



**Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)
Monday, May 1, 2023
7:00 PM
AGENDA**

- I. Call to Order
- II. Approval of Minutes from April 3, 2023
- III. Review of Cases and Monthly Report on Major Subdivisions Administratively Approved.
- IV. New Business
 - (a) Convening of Watershed Review Board for RZ-23-04: An application to amend Article 5 (Use Regulations) and Article 10 (Watershed Protection Regulations) of the Asheboro Zoning Ordinance to allow for residential developments to request a Special Intensity Allocation within the Watershed Balance Area.
 - (i) The Planning Board will make a recommendation concerning Chapter 5.
 - (ii) The Planning Board, acting as Watershed Review Board, will make a recommendation on Chapter 10.
 - (b) RZ-23-05: An application to rezone property located at the intersection of Old Cox Road and Old Humble Mill Roads (Randolph County Parcel Identification Numbers 7679024396, 7669905560 7679008885) from Randolph County zoning to R15 (CZ) Low-Density Single-Family Residential Conditional Zoning district to allow a Residential and Commercial Planned Unit Development. **A continuance until the June 5, 2023 Planning Board meeting has been requested by the applicant.**
 - (c) RZ-23-06: An application to rezone property located south of 1195 Pineview Road (Randolph County Parcel Identification Number 7753354982), to rezone from B2 (CZ) General Commercial Conditional Zoning to R10 (CZ) Conditional Zoning for the purpose of a Residential Planned Unit Development, including a special intensity allocation within the Back Creek Watershed (Balance)
 - (d) RZ-23-07: An application to rezone property located at 379-1 and 379-2 South Cox Street from OA6 (Office-Apartment) to OA6 (CZ) Office-Apartment Conditional Zoning for a Congregate Living Facility. **A continuance until the June 5, 2023 Planning Board meeting has been requested by the applicant.**
 - (e) Annual Report concerning Planning Board activities, expenditures, and budget estimates
- V. Items not on the agenda
- VI. Adjournment

MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, APRIL 3, 2023
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:

Michael O'Kelley) – Chair
Pamela Vuncannon) – Vice Chair

Harold Anderson)
Ritchie Buffkin)
David Henderson) - Members Present
Van Rich)
Thomas Rush)

John Evans, Assistant Community Development Division Director
Trevor Nuttall, Community Development Division Director

CALL TO ORDER

Mr. O'Kelley called the Asheboro Planning Board to order.

APPROVAL OF MINUTES FROM MARCH 6, 2023

Mr. O'Kelley inquired if there were any corrections or additions to the minutes presented. Hearing no corrections or additions, the minutes were approved as presented.

REVIEW OF CASES AND MONTHLY REPORT ON MAJOR SUBDIVISIONS ADMINISTRATIVELY APPROVED

Mr. Evans went over the land use cases that City Council heard at their March Regular Meeting. He stated that there were no Major Subdivisions that had been approved by staff since the last Planning Board meeting.

NEW BUSINESS

A) ELECTION OF BOARD OFFICERS (CHAIR, VICE-CHAIR, AND SECRETARY)

Mr. Rush moved to retain the current slate of board officers. Mr. Henderson seconded the motion and the motion carried unanimously. The following officers were elected:

- Chair: Michael O'Kelley
- Vice-Chair: Pamela Vuncannon
- Secretary: Bradley Morton

B) TRAINING SESSION CONCERNING INFORMATION OBTAINED FROM UNC SCHOOL OF GOVERNMENT

Mr. Evans shared an informational training session in video format obtained from UNC School of Government regarding the Conditional Zoning processes. No action was taken by the Planning Board at this time.

ITEMS NOT ON THE AGENDA

Mr. Nuttall mentioned the potential for several land use cases to be presented to the Planning Board at the regular May meeting. He asked the board if they could be in contact with staff should they know if they will be unable to attend the regular May meeting.

ADJOURNMENT

With no further business to come before the board, Mr. O'Kelley adjourned the meeting.

Bradley Morton, Planning Board Secretary

Michael O'Kelley, Planning Board Chair



(a) Convening of Watershed Review Board for RZ-23-04: An application to amend Article 5 (Use Regulations) and Article 10 (Watershed Protection Regulations) of the Asheboro Zoning Ordinance to allow for residential developments to request a Special Intensity Allocation within the Watershed Balance Area.

(i) The Planning Board will make a recommendation concerning Chapter 5.

(ii) The Planning Board, acting as Watershed Review Board, will make a recommendation on Chapter 10.

Staff Report

Rezoning Staff Report

RZ Case # RZ-23-04

Date May 1, 2023 Planning Board

General Information

Applicant

Terry Tucker

Address 465 Lewallen Road

City Asheboro NC 27203

Phone 336-669-6427

Location N/A

Requested

Action

Amend the Asheboro Zoning Ordinance to allow certain residential development to be eligible for Special Intensity Allocations within Watershed Balance Areas

Existing Zone N/A

Existing Land Use N/A

Size N/A

Pin # N/A

Applicant's Reasons as stated on application

The intended project will provide needed affordable housing for citizens of Asheboro. The requested amendment will allow the project to go forward and confirm to the City's development plan. Without amendment its likely site would not be developed. We would like to amend Chapter 5 of the ordinance to allow a special intensity allocation for a residential development. [Staff note: the amendment, if approved, would permit residential development throughout the city's jurisdictional watershed area to seek a SIA; the request is not for authorization of a single project.]

Surrounding Land Use

North N/A

East N/A

South N/A

West N/A

Zoning History Watershed requirements were last amended in 2014 (Case No. RZ-14-12) to match state law.

Legal Description

Amend Chapters 5 and 10 of the Asheboro Zoning Ordinance to allow certain residential development to be eligible for Special Intensity Allocations within Watershed Balance Areas

Analysis

1. The Zoning Ordinance contains watershed protection standards that are designed to protect surface water supplies (water-supply reservoirs) within the city's jurisdiction. The standards were adopted in the 1990s.
2. Asheboro has watershed protection jurisdiction within the Back Creek (Lake Lucas) and Cedar Creek (Lake McCrary). Each watershed contains a critical and non-critical (or balance) area; the proximity from the water supply determines critical and non-critical areas.
3. The Planning Board serves as the Watershed Review Board and is responsible for reviewing and making a recommendation when an amendment to the watershed protection standards is proposed. With this application, both watershed protection and non-watershed protection standards are requested to be modified. Only watershed protection standards applicable to non-critical areas are requested to be amended.
4. Watershed protection standards seek to protect surface water quality by restricting development intensity. Single-family residential development is limited to 1 dwelling unit per acre in non-critical areas; all other development is limited to 12% built-upon or impervious area (building, pavement, other hard surfaces, etc.) unless a special intensity allocation (SIA) is requested and approved by the City Council. Under state rules and the city code, up to 10% of the city's non-critical jurisdictional area within city watersheds may be granted a SIA allowing a project to construct built-upon area of up to 70%.
5. State rules permit residential projects to seek a special intensity allocation (SIA); the city code, however, only identifies non-residential projects as eligible. The amendment proposes to make both residential and non-residential projects eligible for a SIA.
6. When evaluating requests for a special intensity allocation, the city code directs the City Council to ensure a project minimizes built-upon surface area, directs stormwater away from surface waters, incorporates best management practices related to water quality protection, connects to water and sewer, and provides the public with a positive economic benefit.
7. The city's Back Creek (Lake Lucas) jurisdictional watershed area is approximately 1500 acres in size; the city has approximately 37 acres of remaining allocation it can grant to projects. The city's Cedar Creek (Lake McCrary) jurisdictional watershed area is approximately 82 acres; the city has approximately 8 acres of remaining allocation it can grant to projects.
8. State rules allows interlocal transfer of jurisdictional area between local governments. City staff is discussing the potential for such a transfer from Randolph County to the City of Asheboro.
9. In response to the application, staff has provided proposed text attached to this report.

Rezoning Staff Report

RZ Case # RZ-23-04

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 N/A

Small Area Plan N/A

Growth Strategy Map Designation N/A

LDP Goals/Policies Which Support Request

4.1.2 The City will strongly enforce Watershed Protection regulations and ensure that state storm water runoff and water quality regulations are followed.

2.1.1 The Zoning Ordinance will periodically be reviewed to ensure that the specific regulations for each Zoning District are aligned with the desired character and focus of each district.

Design Principle #3 – Move from “Separation of Uses” toward “Mixed Use Development”

Rezoning Staff Report

RZ Case # RZ-23-04

LDP Goals/Policies Which Do Not Support Request

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

Staff believes that there are compelling reasons to allow residential development to apply for a special intensity allocation (SIA) as permitted by state rules. The inability of the city to consider residential projects for a SIA leaves land owners with fewer choices when contemplating the reasonable use of their property. This limitation may eventually lead to a non-residential project being pursued in a predominantly residential area because a landowner doesn't have the option to put forward a viable proposal for housing. Properties that are within both the city limits and jurisdictional watershed area and which also possess access to city and sewer should be encouraged to develop residentially if consistent with the surrounding pattern of development.

Further, a significant amount of Asheboro's watershed balance areas are near major transportation corridors, such as I-73/74 and NC Hwy. 49 South, that produce considerable economic development and employment activity. Supporting the potential for new housing options in close proximity to these areas generally is advocated by the Land Development Plan. Approval of the amendment only would allow the city to consider more residential projects within watershed areas on the merits of the proposal and prevent development ideas from being dismissed due to an inflexible code. Incompatible or unreasonable requests for a SIA to permit a residential projects still could be denied.

It is important to restate, however, that the ability to consider and grant a special intensity allocation (SIA) is finite. A SIA request, whether for residential or non-residential development, must be carefully evaluated and should only be granted when doing so clearly is in the public's interest. Making residential projects eligible for a special intensity allocation likely will more quickly diminish the amount of allocation available over time.

Recommendation Staff requests additional time to engage with Randolph County staff on the question of the feasibility of an interlocal transfer of jurisdictional area. A continuance is recommended by staff.

Chapter 5 Use Regulations

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....

Section 5.05 (Special Use Regulations)

Subsection 30 (Watershed S~~N~~IA)

(30) Watershed S~~N~~IA

All applications for a SIA shall include the following:

- (1) Projects must minimize built upon surface area.
- (2) Projects must direct stormwater away from surface waters.
- (3) Projects must incorporate Best Management Practices to minimize quality impacts.
- (4) Projects must be connected to City of Asheboro water and sewer.
- (5) Projects must provide a positive economic benefit and/or housing opportunities to the community

UT to Cedar Creek WS-II-CA (Critical Area)

UT to Cedar Creek WS-II-BW (Balance of Watershed)

(B) Back Creek Lake WS-II-CA (Critical Area) UT to Cedar Creek WS-II-CA (Critical Area)

(1) Intent.

In order to maintain a predominantly undeveloped land use intensity pattern, single family residential uses shall be allowed at a maximum of one dwelling unit per 2 acres. All other residential and nonresidential development shall be allowed a maximum of 6% built-upon area.

(2) Allowed Uses

- (a) All uses allowed in the underlying zoning districts where the watershed is located, subject to the modifications noted below unless specifically excluded in ~~2~~ (3) Prohibited Uses.
- (b) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of USGS 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.
- (c) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).

(3) Prohibited Uses

- (a) Storage of hazardous materials.
- (b) landfills or incinerators
- (c) sites for land application of sludge/residuals or petroleum contaminated soils
- (d) commercial uses which sell, store or distribute motor fuels or other hazardous materials
- (e) airports
- (f) industrial uses
- (g) metal salvage facilities including junkyards

- (h) manufacture, use or storage of any hazardous materials including waste as listed on the EPA hazards material list or determined by the City Council of the City of Asheboro.
- (i) private sewage disposal systems except for subsurface septic tanks. Public community sewage treatment facilities may only be allowed if the Health Department determines that an existing public health problem can be alleviated by constructing sewage facilities.

(4) Density and Built-upon Limits:

- (a) Single family Residential -- development shall not exceed one dwelling unit per two (2) acres on a project by project basis. No residential lot shall be less than two acres, except within an approved cluster development.
- (b) All other residential and nonresidential development shall not exceed six (6%) percent built-upon area on a project by project basis. For the purpose of calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.

(C) Back Creek Lake Watershed -- Balance of Watershed UT to Cedar Creek -- Balance of Watershed WS-II-BW

(1) Intent.

In order to maintain a predominantly undeveloped land use intensity pattern, single family residential uses shall be allowed at a maximum of one dwelling unit per acre. All other residential and nonresidential development shall be allowed a maximum of 12% built-upon area. In addition, ~~non-residential uses~~ new development may occupy ten percent (10%) of the balance of the watershed which is outside the critical area, with a seventy percent (70%) built upon area when approved as a special ~~non-residential~~ intensity allocation (S~~N~~IA).

The City Council is authorized to consider a Special Use Permit for S~~N~~IAs consistent with the provisions of this Ordinance.

(2) Allowed Uses

- (a) All uses allowed in the underlying zoning districts where the watershed is located, subject to the modifications noted below unless specifically excluded in (2) Prohibited Uses.
- (b) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990.
- (c) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).

needed improvements and the date by which the corrective action is to be completed. All corrective action or improvements shall be made consistent with the plans and specifications and the operation and maintenance plan or manual. After notification by the owning entity, the Watershed Administrator shall inspect and approve the completed corrective action or improvements.

(5) Density and Built-upon Limits

- (a) Single family Residential -- development shall not exceed one dwelling unit per acre on a project by project basis. No residential lot shall be less than one acre, except within an approved cluster development.
- (b) All other residential and nonresidential development shall not exceed twelve (12%) percent built-upon area on a project by project basis except that up to ten percent (10%) of the balance of the watershed may be developed ~~for nonresidential uses at up~~ to seventy percent (70%) built upon area on a project by project basis. For the purpose calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.

10.11 CLUSTER DEVELOPMENT

Clustering of development is allowed in all Watershed Areas except WS-I under the following conditions:

- (A) Minimum lot sizes are not applicable to single family cluster development projects; however the total number of lots shall not exceed the number of lots allowed for single family detached developments in Section 10.10 Development Regulations. Built-upon area or stormwater control requirements of the project shall not exceed that allowed for the critical area or balance of watershed, whichever applies.
- (B) All built-upon area shall be designed and located to minimize stormwater runoff impact to the receiving waters and minimize concentrated stormwater flow.
- (C) The remainder of the tract shall remain in a vegetated or natural state. Where the development has an incorporated property owners association, the title of the open space area shall be conveyed to the association for management. Where a property association is not incorporated, a maintenance agreement shall be filed with the property deeds.
- (D) Cluster development shall comply with all requirements of Article X of the Asheboro Subdivision Ordinance, and Section 5.05(16) of the Asheboro Zoning Ordinance except as modified above.

materials; the improper management of stormwater runoff; or any other situation found to pose a threat to water quality.

(B) Abatement

The Watershed Administrator shall monitor land use activities within the watershed areas to identify situations that may pose a threat to water quality.

(C) The Watershed Administrator shall report all findings to the Watershed Review Board. The Watershed Administrator may consult with any public agency or official and request recommendations.

(D) Where the Watershed Review Board finds a threat to water quality and the public health, safety and welfare, the Board shall institute any appropriate action or proceeding to restrain, correct or abate the condition and/or violation.

10.20 ADMINISTRATION, ENFORCEMENT AND APPEALS

The City of Asheboro's Zoning Administrator shall serve as the Watershed Administrator, who shall be duly sworn in. It shall be the duty of the Watershed Administrator to administer and enforce the provisions of this ordinance as follows:

(A) The Watershed Administrator shall issue Watershed Protection Permits and Watershed Protection Occupancy Permits as prescribed herein. A record of all permits shall be kept on file and shall be available for public inspection during regular office hours of the Administrator.

(B) The Watershed Administrator shall serve as clerk to the Board of Adjustment which sits as the Watershed Review Board.

(C) The Watershed Administrator shall keep records of all amendments to the local Water Supply Watershed Protection Ordinance and shall provide copies of all amendments upon adoption to the Supervisor of the Classification and Standards Group, Water Quality Section, Division of Environmental Management.

(D) The Watershed Administrator shall keep records of the jurisdiction's utilization of the provision that a maximum of ten percent (10%) of the noncritical area of WS-II-BW may be developed ~~with nonresidential development~~ to a maximum of seventy percent built upon surface area. Records for each watershed shall include the total acres of noncritical watershed area, total acres eligible to be developed under this option, total acres approved for this development option, and individual records for each project with the following information: location, acres, site plan, use, stormwater management plan as applicable and inventory of hazardous materials as applicable. ~~As of July 1, 1993 there are 3,500.8 acres in the Back Creek BW and 175.04 acres eligible for the 5% provision; in the UT to Cedar Creek there are 940.8 acres in the BW and 47.04 acres eligible for the 5% provision in the City of Asheboro's jurisdiction.~~

APPLICANT INFORMATION

Applicant Terry Tucker
Applicant's Phone # 336-669-6427
Applicant's Address 465 Lewallen Rd.
Ashboro, NC 27205
Applicant Email Address doublet@triad.rr.com

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name _____
Location of Property _____
Property Size (ac. or s.f.) _____
Randolph County Property Identification Number (PIN#) _____
Current Zoning District _____
Requested Zoning District _____
Date Property Title Acquired _____
Deed Book _____ Page _____
Subdivision _____ Section _____ Lot # _____
Plat Book _____ Page _____

ORDINANCE AMENDMENT INFORMATION

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

The intended project will provide needed affordable housing for citizens of Ashboro. The requested amendment will allow the project to go forward and conform to the City's development plan. Without amendment its likely site would not be developed

For questions (2) and (3), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

2. 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.

Does not apply ☒

3. 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?

Does not apply ☒

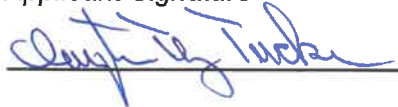
4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

We would like to amend Chapter 10 and Chapter 5 of the ordinance to allow a special intensity allocation for a residential development.

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



Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

Owner Address

465 Lewallen Rd.
Asheboro, NC 27205

Telephone Number

336-669-6427

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by:

3/27/23

Date:

TWITAN

Case Number:

RZ-23-04



RZ-23-05: RZ-23-05: An application to rezone property located at the intersection of Old Cox Road and Old Humble Mill Roads (Randolph County Parcel Identification Numbers 7679024396, 7669905560 7679008885) from Randolph County zoning to R15 (CZ) Low-Density Single-Family Residential Conditional Zoning district to allow a Residential and Commercial Planned Unit Development.

A continuance until the June 5, 2023 Planning Board meeting has been requested by the applicant.

Staff Report

Rezoning Staff Report

RZ Case # RZ-23-05

Date May 1, 2023 Planning Board

General Information

Applicant William L. Turner

Address 410 Lakestone Drive

City Raleigh NC 27609

Phone 919-369-3254

Location Old Cox Road and Old Humble Mill Road

Requested Action Establish City of Asheboro R15 (CZ) Low-Density Single-Family Residential (Conditional) zoning for a planned unit development consisting of single-family-detached, single-family-attached, including commercial development

Existing Zone E-1 (Randolph County) **Existing Land Use** Undeveloped

Size 233.53 acres +/-

Pin # 7679024396, 7669905560 7679008885

Applicant's Reasons as stated on application

Constructing a development of a residential subdivision of various types of residences and a small commercial area

Surrounding Land Use

North Low-Density Res./agricultural/undeveloped

East Low-Density Res./agricultural/undeveloped

South Low-Density Res./agricultural/undeveloped

West Low-Density Res./agricultural/undeveloped

Zoning History N/A related to City of Asheboro

Legal Description

Properties of Mary Ella Beeson Pugh, Barbara Pugh Marsh, and others, located on the northern and southern corners of Old Cox Road and Humble Mill Road, and along the west side of Old Cox Rd., totaling approximately 233.53 acres +/- , more specifically identified by Randolph County Parcel Numbers 7679024396, 7669905560, and 7679008885 and Tracts 1, 2, and 3 in Plat Book 71 PG 46.

Analysis

The applicant has requested this matter be continued from the May 1 Planning Board meeting to the June 5 Planning Board meeting. The City Council is expected to open a public hearing on the request on June 8, 2023.

1. The property is currently outside the city limits. An annexation petition has been filed by the property owners; if annexed, the owner seeks approval of this proposed .
2. The property currently is under Randolph County planning and land use jurisdiction and is zoned E-1 (Environmental). All development, other than single-family residential homes, is regulated through Conditional District or Special Use Permit review under the County code.
3. The request is for a Residential Planned Unit Development, including a commercial element. The request includes a total of 415 dwelling units, and approximately 25,000 square feet of commercial area plus 6 commercial outparcels. The proposed residential dwellings include a mixture of single-family detached lots of various sizes and townhouse style attached single-family dwellings on individual lots. Also shown are sidewalks, a greenway, and a recreational clubhouse with play fields/courts.
4. Both Old Humble Mill Road and Old Cox Road are state-maintained. A Traffic Impact Analysis (TIA) has been submitted by the applicant and presented to the city and NCDOT. Revisions to the TIA have been requested by NCDOT.
5. The property is approximately 1 mile south of the US 64 Bypass, which has no interchange at Old Cox Road. It is approximately 1.3 miles south of the Zoo City Sportsplex. At its closest point, the property is approximately 865 feet from the NC Zoological Park property; the closest point from any ancillary activity of the zoo appears to be approximately 2,450 feet. Non-contiguous city limits, encompassing the Richland Village manufactured home park, is adjacent to the subject property. Asheboro corporate limits also are 1 mile south of the property and include 272 acres owned by the NC Zoo Society.
6. Staff was presented with the draft site plan on April 14, 2023 and as of April 24, 2023, is reviewing details on the plan.

