

**Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)
Monday, July 6, 2020
7:00 PM
AGENDA**

- I. Call to Order
- II. Consent Agenda Items
 - a.) Approval of Minutes from July 1, 2020 Planning Board
 - b.) Approval of Final Decision Document concerning Case No. BOA-20-01: Variance from front yard parking setbacks and minimum pervious coverage requirements at 801 Sunset Avenue
- III. Review of Cases
- IV. RZ-20-08 (**Old Business**): Request to rezone property located on Meadowbrook Rd. Extension/Honeysuckle Road (Randolph County Parcel Identification Numbers 7762230413 & 7762231577) from R15 Low-Density Single-Family Residential and R10 Medium-Density Residential to R10 Medium-Density Residential
- V. RZ-20-09: Request to rezone property located at 512, 514, and 516 South Fayetteville Street (Randolph County Parcel Identification Number 7751709933) from B2 General Commercial to CU-B3 Conditional Use Central Commercial
- VI. Items not on the agenda
- VII. Adjournment

MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, JUNE 1, 2020
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
Michael O'Kelley) – Vice Chair

Harold Anderson)
Ritchie Buffkin)
David Henderson) - Members Present
Thomas Rush)
Pamela Vuncannon)

John Evans, Assistant Community Development Division Director
Justin Luck, Planning and Zoning Administrator
Jeff Sugg, City Attorney

CALL TO ORDER

Mr. Rich called the Asheboro Planning Board to order.

APPROVAL OF MINUTES FROM MAY 4, 2020

Mr. Rich asked if there were any corrections to the minutes. Hearing no corrections or additions, the minutes were approved as presented.

At this time, Mr. Ritchie Buffkin moved to appoint Mr. John Evans as acting secretary in the absence of the board secretary. Mr. Michael O'Kelley seconded the motion and the motion carried unanimously.

REVIEW OF CASES

Mr. Evans reported on the cases which were heard at the regular May City Council meeting.

RZ-20-07: REQUEST TO REZONE PROPERTY LOCATED AT 435 OLD LIBERTY RD. (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7762168474) FROM R10 MEDIUM-DENSITY RESIDENTIAL TO R7.5 MEDIUM DENSITY RESIDENTIAL

Mr. Evans gave a visual presentation to the board. He stated that the applicant is Darren Hackett and that the location of the property is 435 Old Liberty Rd. He stated that the request was to rezone the property from R10 Medium-Density Residential to R7.5 Medium-Density Residential. He gave the Randolph County Parcel Identification Number as 7762168474. He stated that the property is 2 acres +/- and that the existing land use is a Single-Family Dwelling. He showed overview, rezoning, topographic/utilities, and aerial maps of the property as well as photographs from all directions. He then gave the analysis of the case:

1. The property is inside the city limits.

2. Old Liberty Road is a state-maintained minor thoroughfare at this location. East Bailey St. is a city-maintained collector street that extends from North Fayetteville St. to Old Liberty Road.
3. The current R10 district and the requested R7.5 district both allow single-family and two-family dwellings. The requested R7.5 district is distinguished from the current R10 district with reduced lot sizes and setbacks.
4. Adjoining properties consist primarily of single-family and two-family dwellings. There are also scattered non-residential uses along Old Liberty Road near the subject property, particularly to the north where much of the corridor has commercial zoning.
5. There is a stream and city sewer easement on the property. NCDEQ needs to be contacted prior to any land activity that impacts the stream or its banks and the city's easement must be kept clear from encroachment.
6. The neighborhood residential designation of the property is described by the Land Development Plan's Land Category Description as intended "to accommodate existing medium-density, single family residential neighborhoods, while encouraging new neighborhoods of similar density to provide a greater sense of community."

He then gave the Land Development Plan recommendations:

Proposed Land Use Map: Neighborhood Residential

Small Area Plan: Northeast

Growth Strategy Map: Primary Growth

Goals/Policies Supporting Request (5):

- Checklist Item 3: Fits description of intent in zoning ordinance
- Checklist Item 5: Complies with Growth Strategy map
- Checklist Item 13: Outside Special Hazard Flood Area
- Checklist Item 14: Property is not located on steep slopes
- Policy 2.1.5: Transitional land use

Goals/Policies Not Supporting Request (1):

- Checklist Item 11: Request will not promote type of development described in Design Principals

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

- Retains "medium-density" characteristics (one dwelling per zoning lot, single/two family dwellings only): Possibly 11 single-family or 7 two-family lots instead of 8 single-family or 5 two-family lots.
- Located on minor thoroughfare
- Transitional location between commercial activities/zoning along portions of Old Liberty Rd. and neighborhood more solely used for residential uses

He then stated that staff's recommendation is to approve the request. He then asked the board if they had any questions. Mr. O'Kelley asked if a subdivision would be required to create smaller lots, to which Mr. Evans said yes and that a subdivision would be a separate process that may be reviewed by staff if meeting the definition of minor subdivision and using existing public street frontage. Mr. O'Kelley asked if driveway permits would be issued, to which Mr. Evans stated that driveway permits would be issued by the City and NCDOT on their respective streets. Ms. Vuncannon asked if anyone had called regarding the rezoning case, to which Mr. Evans said no.

Mr. Darren Hackett, applicant, had no comments. There was no opposition present to the request.

Mr. Henderson moved to approve case RZ-20-07, including the approval of staff's consistency statement. Mr. O'Kelley seconded the motion and the motion carried unanimously.

RZ-20-08: REQUEST TO REZONE PROPERTY LOCATED ON MEADOWBROOK RD. EXTENSION/HONEYSUCKLE RD. (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBERS

7762230413 & 7762231577) FROM R15 LOW-DENSITY SINGLE-FAMILY RESIDENTIAL AND R10 MEDIUM-DENSITY RESIDENTIAL TO R7.5 MEDIUM-DENSITY RESIDENTIAL

Prior to the rezoning request hearing, Mr. O'Kelley stated that he has personal property close to the rezoning request. Mr. Sugg inquired if Mr. O'Kelley had a direct financial interest in the property in question, to which Mr. O'Kelley stated he did not. The board did not have any objection to Mr. O'Kelley hearing the case.

Mr. Evans then gave a visual presentation to the board. He stated that the applicant is Darren Hackett and that the location of the property is at Meadowbrook Rd Ext. and Honeysuckle Rd. He stated that the request was to rezone the property from R15 Low-Density Single-family residential and R10 Medium-Density Single-family residential to R7.5 Medium-Density Residential. He gave the Randolph County Parcel Identification Numbers as 7762230413 and 7762231577. He stated that the total size of the lots are 2.55 acres +/- and that the existing land use is undeveloped. He showed overview, rezoning, topographic/utilities, and aerial maps of the property as well as photographs from all directions. He then gave the analysis of the case:

1. The property is inside the city limits.
2. Meadowbrook Rd. Ext. connects Honeysuckle Rd., a state-maintained roadway, with Ideal Dr., a city-maintained street with an average road width of less than 20 feet.
3. The majority of the property (approximately 1.8 acres) is zoned R15 (Low-Density Single-Family Residential), while rear portions (approximately 0.75 acres) are zoned R10 (Medium-Density Residential).
4. The R15 district only allows a single-family dwelling on each zoning lot and requires the greatest lot size among the three districts. The R10 district and the requested R7.5 district both allow a single-family or two-family dwelling on each zoning lot.
5. Adjoining properties consist primarily of low-density single-family dwellings, with many adjoining properties exceeding the minimum lot size by a significant margin. One adjoining property has a manufactured home park with density in excess of current requirements.
6. There is a stream and city sewer easement on the property. NCDEQ needs to be contacted prior to any land activity that impacts the stream or its banks and the city's easement must be kept clear from encroachment.
7. The neighborhood residential designation of the property is described by the Land Development Plan's Land Category Description as intended "to accommodate existing medium-density, single family residential neighborhoods, while encouraging new neighborhoods of similar density to provide a greater sense of community."

He then gave the Land Development Plan recommendations:

Proposed Land Use Map: Neighborhood Residential

Small Area Plan: Northeast

Growth Strategy Map: Primary Growth

Goals/Policies Supporting Request (3):

- Checklist Item 3: Fits description of intent in zoning ordinance
- Checklist Item 5: Complies with Growth Strategy map
- Checklist Item 13: Property is outside flood area

Goals/Policies Not Supporting Request (4):

- Checklist Item 1: Not compliant with Proposed Land Use Map
- Checklist Item 4: Non compatible with surrounding land uses
- Checklist Item 10: Not consistent with Land Category Description
- Checklist Item 14: Is located on steep slopes

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

- Distance to residential density greater than R10 is greater than ½ mile.

- R15 only permits single-family dwellings. Potential development currently is for 7 single-family lots. Potential development with R7.5 is 14 single-family lots or 9 two-family lots.
- R7.5 out of character with surrounding land uses without sufficient LDP backing to do so.

