



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

Monday, June 3, 2019

7:00 PM

AGENDA

- I. Call to Order
- II. Approval of Minutes from May 6, 2019
- III. Review of Cases
- IV. RZ-19-09: Request to rezone property located on north side of Vision Drive and Nottingham St., south and east of 1595 Nottingham St. (Randolph County Parcel Identification Numbers 7752655565, 7752547146, 7752640158) from R15 (Low-Density Single-Family Residential), RA6 (High-Density Residential), and CU-I3 (Conditional Use Limited Industrial) to CU-I2 (Conditional Use General Industrial)
- V. Items Not on the Agenda
- VI. Adjournment

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**MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, MAY 6, 2019
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)
Michael O'Kelley) - Members Present
Thomas Rush)
Pamela Vuncannon)

David Henderson) – Members Absent

John Evans, Assistant Community Development Division Director
Justin Luck, Planning and Zoning Administrator
Brad Morton, Planning Technician/Deputy City Clerk

Three (3) citizens were present at this meeting.

CALL TO ORDER

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

APPROVAL OF MINUTES FROM APRIL 1, 2019

Mr. Rich inquired if there were any corrections or additions that needed to be made to the April 1, 2019 regular Planning Board meeting. Hearing no corrections or additions the minutes were approved as presented.

REVIEW OF CASES

Mr. Justin Luck informed the board of the zoning related cases that were heard at the regular April meeting of the Asheboro City Council.

ORGANIZATIONAL ITEMS

a) ELECTION OF BOARD OFFICERS (CHAIR AND VICE-CHAIR)

Mr. Rich opened the discussion for nominations of board officers. Ms. Garner nominated Mr. Van Rich to serve as Board Chair. There were no other nominations. Ms. Garner moved to elect Mr. Rich as Board Chair. Mr. Rush seconded the motion and the motion carried unanimously.

Mr. Buffkin nominated Ms. Garner to serve as Board Vice-Chair. There were no other nominations. Mr. Buffkin moved to elect Ms. Garner as Board Vice-Chair. Ms. Vuncannon seconded the motion and the motion carried unanimously.

b) APPOINTMENT OF BOARD SECRETARY

Mr. Rich entertained a motion to appoint Mr. Bradley Morton as Board Secretary. Ms. Garner moved to appoint Mr. Morton as Board Secretary. Mr. O'Kelley seconded the motion and the motion carried unanimously.

REZONING CASES

a) RZ-19-07: REQUEST TO REZONE PROPERTY LOCATED AT 2473 US HWY. 64 E. FROM B2 GENERAL COMMERCIAL TO I1 LIGHT INDUSTRIAL

Mr. John Evans gave a visual presentation on the aforementioned rezoning case. He stated that the applicant was HR Gallimore. He also mentioned that the request was to rezone from B2 (General Commercial) to I1 (Light Industrial). He gave the Randolph County parcel identification number as 7771263341. He stated that the size of the property in total was 2.75 acres +/- . He stated that the existing land use is a single family dwelling which is currently unoccupied. The property was rezoned from R40 (Low-Density Residential) to B2 (General Commercial) in 1996 (RZ-96-25). He showed overview, rezoning, topographic/utilities, as well as showing aerial maps of the subject property and photographs from all directions. He then gave the property analysis:

- I1 Description: "To produce areas for manufacturing, processing, and assembly uses, commercial uses, distribution and servicing enterprises, controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts.
- The request would allow any I1 uses permitted by right.
- Single-family is generally not permitted except for caretaker dwellings. If the property is rezoned, the dwelling continues to be legal nonconforming.
- Developer is required to install a sidewalk on streets having curb and gutter, along with other zoning requirements.

He then gave the LDP recommendations as follows:

Proposed Land Use Map: Employment Center

Employment Center Intent: To integrate a mixture of commercial, office, and institutional, industrial, and open space uses into the fabric of the community, with ample sidewalks, street trees, on-street parking, public amenities, and open space.