Rezoning Staff Report

RZ Case # RZ-23-05

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 N/A- Outside of current jurisdiction

Small Area Plan N/A- Outside of current jurisdiction

Growth Strategy Map Designation N/A- Outside of current jurisdiction

LDP Goals/Policies Which Support Request

Rezoning Staff Report

RZ Case # RZ-23-05

LDP Goals/Policies Which Do Not Support Request

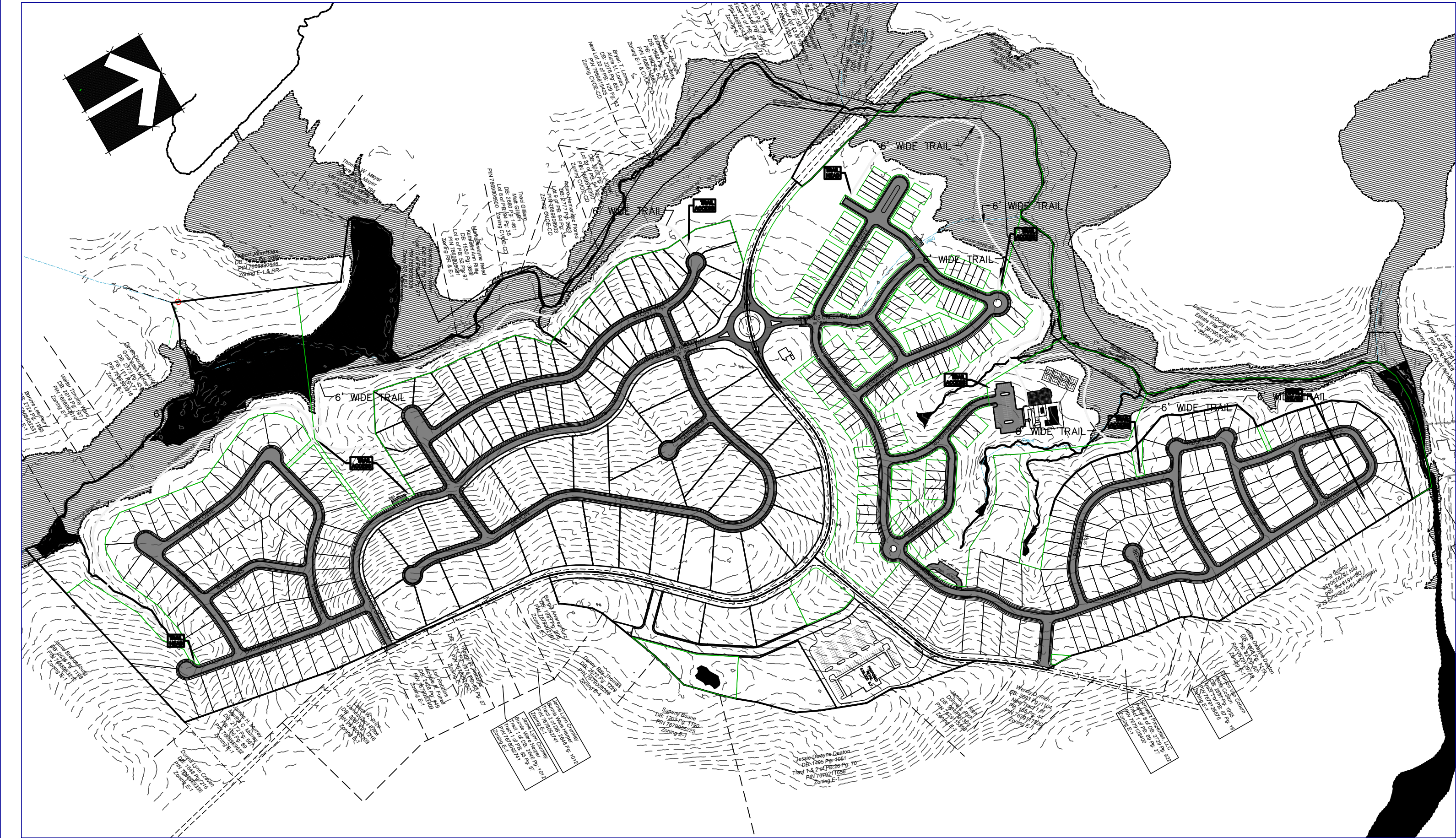
Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

Recommendation Staff supports the applicant's continuance request.

Rezoning Staff Report

Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)

Any conditions will be proposed prior to the June 5, 2023 Planning Board meeting.



PROJECT DATA

1. Subdivision Name: Richlands Creek
2. Developer:

The Turner Group, Inc.
Attn: Mr Bill Turner
410 Lakeshore Drive
Raleigh, NC 27609
(919) 369-3254
3. Current Owner:

Barbara Pugh Marsh
1105 16th Street
Port Royal, SC 29935
4. Engineering By:

Hiram J Marziano, PE
P.O. Box 278, Asheboro, NC 27204
(336) 493-4450
5. Environmental Consulting:

Pilot Enviromental, Inc.
PO Box 128
Kernersville, NC 27285
(336) 310-4527
6. Traffic Study:

Steven Epley, PE | Traffic Project Manager
DAVENPORT
4600 Marriott Drive, Suite 340
Raleigh, NC 27612
(919) 809-7006
7. Landscape Architect:

Tim Knowles, PLA
Landscape Architect
202 Cross Vine Lane
Greensboro, NC 27455
- 8 Project Surveyor:

Survey Carolina PLLC
154 S. Fayetteville Street, Suite B
Asheboro, NC 27203
(336) 625-8000

REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

SITE DATA SHEET

RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

Scale: 1" = 200'
Date: 04/13/2023
Drawn: TS
Checked: ---
Job No.:

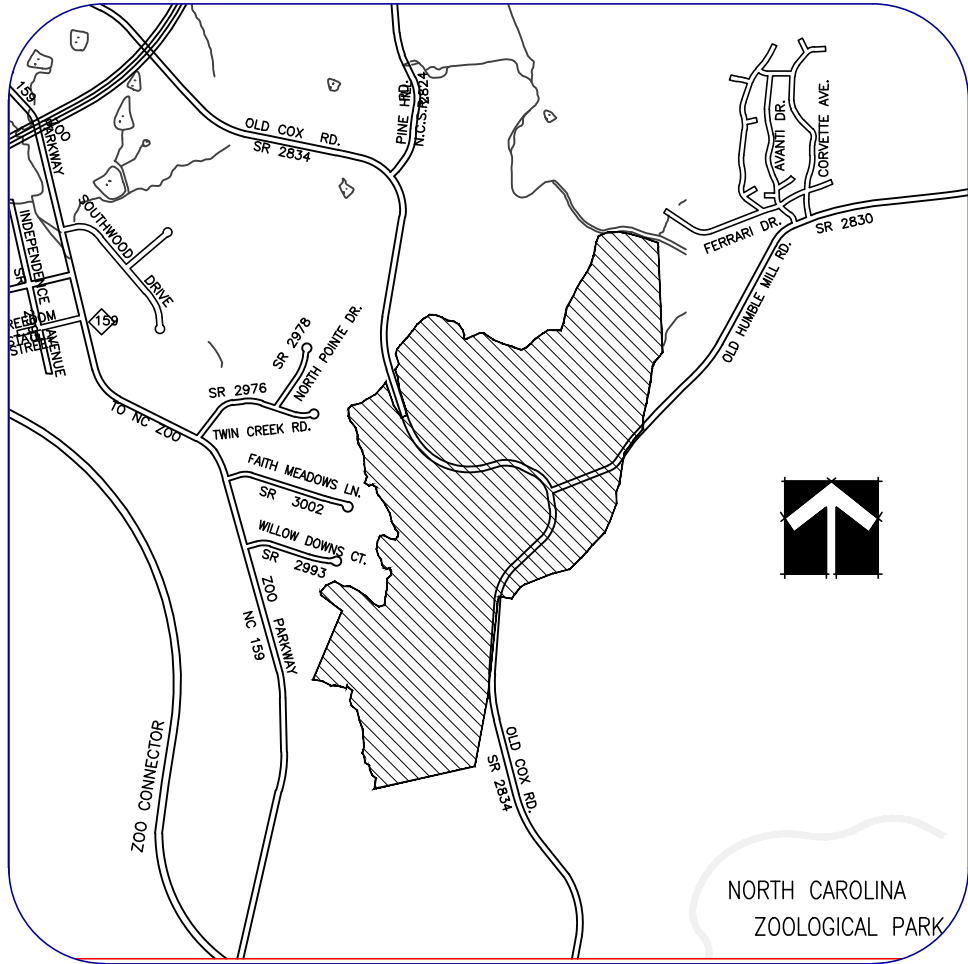
Sheet No.:

1

Of: 11 Version: 1

SITE DATA

1. Total Area = 240.921 Acres (10,494,516 Sq.Ft.)
Area in Existing R/W = 6.191 Acres (269.688 Sq.Ft.)
Area Net of Existing R/W: 234.730 Ac. (10,228,828 Sq.Ft.)
2. Total Number of Lots - 421 Total (415 Residential + 6 Commercial)
3. Lots per Acre - 1.75
4. Total Area in Lots - 118.267 Acres
5. Total Area in Parks & Open Space - 85.458 Acres
6. Area in Proposed R/W - 25.533 Acres
7. Linear Feet in Proposed Streets - 21,556
8. Deed Reference - D.B. 2663, Pg. 1409
9. Plat Reference - P.B. 71, Pg. 46
10. Tax Map No. - 7679024396, 7669905560, 7679008885
11. Existing Zoning - Randolph County Zone E-1,
Zoo Environmental Area
12. Proposed Zoning - City of Asheboro Zone - R15 - CZ
13. Parcel Location - Randolph County, Grant Township
14. Fire District - Eastside
15. Voting Districts: County Commissioner: District 5
NC Senate: District 29
NC House: District 78
US House: District 7
16. Water and Wastewater Services by the City of Asheboro
17. Portions of this site along Richland Creek and Vestal Creek are within
Flood Zone AE (1% Annual Chance Flood Plain).
Refer to FIRM Community Panel No. 3710767900J, DATED 1/12/08.
18. Detailed construction plans will be prepared to include:
 - Site grading, Erosion Control & Drainage Plans.
 - Street Plan & Profiles.
 - Water & Wastewater System Plans.
 - All supporting, appurtenant details & specifications necessary to meet regulatory requirements.
19. Water & Wastewater system plans will be submitted to regulatory agencies for obtaining necessary permits prior to construction.
20. Permits Include but may not be Limited to:
 - Asheboro planning, engineering & fire marshal
 - City of Asheboro relative to water & wastewater systems
 - NCDEQ- WS land quality for E&SC permitting
 - NCDEQ- WS for water system permitting
 - NCDOT for driveway permit and State Road design approval
 - US COE & NCDEQ for Wetland Mitigation
21. Infrastructure: Streets, Water, & Wastewater Systems to be public and maintained by the City of Asheboro.
22. Topographic data was obtained for NC One Map, DEM20 data.
Topography shown represents existing terrain.
Street grading plans will be prepared to meet NCDOT & Vity of Asheboro approval and standards.



Vicinity Map
Not to Scale

SKETCH PLAN SHEET INDEX

SHEET NO.	DESCRIPTION
1	PROJECT DATA & KEY MAP
2	OVERALL SITE MAP
3	AREA WEST OF OLD COX ROAD
4	AREA EAST OF OLD COX ROAD
5	PHASE 1A & 1B SKETCH PLAN
6	PHASE 2A SKETCH PLAN
7	PHASE 2B SKETCH PLAN
8	PHASE 3 SKETCH PLAN
9	PHASE 4A SKETCH PLAN
10	PHASE 4C SKETCH PLAN
11	TYPICAL LOT LAYOUT AND ROAD SECTIONS
12	



REVISIONS			
BY	DATE	DESCRIPTION	SYM.

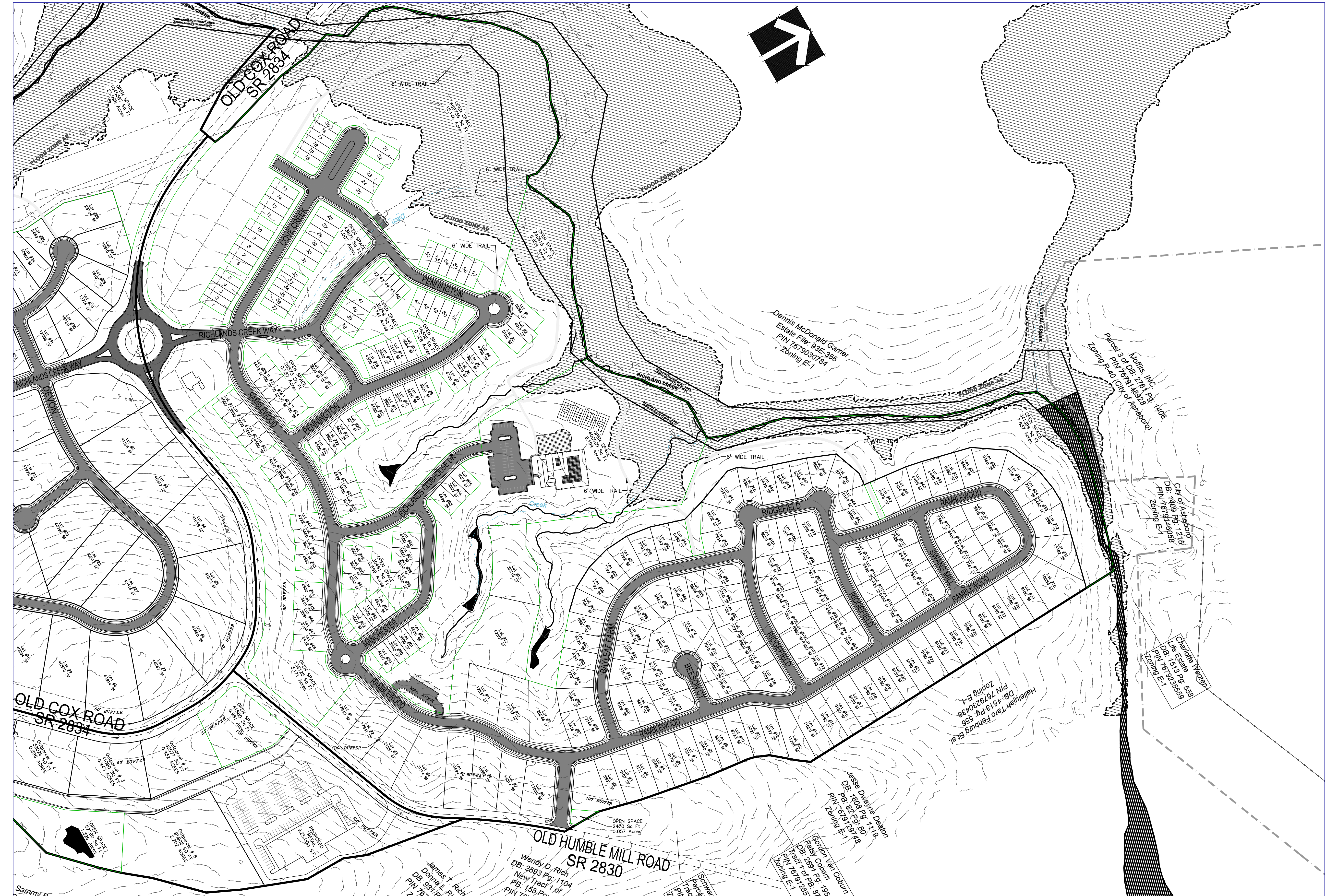
FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

OVERALL PROJECT LAYOUT

RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

Scale:	1" = 200'
Date:	04/13/2023
Drawn:	TS
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Job No.:	

Sheet No.:
2
Of: 11 Version: 1



REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
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NOT RELEASED
FOR CONSTRUCTION

SITE LAYOUT
PHASES 1 & 2

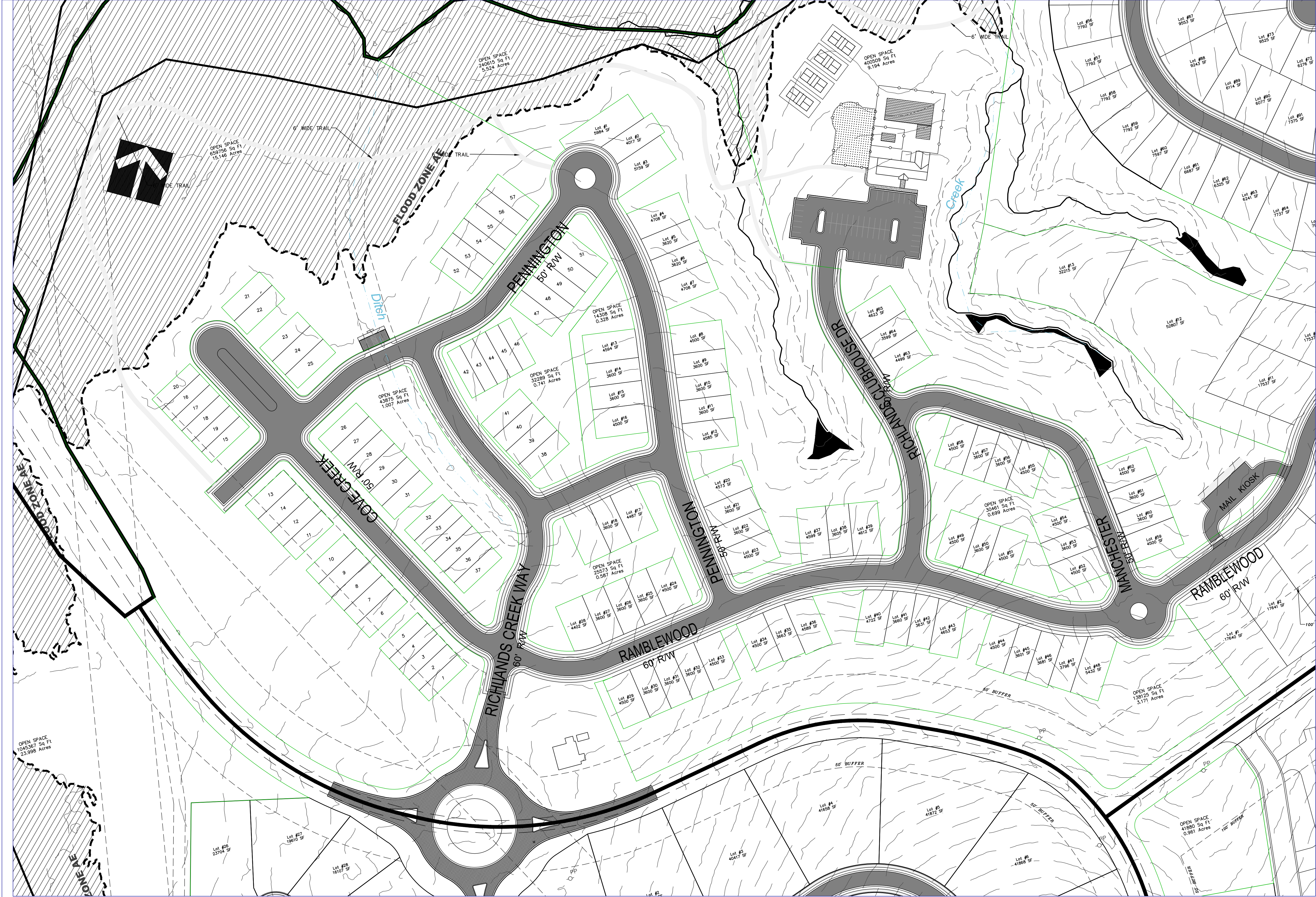
RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

Scale:	1" = 150'
Date:	04/13/2023
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Sheet No.:

4

Of: 12 Version: 1



Townhome & SFA Site Data:			
Total Area =	34.060 Acres		
Area in Townhome Lots:	3,454 Acres	150,300 Sq.Ft	
Number of Townhome Lots:	57		
Average Townhome Lot Size:	2,637 Sq.Ft.		
Area in SFA Lots:	6.197 Acres	269,927 Sq.Ft	
Number of SFA Lots:	65		
Average SFA Lot Size:	4,153 Sq.Ft.		
Open Space =	36.398 Acres	1,585,510 Sq.Ft.	
Area in R/W =	7.395 Acres	322,121 Sq.Ft.	
Linear Feet in Streets = 5,969			

REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

PHASE 1A & PHASE 1B
SKETCH PLAN

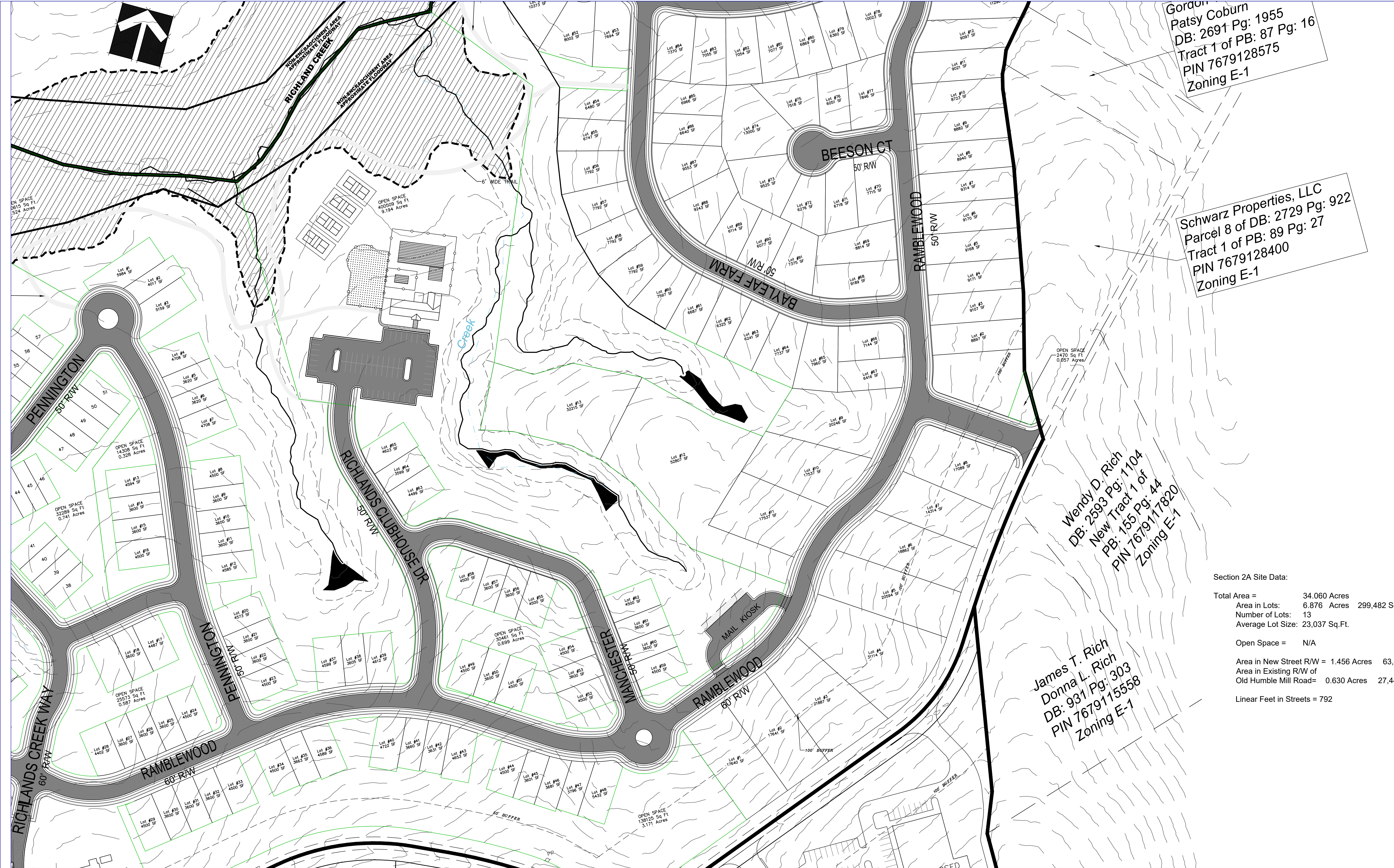
RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

Scale:	1" = 80'
Date:	04/13/2023
Drawn:	TS
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Sheet No.:

5

Of: 12 Version: 1



REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

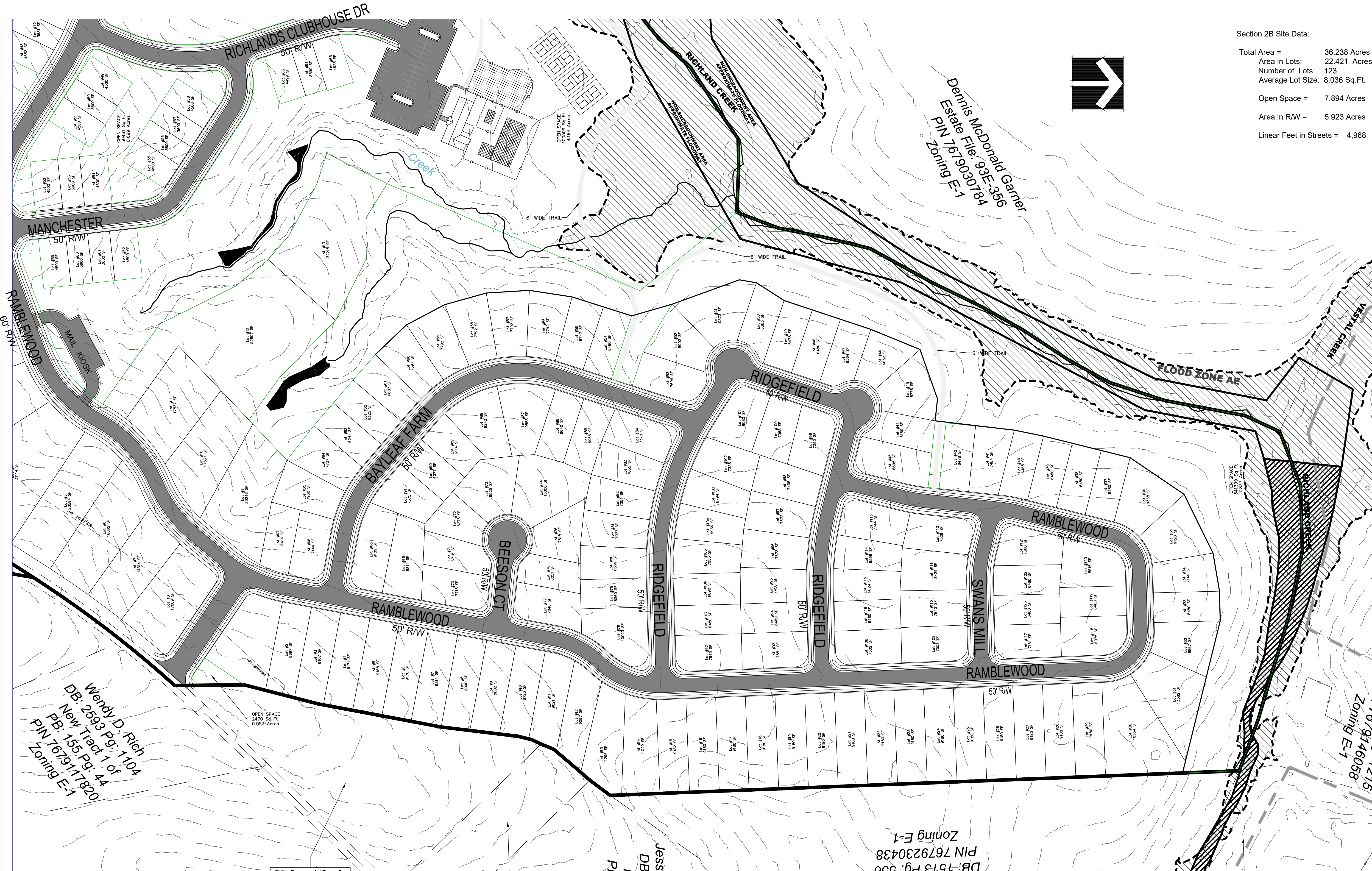
PHASE 2A
SKETCH PLAN

RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

Scale:	1" = 80'
Date:	04/13/2023
Drawn:	TS
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Job No.:	

Sheet No.:
6
Of: 12 Version: 1

Section 2A Site Data:			
Total Area =	34.060 Acres		
Area in Lots:	6.876 Acres	299,482 Sq.Ft	
Number of Lots:	13		
Average Lot Size:	23,037 Sq.Ft.		
Open Space =	N/A		
Area in New Street R/W =	1.456 Acres	63,432 Sq.Ft.	
Area in Existing R/W of Old Humble Mill Road=	0.630 Acres	27,443 Sq.Ft.	
Linear Feet in Streets =	792		



Section 2B Site Data:

Total Area =	36.238 Acres	
Area in Lots:	22.421 Acres	988,533 Sq.Ft
Number of Lots:	123	
Average Lot Size:	8,036 Sq.Ft.	
Open Space =	7.894 Acres	1,585,510 Sq.Ft.
Area in R/W =	5.923 Acres	258,125 Sq.Ft.
Linear Feet in Streets =	4,968	

REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

PHASE 2B
SKETCH PLAN

RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

Scale:	1" = 80'
Date:	04/13/2023
Drawn:	TS
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Job No.:	

Sheet No.:

7

Of: 12 Version: 1



Section 3 Site Data:

- 1. Total Area = 15,619 Acres
Area in Lots = 11,857 Acres 516,492 Sq.Ft
Open Space = 2,287 Acres 99,641 Sq.Ft.
Area in Ex. R/W = 1,475 Acres 64,167 Sq.Ft.
- 2. Total Number of Parcels - 6
- 3. Average Parcel Size - 86,082 Sq.Ft.
- 4. Linear Feet in Streets = N/A

REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

PHASE 3
SKETCH PLAN

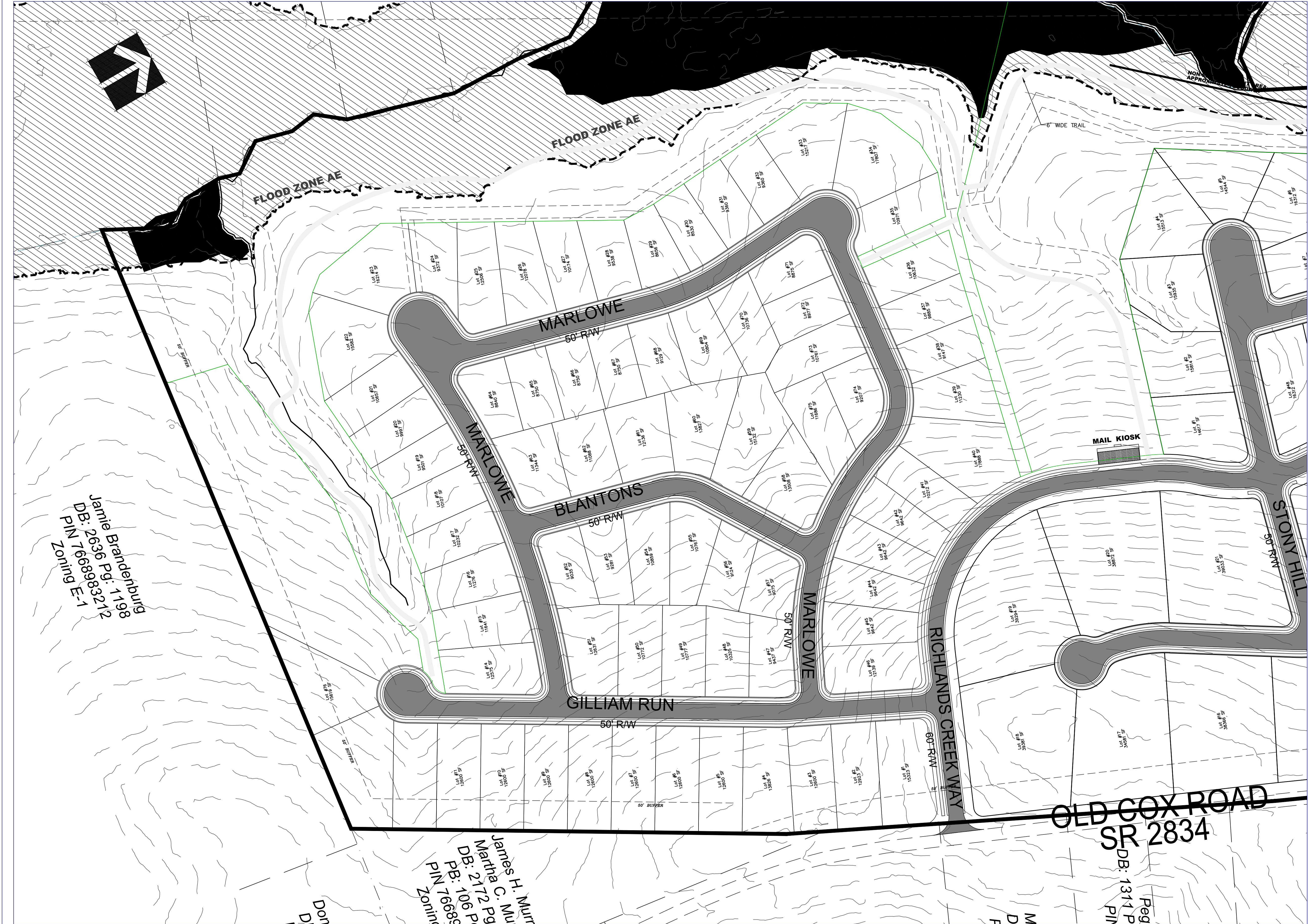
RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

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Job No.:	

Sheet No.:

8

Of: 12 Version: 1



- Section 1 Site Data:
- 1. Total Area = 47.290 Acres
Area in Lots = 21.860 Acres 952,381 Sq.Ft
Open Space = 14,881 Acres 648,196 Sq.Ft.
Area in R/W = 4.432 Acres 193,039 Sq.Ft.
 - 2. Total Number of Lots - 77
 - 3. Average Lot Size - 12,369 Sq.Ft.
 - 4. Linear Feet in Streets = 3,616

REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

PHASE 4A
SKETCH PLAN

RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

Scale:	1" = 80'
Date:	04/13/2023
Drawn:	TS
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Job No.:	

Sheet No.:
9
Of: 12 Version: 1



Section 4B Site Data:

1. Total Area =	41.867 Acres	
Area in Lots =	15.239 Acres	663,664 Sq.Ft
Open Space =	23.998 Acres	1,045,367 Sq.Ft.
Area in R/W =	2.630 Acres	114,553 Sq.Ft.
2. Total Number of Lots -	48	
3. Average Lot Size -	13,826 Sq.Ft.	
4. Linear Feet in Streets =	2,558	

REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

PHASE 4B
SKETCH PLAN

RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

Scale:	1" = 80'
Date:	04/13/2023
Drawn:	TS
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Job No.:	

Sheet No.:

10

Of: 12 Version: 1



Section 3 Site Data:

- 1. Total Area = 34.060 Acres
Area in Lots = 30.363 Acres 1,322,767 Sq.Ft.
Open Space = 0 Acres 0 Sq.Ft.
Area in R/W = 3.697 Acres 161,034 Sq.Ft.
- 2. Total Number of Lots - 32
- 3. Average Lot Size - 41,336 Sq.Ft.
- 4. Linear Feet in Streets = 3,653

REVISIONS			
BY	DATE	DESCRIPTION	SYM.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

PHASE 4C
SKETCH PLAN

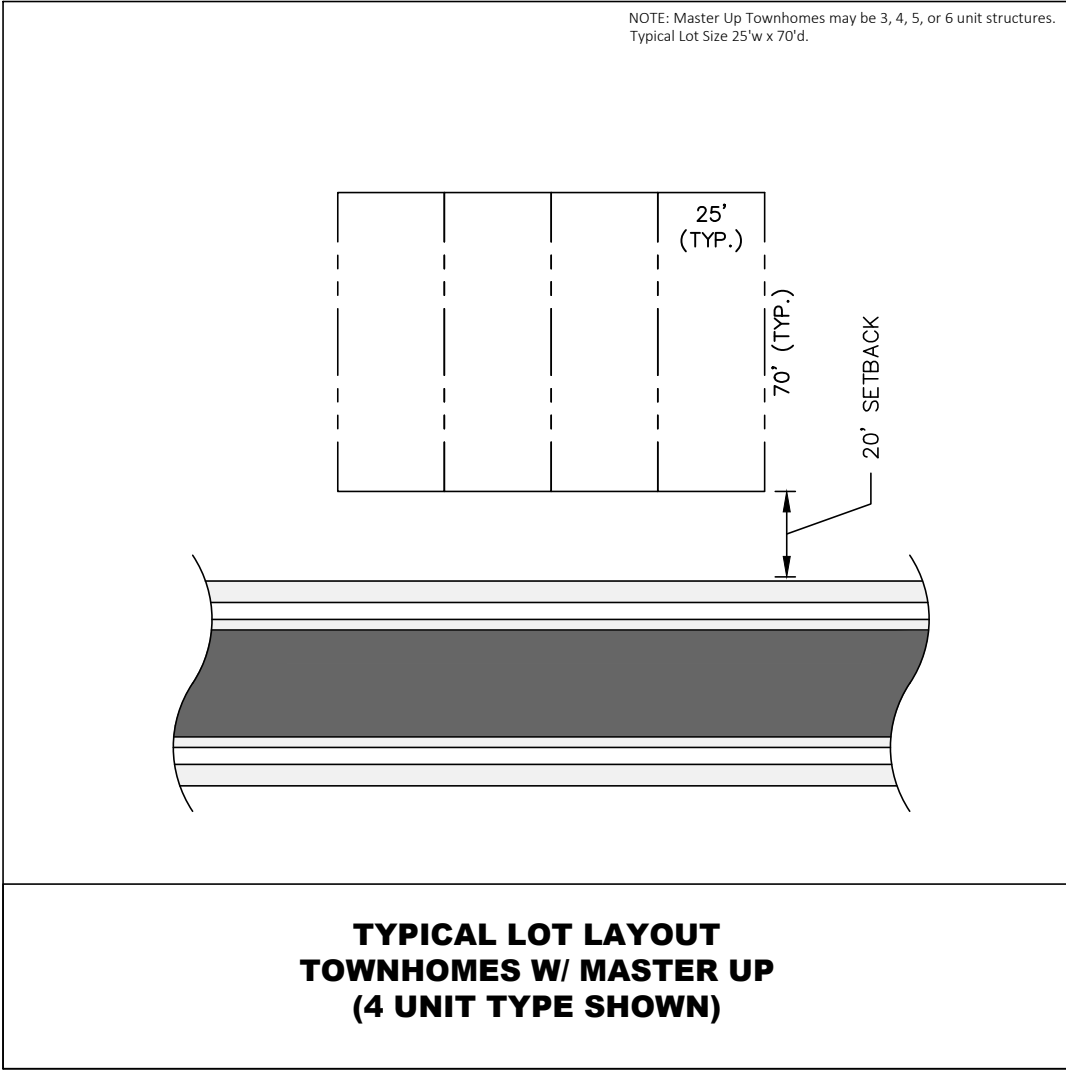
RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

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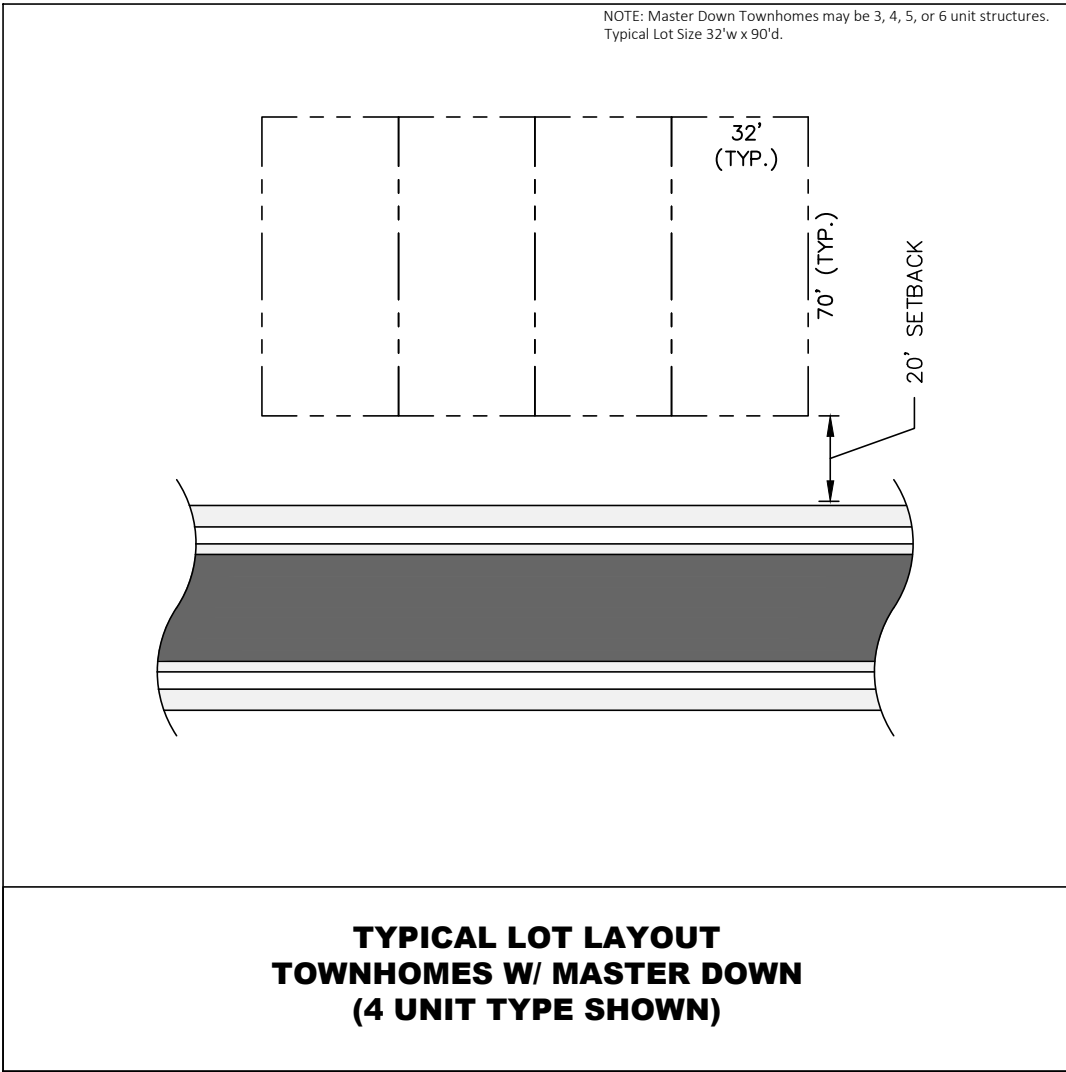
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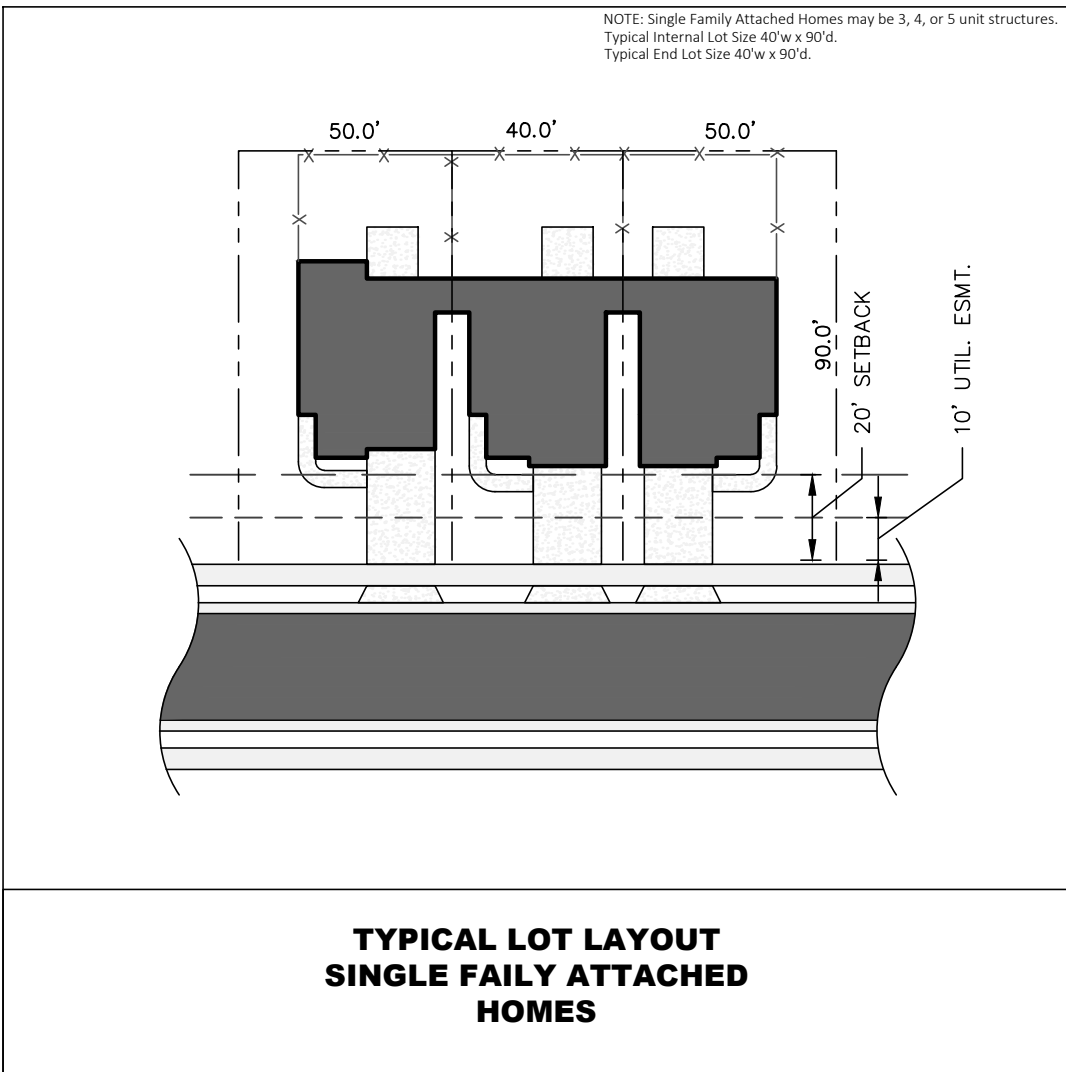
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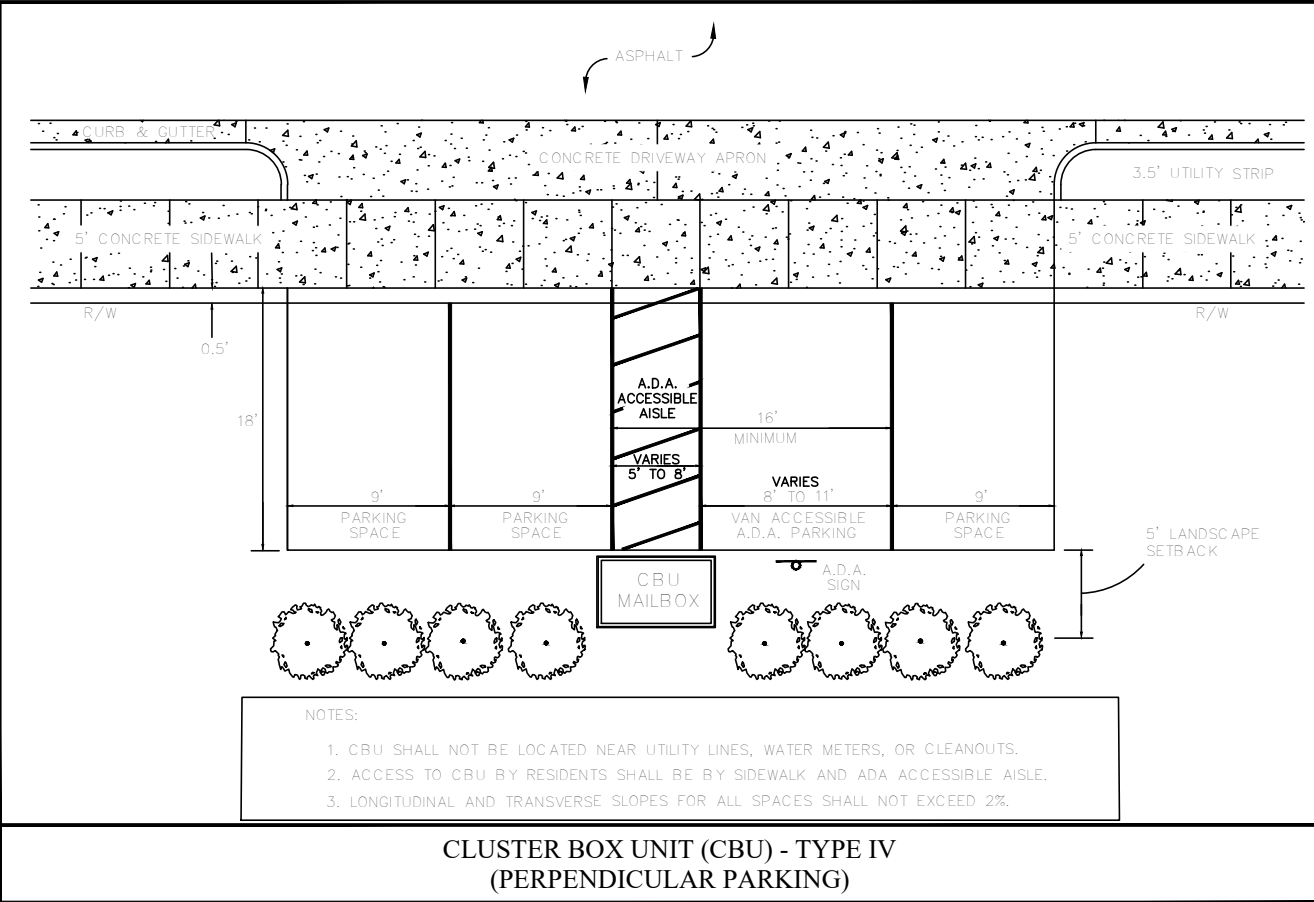
**TYPICAL LOT LAYOUT
TOWNHOMES W/ MASTER UP
(4 UNIT TYPE SHOWN)**