He then stated that staff's recommendation is to deny the request. Mr. Evans then read an email from an adjoining property owner asking for the board to deny the request. He then asked the board if they had any questions. Mr. Henderson asked if it was possible for a lot to be too steep for development, to which Mr. Evans stated that there is no zoning requirement related to slope, but there may be other requirements and practical issues that would be difficult to address in extreme cases.

Mr. Darren Hackett, applicant, had no comments. There was no opposition present at the meeting and Mr. Evans stated that he had received no other calls about the case.

Mr. Henderson moved to deny case RZ-20-08 based on staff's recommendation. Mr. Anderson seconded the motion and the motion carried unanimously.

BOA-20-01 (PLANNING BOARD FUNCTIONING AS BOARD OF ADJUSTMENT): REQUESTS FOR VARIANCES CONCERNING FRONT YARD PARKING SETBACKS AND MINIMUM PERVIOUS COVERAGE REQUIREMENTS AT 801 SUNSET AVENUE

Mr. Luck addressed the board and stated that before the case is heard, all who wish to give their testimony will need to be sworn in. Mr. Ben Tuggle, Mr. Barron Thompson (Attorney), and Mr. Justin Luck were sworn in by the secretary.

Mr. Luck highlighted the variance process to the board. He then identified the two requested variances as follows:

Variance 1: Reduction in minimum pervious surface, as required by Section 200A (E) (2) (a) (vi), to from 45% to 43.2%.

Variance 2: Relief from "No Parking Shall Be Permitted Within The Required Front Yard", as required by Section 317A.D.1.g, to allow parking to come within 3.5 feet of the front property line along Sunset Avenue, and 18.9 feet of the front property line along S. Cherry Street.

He mentioned that the property is subject to both the underlying zoning district requirements and the overlay requirements of the Center City Planning area.

He stated that the surrounding land uses are:

North: Residential/Undeveloped

East: Residential/Office

South: Residential

West: Personal & Business Services/Residential

He stated the Land Development Plan Recommendations are:

Growth Strategy: Economic Development

Proposed Land Use Map: Town Activity Center

He then showed maps, aerial views, and photographs of the property. He then gave the analysis of the case:

The zoning lot is a corner lot located at the intersection of Sunset Ave. and S. Cherry St. The lot is located in the City of Asheboro corporate limits with all utilities available. The lot is a legal, conforming lot featuring a Place of Assembly, Non-Commercial use that is no longer in operation.

While the lot itself is legal conforming, nonconforming situations, such as, but not limited to, parking and landscaping, exist. The concurrent rezoning request that has been filed by the applicant will have no impact on these variance requests, however, the denial of the variance requests will require a revised site plan before rezoning can be heard by City Council.

He cited the following specific language in the ordinance that variances are being sought from:

200A: Center City Planning Area;
 Subsection (E) Commercial and Employment Center Area (Tier 3)
 (2) Dimensional Requirements
 (a) Standard Dimensions:
 (vi) Minimum Pervious Surface: 45%

317A. Performance Standards for all Commercial Districts
 D. Design Standards for OA6 and O&I Districts
 1. g. No Parking Shall Be Permitted Within the Required Front Yard

No parking shall be permitted within the required front yard of any zoning lot. This section may be modified when, due to specific property constraints (i.e. steep slopes, inadequate lot size, etc.), handicapped parking cannot be provided outside of the area between the building and the street, such parking can be located within the setback area. The Table 200-1 Front Yard Setback for OA6 is 25 Feet.

Mr. Luck stated that the exception to the parking setback for handicapped parking didn't apply since part of the parking area is for non-handicapped parking, and there isn't a property constraint that would be an applicable exception to the provision. Mr. Luck showed the overall site plan

He then went over the findings of fact for the board as follows:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Mr. Luck then asked if there were any questions from the board for him. Mr. Rich asked about how the built upon calculation was figured. Ben Tuggle addressed the Board, replying that there was some impervious area being removed that was part of the calculation. Mr. Henderson asked if the basketball court would count as area and if it would remain impervious. Mr. Luck replied that it would. Mr. Henderson asked if there was a non-conforming situation. Mr. Luck explained that non-conforming situations exist, however, the new parking is what prompted the variance request. Ben Tuggle added that the addition of parking on the west side of the property is to meet the minimum parking requirements. He stated that their intention is to use the basketball court area for the proposed event center activities. Mr. Henderson asked if both parking spaces being added closest to S. Cherry St. could be designated as handicapped. Ben Tuggle stated they wanted at least one non-handicapped space on that side of the property, and that the parking arrangement as shown was based on spaces needed for various uses of the property. Mr. Rich asked if

the basketball court could be used for parking. Mr. Henderson questioned if parking could be reduced by 4 spaces, and whether that could solve the need for a variance.

Mr. Barron Thompson, the applicant's attorney, approached the Board and introduced Mr. Ben Tuggle and Mr. Travis Baynes, who is the member manager. He addressed the first variance concerning the reduction in pervious area. As to Test 1, he stated the request was for a minor reduction in pervious coverage and cited the zoning ordinance's objective to "promote the safe and efficient movement of traffic", stating that the request was consistent with the desire to provide adequate parking that would discourage people from parking unsafely on the street, on adjoining properties, and that it would enhance the visual appeal of the property. As to Test 2, he cited the unusually long and narrow shape of the property with two perpendicular buildings. As to Test 3, he stated that the applicant did not contribute towards the peculiar layout of the property but was seeking a design which would maximize its potential. He addressed Test 4 by stating that the visual appeal would be enhanced and reiterated the safe & efficient movement of traffic and reduction of off-site parking would meet Test 4.

Mr. O'Kelley asked if the configuration was the only one that would work. Mr. Buffkin asked if the entrance on Sunset was the best way to handle the flow of traffic. Mr. Tuggle addressed these questions by stating that the drive through was the reason for the traffic flow on the east side of the property being the way it was designated, to keep the drive through window on the driver's side of a vehicle. Mr. Travis Baynes was then sworn in and approached the Board. He indicated that the drive through was intended to assist elderly and disabled customers. Barron Thompson also indicated that the current pandemic has also created the demand to promote social distancing to avoid physically going into an office.

Mr. Thompson then addressed the four tests concerning Variance 2. As to Test 1, he stated that the unnecessary hardship would be due to being a corner lot with two street frontages. He stated that some of the existing non-conforming situations would be eliminated with the removal of parking in exchange for landscaping and that rearranging the parking would result in a better configuration to the property. As to Test 2, he indicated that the condition peculiar to the property was the two front yard setbacks, which made meeting the requirement more difficult. Mr. Thompson indicated Test 3 was met because the applicant was attempting to establish safe parking on the site. He indicated Test 4 was met because the area in which the variance was being sought was to provide handicapped parking and provide for the safety of people visiting the property.

Mr. Henderson stated he was favorable towards handicapped parking, and asked if this was required to remain handicapped parking for the variance to remain in effect. Mr. Thompson indicated that there is handicapped parking required for all uses, and that it typically needs to be close to the building's entrance. Mr. Luck also stated that the North Carolina Building Code specifies minimum requirements for handicapped parking.

Mr. O'Kelley asked about the first variance concerning the minimum pervious coverage, and if there was any way to still have the same number of spaces without the variance. Mr. Tuggle mentioned that the number of required spaces for the event center is based on whether the room is setup with tables & chairs, chairs, or standing room only. He stated that the minimum parking requirements shown on the site plan area based on a room setup with tables & chairs, which is the least stringent minimum parking requirement based on the building's maximum occupancy, so the parking that is shown is needed to meet the demands of the proposed land use.

Mr. Buffkin moved to approve Variance 1 regarding the minimum pervious coverage. Mr. Henderson seconded the motion and the Board approved the variance unanimously.

Mr. Henderson moved to approve Variance 2 pertaining to the parking setbacks on both Sunset Avenue and South Cherry Street. Ms. Vuncannon seconded the motion and the Board approved the variance unanimously.

ITEMS NOT ON THE AGENDA

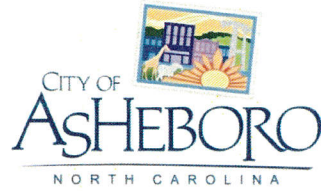
There were no items.

ADJOURNMENT

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

John L. Evans, Acting Planning Board Secretary

Van Rich, Planning Board Chair



RZ-20-08: Request to rezone from R15 (Low-Density Single-Family Residential) and R10 (Medium-Density Residential) to R10 (Medium-Density Residential): Meadowbrook Road Extension and Honeysuckle Road

Staff Report

Staff Note: This is being considered as “Old Business” by the Planning Board due to the applicant changing the requested district from R7.5 to R10 in time to be re-considered at the July 6th Planning Board meeting.