Growth Strategy Map: Economic Development

Economic Development Area: Areas with prime access to a major thoroughfare and/or highway interchange, with high potential for economic development expansion. Suitable economic development sites within EDAs should be given a high level of encouragement and incentives as provided by Policy 1.2.3.

Goals/Policies Supporting Request (6):

- Checklist Item 1: LDP Map compliance
- Checklist Item 3: Fits district intent in zoning ordinance
- Checklist Item 5: Complies with Growth Strategy Map
- Checklist Item 7: Complies with East Small Area Plan
- Checklist Item 12-13: Property is located outside of watershed, flood area

Goals/Policies Not Supporting Request (2):

- Checklist Items 14: Located within area of steep slopes
- Policy 2.1.5: Transitional land use between high intensity industrial uses and lower intensity uses.

He then gave a statement of consistency with adopted plans, reasonableness, and public interest:

- Compliance of request with "Employment Center" designation.
- Supported by Growth Strategy Map inclusion as part of "Economic Development" area.
- East Small Area Plan focuses on intersection of US Hwy. 64 E. & East Presnell St. as part of employment center.
- Other abutting industrial and commercial land uses.

He stated that staff recommends approval of the proposed rezoning case. He stated that the next step will be for the City Council to consider the rezoning request at their regular meeting held on Thursday, June 6, 2019 at 7 p.m. He stated that if the board had any questions he would answer them at this time. There were no questions for Mr. Evans.

Mr. Gallimore addressed the board and stated that this is an area in transition, with numerous commercial and industrial properties surrounding the particular property. He stated that both B2 and I1 will work for this property from an economic development standpoint as well as being compliant with the land development plan, however the I1 request is proposed. He asked if the board had any questions for him at this time. There were no questions for Mr. Gallimore. There was no one in opposition to the request present.

Mr. Buffkin moved to approve case RZ-19-07 based on staff's recommendation. Ms. Garner seconded the motion and the motion carried unanimously.

b) RZ-19-08: REQUEST TO REZONE PROPERTY LOCATED AT 2382 US HWY 64 E. FROM R40 LOW-DENSTY RESIDENTIAL TO B2 GENERAL COMMERCIAL

Mr. John Evans gave a visual presentation on the aforementioned rezoning case. He stated that the applicant was Larry C. & Linda H. Trogon and that HR Gallimore was the applicant's agent. He also mentioned that the request was to rezone from R40 (Low-Density Residential) to B2 (General Commercial). He gave the Randolph County Parcel Identification Numbers as 7771159252 & 7771241808. He stated that the size of the properties in total were 15.34 acres +/- . After review of the application following the Planning Board meeting, it was determined that the correct acreage is 3.34 acres +/- . He stated that the existing land use is a single-family dwelling which is currently unoccupied. He showed overview, rezoning, topographic/utilities, as well as showing aerial maps of the subject property and photographs from all directions. He then gave the property analysis:

- B2 Description: "Intended to serve the convenience goods, shopper's goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to minor thoroughfare or higher classification streets, but never local residential streets."
- The request would allow any B2 use permitted by right.
- Single-family generally not permitted except for caretaker dwellings. If the property is rezoned, the dwelling becomes legal nonconforming.
- Developer is required to install a sidewalk on streets having curb and gutter, along with other zoning requirements.

He then gave the LDP recommendations as follows:

Proposed Land Use Map:
Employment Center

Employment Center Intent: To integrate a mixture of commercial, office, and institutional, industrial, and open space uses into the fabric of the community, with ample sidewalks, street trees, on-street parking, public amenities, and open space.

Growth Strategy Map:

Economic Development

Economic Development Area: Areas with prime access to a major thoroughfare and/or highway interchange, with high potential for economic development expansion. Suitable economic development sites within EDAs should be given a high level of encouragement and incentives as provided by Policy 1.2.3.