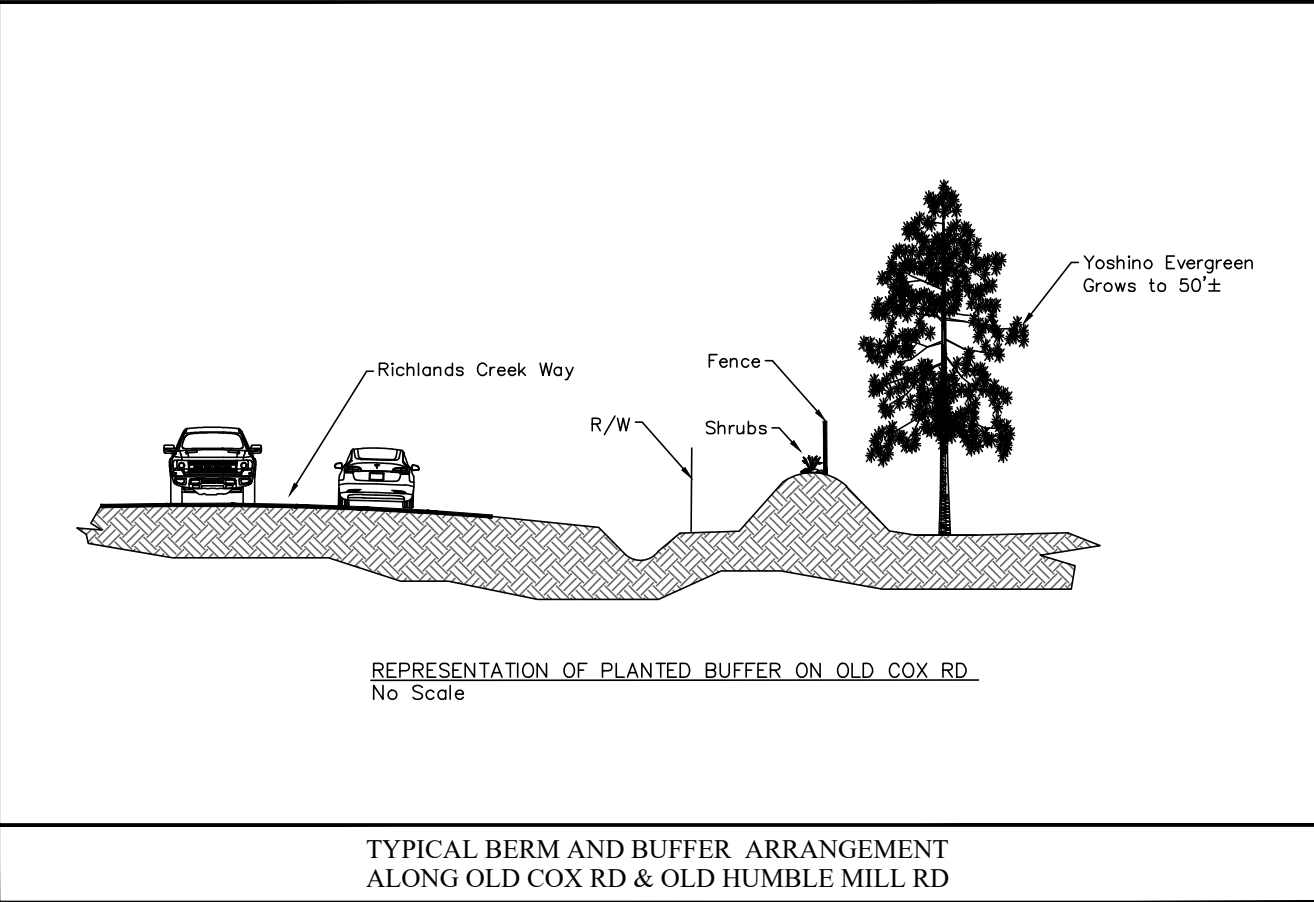
**TYPICAL LOT LAYOUT
TOWNHOMES W/ MASTER DOWN
(4 UNIT TYPE SHOWN)**



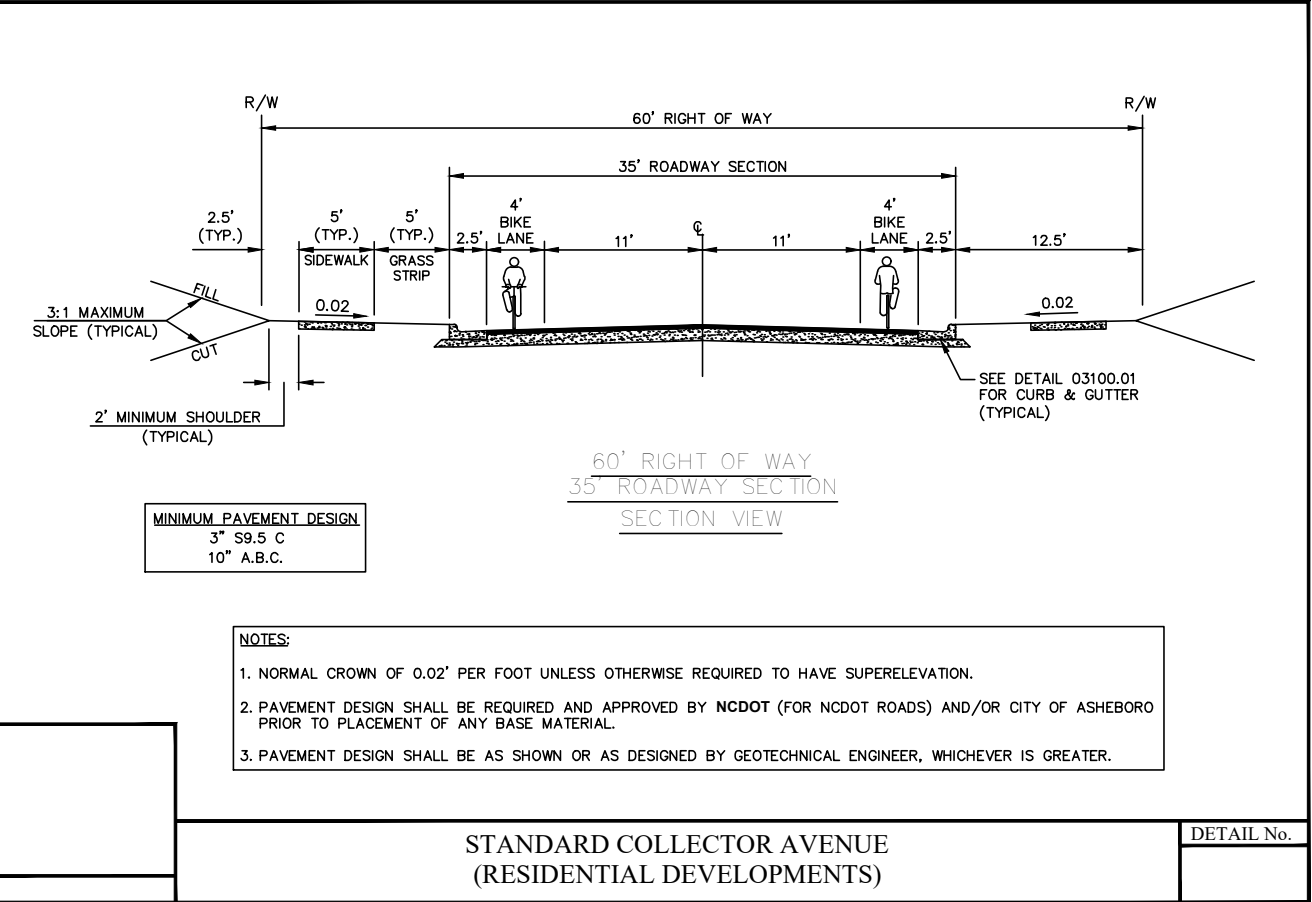
**TYPICAL LOT LAYOUT
SINGLE FAMILY ATTACHED
HOMES**



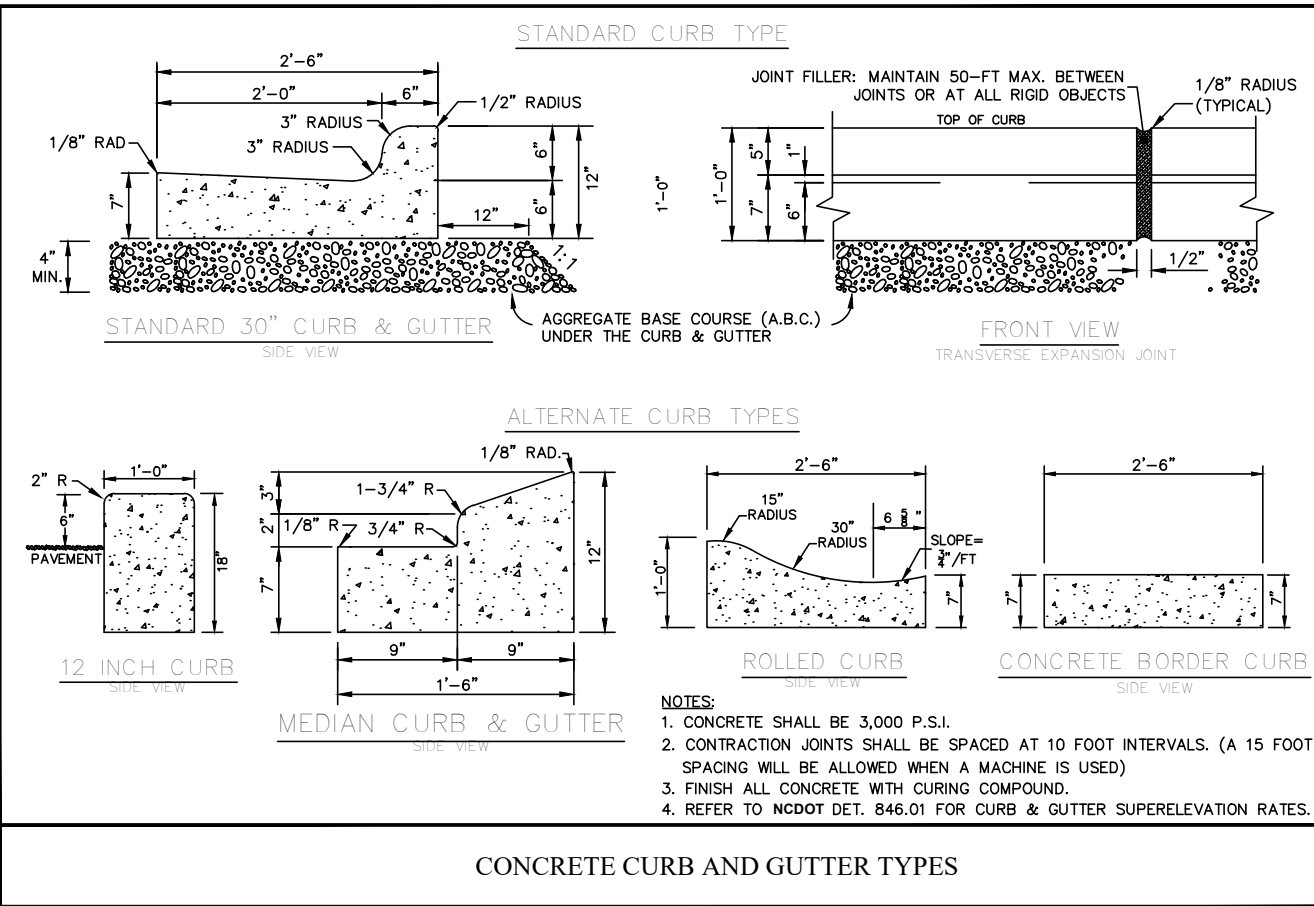
**CLUSTER BOX UNIT (CBU) - TYPE IV
(PERPENDICULAR PARKING)**



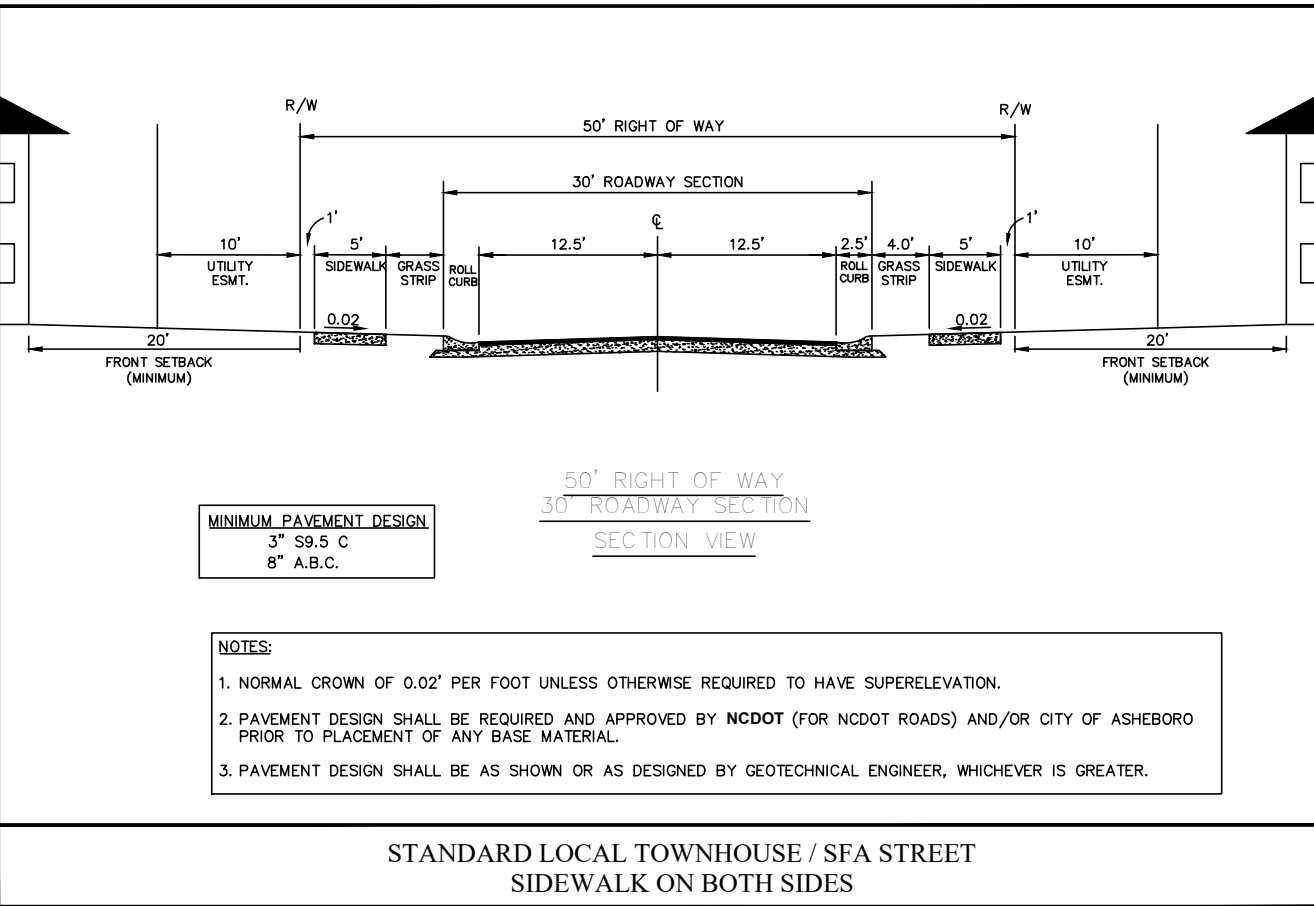
**TYPICAL BERM AND BUFFER ARRANGEMENT
ALONG OLD COX RD & OLD HUMBLE MILL RD**



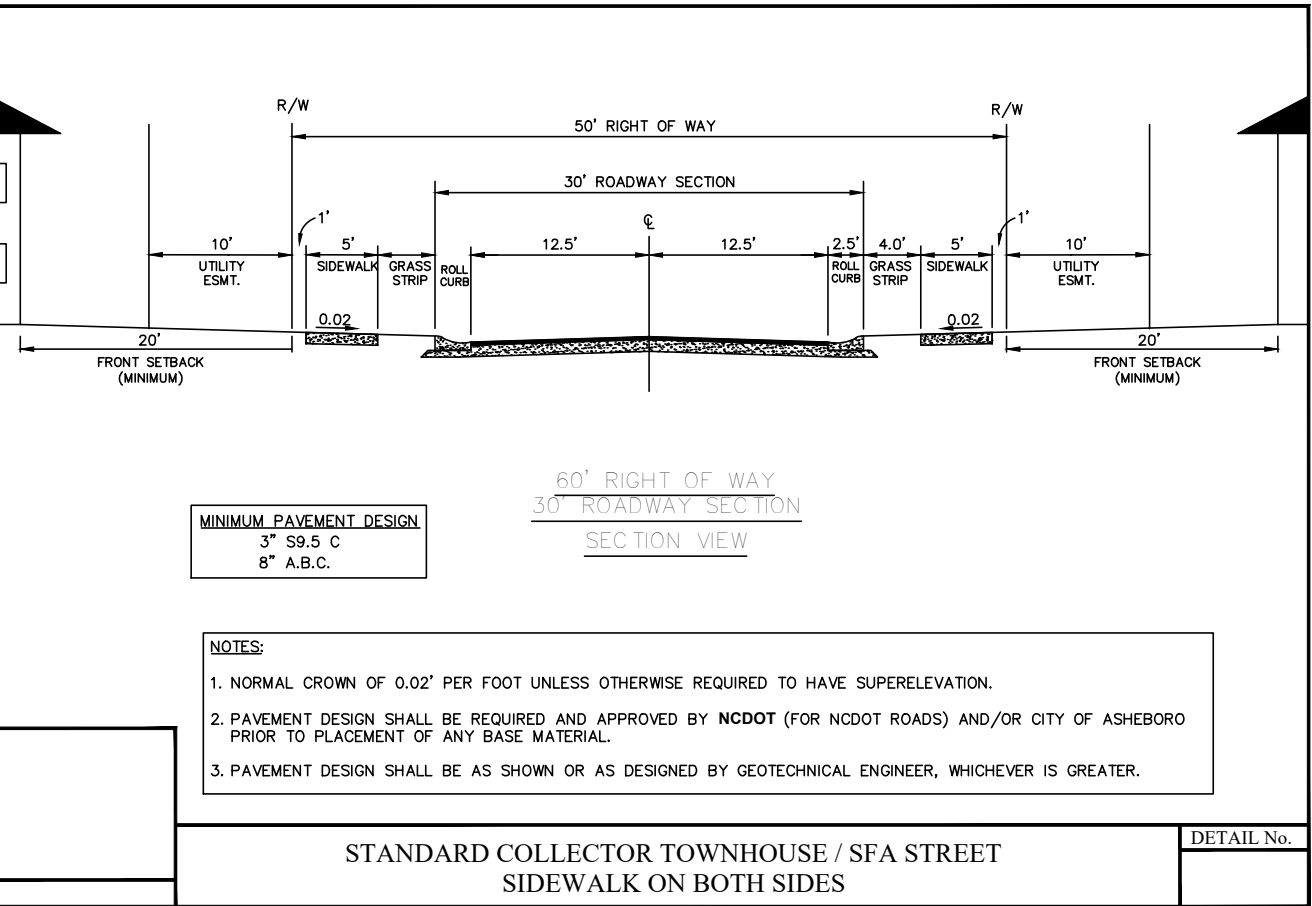
**STANDARD COLLECTOR AVENUE
(RESIDENTIAL DEVELOPMENTS)**



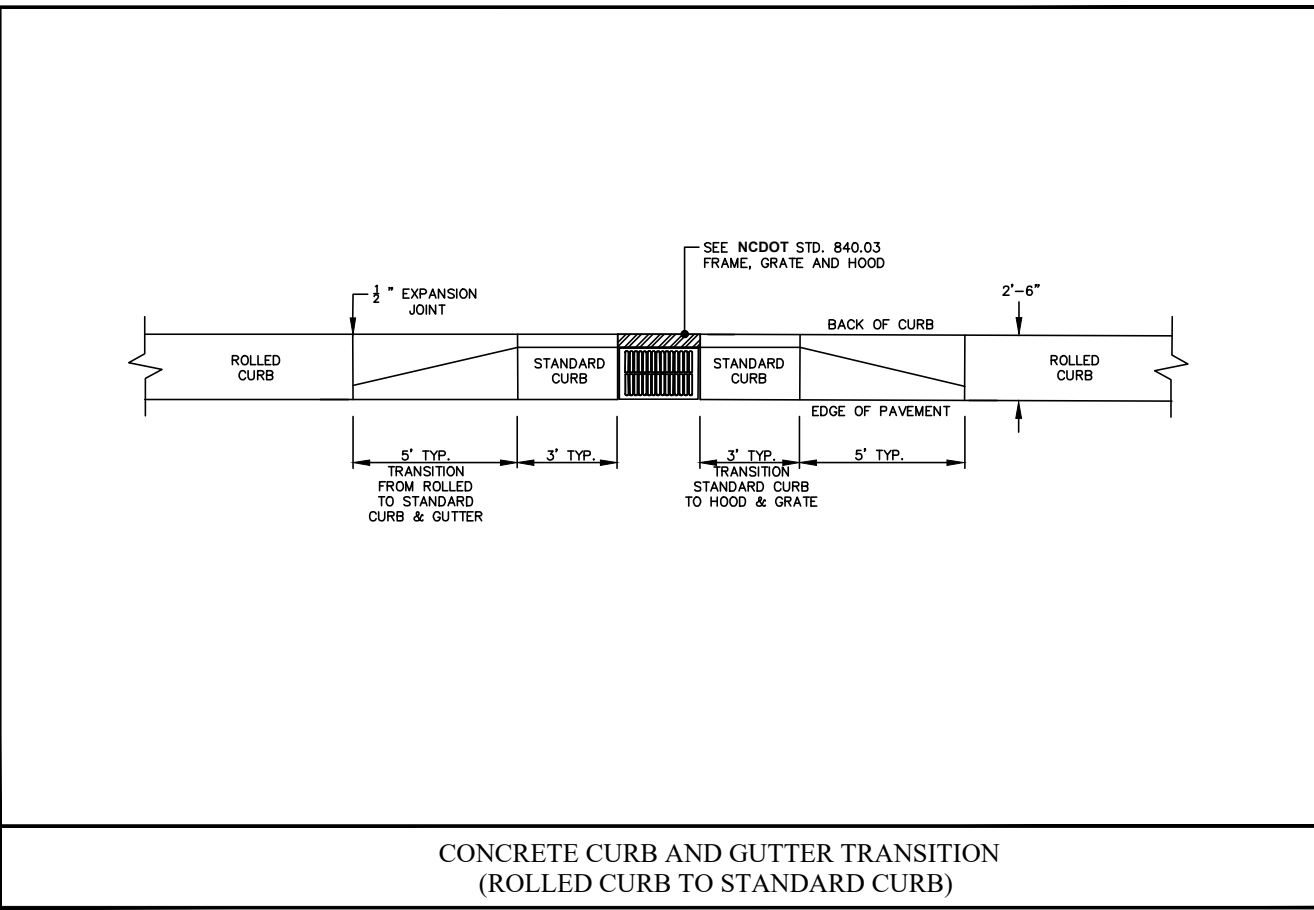
CONCRETE CURB AND GUTTER TYPES



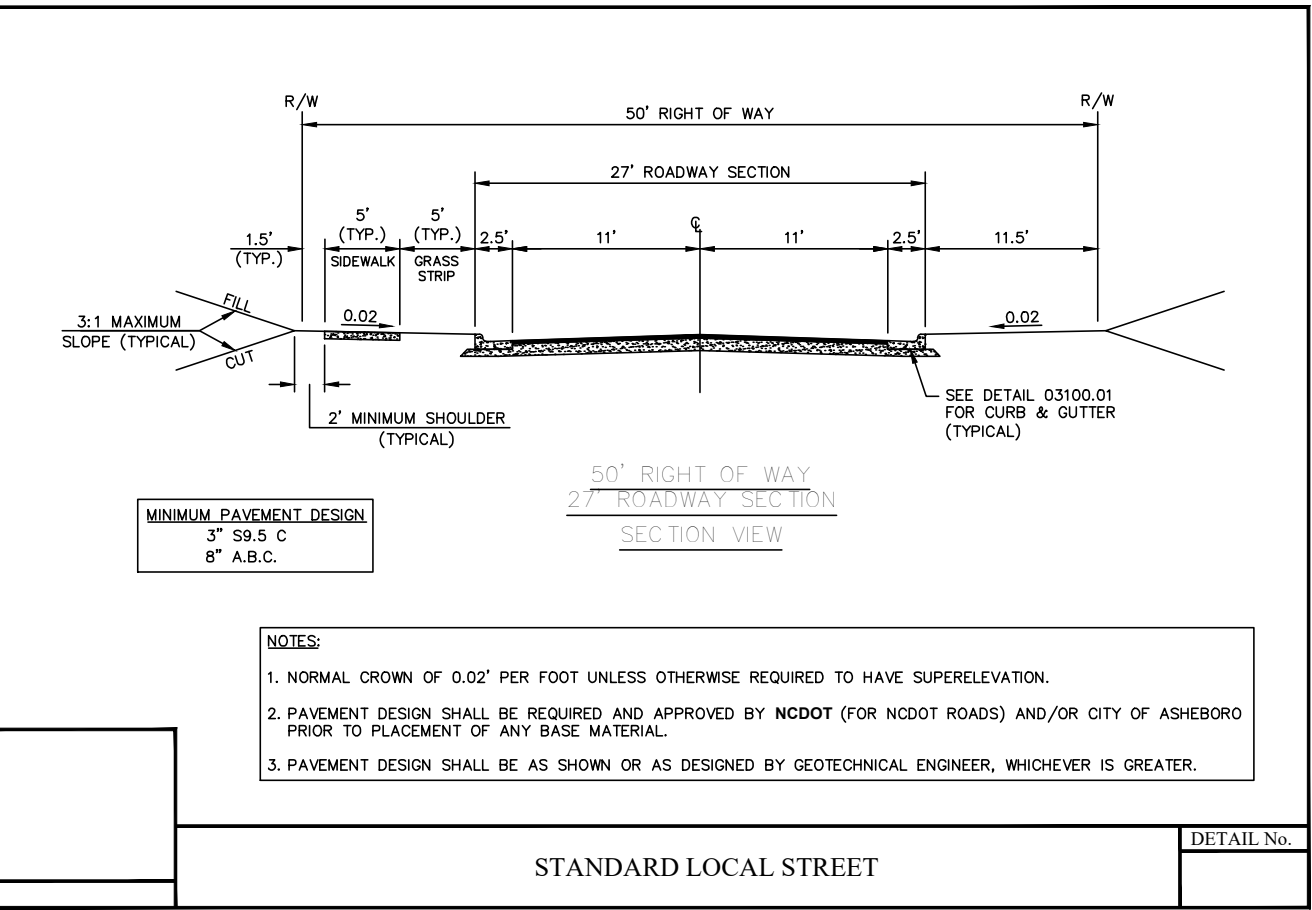
**STANDARD LOCAL TOWNHOUSE / SFA STREET
SIDEWALK ON BOTH SIDES**



**STANDARD COLLECTOR TOWNHOUSE / SFA STREET
SIDEWALK ON BOTH SIDES**



**CONCRETE CURB AND GUTTER TRANSITION
(ROLLED CURB TO STANDARD CURB)**



STANDARD LOCAL STREET

REVISIONS			
BY	DATE	DESCRIPTION	SYM.



CONSULTING, CIVIL ENGINEER
HIRAM J. ARZIANO, PE
PO Box 278, Asheboro, NC 27204 - (336)493-4450
hmarziano@triadbiz.rr.com

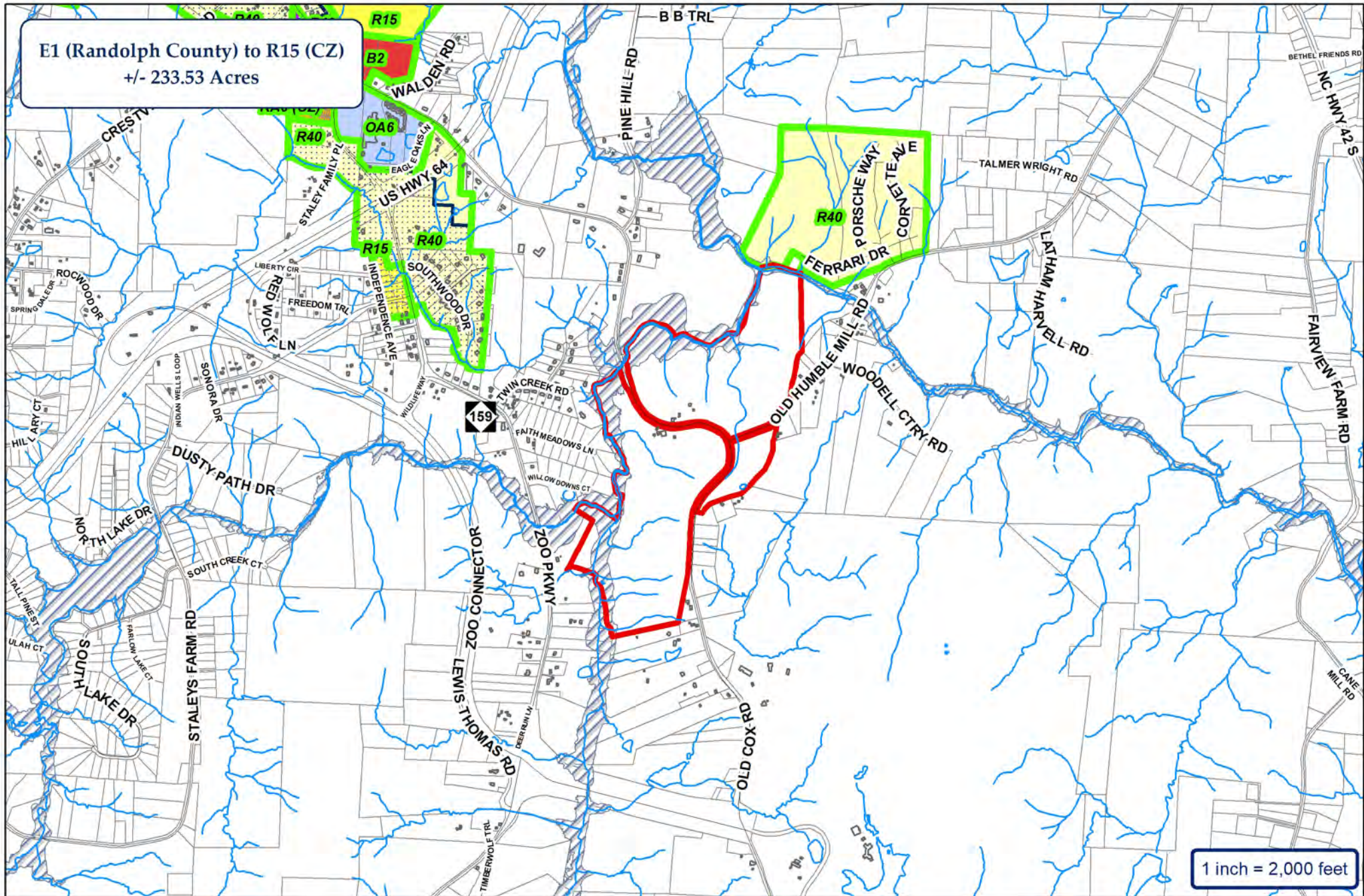
TYPICAL LOT LAYOUTS STREET TYPICAL SECTIONS

RICHLANDS CREEK DEVELOPMENT
CITY OF ASHEBORO
Randolph County, North Carolina

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Date:	04/13/2023
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Job No.:	

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12
Of: 12 Version: 1

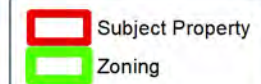
E1 (Randolph County) to R15 (CZ)
+/- 233.53 Acres



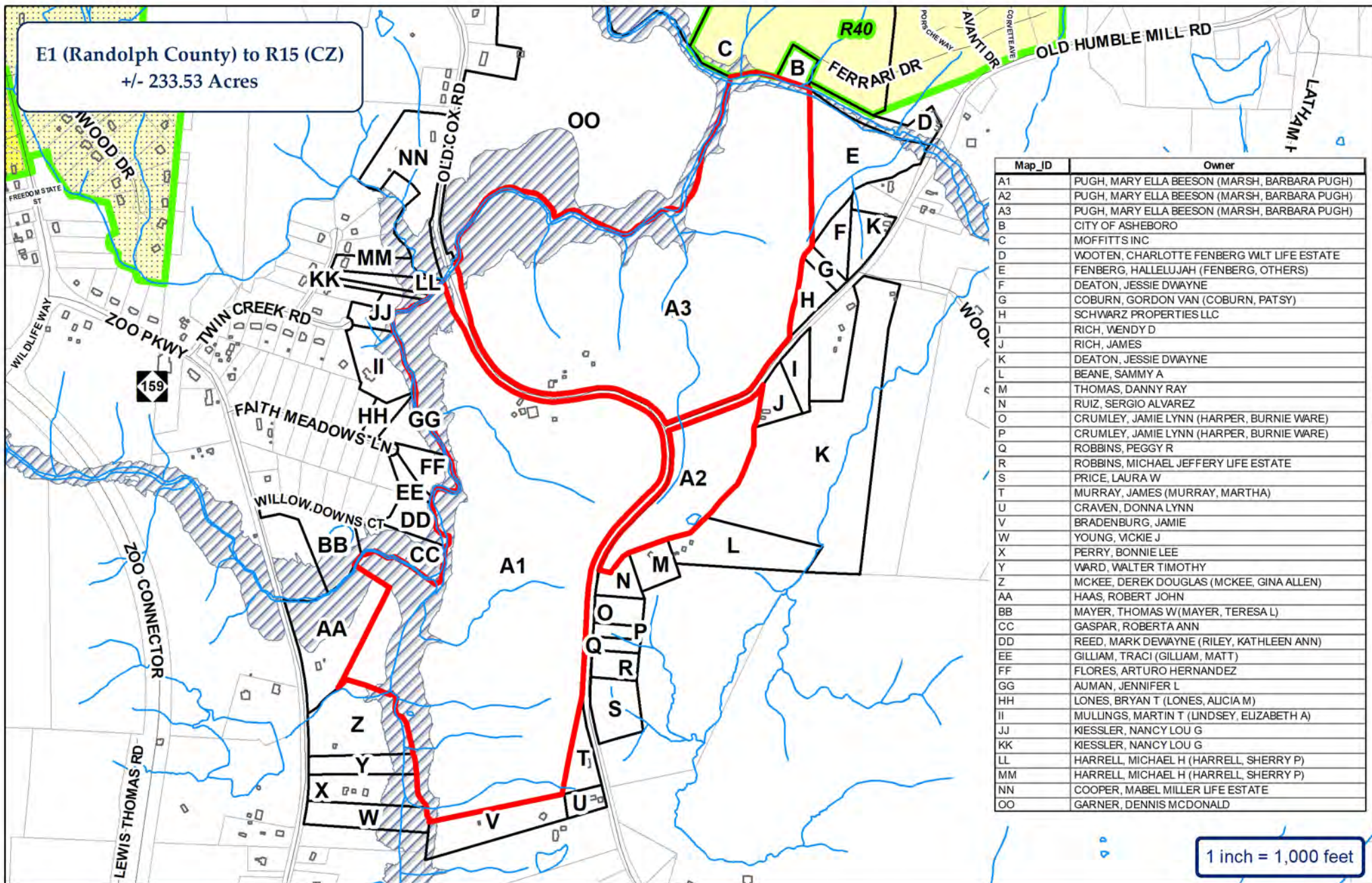
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-05

Parcels: 7669905560, 7679024396 & 7679008885



E1 (Randolph County) to R15 (CZ)
+/- 233.53 Acres



Map_ID	Owner
A1	PUGH, MARY ELLA BEESON (MARSH, BARBARA PUGH)
A2	PUGH, MARY ELLA BEESON (MARSH, BARBARA PUGH)
A3	PUGH, MARY ELLA BEESON (MARSH, BARBARA PUGH)
B	CITY OF ASHEBORO
C	MOFFITT'S INC