Rezoning Staff Report

RZ Case # RZ-20-08

Date 7/6/2020 Planning Board

7/9/2020 City Council

General Information

Applicant

Darren Hackett

Address PO Box 4451

City Asheboro NC 27203

Phone 336-302-4451

Location Meadowbrook Rd. Extension and Honeysuckle Rd

Requested

Action

Rezone from R15 Low-Density Single-Family Residential and R10 Medium-Density Residential to R10 (Medium-Density Residential)

Existing Zone R10/R15

Existing Land Use Undeveloped

Size 2 acres* (see #3 of analysis below) +/- of 2.55 acres +/- total

Pin # 7762230413, 7762231577

Applicant's Reasons as stated on application

To allow for single-family home construction, for maximization of number of lots per property.

Surrounding Land Use

North Undeveloped/Single-Family Residential

East Single-Family Residential

South Single-family residential

West Manufactured home park/Single-family

Zoning History N/A

Legal Description

The property of Darren Andrew Hackett & Dee Dee Hackett Kearns, located approximately along Meadowbrook Rd. Extension & Honeysuckle Rd. 175 ft. north of Ideal Dr., totaling approximately 2.55 acres +/- and identified by Randolph Co. Parcel ID #s 7762230413 & 7762231577. **Legal notices were mailed to adjoining property owners on Tuesday, June 23, 2020**

Analysis

1. The property is inside the city limits.
2. Meadowbrook Rd. Ext. connects Honeysuckle Rd., a state-maintained roadway, with Ideal Dr., a city-maintained street with an average road width of less than 20 feet.
3. The majority of the property is zoned R15 (Low-Density Single-Family Residential) and has been since the 1970's. A review of historical records suggests that the current zoning map be inaccurate and that the R15 district should extend 100 feet further west.
4. The applicant previously requested that this property be rezoned to R7.5 Medium-Density Residential, which the Planning Board considered during its June 1, 2020 meeting. The Planning Board is considering this request due to the applicant modifying the request to ask for an R10 designation of the property instead of the previous R7.5 district request.
5. The R15 district only allows a single-family dwelling on each zoning lot. The R10 district allows a single-family or two-family dwelling on each zoning lot, with reduced lot sizes, frontage, and setback requirements compared to the R15 district. The attached excerpt from the zoning ordinance shows a detailed comparison of both districts, including the statement of intent in the zoning ordinance for each.
6. Adjoining properties consist primarily of low-density single-family dwellings, with many adjoining properties exceeding the minimum lot size by a significant margin. One adjoining property has a legal non-conforming manufactured home park with a density in excess of R10 allowances.
7. There is a stream and city sewer easement on the property. NCDEQ needs to be contacted prior to any land activity that impacts the stream or its banks and the city's easement must be kept clear from encroachment.
8. The neighborhood residential designation of the property is described by the Land Development Plan's Land Category Description as intended "to accommodate existing medium-density, single family residential neighborhoods, while encouraging new neighborhoods of similar density to provide a greater sense of community."

Rezoning Staff Report

RZ Case # RZ-20-08

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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 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 13: The property is located outside of Special Hazard Flood Area.

Rezoning Staff Report

RZ Case # RZ-20-08

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LDP Goals/Policies Which Do Not Support Request

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

Checklist Item 4: The proposed rezoning is not compatible with surrounding land uses.

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

Checklist Item 14: Rezoning is not located on steep slopes (>20%) or rezoning (and the development intensity permitted with the proposed district) is unlikely to create additional problems due to steep slopes.

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

The "neighborhood residential" designation calls for residential uses of similar density to surrounding land uses. While there are some higher density land uses (legal non-conforming manufactured home parks and a duplex) west of the subject property, the land use pattern along Meadowbrook Road Extension and Honeysuckle Road is low-density, single-family development built to R15 zoning standards. Approval of the request could allow up to five two-family dwellings and would be inconsistent with the adjacent properties on Meadowbrook Rd. Extension and Honeysuckle Road.

While the application of R10 zoning would be slightly less out of character with surrounding land uses and zoning classifications than the previous R7.5 request, staff does not believe there is sufficient support in the Land Development Plan to consider the request reasonable and in the public interest.

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

Comparison of existing R15 Low-Density Single-Family Residential district (current zoning) & R10 Medium-Density Residential District (current request) with requested R7.5 Medium-Density Residential District (previous request shown for context)

Table 200-1

Table of Area, Height, Bulk and Placement Regulations

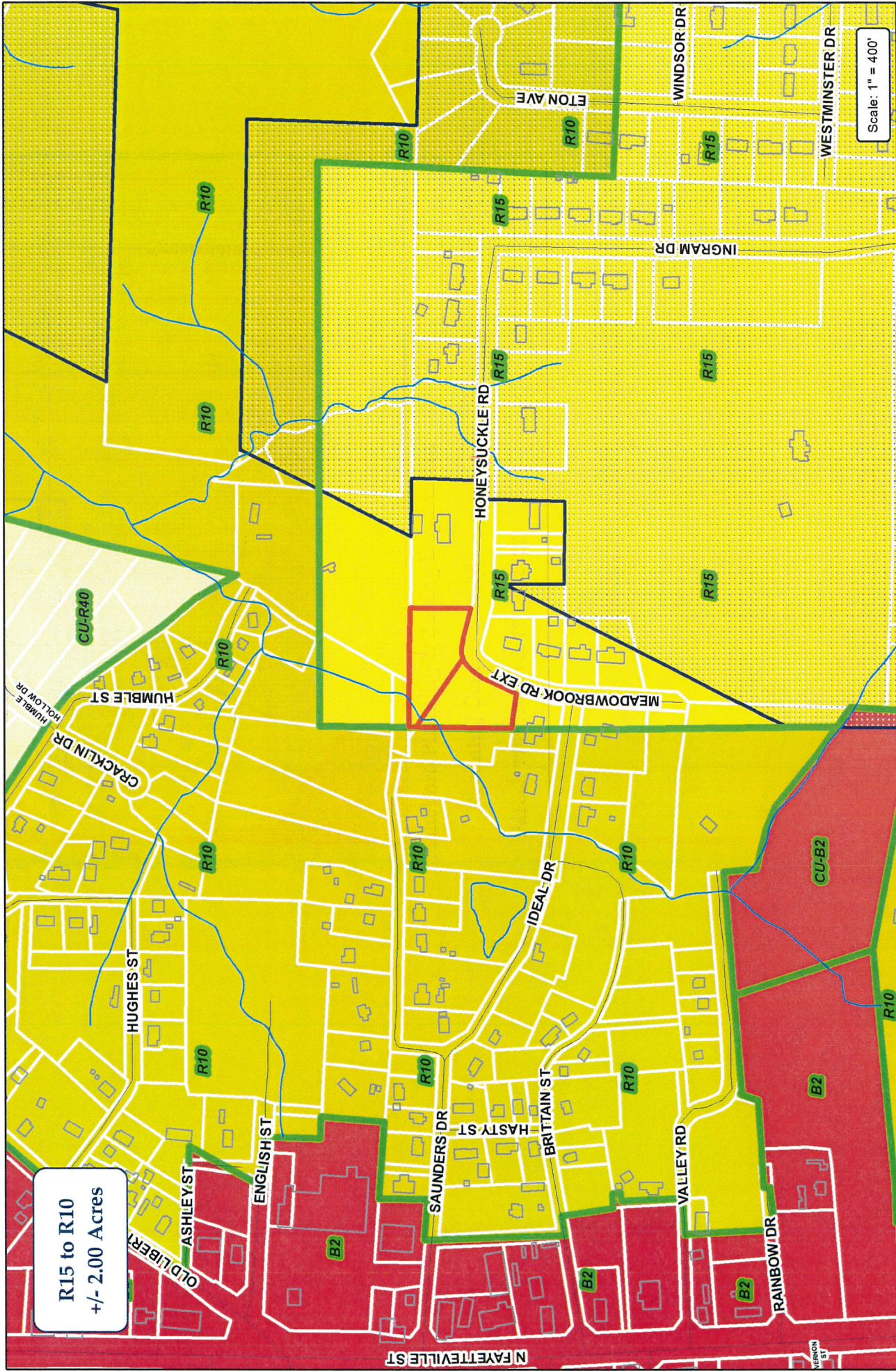
District	Minimum Lot Size in Sq. Ft.	Lot Width (Frontage) In Feet*	Front Required Yard in Feet*	Side Required Yard In Feet*	Rear Required Yard in Feet*	Maximum Height in Feet*	Maximum Floor Area Ratio*	Open Space Ratio*	Recreation Ratio*
R15	15,000	100	30	15	25	35	22%		
	1 Single Family Only								
R10	10,000 SF	75	30	10	25	35	22%		
	15,000 Duplex		1 Single Family or 1 Duplex Only					22%	
	10,000 NonRes						22%		
R7.5	7,500 SF	60	25	10	20	35	22%		
	11,500 Duplex		1 Single Family or 1 Duplex Only					22%	
	7,500 NonRes						22%		
*Except as specifically modified by this Ordinance							Revised 10/2019		
Staff Note: Non Residential applies to uses that typically require a Special Use permit.									