Goals/Policies Supporting Request (6):

- Checklist Item 1: LDP Map compliance
- Checklist Item 3: Fits district intent in zoning ordinance
- Checklist Item 5: Complies with Growth Strategy Map
- Checklist Item 7: Complies with East Small Area Plan
- Checklist Item 12-13: Property is located outside of watershed, flood area

Goals/Policies Not Supporting Request (2):

- Checklist Items 14: Located within area of steep slopes
- Policy 2.1.5: Transitional land use between high intensity industrial uses and lower intensity uses.

He then gave a statement of consistency with adopted plans, reasonableness, and public interest:

- Compliance of request with "Employment Center" designation, including commercial component.
- East Small Area Plan highlights need for neighborhood scale commercial uses. B2 zoning allows wide range of commercial uses, giving opportunity for this.
- Mixture of industrial and commercial land uses in area and transition to non-residential uses in area.
- Buffering/screening helps alleviate concerns over lack of transition between commercial/residential uses.

He stated that staff recommends approval of the proposed rezoning case. He stated that the next step will be for the City Council to consider the rezoning request at their regular meeting held on Thursday, June 6, 2019 at 7 p.m. He stated that if the board had any questions he would answer them at this time. There were no questions for Mr. Evans.

Mr. Gallimore addressed the board and stated that the property is across from the James River property. He stated that there was a third parcel proposed at the initial application submittal which was in the Randolph County zoning jurisdiction, however he is now only requesting a rezoning for the two (2) parcels within the Asheboro ETJ. He stated that I1 or B2 would work for the request, however the B2 request he thought would work better for the property. He stated that if they had any questions at this time that he would answer them. The board had no questions for Mr. Gallimore at this time.

Ms. Garner moved to approve case RZ-19-08 based on staff's recommendation. Ms. Vuncannon seconded the motion and the motion carried unanimously.

SUBDIVISION CASE SUB-19-01: PRELIMINARY PLAT FOR SUNNY DAY TOWNHOMES (SHERWOOD AVENUE)

Mr. Evans gave a visual presentation of the above proposed subdivision preliminary plat request. He stated that the applicant was Larry McKenzie. He stated that the location was 141 and 159 Whitley Street. He stated that the size of the property is 7.34 acres+/- . He listed the parcel identification number as 7750249743. He stated that the total number of lots is proposed to be 29 + common area. He stated that the average lot size is 3,072 sf. He showed an aerial photo as well as the preliminary plat, which included the site/utility plan as well as the grading plan with units.

Mr. Evans then presented all development issues as follows:

1. The applicant proposes a mix of detached patio style homes and attached duplex style units. Following Council's approval during a March, 2019 hearing, Council formally granted the Special Use Permit for this project during its April, 2019 meeting.
2. The applicant proposes a combination of city-maintained and privately maintained streets. Whitley Street, proposed as a city-maintained street contains approximately 640 linear feet. The other privately maintained streets include 1,000 linear feet.
3. One recreation area on the northern side of the property is proposed.
4. The subdivision ordinance generally specifies that proposed streets provide future access to adjacent properties. All properties that are adjacent to the subject property are developed, making this requirement impractical.
5. The applicant is proposing a new name of the subdivision (West Pointe Townhomes), along with revised names of some streets within the development.

Mr. Evans then reviewed Departmental Comments as follows:

Engineering/Public Works:

- Plat corrections have been addressed.
- Street names are subject to approval by Randolph County.

Planning:

- Homeowner's documents are required to be recorded with the final plat, which must include maintenance mechanisms for the common area, and restrictions concerning RV parking.
- Plat corrections are pending.

Mr. Evans stated that staff's recommendation is to approve the subdivision preliminary plat noting staff comments and conditions. He also inquired if the board had any questions at this time. There were no questions for Mr. Evans at this time.