D	WOOTEN, CHARLOTTE FENBERG WILT LIFE ESTATE
E	FENBERG, HALLELUJAH (FENBERG, OTHERS)
F	DEATON, JESSIE DWAYNE
G	COBURN, GORDON VAN (COBURN, PATSY)
H	SCHWARZ PROPERTIES LLC
I	RICH, WENDY D
J	RICH, JAMES
K	DEATON, JESSIE DWAYNE
L	BEANE, SAMMY A
M	THOMAS, DANNY RAY
N	RUIZ, SERGIO ALVAREZ
O	CRUMLEY, JAMIE LYNN (HARPER, BURNIE WARE)
P	CRUMLEY, JAMIE LYNN (HARPER, BURNIE WARE)
Q	ROBBINS, PEGGY R
R	ROBBINS, MICHAEL JEFFERY LIFE ESTATE
S	PRICE, LAURA W
T	MURRAY, JAMES (MURRAY, MARTHA)
U	CRAVEN, DONNA LYNN
V	BRADENBURG, JAMIE
W	YOUNG, VICKIE J
X	PERRY, BONNIE LEE
Y	WARD, WALTER TIMOTHY
Z	MCKEE, DEREK DOUGLAS (MCKEE, GINA ALLEN)
AA	HAAS, ROBERT JOHN
BB	MAYER, THOMAS W (MAYER, TERESA L)
CC	GASPAR, ROBERTA ANN
DD	REED, MARK DEWAYNE (RILEY, KATHLEEN ANN)
EE	GILLIAM, TRACI (GILLIAM, MATT)
FF	FLORES, ARTURO HERNANDEZ
GG	AUMAN, JENNIFER L
HH	LONES, BRYAN T (LONES, ALICIA M)
II	MULLINGS, MARTIN T (UNDSEY, ELIZABETH A)
JJ	KIESSLER, NANCY LOU G
KK	KIESSLER, NANCY LOU G
LL	HARRELL, MICHAEL H (HARRELL, SHERRY P)
MM	HARRELL, MICHAEL H (HARRELL, SHERRY P)
NN	COOPER, MABEL MILLER LIFE ESTATE
OO	GARNER, DENNIS McDONALD

1 inch = 1,000 feet



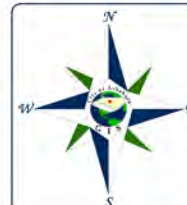
ETJ

City of Asheboro Planning & Zoning Department

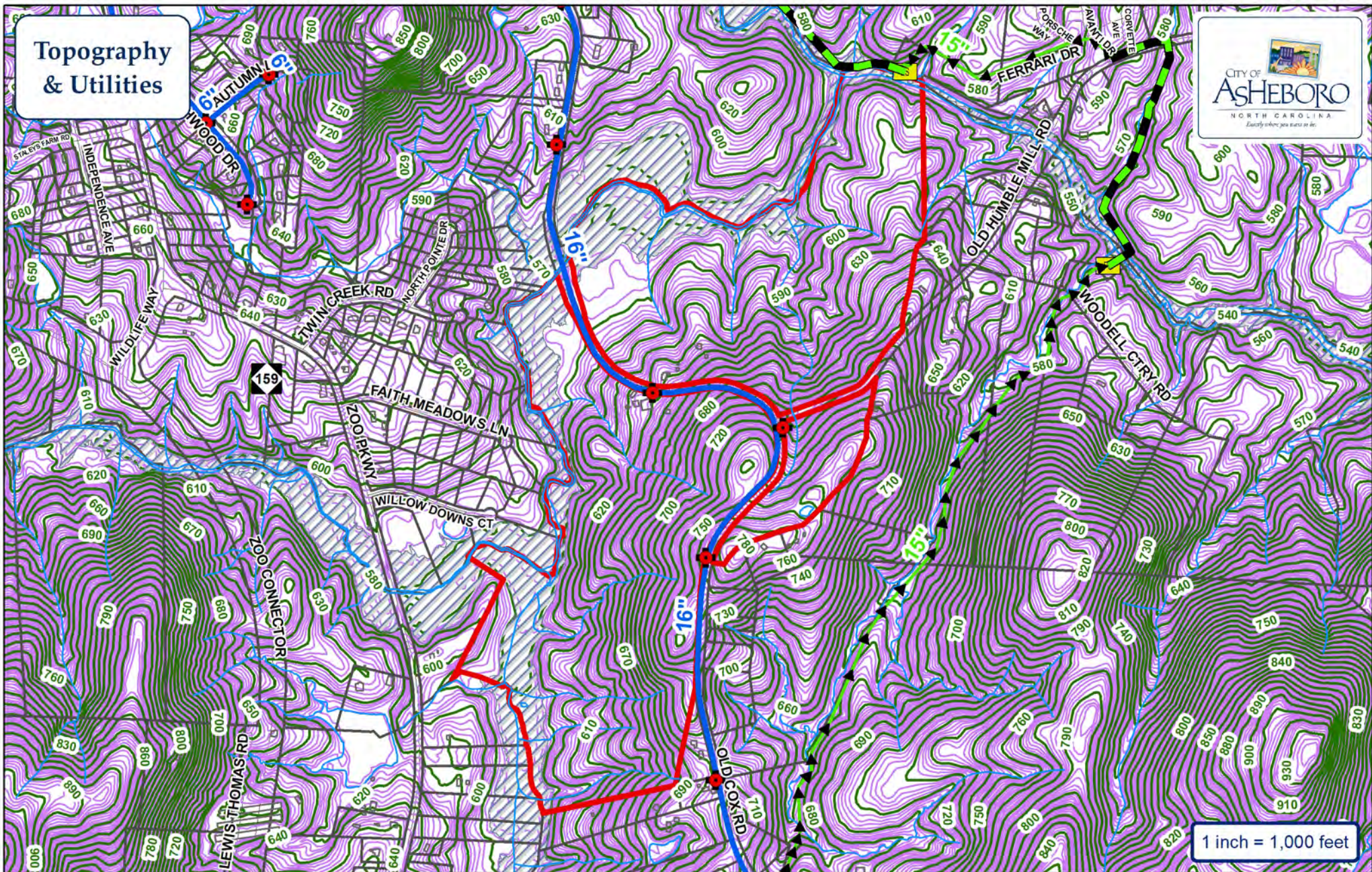
Rezoning Case: RZ-23-05

Parcels: 7669905560, 7679024396 & 7679008885

- Subject Property
- Adjoining Properties
- City Zoning



Topography & Utilities



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

City of Asheboro Planning & Zoning Department

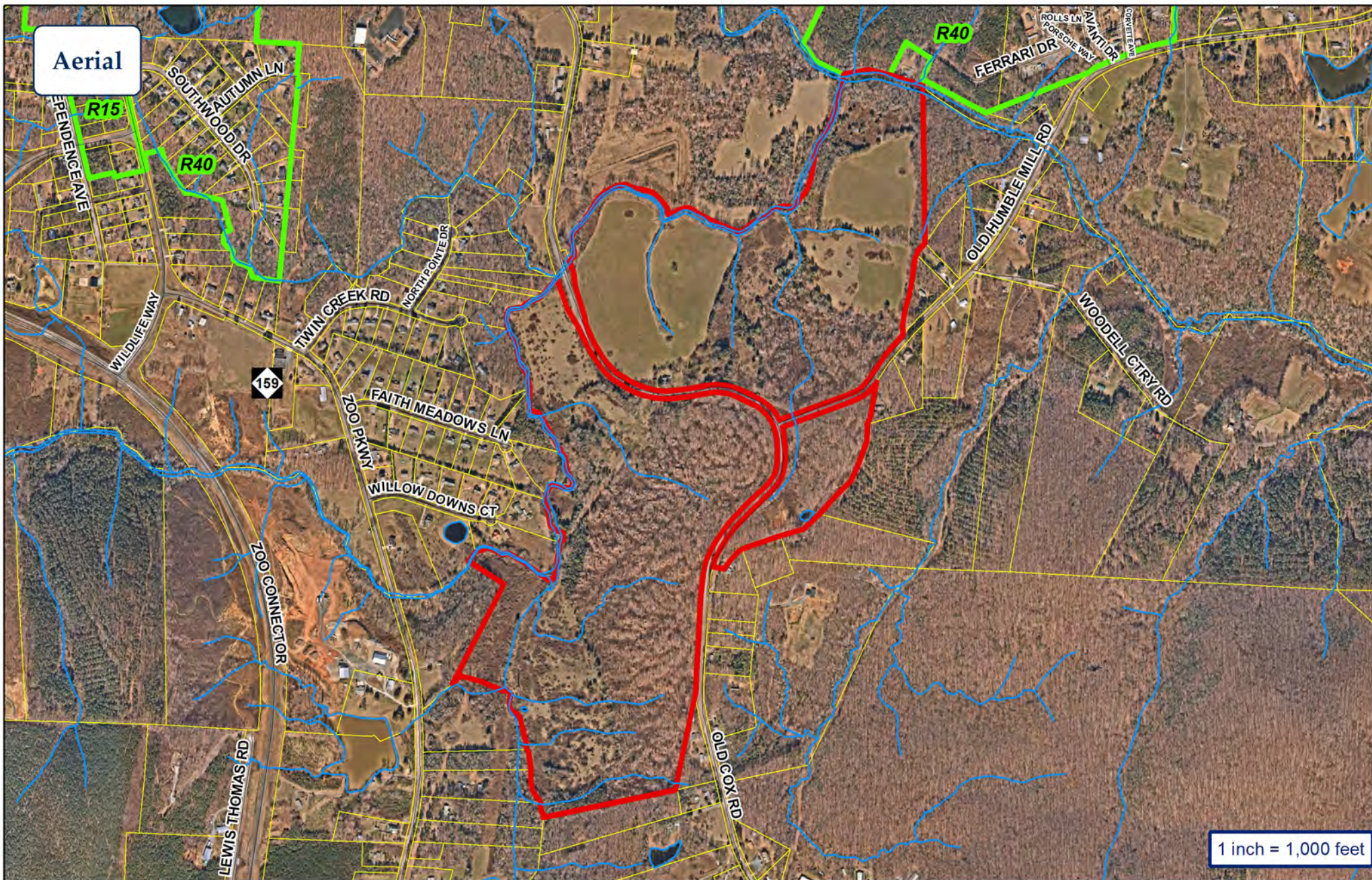
Rezoning Case: RZ-23-05

Parcels: 7669905560, 7679024396 & 7679008885

 Subject Property



1 inch = 1,000 feet



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-05

Parcels: 7669905560, 7679024396 & 7679008885



limitation, the North Carolina Department of Transportation and the North Carolina Department of Environmental Quality.