Zoning Ordinance Statement of Intent for each district (Section 210):

R15 Low-Density Single-Family Residential (existing zoning): Intended to provide regulations which will produce a low intensity of single family residential use with the necessary governmental and other support facilities to service such suburban intensity living.

R10 Medium-Density Residential (current request): Intended to provide regulations which will produce a moderate intensity of residential uses, usually single family or two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living.

R-7.5 Medium-Density Residential (previous request): Intended to provide regulations which will produce a moderate intensity of residential uses, usually single family and no more than two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living

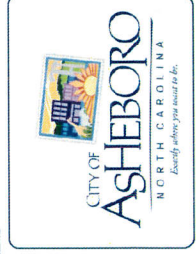


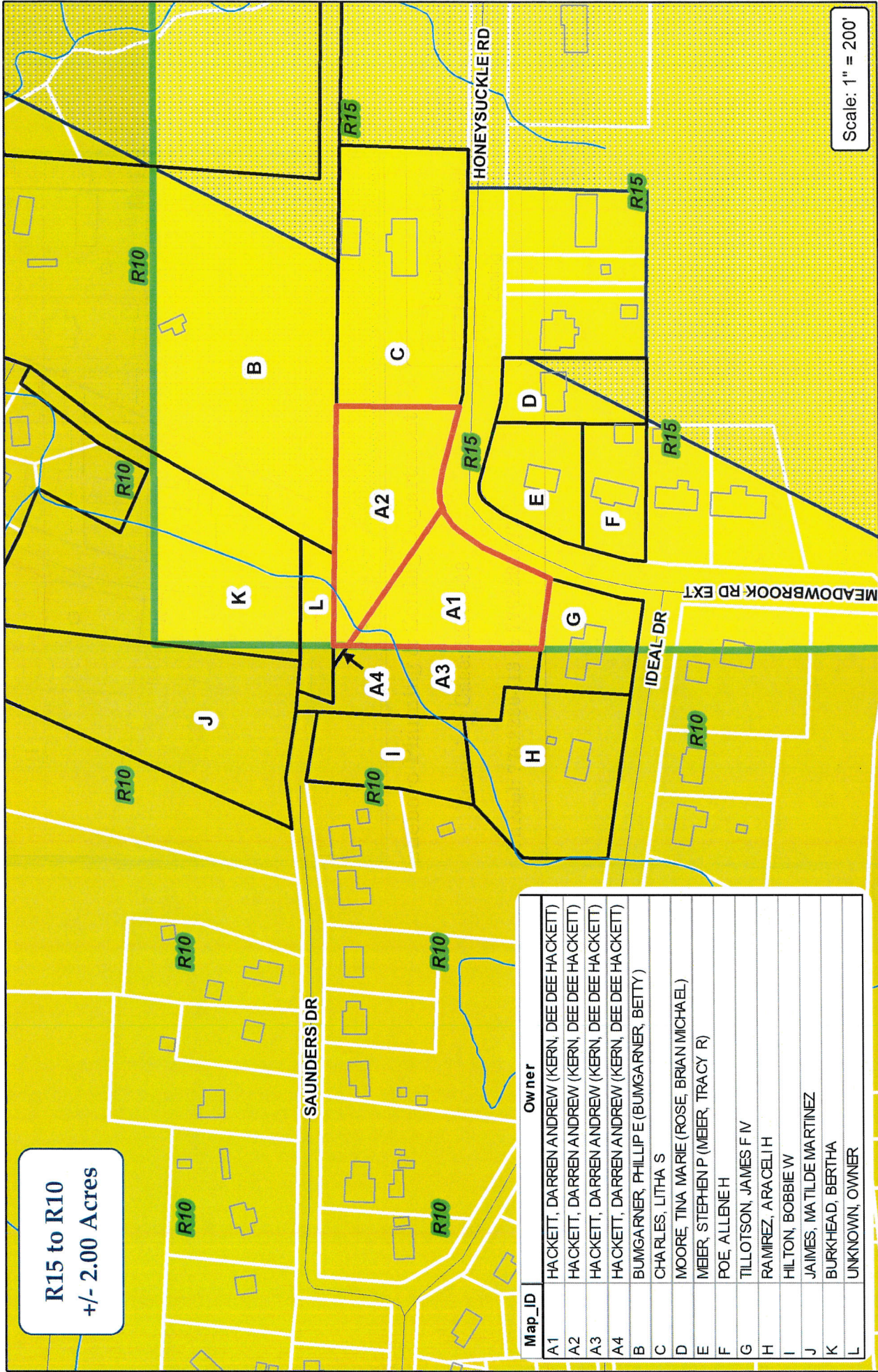
R15 to R10
+/- 2.00 Acres

City of Asheville Planning & Zoning Department

Rezoning Case: RZ-20-08

Parcel: 7762230413 & 7762231577





Scale: 1" = 200'



Subject Property

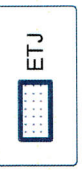
Adjoining Properties

Zoning

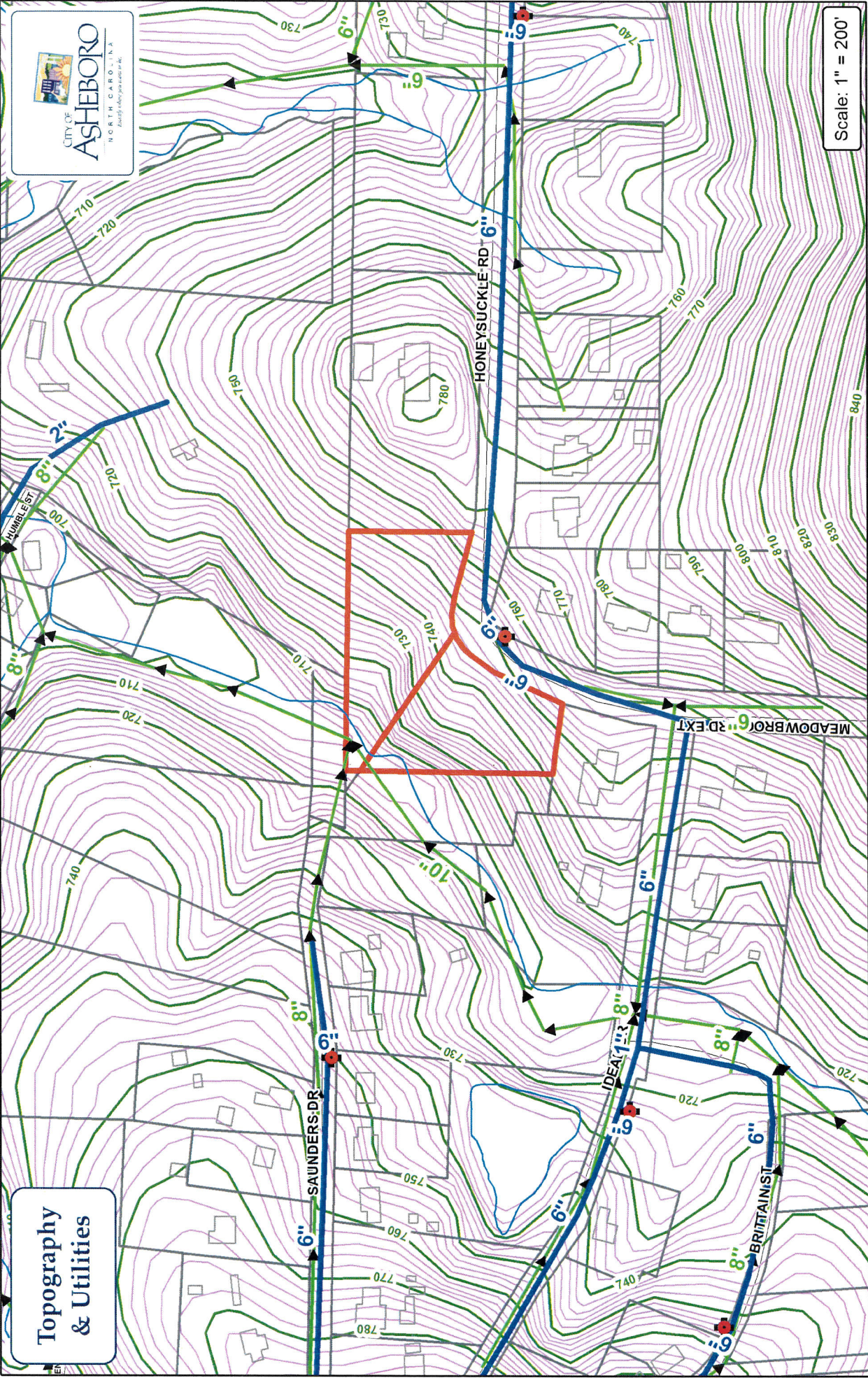
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-20-08

