA6 (High-Density Residential) and CU-B2 (Conditional Use General Commercial) to O & I (Office & Institutional)

Existing Zone RA6/CU-B2

Existing Land Use Last approved use: Child Care/Membership organization

Size 3.32 acres +/-

Pin # 7761146503

Applicant's Reasons as stated on application

See attached

Surrounding Land Use

North Single family res./Eastside Park

East Undeveloped (Residential)

South Undeveloped (Residential)

West Multi-family residential (Eastside Homes)

Zoning History See #3-#6 of Analysis below.

Legal Description

The property of Eastside Improvement Association, Inc., located at 624 Brewer Street, more specifically identified by a portion of Randolph County Parcel Identification Number 7761256503 and totaling approximately 3.32 acres +/-.

Analysis

1. The property is inside the city limits.
2. Brewer and Franks Streets are both local streets. A sidewalk extends along Brewer Street in front of the property.
3. In 1982, a Special Use Permit was issued for a large child care facility (SUP-82-15) in the structure located at 624 Brewer St. The daycare has ceased operations and it is possible that the permit issued in 1982 is now deemed abandoned.
4. In 2001, a portion of the property, where the structure at 621 Franks Street is located, was rezoned from RA6 to CU-B2 (Conditional Use General Commercial), with a Conditional Use Permit (CUP-02-23) for a Membership organization.
5. In June, 2018, the applicant requested a Special Use Permit to change non conforming uses in a residential district (from a large child care center to professional services (counseling)). City Council denied this request. The Ordinance does allow the applicant to file a new request, as long as it is not the same as the request that was denied.
6. Available records show that the property has been used for non-residential purposes since at least the 1950's.
7. The zoning ordinance describes the O&I Commercial District as "intended to produce moderate intensity office and institutional development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated O&I shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
8. The request would allow any use permitted by right in the O&I zoning district, including the membership organization within the gym structure at 613 Franks Street.

Rezoning Staff Report

RZ Case # RZ-18-11

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 Central

Growth Strategy Map Designation Primary Growth

LDP Goals/Policies Which Support Request

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%.

Checklist Item 2.1.2: The City will investigate the creation of an adaptive reuse program to aid infill development. The program will ensure that zoning and building codes are flexible to allow safe, affordable, and compatible reuse of existing buildings and guide business owners through the redevelopment process.

Rezoning Staff Report

RZ Case # RZ-18-11

Page 3

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Land Development Plan Map Compliance

Checklist Item 3: The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance. (*Article 200, Section 210, Schedule of Statements of Intent*)

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

After considering the property's land use history and current zoning, including the potential for the former special use permit authorizing a daycare to no longer be valid due to inactivity, staff believes the requested O&I district to be an appropriate district. The current RA6 district on a portion of the property is intended generally to permit high-density residential uses which does not match how this part of the property has been used historically and prevents most non-residential uses from occupying 624 Brewer Street. A new child care center would not be permitted by right or special use permit under the current zoning ordinance's RA6 standards. A cultural facility, place of worship and schools are permitted in the current zoning district but require the issuance of a special use permit. In addition, the sidewalk located along Brewer Street along the entire length of the property is a transportation element that is consistent with the O&I district.

Approval of the request would also remove the conditional use general commercial district from the property. The general commercial zoning district, from a land use perspective, is a more commercially intensive zoning district than the office and institutional zoning district. The requested O&I district would continue to permit the gymnasium which has been considered to be a membership organization.

Considering these factors, staff believes the requested O&I district is generally consistent with the Land Development Plan and therefore reasonable and in the public interest.

Recommendation In light of the above analysis, staff's recommendation is to approve the O&I district request

Ordinance Amendment Information Questions

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 current ordinance is inconsistent with the usage as has been the case for approximately 3 decades. The land, designated as RA6, has never been used as a residential facility nor is it planned to be used for that purpose. In the last 30 years, the property has been used to house childcare services, religious services, and public safety services. A conditional usage exception has been made during this period and this proposed amendment would align the proper ordinance with the historical and planned land usage.