APPLICANT INFORMATION

Applicant William L. Turner III Applicant's Phone # 919-369-3254

Applicant's Address 410 Lakestone Dr.
Raleigh, NC 27609

Applicant email address bturner@robuckhomes.com

PROPERTY INFORMATION

Property Owner's Name Mary Ella Pugh, Barbara Marsh, Susan Hash, Joyce Morgan

Location of Property Old Cox Rd/Old Humble Mt Property Size (ac) or s.f.) 233.53

Randolph County Property Identification Number (PIN#) 7679024396, 766905560, 767900885

Current Zoning District E-1-CVOE-CD Requested Zoning District R1SC7

Date Property Title Acquired 8/22/19 Deed Book 2663 Page 1409
2663 1411

Subdivision _____ Section _____ Lot # _____

Plat Book 71 Page 46

CONDITIONAL ZONING DISTRICT INFORMATION (Attach additional sheets if necessary)

1. Application is hereby made to the City of Asheboro for a Conditional Zoning District for the following purpose:

Constructing a development of a residential
subdivision of various types of residences and a
small commercial area.

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

The development is being done in accordance with the Land Development as may be modified by the CZ suffix.

For questions (3) and (4), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

3. 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.

Does not apply ☒

4. 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?

Does not apply ☒

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

The current prospect for the City of Asheboro for their current environs is expected to receive residential growth in the foreseeable future that require projects such as this to help meet that growth.

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 a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

Applicant Signature

Wallis I Turner III
President

Printed Name of Authorized Signatory (if
different from Applicant)

Position/Relationship of Authorized
Signatory to Applicant

Owner Signature (if different than Applicant)

Mary Elle Brown Pugh

Owner Address

1038 Redding Rd.
Asheboro NC 27203

Telephone Number

Printed Name of Authorized Signatory (if
different from Owner)

Position/Relationship of Authorized
Signatory to Owner

STAFF USE

Received by: TLE Date: 4-14 Case Number: RZ-23-05

APPLICATION SIGNATURES

Owners Signature Page Extended

Susan Pugh Hash

Barbara P. Marsh

Barbara Pugh Marsh

Joyce Pugh Morgan

Owners Signature Page Extended


Susan Pugh Hash

Barbara Pugh Marsh

Joyce Pugh Morgan



APPLICATION SIGNATURES

Owners Signature Page Extended

Susan Pugh Nash

Barbara Pugh Marsh

Joyce Pugh Morgan
Joyce Pugh Morgan

**CITY OF ASHEBORO
NOTICE OF CONDITIONAL ZONING DISTRICT HEARING**

This is to notify you that I (we) The Turner Group, Inc. have filed an application with the City of Asheboro for a Conditional Zoning District for the property located at Old Cox Rd. & Old Humble Mill for the purpose of developing the property for residential use

On May, 1st, 2023, at 7:00 PM, the Planning Board will review the Conditional Zoning District request and forward its recommendation to City Council. As part of this process, you and others will have an opportunity to speak concerning the request and offer input.

On Thursday, June 8th, 2023, at 7:00 pm the City Council will hold a public hearing on the Conditional Zoning District request. As part of this process, you and others again will have an opportunity to speak concerning the request and offer input.

The meetings will be held in the City Council Chambers, 146 North Church Street, Asheboro, NC. The Council, after considering the information/testimony presented during the public hearing and reviewing the report of the Planning and Zoning Department and recommendation of the Planning Board, will take action on the application. Such action may include approval of the request, referral back to the Planning Board, denial of the request, or approval of a modified version of the request on the basis of the Council's determination that such action is reasonably necessary to promote the public health, safety, or general welfare and to achieve the purposes of the adopted Land Development Plan. The meeting is open to the public and your participation is encouraged. If you have any questions, please contact the Planning and Zoning Department at 336-626-1201 Ext. 225. In addition, you may contact me (or my representative) Hiram Marziano at 336-493-4450.



RZ-23-06: An application to rezone property located south of 1195 Pineview Road (Randolph County Parcel Identification Number 7753354982) from B2 (CZ) General Commercial Conditional Zoning to R10 (CZ) Medium-Density Conditional Zoning for a Residential Planned Unit Development, including a special intensity allocation within the Back Creek Watershed (Balance).

Staff Report

Rezoning Staff Report

RZ Case # RZ-23-06

Date May 1, 2023 Planning Board

General Information

Applicant Terry Tucker

Address 465 Lewallen Road

City Asheboro NC 27205

Phone 336-669-6427

Location Pineview Road at I-73/74

Requested Action Rezone from B2 (CZ) General Commercial Conditional Zoning to R10 (CZ) Conditional Zoning for the purpose of a Residential Planned Unit Development, including a special intensity allocation within the Back Creek Watershed (Balance)

Existing Zone B2 (CZ)

Existing Land Use Undeveloped

Size 13.37 acres +/-

Pin # 7753354982

Applicant's Reasons as stated on application

Construction of 21 residential duplexes. Project will provide affordable housing for citizens of Asheboro.[Staff note: the units are proposed to sit on subdivided lots and are considered attached single-family dwellings. A total of 44 units are proposed].

Surrounding Land Use

North Congregate Living Facility

East I-73/74

South Undeveloped

West Low-Density Residential

Zoning History Case No. CUP-00-11: The property was rezoned from I-2 to B2 (CZ) in 1999. This included approval of the adjoining congregate living facility but no corresponding approved use on the subject property.

Legal Description

The property of Clayton Terry Tucker, located immediately south of 1195 Pineview Road, approximately 950 feet south of Pineview Road, along the west side of I-73/74, totaling approximately 13.37 acres +/-, more specifically identified by Randolph County Parcel Identification Number 7753354982.

Analysis

1. The property is located south of Pineview Rd., a minor thoroughfare adjacent to the interchange of I-73/74. Access to the property is provided via a private driveway that extends from Pineview Rd. and also provides access to the adjoining congregate living facility.
2. The property is currently inside the city limits. City services are available to serve the site.
3. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes permitted uses, development conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance's predetermined land use requirements. A primary deviation identified is that the property does not have direct access to a public street. The project is proposed to be served via a private paved drive that is approximately 20 feet in width and which currently provides primary access to the adjacent institutional facility.
4. The property is within the Back Creek Watershed Balance (non-critical) area.
5. This type of residential project is limited to a total built-upon area of 12% under existing regulations. The project proposes a built-upon area of approximately 25% based on data presented. As of April 27, 2023, staff has requested and is awaiting confirmation of the precise built-upon area on the subject parcel.
6. Under the current code, non-residential projects are eligible to seek a special intensity allocation (SIA) that can authorize development with built-upon areas of up to 70% if certain criteria are met. The ability to grant a SIA, though, is limited to no more than 10% of the city's jurisdictional watershed area. An SIA for this project would utilize approximately 5% of the remaining allocatable acreage.
7. The applicant has filed a text amendment (RZ-23-04) seeking to allow residential projects to apply for a SIA within non-critical watershed areas. This rezoning application is not approvable, as presently proposed, unless that text amendment is approved.
8. The R10 Residential District is 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.
9. The requested R10 (CZ) district would allow 44 attached single-family dwellings contained in 22 structures and grant a special intensity allocation for any proposed built-upon area exceeding 12%. The project density equals approximately 3.39 dwellings per acre when accounting for right-of-way area, a density that is consistent with the proposed R10 district.
10. As of April 26, 2023, staff has returned comments and requested additional information from the designer. Details regarding

Rezoning Staff Report

utilities, proposed landscaping, building design, solid waste disposal plans. and other matters are expected to be submitted.

RZ Case # RZ-23-06

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	Northwest
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

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

Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance.

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-23-06**

LDP Goals/Policies Which Do Not Support Request

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

Checklist Item 12: Rezoning is located within watershed.

Checklist Item 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

While the property is designated for Commercial Use by the Land Development Plan, it is surrounded by residential uses. The proposed residential use and density provides a more appropriate transition between the adjacent institutional use and rural residential development than what could be allowed under the current general commercial zoning designation. Further, the lack of direct frontage on and visibility from Pineview Road likely limits viable commercial options for the property.

The Land Development Plan generally supports appropriately planned and designed residential development that can provide new housing opportunities for the city's large employment sectors, such as the one that exists on Pineview Street east of I-73/74. The conditional zoning district can ensure important design elements are considered and provided to help achieve city-adopted goals and policies.

Approval of the district, however, would reduce the amount of acreage available for special intensity allocations to other projects. Without more information from Randolph County about the feasibility of transferring jurisdictional area from the county to Asheboro and public input on text amendment RZ-23-04, a final recommendation is premature.

Recommendation A continuance is requested by staff.

Rezoning Staff Report

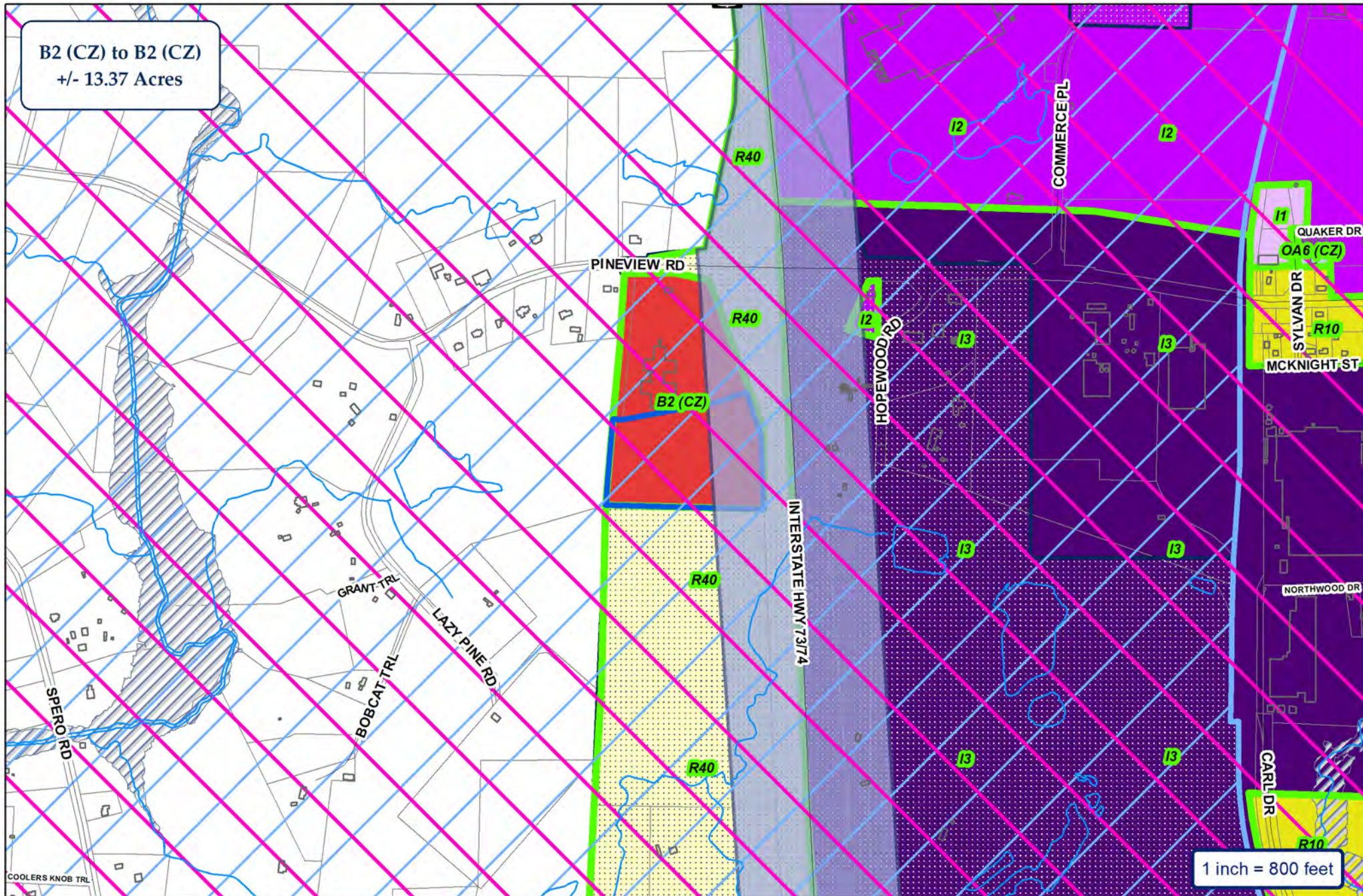
Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)

If the Board chooses to take action on the application, the following draft conditions are proposed:

- (A) The use approved shall be a Residential Planned Unit Development with a total of 44 dwelling units on 44 lots.
- (B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
- (C) Enclosure of concrete pads or other additions to the rear of dwellings shall not be considered a modification requiring City Council review provided such additions are located on a recorded lot.
- (D) Maintenance of all recreation areas, any utilities not publicly maintained, roads, and drainage facilities that are not specifically labeled on the approved site plan as publicly owned and maintained shall be the responsibility of the property owner and any successors in interest.
- (E) Any utility infrastructure indicated by the city as required to be publicly maintained shall be located within a City of Asheboro utility easement. Surveying of any required easements shall be the responsibility of the property owner.
- (F) Installation of traffic and street signs within the development shall be the responsibility of the developer.
- (G) If solid waste disposal facilities as ultimately shown on the site plan are deemed to be inadequate, the property owner shall be responsible for ensuring that additional facilities or measures are installed. Any such facilities shall be consistent with city policies and codes.
- (H) Landscaping, including street trees, front yard landscaping, and perimeter buffering shall be installed consistent with the details and specifications shown on the site plan.
- (I) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing the following approvals:
 - i) Driveway permit from NCDOT
 - ii.) Permitting from NC Department of Environmental Quality
 - iii.) Subdivision Sketch Design and Preliminary Plat
- (J) Prior to the issuance of a zoning compliance permit, plans concerning water, including provisions for fire hydrants, street lights, and sanitary sewage that comply with city policies, shall be submitted and approved.
- (K) Prior to the issuance of a zoning compliance permit, the applicant shall submit a site plan reflecting any revisions necessary to comply with city codes and conditions of approval.
- (L) All dwellings shall be located on a subdivided lot and recorded in the public registry in accordance with the city's land development requirements.
- (M) If, in the future, the private street is offered for dedication as a public street and the city is agreeable to accepting such offer, such change shall not be a modification of the Conditional Zoning District requiring Council approval.
- (N) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute, and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the City Attorney for the purpose of placing notice of the conditions attached to this Conditional Zoning in the chain of title for the Zoning Lot.

Of: 1 Version: 1

B2 (CZ) to B2 (CZ)
+/- 13.37 Acres



- Airport Overlay
- Watershed Critical Area
- Watershed Balance
- I-73/I-74 Overlay

City of Asheboro Planning & Zoning Department

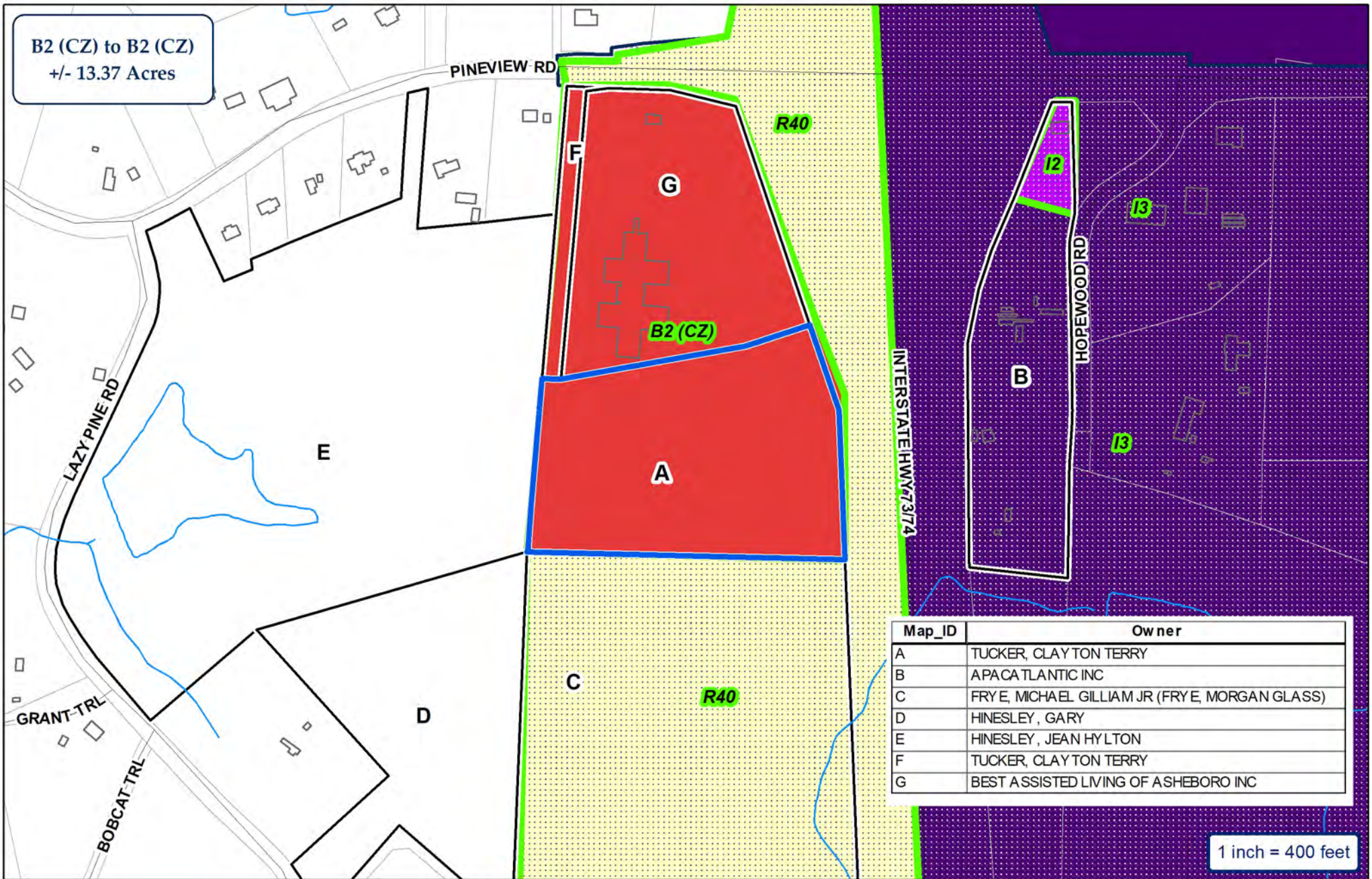
Rezoning Case: RZ-23-06

Parcels: 7758354982

- Subject Property
- Zoning
- ETJ



B2 (CZ) to B2 (CZ)
+/- 13.37 Acres



Map_ID	Owner
A	TUCKER, CLAYTON TERRY
B	APACA TLANTIC INC
C	FRYE, MICHAEL GILLIAM JR (FRYE, MORGAN GLASS)
D	HINESLEY, GARY
E	HINESLEY, JEAN HYLTON
F	TUCKER, CLAYTON TERRY
G	BEST ASSISTED LIVING OF ASHEBORO INC

1 inch = 400 feet



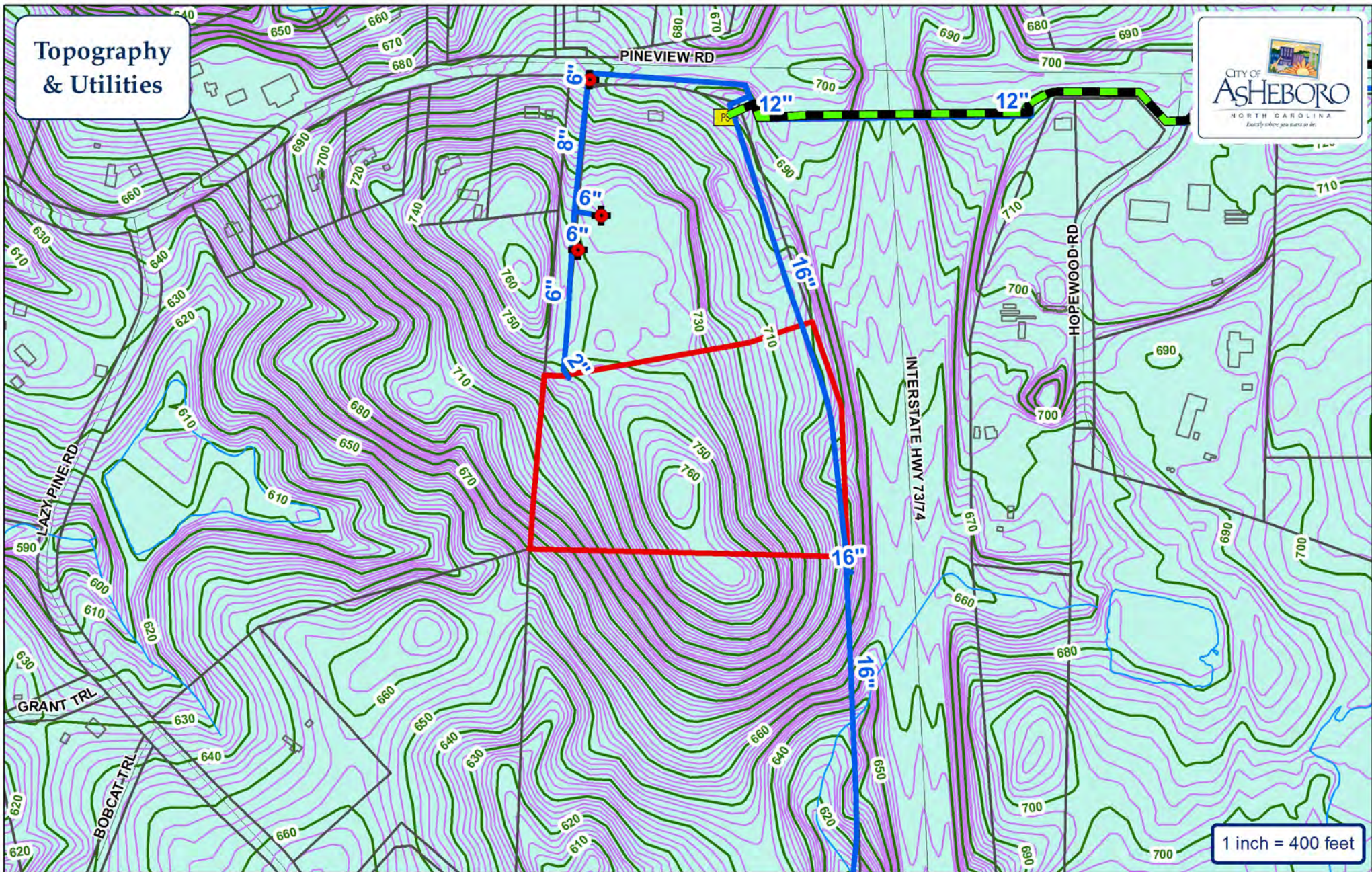
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-06