Parcel: 7762230413 & 7762231577

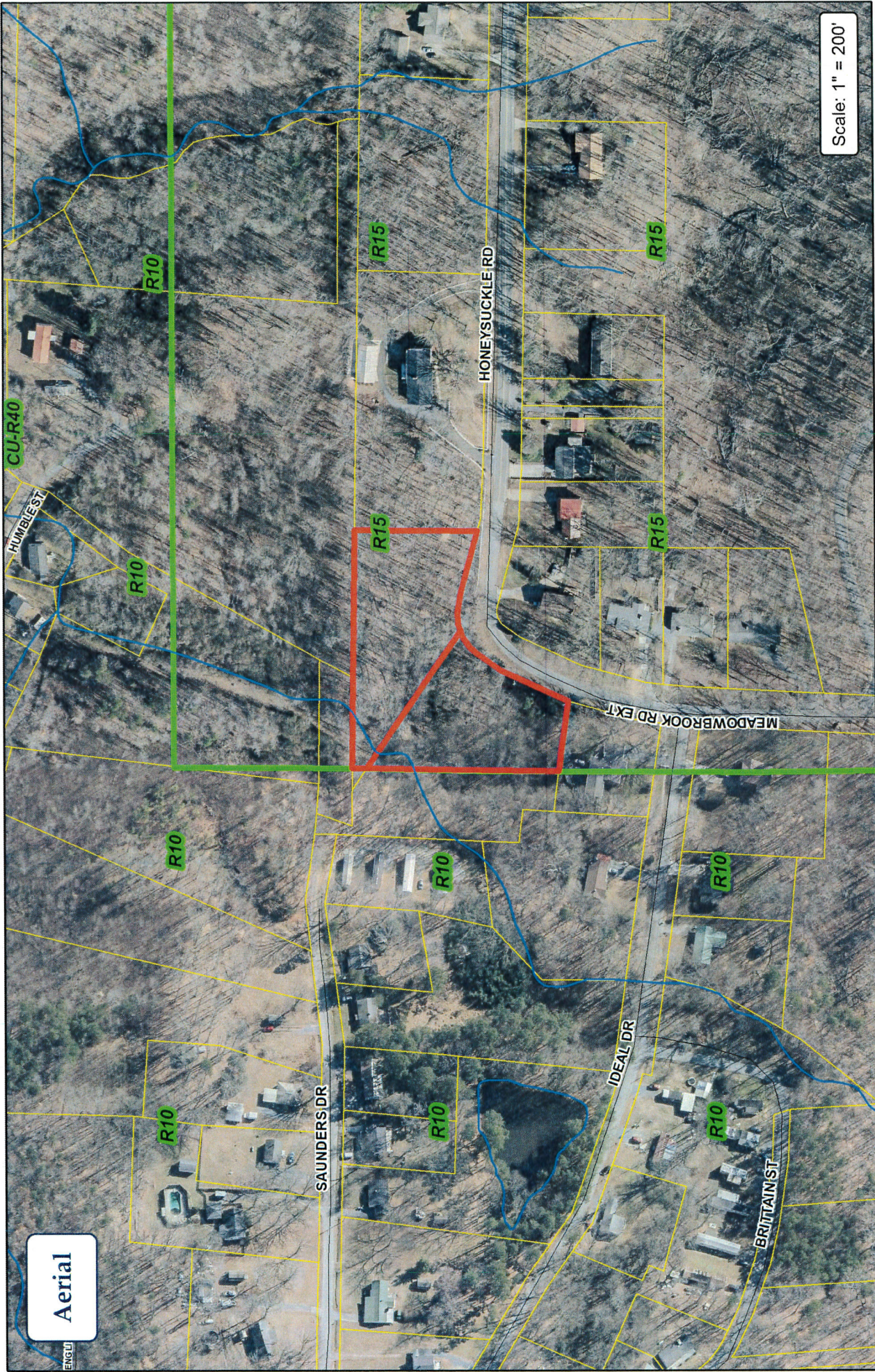


Map ID	Owner
A1	HACKETT, DARREN ANDREW (KERN, DEE DEE HACKETT)
A2	HACKETT, DARREN ANDREW (KERN, DEE DEE HACKETT)
A3	HACKETT, DARREN ANDREW (KERN, DEE DEE HACKETT)
A4	HACKETT, DARREN ANDREW (KERN, DEE DEE HACKETT)
B	BUMGARDNER, PHILLIP E (BUMGARDNER, BETTY)
C	CHARLES, LITHA S
D	MOORE, TINA MARIE (ROSE, BRIAN MICHAEL)
E	MEER, STEPHEN P (MEER, TRACY R)
F	POE, ALLENE H
G	TILLOTSON, JAMES F IV
H	RAMIREZ, ARACELI H
I	HILTON, BOBBIE W
J	JAIMES, MA TILDE MARTINEZ
K	BURKHEAD, BERTHA
L	UNKNOWN, OWNER



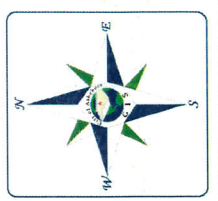
City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-20-08
Parcel: 7762230413 & 7762231577

	Water Main		Fire Hydrant
	Sewer Main		Pump Station
	Force Main		



Aerial

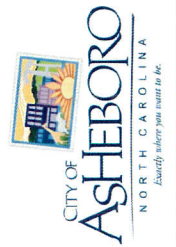
Scale: 1" = 200'



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-20-08

Parcel: 7762230413 & 7762231577



Application for Zoning Ordinance/Map Amendment

APPLICANT INFORMATION

Applicant Darren Hackett

Applicant's Phone # 336.302.5848

Applicant's Address PO Box 4451

Asheboro, NC 27204

Applicant Email Address darren a hackett@icloud.com

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name Darren Andrew Hackett

Location of Property Meadowbrook Road Ext.

Property Size (ac. or s.f.) 1.46 Ac. / 1.09 Ac.

Randolph County Property Identification Number (PIN#) 7762230413 / 7762231577

Current Zoning District _____

Requested Zoning District R10

Date Property Title Acquired _____

Deed Book 1180/pq. 1978 (prior deed) Deed Book 1102 Page 807 (prior deed) 18E/262

Subdivision Piney Mountain Estates Section N/A Lot # As per deeds

Plat Book 12 Page 2

ORDINANCE AMENDMENT INFORMATION

Section 1011.2 of the Asheboro Zoning Ordinance requires the applicant to answer the following questions. The application may not be accepted unless all questions are completed.

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.

N/A

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?

N/A

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

To Allow For Single Family Home Construction

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

For Maximization of # of Lots Per Property

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant. The applicant for rezoning to any district other than a conditional use district shall be prohibited from offering any testimony or evidence concerning the specific manner in which he or she intends to use or develop the property.

Applicant Signature



Owner Signature (if different than Applicant)

Printed Name of Authorized Signatory (if different from Applicant)

Owner Address

Position/Relationship of Authorized Signatory to Applicant

Telephone Number

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by:

J. Evans

Date:

5-14-2020

Case Number:

R2-20-07

John Evans

From: Darren Hackett <darrenahackett@icloud.com>
Sent: Monday, June 8, 2020 7:27 AM
To: John Evans
Subject: Honeysuckle/ Meadowbrook zoning

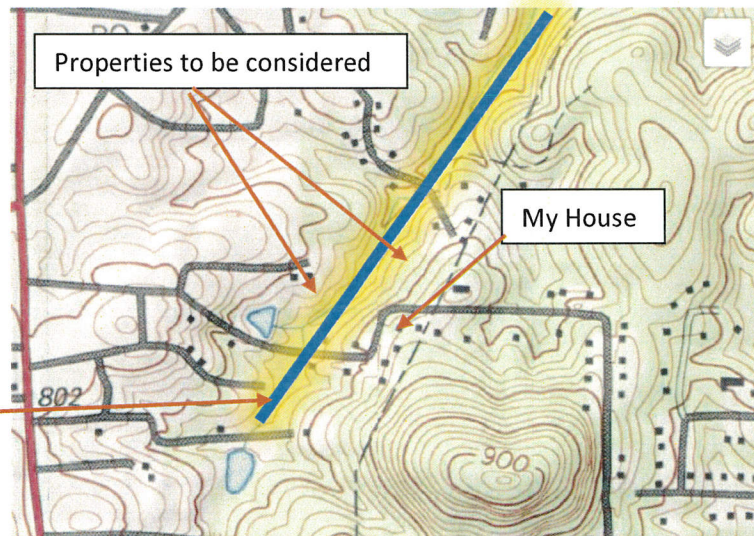
John,
I would like to notify the city planning department that after considerations noted from the planning board meeting, I would like to change the request of rezoning from R7.5 to R10 on the property located at Honeysuckle/Meadowbrook Ext. If you have any questions or need additional information please email or call me.

Thanks
Darren A. Hackett

Sent from my iPhone

My Name is Stephen Meier , I own and reside with my wife at 1650 Meadowbrook Road EXT. on the corner of Meadowbrook Road Extension and Honeysuckle Rd. I have received notice of the proposed spot zoning change from R15 low density to R10 Medium Density under review by the City of Asheboro for the property directly across the street from my house, specifically parcels 776220413 and 7762231577. I am NOT in favor of the city granting this zoning change.