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?

- There are no confirmed conditions that are distinctive from those that existed 30 years ago when the original conditional usage was allowed for childcare services. In 2001, a portion of the property was approved as a CUB2 so as to facilitate a membership based organization (Boys & Girls Club) to have access aligned to the correct ordinance. In both of these instances, the conditions of the local residence, their lack of access to transportation, and their socio-economic status warranted the aforementioned services. The proposed amendment is consistent with the community demands the land usage as stated.

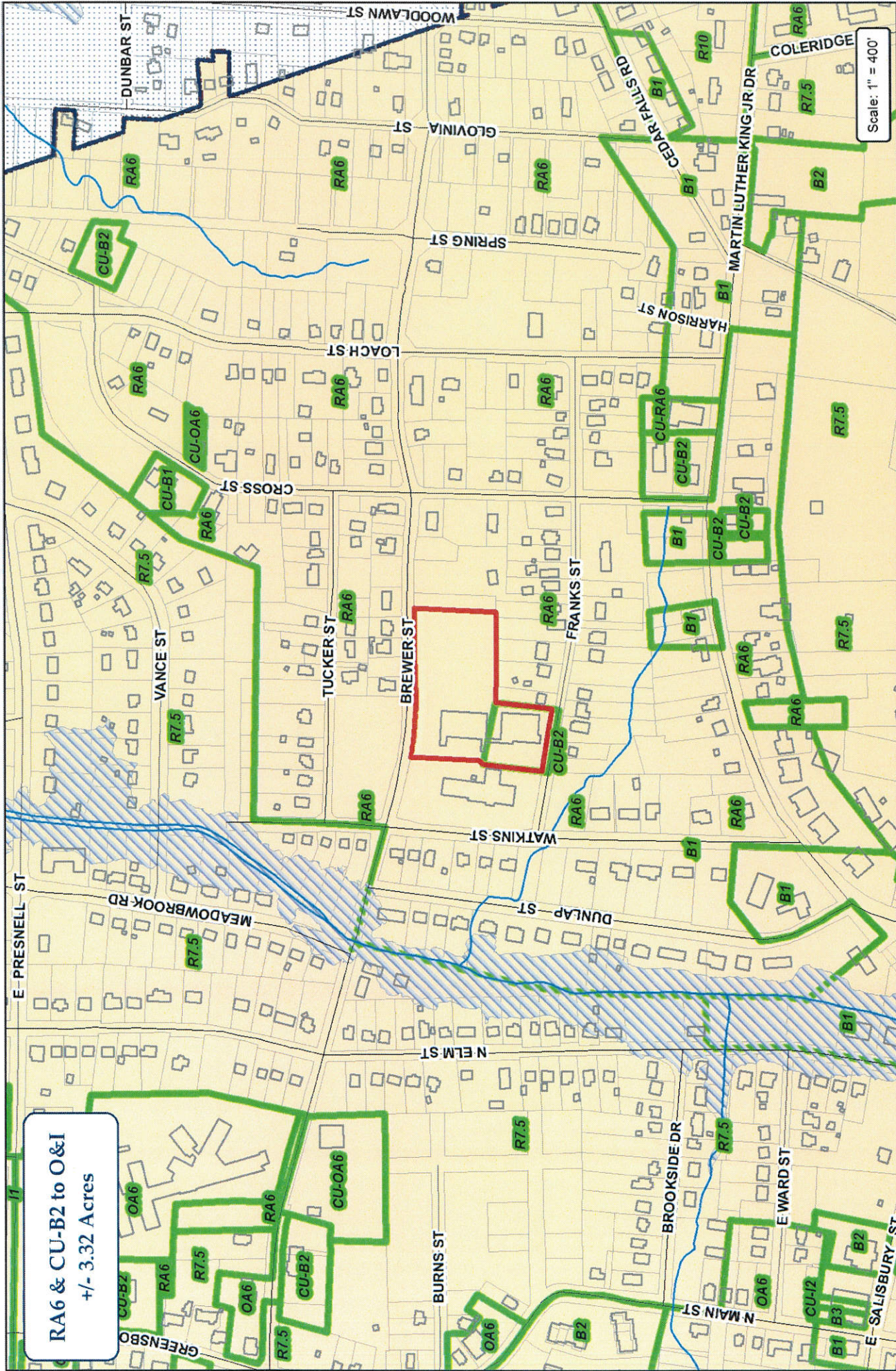
3. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