Ms. Garner moved to recommend approval SUB-19-01, noting staff comments and conditions. Ms. Vuncannon seconded the motion and the motion carried unanimously.

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

Mr. Rich went over the annual report with the rest of the board and stated that the report would be signed and sent to the City Council for their information at their next regular meeting held on May 9, 2019.

ITEMS NOT ON THE AGENDA

There were no other 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-19-09: Request to rezone from CU-I3 (Conditional Use Limited Industrial), R15 (Low-Density Single-Family Residential) and RA6 (High-Density Residential) to CU-I2 (Conditional Use General Industrial)

North side of Vision Drive and Nottingham St., south and east of 1595 Nottingham St.
(Randolph County Parcel Identification Numbers 7752655565, 7752547146,
7752640158)

Staff Report

Rezoning Staff Report

RZ Case # RZ-19-09

Date 6-3-19 Planning Board

General Information

Applicant Osott, LLC (c/o John Thompson, JB Davis, & Jerry Holder)

Address 130 Wright Way

City Troy NC 27371

Phone 910-220-1052

Location north side of Vision Drive/Nottingham Drive

Requested Action Rezone from CU-I3 (Conditional Use Limited Industrial), RA6 (High-Density Residential) and R15 (Low-Density Single-Family Residential) to CU-I2 (Conditional Use General Industrial)

Existing Zone CU-I3, RA6, R15

Existing Land Use Undeveloped

Size 62.34 acres +/-

Pin # 7752655565, 7752547146, 7752640158

Applicant's Reasons as stated on application

Area is well suited for Warehouse & Industrial Uses. The amendment would allow for a development of this type in a safe area where there is a need for warehousing in Asheboro. A dedicated industrial area is safer than being spread out in various locations around the City. A portion of the property is designated as an Employment Center & has rail service. Another portion of the property is located in an Economic Development area. This meets the intent of the LDP. The property is ideal for this type development due to it having access to rail service and located along the Interstate corridor.

Surrounding Land Use

North Single-family/Schools/Undeveloped

East Railroad/Single-Family

South Undeveloped property

West I-73/I-74/Single-Family

Zoning History May, 1986 (Case No. RZ-86-34): A portion of the property (west of Norfolk Southern Railroad) was rezoned from R15 to CU-I3, but no specific development has been approved for the property.

Legal Description

The properties of Osott, LLC & JB Davis & Sons Ventures, LLC, located on the East of I-73/74, north of Vision Dr. & south of 1595 Nottingham St., and east of 1595 & 1599 Nottingham St., opposite the Norfolk Southern Railroad. These properties are identified by Randolph County Parcel ID #s7752655565, 7752547146, 7752640158 & total approximately 62.23 acres +/-.

Analysis

1. A portion of the property is inside the city limits (Parcel Identification #7752655565 east of Norfolk Southern Railroad). The remaining property is within the City extraterritorial zoning jurisdiction (ETJ), but is outside the city limits.
2. Vision Dr. is a state-maintained boulevard with fully controlled access in this location. Nottingham St. is a state-maintained road. The property also has frontage along I-73/I-74, an interstate highway.
3. The portion of the property (49.2 acres +/- of 62.34 acres +/- total) west of the Norfolk Southern Railroad is zoned CU-I3 Conditional Use General Industrial and is designated as an Employment Center by the Land Development Plan (LDP). The remainder of the property is zoned RA6 (High-Density Residential) and R15 (Low-Density Single-Family Residential) and is designated for Urban Residential use.
4. The LDP Growth Strategy Map designates the property west of the railroad as an Economic Development area and property east of the railroad as a Primary Growth Area.
5. The I2 description in the zoning ordinance states the intent of the district "is 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." In the requested CU-I2 district, City Council must approve all proposed development.
6. A portion of the property is located within the Watershed Balance area, which restricts the coverage of impervious surfaces (i.e. buildings, parking) for non-residential uses to 12 percent of a property's land area, unless City Council approves a Special Intensity Allocation (SNIA). A SNIA may allow up to 70 percent impervious coverage on a zoning lot. Along with a Conditional Use Permit (CUP) for an Industrial Development with Multiple Uses and Structures, the applicant's CUP request includes a request for a SNIA.
7. A small portion of the property closest to Vision Drive is located in a Special Hazard Flood Area.