Topographical map shows storm water runoff runs through the property



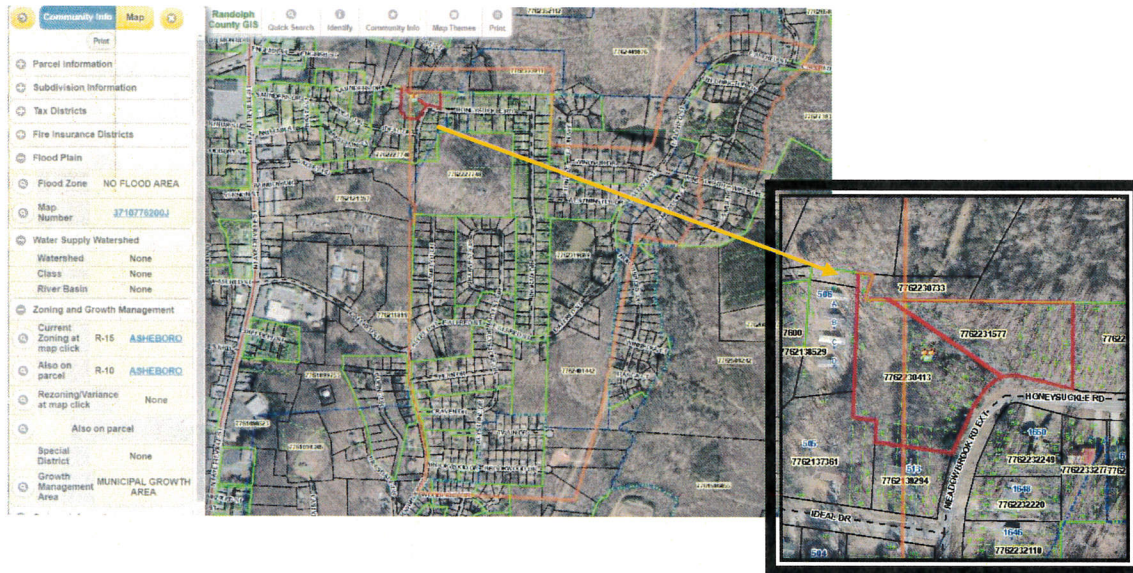
The City of Asheboro has not been able to provide adequate water run off planning in this area with repeated flash flooding at the corner of Honeysuckle and Meadowbrook Rd EXT.



City streets leading to this property are narrow and unmarked with no shoulder or sidewalk.

Since 2002 Asheboro City has done little more than patch the paved street on the corner of Honeysuckle and Meadowbrook EXT

This spot zoning change is NOT consistent with the orderly planned development of public services, as shown in county map showing land usage with orange outline



I respectfully ask that you review my claims and consider my position on this topic when making your recommendations to the City Council for the upcoming public hearing on July 7th.

Best regards

Steve Meier

1650 Meadowbrook Road EXT.
Asheboro, NC 27203
336-653-8169



RZ-20-09: Rezone from B2 General Commercial to CU-B3 Conditional Use Central Commercial: 512, 514, & 516 South Fayetteville St.

Staff Report

Rezoning Staff Report

RZ Case # RZ-20-09

Date 7/6/2020 Planning Board

General Information

Applicant Brandon McKenzie
Address 3798 Golden Meadow Road
City Asheboro NC 27205
Phone 336-953-7685 or 336-413-4475
Location 512, 514, 516 South Fayetteville St.

Requested Action Rezone from B2 General Commercial to CU-B3 Conditional Use Central Commercial

Existing Zone B2 **Existing Land Use** Vacant (previously commercial)
Size 0.47 acres +/- **Pin #** 7751709933

Applicant's Reasons as stated on application

Current zoning does not allow mixed use. Proposed zoning would allow for 4 apartments on the upper level. Property to the south of subject property is already zoned B-3. Building has been vacant for over 15 years. The only occupants have been vagrants. Large hole in roof is causing building to deteriorate even faster. We wish to bring safety back to the building and value back to the neighboring properties. No additional land is being developed. No new buildings are being erected. Our family has always invested in Asheboro. Our building rehabs bring value to the city. Our properties only have quality tenants which improves the welfare and quality of life to this community.

Surrounding Land Use

North Undeveloped Commercial

East Commercial

South Commercial

West Commercial (contractor's office)

Zoning History N/A

Legal Description

The property of Atlas Cleveland Dunn, Jr. Trustee, located at 512, 514, & 516 S. Fayetteville Street, totaling approximately 0.47 acres +/-, and more specifically identified by Randolph County Parcel Identification Number 7751709933.

Analysis

1. The property is inside the city limits.
2. South Fayetteville Street is a state-maintained major thoroughfare.
3. The property is located within the Center City Planning Area, Tier 2 (Central Business District Fringe Development area). As described by the zoning ordinance: "This planning area encompasses blocks adjacent to Tier 1, the core Central Business Area. Properties in this planning area, unlike those in Tier 1, are not readily accessible to public downtown parking. Coordinated development of a variety of mixed uses is encouraged."
4. Tier 2 also has heightened requirements for buffering, green space, pedestrian connectivity, and design standards for building and screening of certain features, such as mechanical equipment and solid waste facilities.
5. Along with the rezoning request, the applicant has applied for a conditional use permit proposing a commercial development with multiple uses (and/or structures) plus dwelling(s) within a mixed use structure.
6. The property is currently zoned B2, which is generally considered the broadest commercial district, allowing the widest range of commercial uses. Most uses permitted in the B2 district are also permitted in the B3 district.
7. The underlying B3 district is described by the zoning ordinance statement of intent as "intended to be applied to the traditional commercial, governmental, administrative and service core of Asheboro, commonly known as the Central Business District."
8. Distinctions between the current B2 General Business District and the underlying requested B3 are that the B3 district allows for a mixed use structure with commercial and residential uses, and does not require off-street parking. However, the conditional use permitting process can require off-street parking, along with other site improvements that exceed the minimum requirements for the underlying B3 district.

Rezoning Staff Report

RZ Case # RZ-20-09

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	City Activity Center
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 5: Complies with Growth Strategy Map

Checklist Item 8: The request is an adaptive reuse of a vacant or unused lot, or is an infill lot.

Checklist Item 10: Rezoning is consistent with Land Category Descriptions

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

Checklist Items 12-14: 12.) Property is located outside of the watershed area, or the rezoning request will not impose a significant, negative environmental impact.

13.) The property is located outside of Special Hazard Flood Area.

14.) Rezoning is not located on steep slopes (>20%) or rezoning (and the development intensity permitted with the proposed district) is unlikely to create additional problems due to steep slopes.

Rezoning Staff Report

RZ Case # RZ-20-09

Page 3

LDP Goals/Policies Which Do Not Support Request

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

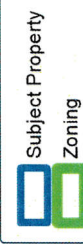
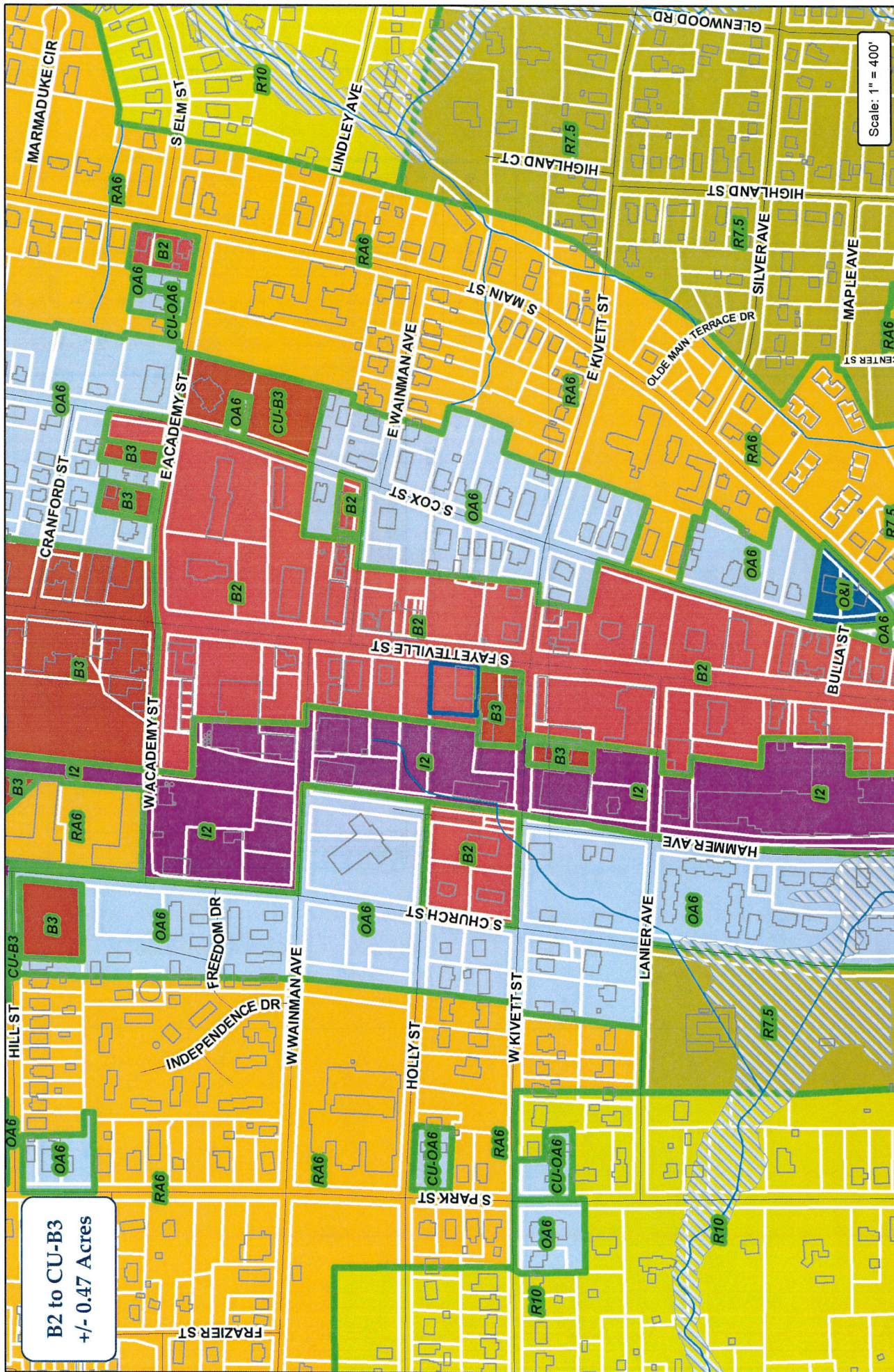
While the property is not directly contiguous to Asheboro's traditional central business district, the property lies just outside of this area and has certain characteristics that support a rezoning to Conditional Use - Central Commercial.