- This proposed change seeks to accommodate orderly growth and development of the eastside community consistent with the Asheboro Land Development Plan. In fact, this proposal is a proactive change providing a more strategic and future orientated land usage rather than the reactive basis in the past. It takes a positive stance for where the eastside community hopes to grow over time.

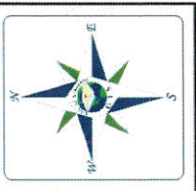
4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

- The proposed amendment is being offered in an effort to support the City of Asheboro's plan to bring outlining designations or districts into the proper code. Currently, the Eastside Gymnasium on the Frank Street Side is CUB2 zoned. By approving the proposed change of the Eastside Improvement Associations property located on the Brewer Street side from RA6 to ~~CUB2~~, the entire property will have consistent land usage.

MEM
O-I



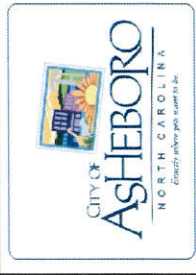
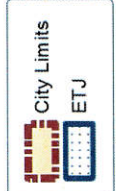
RA6 & CU-B2 to O&I
+/- 3.32 Acres

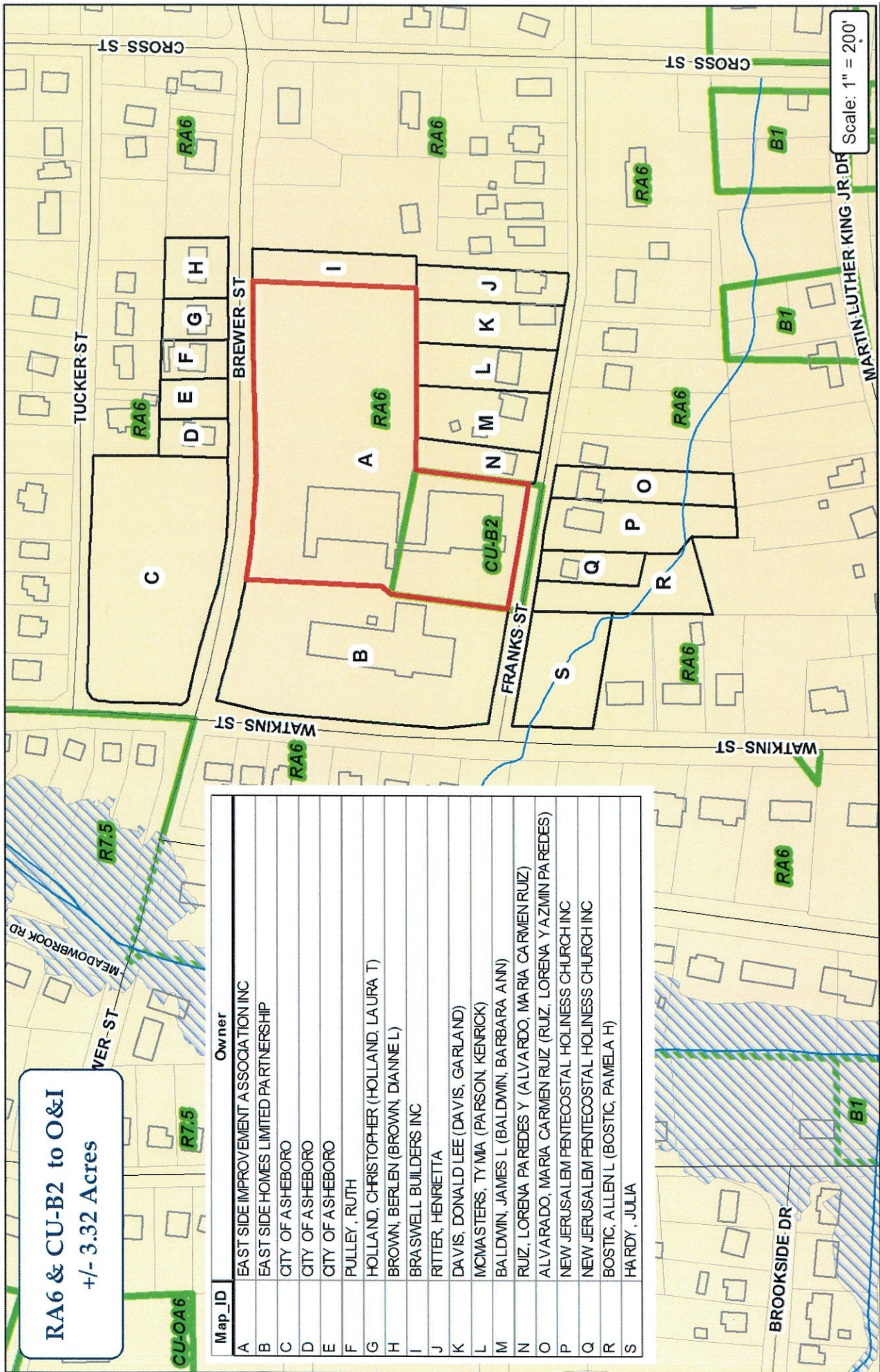


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-11

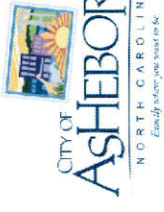
Parcel: 7761146503



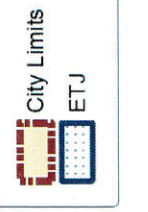


RA6 & CU-B2 to O&I
 +/- 3.32 Acres

Map_ID	Owner
A	EAST SIDE IMPROVEMENT ASSOCIATION INC
B	EAST SIDE HOMES LIMITED PARTNERSHIP
C	CITY OF ASHEBORO
D	CITY OF ASHEBORO
E	CITY OF ASHEBORO
F	PULLEY, RUTH
G	HOLLAND, CHRISTOPHER (HOLLAND, LAURA T)
H	BROWN, BERLEN (BROWN, DANIEL L)
I	BRASWELL BUILDERS INC
J	RITTER, HENRIETTA
K	DAVIS, DONALD LEE (DAVIS, GARLAND)
L	MCMASTERS, TYMIA (PARSON, KENRICK)
M	BALDWIN, JAMES L (BALDWIN, BARBARA ANN)
N	RUIZ, LORENA PAREDES Y (ALVARDO, MARIA CARMEN RUIZ)
O	ALVARADO, MARIA CARMEN RUIZ (RUIZ, LORENA Y AZMIN PAREDES)
P	NEW JERUSALEM PENTECOSTAL HOLINESS CHURCH INC
Q	NEW JERUSALEM PENTECOSTAL HOLINESS CHURCH INC
R	BOSTIC, ALLEN L (BOSTIC, PAMELA H)
S	HARDY, JULIA