Parcels: 7753354982



Topography & Utilities



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

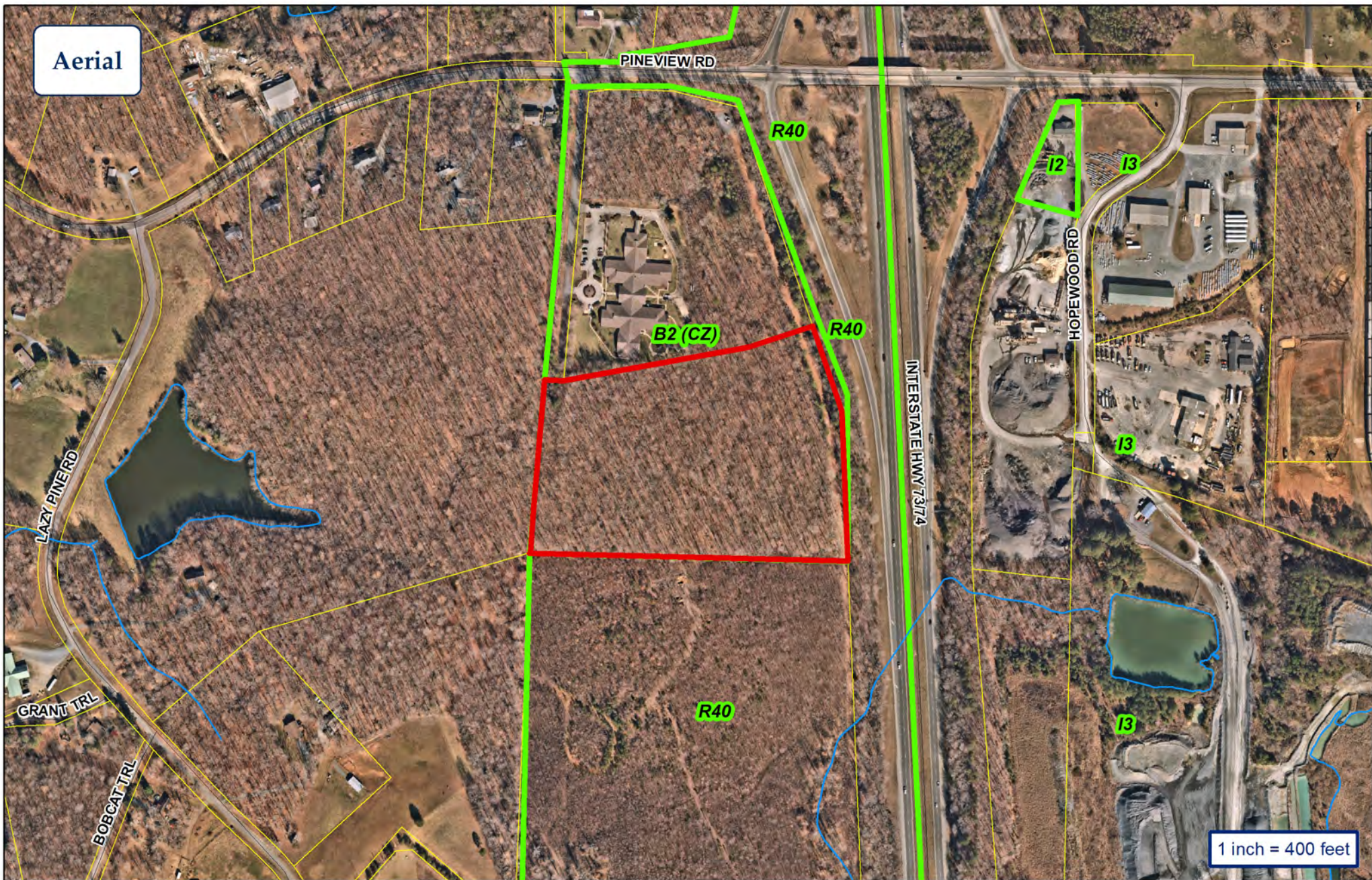
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-06

Parcels: 7753354982

Subject Property

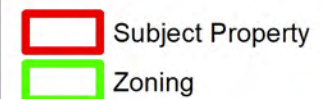




City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-06

Parcels: 7753354982



limitation, the North Carolina Department of Transportation and the North Carolina Department of Environmental Quality.

APPLICANT INFORMATION

Applicant C. Terry Tucker Applicant's Phone # 336-669-6427

Applicant's Address 465 Lewallen Rd.
Asheboro, NC 27205

Applicant email address doublet@triad.rr.com

PROPERTY INFORMATION

Property Owner's Name C. Terry Tucker

Location of Property Pineview St. Property Size (ac. or s.f.) 14.6376 acres

Randolph County Property Identification Number (PIN#) 7753354982

Current Zoning District B2 (CZ) Requested Zoning District R10 (CZ)

Date Property Title Acquired 8/8/2000 Deed Book 1672 Page 0387

Subdivision _____ Section _____ Lot # _____

Plat Book 61 Page 8

CONDITIONAL ZONING DISTRICT INFORMATION (Attach additional sheets if necessary)

1. Application is hereby made to the City of Asheboro for a Conditional Zoning District for the following purpose:

Construction of 21 residential duplex units.

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 a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

Applicant Signature

Owner Signature (if different than Applicant)



Printed Name of Authorized Signatory (if different from Applicant)

Owner Address

465 Lewallen Rd.

Asheboro, NC 27205

Position/Relationship of Authorized Signatory to Applicant

Telephone Number

336-669-6427

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

Received by: JLE **STAFF USE** Date: 4-14-23 Case Number: R2-23-06

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 a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

Applicant Signature

*Printed Name of Authorized Signatory (if
different from Applicant)*

*Position/Relationship of Authorized
Signatory to Applicant*

Owner Signature (if different than Applicant)



Owner Address

465 Lewallen Rd.

Asheboro, NC 27205

Telephone Number

336-669-6427

*Printed Name of Authorized Signatory (if
different from Owner)*

*Position/Relationship of Authorized
Signatory to Owner*

STAFF USE

Received by: _____ **Date:** _____ **Case Number:** _____

**CITY OF ASHEBORO
NOTICE OF CONDITIONAL ZONING DISTRICT HEARING**

This is to notify you that I (we) C. Terry Tucker have filed an application with the City of Asheboro for a Conditional Zoning District for the property located at Pineview Street/I73-74 for the purpose of an affordable town home development for the citizens of Asheboro.

On May, 18th, 2023, at 7:00 PM, the Planning Board will review the Conditional Zoning District request and forward its recommendation to City Council. As part of this process, you and others will have an opportunity to speak concerning the request and offer input.

On Thursday, June 8th, 2023, at 7:00 pm the City Council will hold a public hearing on the Conditional Zoning District request. As part of this process, you and others again will have an opportunity to speak concerning the request and offer input.

The meetings will be held in the City Council Chambers, 146 North Church Street, Asheboro, NC. The Council, after considering the information/testimony presented during the public hearing and reviewing the report of the Planning and Zoning Department and recommendation of the Planning Board, will take action on the application. Such action may include approval of the request, referral back to the Planning Board, denial of the request, or approval of a modified version of the request on the basis of the Council's determination that such action is reasonably necessary to promote the public health, safety, or general welfare and to achieve the purposes of the adopted Land Development Plan. The meeting is open to the public and your participation is encouraged. If you have any questions, please contact the Planning and Zoning Department at 336-626-1201 Ext. 225. In addition, you may contact me (or my representative) Hiram Marziano at 336-493-4450.



RZ-23-07: An application to rezone property located at 379-1 and 379-2 South Cox Street from OA6 (Office-Apartment) to OA6 (CZ) Office-Apartment Conditional Zoning for a Congregate Living Facility.

A continuance until the June 5, 2023 Planning Board meeting has been requested by the applicant.

Staff Report

Rezoning Staff Report

RZ Case # **RZ-23-07**

Date May 1, 2023 Planning Board

General Information

Applicant Keaton's Place

Address 120 Worth Street

City Asheboro NC 27203

Phone 336-628-0070

Location 379-1 and 379-2 South Cox Street

Requested Action Rezone from OA6 (Office-Apartment) to OA6 (CZ) (Office-Apartment Conditional Zoning) to permit a congregate living facility

Existing Zone OA6 **Existing Land Use** Formerly business services (accountant) office

Size 0.27 acres +/-

Pin # 7751816243

Applicant's Reasons as stated on application

Congregate Living Facility. The proposed application for Conditional Zoning is consistent with the Center City Applicable Goals, including large scale, mixed use activity center serving the entire community. The existing infrastructure is adequate to support the desired zone. The proposed rezoning is compatible with the applicable small-area plan and surrounding land uses. The purpose of this conditional rezoning application is to offer a bridgeway temporary residency, for example, between Daymark and a rehab placement. The conditional use conditions would address public safety general welfare, and public welfare. This application is not for a detox or rehab unit. It will be temporary housing for residents in recovery who will be subject to drug testing with staff on-site day and night.

Surrounding Land Use

North Multi-use office development

East Office/residential

South Office

West Office

Zoning History N/A

Legal Description

The property of Maxton C. McDowell, located at 379-1 and 379-2 South Cox Street, totaling approximately 0.27 acres +/- and more specifically identified by Randolph County Parcel Identification Number 7751816243.

Analysis

The applicant has requested this matter be continued from the May 1 Planning Board meeting to the June 5 Planning Board meeting. The City Council is expected to open a public hearing on the request on June 8, 2023.

1. The property is inside the city limits.
2. South Cox Street is a state-maintained minor thoroughfare. East Wainman Avenue is a local, city-maintained street.
3. The requested conditional zoning is for a congregate living facility. Either a Special Use Permit or Conditional Zoning request is required when the number of residents in such a facility exceeds 6. Congregate living for six or fewer residents is deemed a "Family Care Home", and is regulated like any other single-family residential use.
4. Typical development standards for congregate living facilities are as follows: (1) Such facilities may be developed, provided the development is located on a minimum of 2 acres. (2) Evidence of ongoing discussion with the Division of Facility Services of the Department of Human Resources of the State of North Carolina shall be provided to the City Council prior to permit approval. Evidence shall be submitted to the City prior to issuance of a Certificate of Zoning Compliance that the requirements and standards of the Division of Facility Services of the Department of Human Resources of the State of North Carolina have been and shall continue to be met. (3) All facilities permitted under this section shall be planned and constructed to be harmonious with the area in which they are located. In addition to site plans required, elevations shall be submitted indicating final appearance. (4) The Performance Standards established in Chapter 6 for commercial uses shall be met by the proposed facility. All other Ordinance requirements such as but not limited to parking, buffers and screens, signs etc. shall be met. Plans required to be submitted shall detail how all applicable requirements are met.
5. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes permitted uses, development conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance's predetermined land use requirements. The applicant seeks to deviate from the Ordinance's standard that a congregate living facility to serve more than 6 residents be located on at least 2 acres of property; if the district is approved, the facility will sit on 0.27 acre.
6. No building additions are proposed; the use would occur within the existing structure. Building upfits, however, would be required under the state building code.
7. The property is within Tier 2 of the Center City Planning Area (Central Business District Fringe). 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."
8. As of April 27, 2023, city staff is reviewing the site plan. Staff has requested more project details including landscaping, number of residents, proposed lighting, etc. The plan does identify a 6 foot tall wooden privacy fence adjacent to the northern and eastern

Rezoning Staff Report

property boundaries.

RZ Case # RZ-23-07

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

Rezoning Staff Report

RZ Case # **RZ-23-07**

LDP Goals/Policies Which Do Not Support Request

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

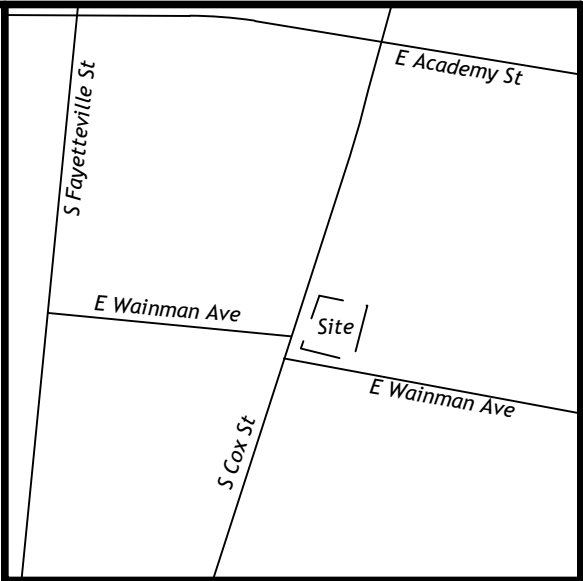
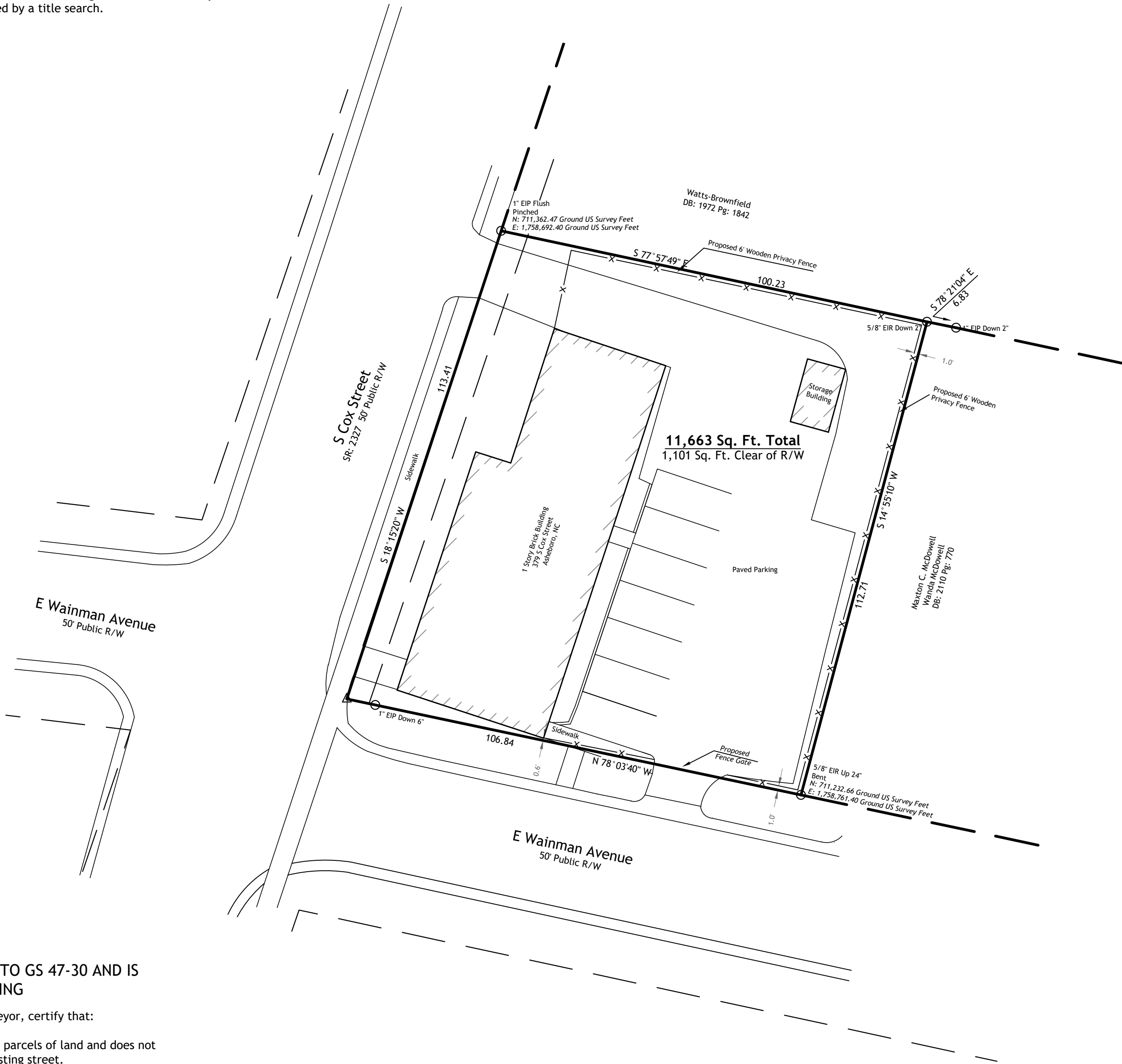
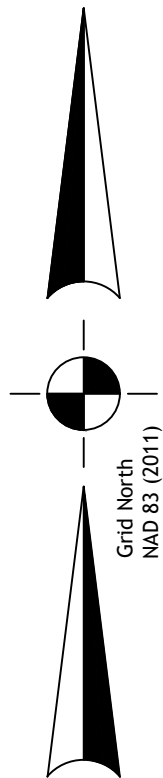
Recommendation Staff supports the applicant's continuance request.

Rezoning Staff Report

Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)

Any conditions will be proposed prior to the June 5, 2023 Planning Board meeting.

- Notes:
1. This project is not located within a special flood hazard area per NCFRIS.
Map #: 3710775100J Effective Date: 1/2/2008
 2. Area calculated by coordinate geometry.
 3. All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
 4. No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
 5. Tax PIN: 7751816243



Location Map
(Not to Scale)

	Hardwood Tree		Catch Basin
	Evergreen Tree		Yard Inlet
	Stone		Storm Sewer Manhole
	R/W - Right of Way Monument		Junction Box
	RRS - Railroad Spike		Drop Inlet
	NIR - New Iron Rod		Irrigation Control Valve
	NIP - New Iron Pipe		Back Flow Preventer
	NCGS Monument		Water Valve
	EN - Existing Nail		Water Manhole
	EIR - Existing Iron Rod		Water Meter
	EIP - Existing Iron Pipe		Fire Dept. Connection
	Existing Concrete Monument		Fire Hydrant
	Bench Mark		Utility Pole
	Computed Point / Point Not Set		Telephone Pedestal
	Well		Telephone Pole
	Property Line		Transformer
	Computed Property Line		Communications Manhole
	Right of Way Line		SS - Sanitary Sewer
	Easement Line		SS Manhole
	Tie Lines		SS Cleanout
	Setback Lines		U/G Power Box
	Gas Line		PP
	Sanitary Sewer Line		Power Pole
	Storm Sewer Line		Light Pole
	Water Line		Guy Pole
	Fence		Gas Valve
	Overhead Utility Line		Guy Wire
	Overhead Power Line		Gas Manhole
	Underground Electric Line		Gas Meter
	Underground Comm. Line		Electric Meter
	100-Year Flood Hazard Line		Electric Manhole
	Floodway		Spot Elevation
	C/L Railroad		

Owners:
Mahan Properties, LLC
955 S Cox Street
Asheboro, NC 27205

THIS SURVEY IS NOT SUBJECT TO GS 47-30 AND IS NOT TO BE USED FOR RECORDING

I, Dan W Tanner II, Professional Land Surveyor, certify that:

This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

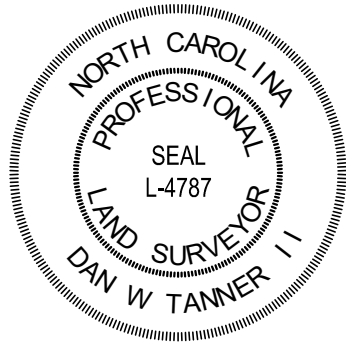
I Dan W Tanner II certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 2854, page 1663; that the boundaries not surveyed are indicated as drawn from information in Book See, page Notes or other reference source); that the ratio of precision or positional accuracy is 1:10,000 +; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600)."

This 26th day of April, 2023.