Most notably, the Land Development Plan includes this property in the City Activity Center implying that adaptive reuse projects creating "pedestrian-friendly, community focal points" that contain "a mixture of commercial, office and institutional, entertainment, open space, and residential uses & housing types" should be thoughtfully considered. The requested district could facilitate such a project while providing safeguards through the conditional use permitting process that can allow evaluation of potential development issues such as off-street parking and specific uses.

Second, the property is immediately north of a general B3 district that was approved in 2002 and is, in fact, closer to the city's historic central core.

Considering these factors, staff believes that the requested Conditional Use Central Commercial district is reasonable and in the public interest.

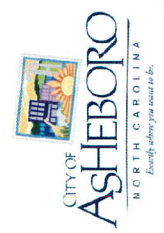
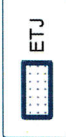
Recommendation In light of the above analysis, staff's recommendation is to approve the request.

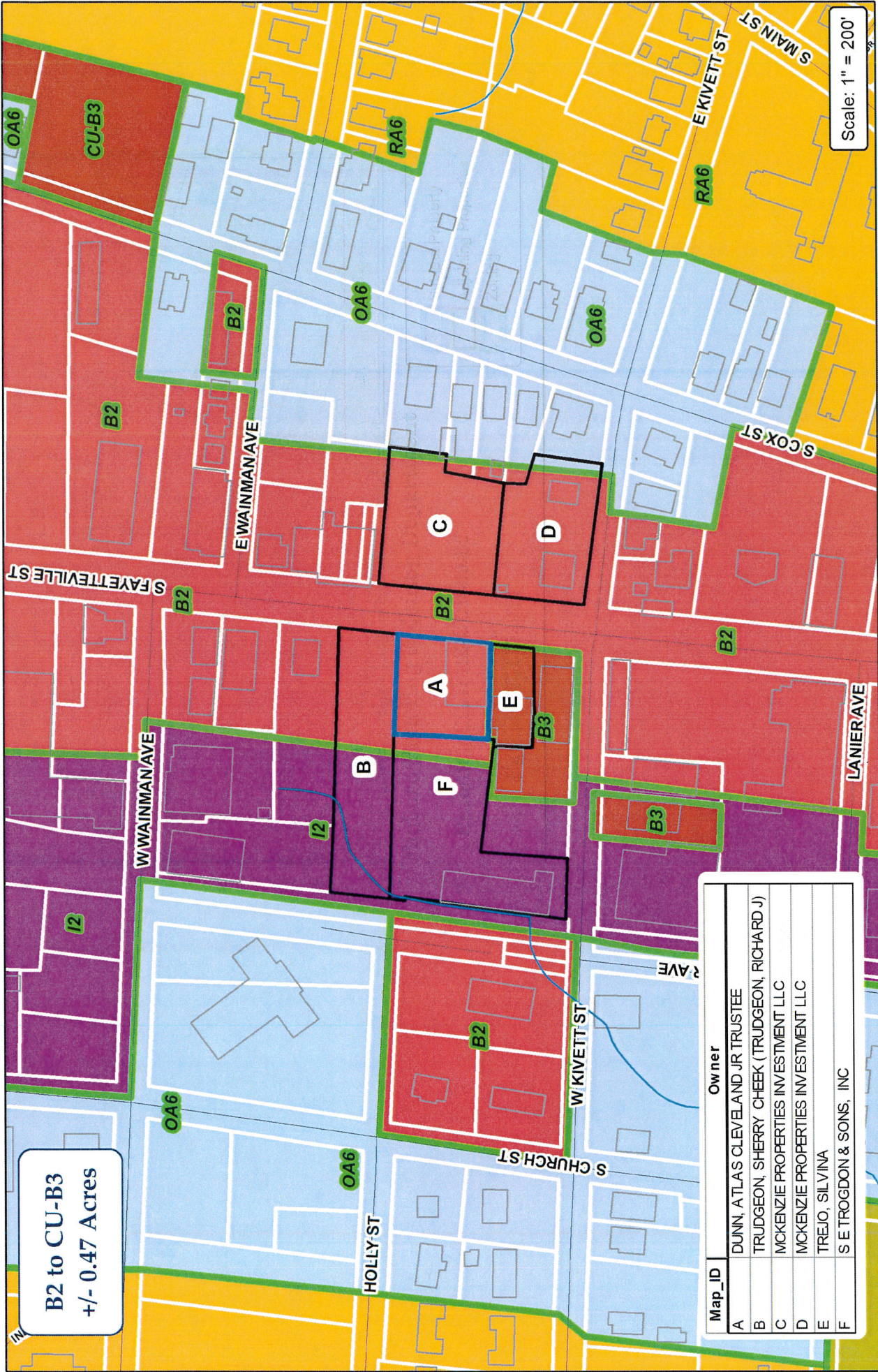


City of Asheville Planning & Zoning Department

Rezoning Case: RZ-CUP-20-09

Parcel: 7751709933





B2 to CU-B3
+/- 0.47 Acres

Map_ID	Owner
A	DUNN, ATLAS CLEVELAND JR TRUSTEE
B	TRUDGEON, SHERRY CHEEK (TRUDGEON, RICHARD J)
C	MCKENZIE PROPERTIES INVESTMENT LLC
D	MCKENZIE PROPERTIES INVESTMENT LLC
E	TREJO, SILVINA
F	S E TROGDON & SONS, INC



Subject Property

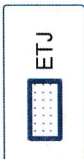
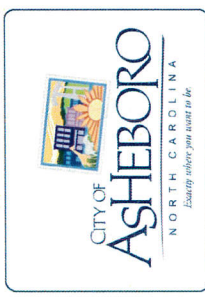
Adjoining Properties