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City Limits
 ETJ

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-11

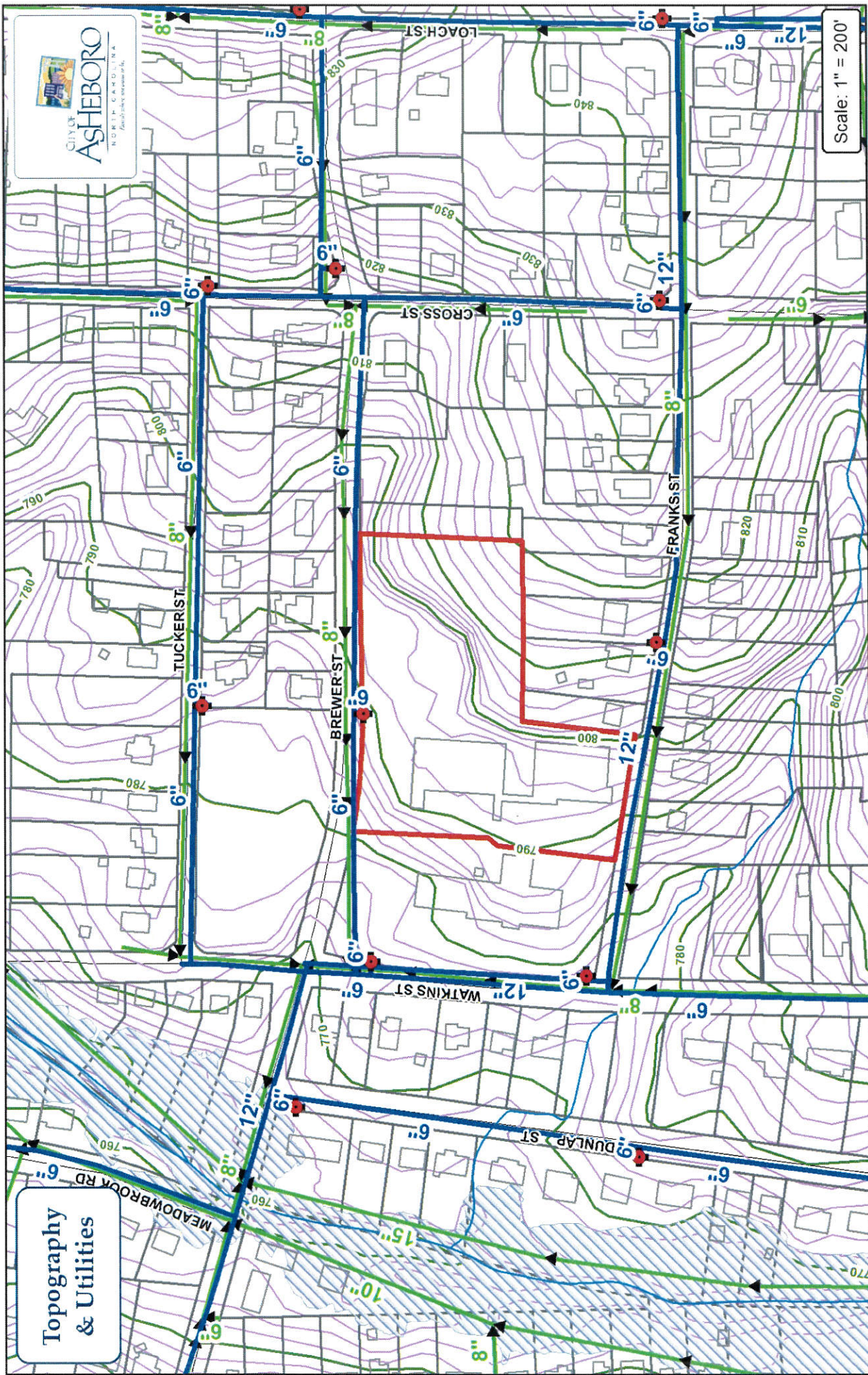
Parcel: 7761146503



 Subject Property
 Adjoining Properties
 Zoning



Scale: 1" = 200'



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-11

Parcel: 7761146503

Subject Property

Water Main

Sewer Main

Force Main

Fire Hydrant

Pump Station



Aerial

Scale: 1" = 200'



Subject Property
Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-11

Parcel: 7761146503