Rezoning Staff Report

RZ Case #

RZ-19-09

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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	Employment Center/Urban Residential
Small Area Plan	Northeast
Growth Strategy Map Designation	Economic Development/Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Complies with LDP proposed land use map (portion)

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: Complies with Growth Strategy Map

Checklist Item 7: The proposed rezoning is compatible with the applicable Small Area Plan

Checklist Item 10: Rezoning is consistent with Land Category Descriptions

Rezoning Staff Report

RZ Case # RZ-19-09

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LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Does not comply with LDP proposed land use map (portion)

Checklist Items 12-14: 12.) Property is located outside of watershed 13.) Property is located outside of Special Hazard Flood Area. 14.) Property is located on steep slopes of greater than 20%.

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.

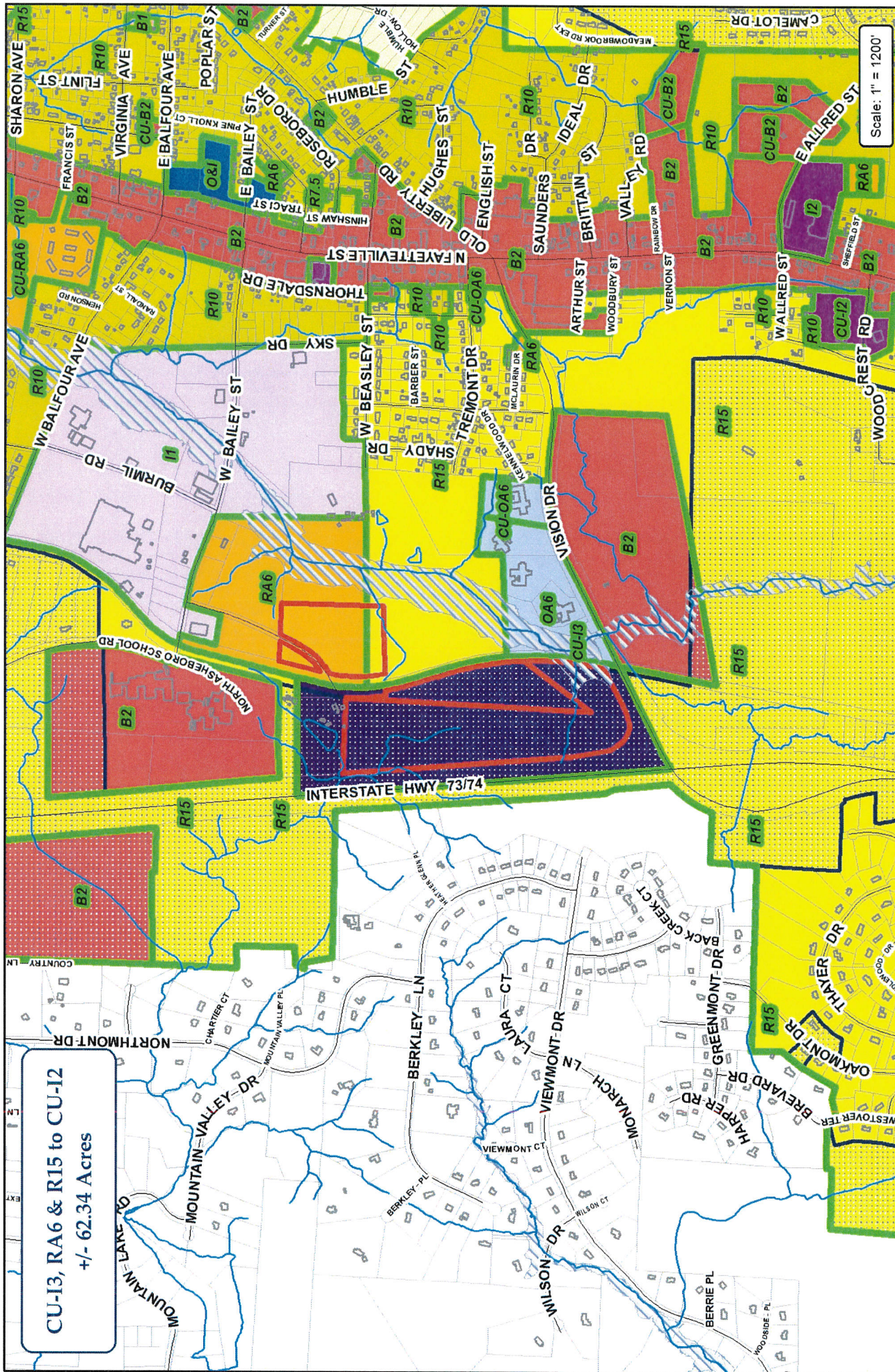
Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