Seal

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor



Survey For:

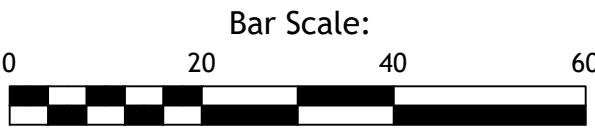
Keaton's Place

City of Asheboro
Asheboro Township
North Carolina

Randolph County
April 26, 2023

Deed Book:2854 Pg:1663

Scale: 1" = 20 US Survey Feet



SURVEY CAROLINA, PLLC

154 S. Fayetteville St, Suite B, Asheboro, NC 27203

Phone Number: 336 625-8000

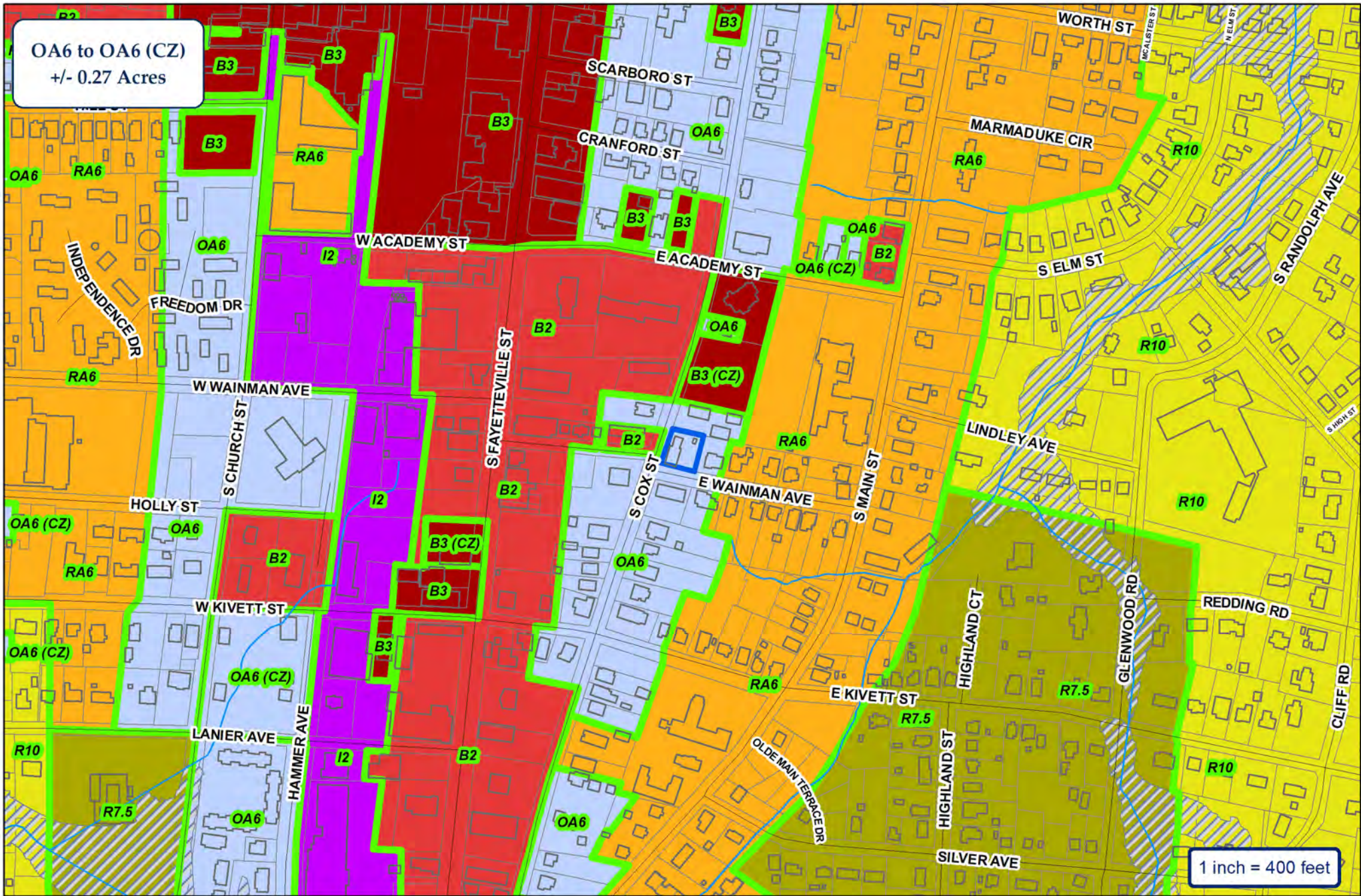
Email: mail@surveycarolina.com

Firm #: P-1110

Dan W Tanner II L-4787

© 2023 Survey Carolina, Plc

Job #: 15079

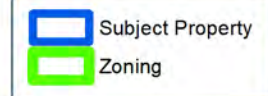


OA6 to OA6 (CZ)
+/- 0.27 Acres

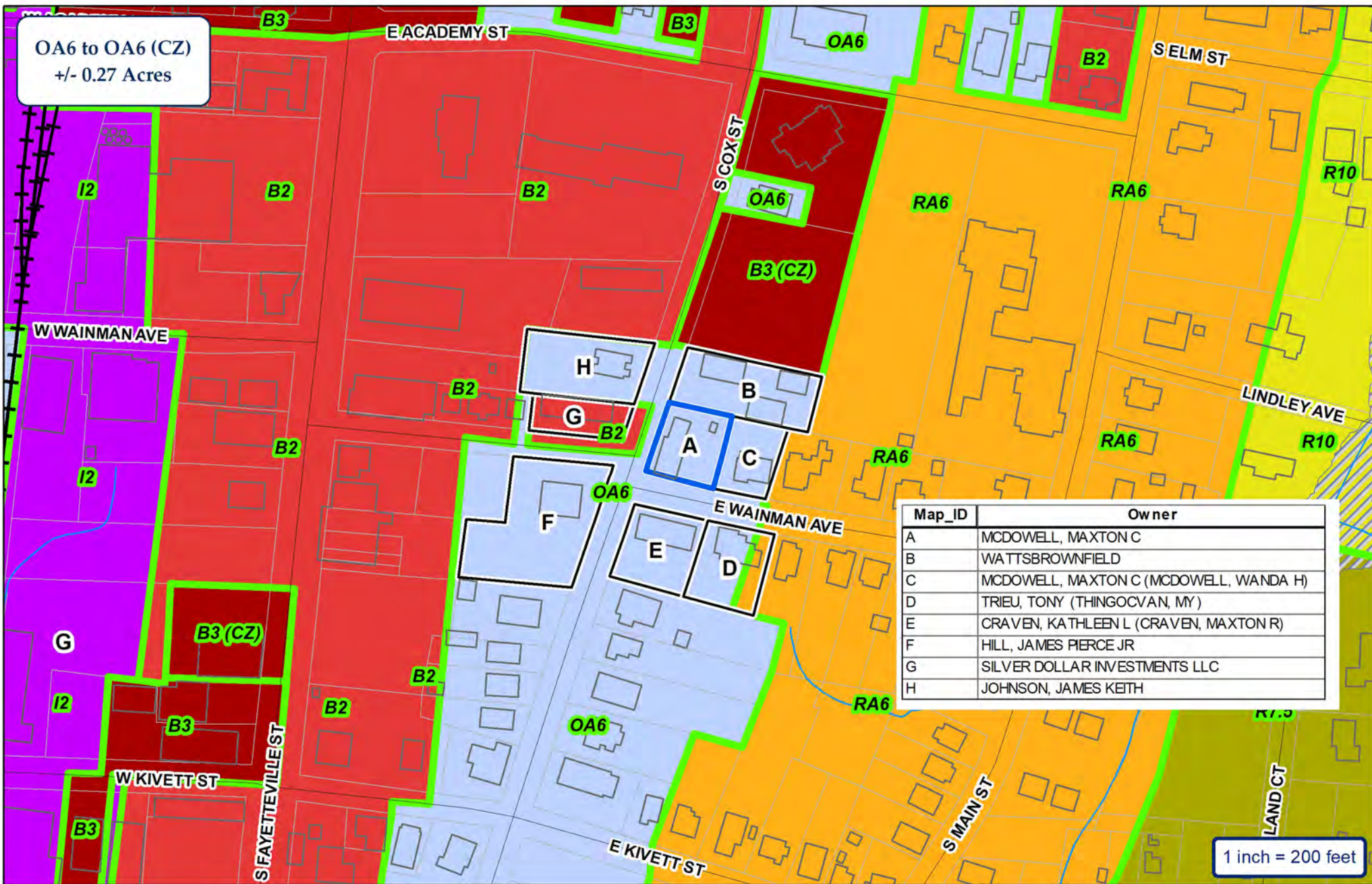
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-07

Parcels: 751816243



OA6 to OA6 (CZ)
+/- 0.27 Acres



Map_ID	Owner
A	MCDOWELL, MAXTON C
B	WATTSBROWNFIELD
C	MCDOWELL, MAXTON C (MCDOWELL, WANDA H)
D	TRIEU, TONY (THINGOCVAN, MY)
E	CRAVEN, KATHLEEN L (CRAVEN, MAXTON R)
F	HILL, JAMES PIERCE JR
G	SILVER DOLLAR INVESTMENTS LLC
H	JOHNSON, JAMES KEITH

City of Asheboro Planning & Zoning Department

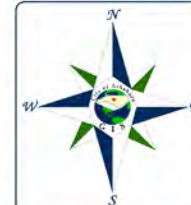
Rezoning Case: RZ-23-07

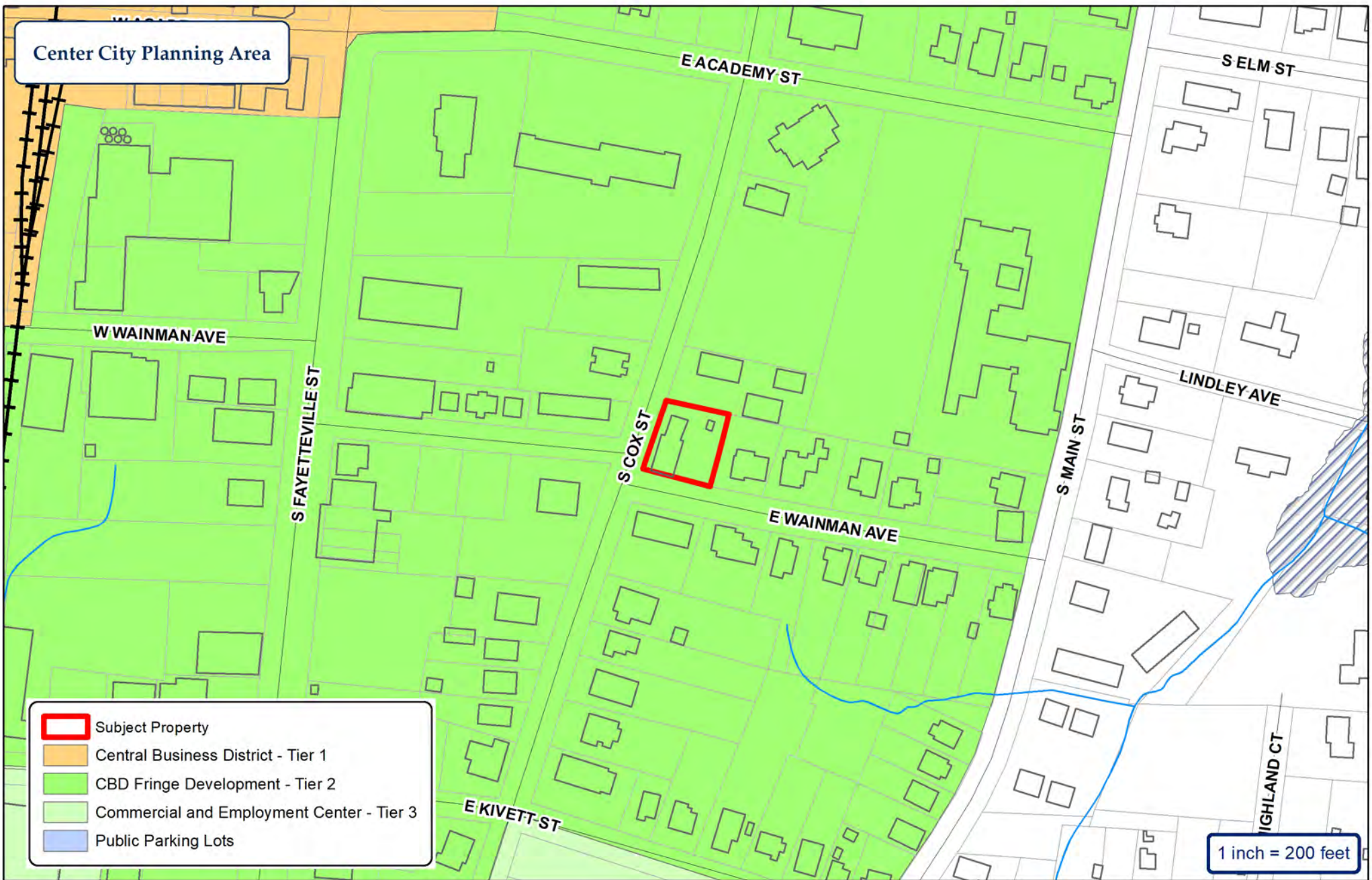
Parcels: 7751816243



ETJ

- Subject Property
- Adjoining Properties
- City Zoning





City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-07

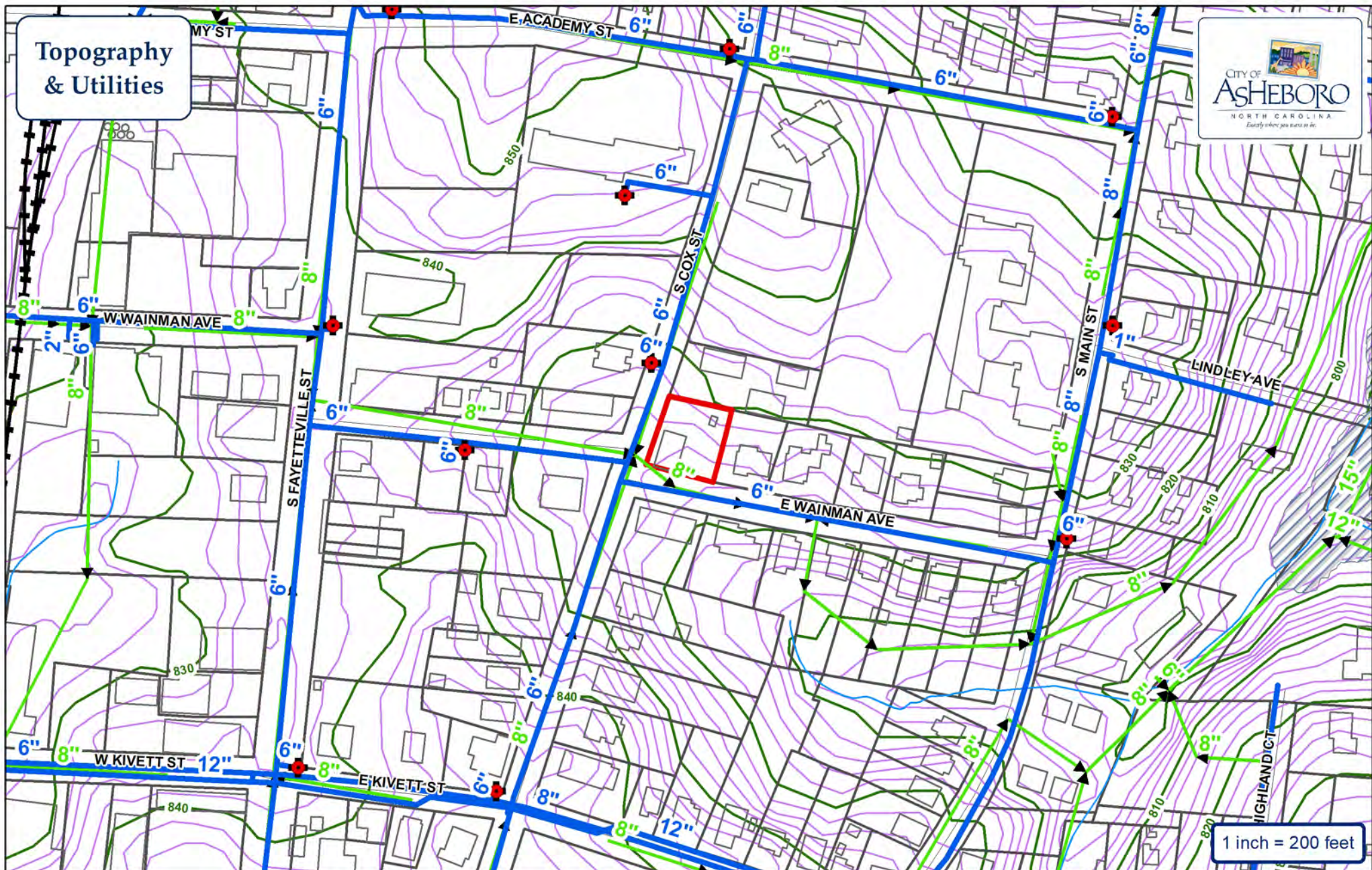
Parcels: 7751816243



ETJ



Topography & Utilities



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

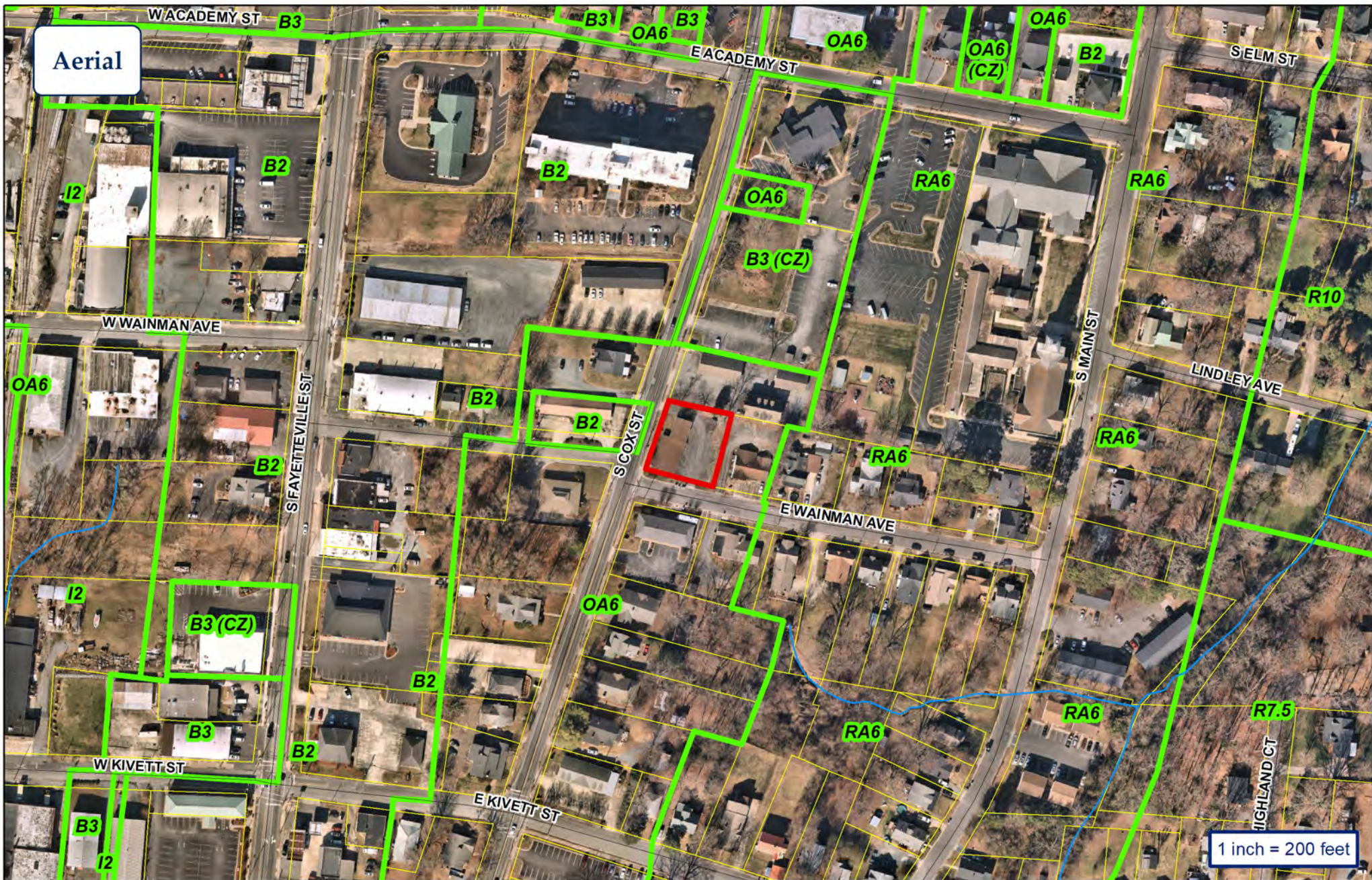
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-07

Parcels: 751816243

 Subject Property

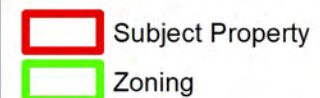




City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-07

Parcels: 751816243



limitation, the North Carolina Department of Transportation and the North Carolina Department of Environmental Quality.

APPLICANT INFORMATION

Applicant Keaton's Place *Applicant's Phone #* 336-628-0070

Applicant's Address 120 Worth St.
Asheboro, N.C. 27203

Applicant email address susan@keatonsplace.org

PROPERTY INFORMATION

Property Owner's Name Maxton C. McDowell

Location of Property 379 S. Cox St. *Property Size (ac. or s.f.)* 0.27 acre

Randolph County Property Identification Number (PIN#) 7751816243

Current Zoning District OA-6 *Requested Zoning District* OA-6 (CZ)

Date Property Title Acquired 9/29/1995 *Deed Book* 001434 *Page* 01038

Subdivision _____ *Section* _____ *Lot #* _____

Plat Book _____ *Page* _____

CONDITIONAL ZONING DISTRICT INFORMATION (Attach additional sheets if necessary)

1. Application is hereby made to the City of Asheboro for a Conditional Zoning District for the following purpose:

Congregate living facility

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

The proposed Application for Conditional Zoning is consistent with the Center City Applicable Goals, including large-scale, mixed use activity center serving the entire community.

* The existing infrastructure is adequate to support the desired zone.

* The proposed rezoning is compatible with the applicable small-area plan and surrounding land uses.

For questions (3) and (4), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

3. 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.

Does not apply ☒

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

The purpose of this conditional rezoning application is to offer a bridgeway temporary residency, for example between Daymark and a rehab placement. The conditional use conditions would address public safety general welfare, and public welfare.

Does not apply ☐

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

This application is not for a detox or rehab unit. It will be temporary housing for residents in recovery, who will be subject to drug testing, with staff on site day and night.

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 a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

Applicant Signature

[Signature]

Printed Name of Authorized Signatory (if different from Applicant)

Susan E. Hunt

Position/Relationship of Authorized Signatory to Applicant

Exec. Director

Owner Signature (if different than Applicant)

Maxton C. McDowell

Owner Address

3354 Old Hwy 49
Asheboro, NC 27205

Telephone Number

336-241-2256

Printed Name of Authorized Signatory (if different from Owner)

MAXTON C McDowell

Position/Relationship of Authorized Signatory to Owner

Self

Received by: <u>JLE</u>	STAFF USE Date: <u>4-14-23</u>	Case Number: <u>R2-23-07</u>
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**Annual Report concerning Planning Board activities, expenditures, and
budget estimates**



To: Asheboro City Council

From: Michael O'Kelley, Planning Board Chairman

Date: May 1, 2023

RE: Annual Report- Asheboro Planning Board

This memorandum provides a summary of the Planning Board's activities since July 1, 2022, an analysis of the expenditures to date for the current fiscal year and the anticipated funds needed for operation during the ensuing fiscal year. The Planning Board is comprised of seven (7) members, five (5) of whom reside in the corporate limits and two (2) who reside within the city's extraterritorial planning jurisdiction. A current Board roster is attached to this memo for your reference.

Summary of Activities

Through May 1, 2023 (not including continued and withdrawn cases), the Planning Board has reviewed a total of 16 cases. The 16 cases consisted of four (4) major subdivisions, one (1) quasi-judicial subdivision variance, five (5) conditional rezoning requests, three (3) general district rezoning requests, one (2) zoning ordinance text amendment, and one (1) subdivision ordinance amendment.

Expenditures and Budget

The Board's only expenditure this fiscal year has been related to members' stipends, which received an increase from \$100 a month to \$150 a month, effective February 1, 2023, the first such increase since 2009. \$8,400 was budgeted for board stipends in FY 22-23. \$12,600 is requested for FY 23-24, which accounts for the change in stipends previously approved by Council in 2023.

On behalf of the Planning Board, I thank you for your support. It is an honor to serve the Asheboro community.

**City of Asheboro
Planning Board/Board of Adjustment**

<u>Name/City or ETJ</u>	<u>Appointed/Expires</u>
Van Rich / City	2-3-86 / 1-1-26
Ritchie Buffkin / City	2-7-13 / 1-1-25
Harold Anderson / City	3-5-20 / 1-1-27
David Henderson / ETJ	2-4-13 / 2-1-28
Pamela Vuncannon, Vice Chair	08-9-18 / 1-1-24
Mike O'Kelley, Chair / City	2-8-18 / 1-1-28
Thomas Rush / ETJ	2-3-14 / 2-1-24