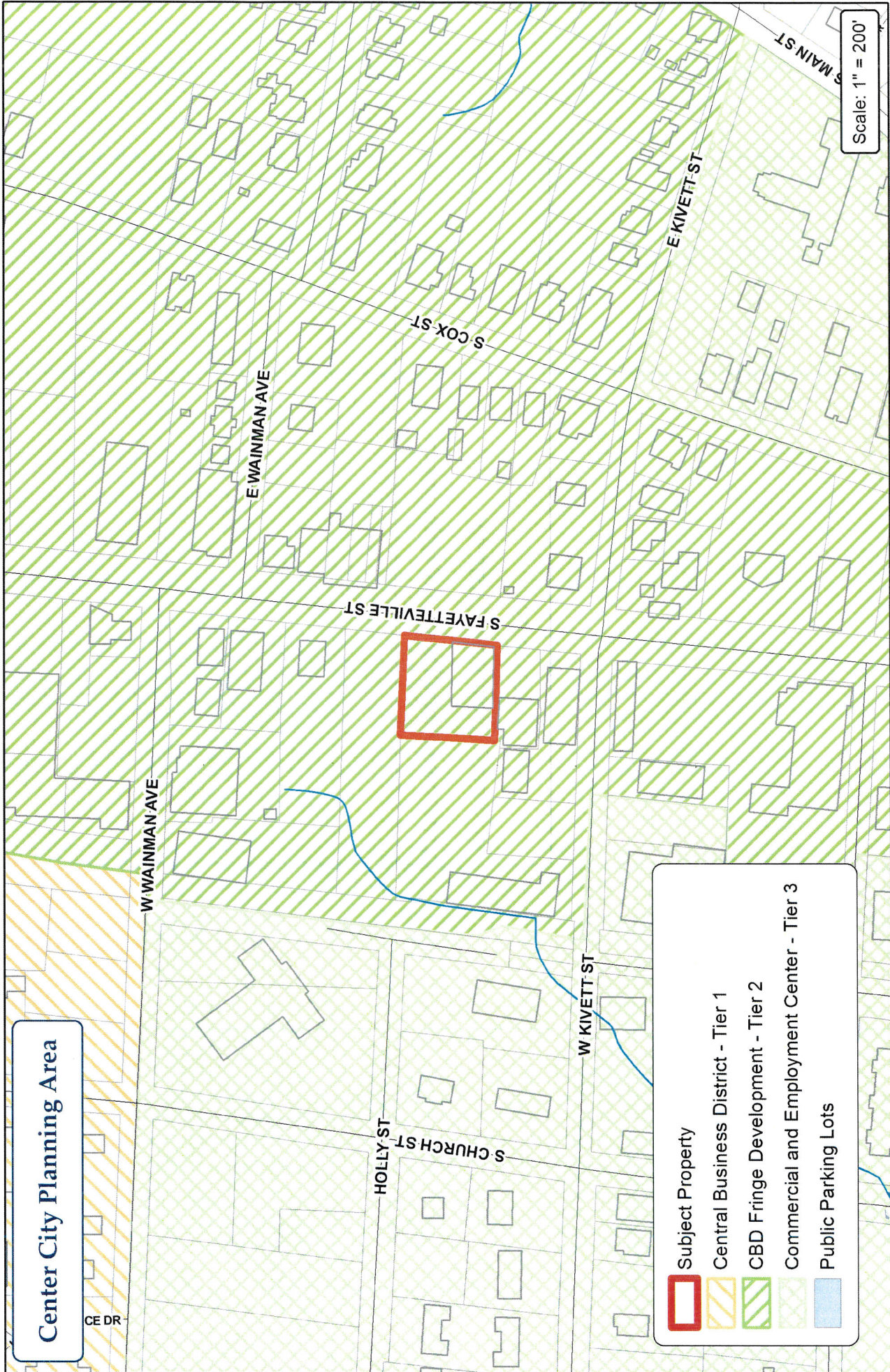
Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-CUP-20-09

Parcel: 7751709933





Center City Planning Area

CE DR

Subject Property

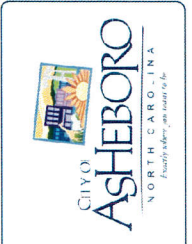
Central Business District - Tier 1

CBD Fringe Development - Tier 2

Commercial and Employment Center - Tier 3

Public Parking Lots

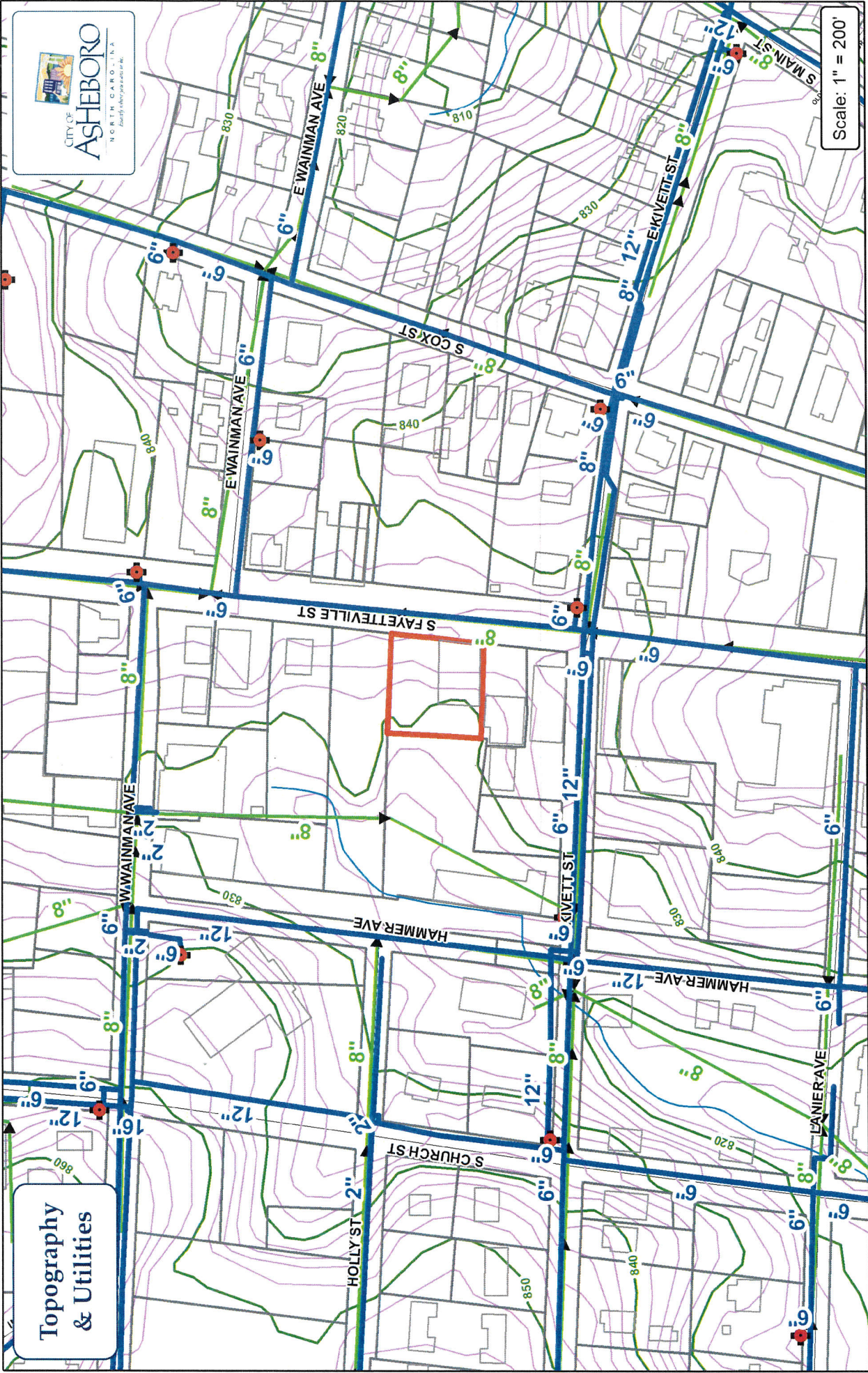
Scale: 1" = 200'



City of Asheville Planning & Zoning Department

Rezoning Case: RZ-CUP-20-09

Parcel: 7751709933



Subject Property



City of Asheville
Planning & Zoning Department
Rezoning Case: RZ-CUP-20-09
Parcel: 7751709933

	Water Main		Fire Hydrant
	Sewer Main		Pump Station
	Force Main		



Aerial

Scale: 1" = 200'



Subject Property

Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-CUP-20-09

Parcel: 7751709933



Application for Zoning Ordinance/Map Amendment

APPLICANT INFORMATION

Applicant Brandon McKenzie

Applicant's Phone # Brandon 336-953-7685 Jenna 336-413-4475

Applicant's Address 3798 Golden Meadow Road, Asheboro, NC 27205

Applicant Email Address brandon@mckenzierealestate.com jenna@mckenzierealestate.com

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name Atlas Cleveland Dunn Jr. Trustee

Location of Property 516 South Fayetteville Street, Asheboro, NC 27203

Property Size (ac. or s.f.) 0.47 acres

Randolph County Property Identification Number (PIN#) 7751-70-9933

Current Zoning District B-2

Requested Zoning District B-3 CU-B3

Date Property Title Acquired 1990

Deed Book 2453 Page 749

Subdivision NA Section NA Lot # NA

Plat Book Page

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Building has been vacant for over 15 years. The only occupants have been vagrants. Large hole in roof is causing building to deteriorate even faster. We wish to bring safety back to the building and value back to the neighboring properties.

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No additional land is being developed. No new buildings are being erected.

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Applicant Signature

Brandon McKenzie
dotloop verified
06/10/20 11:29 PM
EDT
62IT-XJRN-XNOE-BCOT

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Property under contract. Set to close in August.

Owner Signature (if different than Applicant)

Atlas Cleveland Dunn III
dotloop verified
06/11/20 10:09 AM EDT
65OE-MCQR-SPAI-DOWI

Owner Address

964 Viewmont Drive

Asheboro, NC 27205

Telephone Number

336-302-3037

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: John Evans *Date:* 6-12-2020 *Case Number:* RZ20-09