This Land Development plan designates the majority of this property as an Employment Center, due to its location on a major transportation corridor. In addition to the property's location adjacent to an Interstate interchange, the property also adjoins the Norfolk Southern Railroad. The Northeast Small Area plan also cites having an employment center at the interchange of I-73/I-74 and Vision Dr. as a key issue.

As described by the LDP, industrial uses are an integral component of an Employment Center, along with other non-residential uses. The subject property is situated among commercial & office/institutional land uses and zoning that exist in this area along Vision Drive. Additionally, the majority of the property currently has an industrial zoning designation.

Although the property is adjacent to residential uses, close to two public schools, and has some environmental challenges, including portions of the property being located within watershed and flood hazard area, the Conditional Use permitting process supplements general zoning ordinance requirements and offers an opportunity for closer review and public input concerning specific uses, site design, and access.

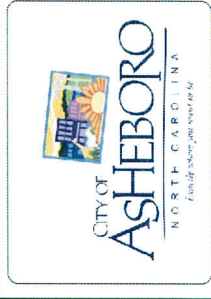
Recommendation In light of the above analysis, staff's recommendation is to approve the CU-I2 district request.



City of Asheville Planning & Zoning Department

Rezoning Case: RZ-19-09
Conditional Use Permit: CUP-19-09
Parcel: 7752655565, 7752547146 & 7752640158

Map_ID	Owner
A 1	JB DAVIS AND SONS VENTURES LLC
A 2	OSOTT LLC
A 3	OSOTT LLC
B	KING, LUCY ALLRED TRUSTEE
C	KING, LUCY ALLRED
D	ASHEBORO CITY SCHOOLS
E	OSBORNE, DORIS HINSHAW
F	OSBORNE, DORIS HINSHAW
G	ALLRED, ALVIN TAFT
H	HOSPICE OF RANDOLPH COUNTY INC
I	ROS WELL FARMS LLC
J	MC MILLION, SALLIE A TRUSTEE (TALLEY, LISA TRUSTEE)



Conditional Use Permit: CUP-19-09

Parcel: 7752655565, 7752547146 & 7752640158



Scale: 1" = 700'



Scale: 1" = 700'

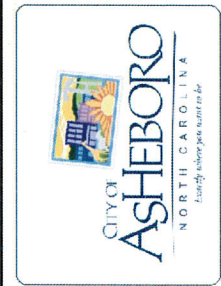


Subject Property

Zoning

City of Asheville Planning & Zoning Department

Rezoning Case: RZ-19-09
 Conditional Use Permit: CUP-19-09
 Parcel: 7752655565, 7752547146 & 7752640158



Aerial