



**Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)
Monday, July 10, 2023
7:00 PM
AGENDA**

- I. Call to Order
- II. Approval of Minutes from June 5, 2023
- III. Review of Cases and Monthly Report on Major Subdivisions Administratively Approved.
- IV. Old Business items continued from June 5, 2023
 - (a) 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. ***An additional continuance, until the August 7, 2023 meeting, has been requested by the applicant.***
 - (b) RZ-23-09: An application to rezone property located at 3114 Zoo Parkway (Randolph County Parcel Identification Number 7669460864) from R40 (Low-Density Residential) to R10 (Medium-Density Residential)
 - (c) RZ-23-10: An application to rezone property located at 615 & 617 South Church Street; 233 West Kivett Street; 616 & 622 Hammer Avenue (Randolph County Parcel Identification Number 7751703525), with an amended Conditional Zoning Office-Apartment designation for the purpose of a Multi-Family Development for the Elderly that is a Whole Block Redevelopment project.
- V. New Business
 - (a) RZ-23-11: An application to rezone property located at 159 North Street (Randolph County Parcel Identification Number 7751738393) and property north of 148 North Street (Randolph County Parcel Identification Number 7751831208) from I2 General Industrial, B2 General Commercial, and B3 Central Commercial to OA6 Office-Apartment
- VI. Items not on the agenda
- VII. Adjournment

MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, JUNE 5, 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
Bradley Morton, Planner/Deputy City Clerk
Trevor Nuttall, Community Development Division Director
Jeff Sugg, City Attorney

CALL TO ORDER

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

APPROVAL OF MINUTES FROM MAY 1, 2023

Mr. O'Kelley inquired if there were any corrections or additions to the May 1, 2023 minutes. 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 the City Council heard at their May Regular Meeting. He stated that there were no Major Subdivisions that had been approved by staff since the last Planning Board meeting.

OLD BUSINESS ITEMS CONTINUED FROM MAY 1, 2023

- a) **Convening of Watershed Review Board for RZ-23-04: An application to amend Chapter 5 (Use Regulations) and Chapter 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.**

Mr. Evans gave a visual presentation on the above-referenced case. He stated that a technical correction to the agenda was made to change the word "Article" to "Chapter" regarding the chapters which are proposed to be amended. He informed the board that there has been more discussion with Randolph County and NCDEQ regarding the questions of acreage in the Balance areas of the watershed. He stated that a proposal likely will be presented to City Council in the next 60 days in the form of a resolution and is

subject to Randolph County and NCDEQ approval. He went over a summary of the amendments and all updates (in bold and underlined below) since the May 1, 2023 Planning Board Meeting:

Chapter 5 (Use Regulations)

- Minor clerical changes, renumbering
 - Change terminology eliminating "Non-Residential" from Special Intensity Allocation
 - Section 5.05 (30) Special Use Criteria for Watershed SIAs
- (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

Chapter 10 (Watershed Regulations)

- Minor clerical changes, renumbering
- Change terminology eliminating "Non-Residential" from Special Intensity Allocation
- Replace language regarding acreage of Special Allocation remaining **with language regarding the current allocation practice.**

He then stated that staff's final analysis was entered into the May Planning Board minutes and stated that, in light of that analysis, the request generally is consistent with the Land Development Plan and staff recommends approval believing that such action serves the public interest. He then asked if there were any questions at this time from the board. Mr. Henderson asked how many acres would be transferred from Randolph County. Mr. Evans stated that staff is still looking at details with Randolph County. There were no other questions from the board. Mr. O'Kelley asked if there were any further questions. There was an inquiry regarding the text amendments and why it was necessary for Mr. Tucker to request these changes. Mr. Evans stated that the proposed amendments are not specific to Mr. Tucker's rezoning case, however, if the amendments are approved, he would need to request an allocation for a residential property. He stated that the current zoning ordinance doesn't allow for a request to be made. He stated that each request would be evaluated on a case-by-case basis. Mr. O'Kelley then briefly summarized what was being requested and asked if there was anyone to speak in favor of the case. Mr. HR Gallimore stated that he was in favor of the request and that the request would make policies more consistent with the state model ordinance. There was no one else to speak for or against the request.

The following action was taken:

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

Mr. Anderson moved to recommend approval of the Chapter 5 use regulations text amendments. Ms. Vuncannon seconded the motion and the motion carried unanimously.

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

Mr. Buffkin moved to recommend approval of the Chapter 10 Watershed Protection Regulations text amendments. Mr. Rich seconded the motion and the motion carried unanimously.

- 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 Planned Unit Development with Commercial Uses Authorized.**

Mr. Nuttall provided a visual presentation on the above-referenced rezoning request. He gave an overview of the case:

Applicant: William L. Turner

Location: Old Cox Road and Old Humble Mill Road

Request: 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

Randolph County Parcel ID: 7679024396, 7669905560, 7679008885

Size: 233.53 acres +/-

Existing Land Use: Largely undeveloped (single-family dwelling)

Mr. Nuttall noted that an annexation will be heard by the City Council at their regular June meeting. He noted that a change to the application has been made to reflect that no commercial zoning is being requested at this time. If a commercial zoning is proposed at a later time, there would be a separate hearing and review of those plans. He showed overview, rezoning, topographic/utilities, aerial, and oblique maps as well as the proposed site plan and site plan details. He pointed out while discussing the site plan that there were several conditions that will come with this request. He also identified some features on the site plan including a proposed roundabout, proposed walking trails, public city-maintained streets, and community amenities such as a pool and exercise facility. He asked the board if there were any questions before he continued to the analysis of the case. Mr. O'Kelley inquired if the roundabout proposed will be part of Phase 1. Mr. Nuttall stated that it does appear to be the intent to include the proposed roundabout in Phase 1, but a lot depends on NCDOT rules for highway connections. There were no further questions at this time for Mr. Nuttall. He continued with the presentation by providing photographs from all directions of the subject and surrounding properties. He then provided the analysis of the case:

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 proposal. Prior to final action on the requested zoning action, the City Council will need to decide on the question of annexation after holding a separate public hearing.
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. The request includes the potential for 415 dwelling units to be constructed in several phases over 5-plus years. The residential units include a mixture of single-family detached lots of various sizes and townhouse style attached single-family dwellings on individual lots. Approximately 14 acres is designated for future commercial development, but approval of the commercial element is not requested with this application; details concerning proposed commercial uses and development standards would have to be submitted, reviewed, and approved by City Council following a future public hearing. Development plans identify an interconnected street network, sidewalks throughout the project, a private trail, and a recreational clubhouse for residents along with play fields/courts. A mixture of preserved vegetation and planted landscaping is proposed along the perimeter of the project; a vegetative buffer is shown to be retained along Old Cox Road and Old Humble Mill Road.
4. Old Cox Road and Old Humble Mill Road are state maintained. Two new intersections, including one roundabout, on Old Cox Rd. are proposed with a third connection possible to serve future commercial development. One driveway from Old Humble Mill Road is proposed. A Traffic Impact Analysis has been submitted by the applicant and presented to the city and NCDOT. The applicant is working to address NCDOT feedback; left-turn lanes are expected to be provided at the proposed connections to Old Cox Rd. and Old Humble Mill Rd. Right-turn lanes also may be directed by NCDOT.

5. The zoning ordinance describes the R15 district as "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." The overall residential density for the project is about 2.13 units per acre, which is consistent with an R15 designation.
6. The property is approximately 1 mile south of the US 64 Bypass. Access to the bypass at the Zoo Connector is about 3.3 travel miles; access via NC 42 is a similar distance. The property is approximately 1.3 miles south of the Zoo City Sportsplex and, at the closest point, is about 900 feet from the NC Zoological Park property; the closest Zoo-related activity appears to be approximately 2,500 feet away. Non-contiguous city limits, encompassing the Richland Village manufactured home park, are adjacent to the property and also are 1 mile south (272 acres owned by the NC Zoo Society).
7. Plan revisions were requested by staff to clarify the proposal. Revised plans were received June 1, 2023, and currently are under review.
8. Included with this report is a projection of revenue and expenses, prepared by the applicant, that presents expected public revenues and expenses to be generated by the development. A brief report summarizing anticipated operational impacts should the property be annexed and developed as proposed. In general, the city would be able to provide adequate public services to the property with current and future planned public investments; annexing the property would likely cause a need for the city to modestly accelerate those planned appropriations. These relate to Asheboro Fire and Rescue Station 3, Public Services sanitation and street equipment and personnel, and potentially an additional code official for inspection purposes.

He went over the Land Development Plan recommendations:

Proposed Land Use Map: Does not designate beyond current land use jurisdiction.

Small Area Plan: Does not designate beyond current land use jurisdiction.

Growth Strategy Map: Does not designate beyond current land use jurisdiction.

He went over the goals and policies, stating that three (3) were in support and one (1) did not support the request:

Goals/Policies Supporting Request:

- Checklist Item 11: Rezoning will promote the type of development described in Design Principles. Specifically, Design Principles #3 and #4 – Move from "Separation of Uses" toward "Mixed Use Development; and move from "Conventional Development" toward "Cluster Development."
- Checklist Item 3: Fits the description of the Zoning Ordinance. (*Article 200, Section 210, Schedule of Statements of Intent*)
- Checklist Item 7: Complies with Southeast Small Area Plan

Goals/Policies Not Supporting Request:

- Checklist Item 5: Not compliant with objectives of growth strategy map

He then gave staff's final analysis:

"Since the property involved in this request is outside of the City's Extraterritorial Zoning Jurisdiction, the adopted Land Development Plan (LDP) does not provide specific growth strategy and land use recommendations for the property and surrounding area. The proposal can, however, be reviewed against general goals and policies advocated by the LDP. The LDP's Southeast Small Area Plan recognized that

the US Hwy 64 Bypass likely would change development patterns in the vicinity of the highway but recommended balancing growth with the preservation of rural character and protecting gateways leading to the NC Zoo. The Plan's prediction has proven true; improved access provided by the Bypass, combined with recent economic development announcements and the availability of municipal water and sewer service, has generated consistent development interest in the area. One way to accomplish seemingly competing LDP goals is through a conditional zoning district that proposes the clustering of homes on property in areas most suitable for development, preserving significant natural areas for open space, and coordinating development in a manner that considers unique land features and area context. New land development should strike a balance between well-planned growth and honoring the uniqueness of the area afforded by the NC Zoo. Overall, staff believes the application attempts to find that balance and further advances the public's interest to promote diversified homeownership options for people."

He then stated that staff's recommendation is to approve subject to staff proposed conditions for reasons cited. At this time the following proposed conditions were displayed via the visual presentation:

- (A) The use approved shall be a Residential Planned Unit Development with no more than 413 dwelling units on 413 lots and development shall be per the approved site plan and materials submitted in support of the application.
- (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 within Phase 1 of the development 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) Solid waste disposal for the project shall be consistent with city policies and codes.
- (G) Landscaping, including street trees, front yard landscaping, tree preservation, and perimeter buffering shall be installed or retained consistent with the details and specifications shown on the site plan and as modified by these conditions.
- (H) Prior to the recording of Memorandum of Land Use Restrictions outlined in (Z), the applicant shall submit a site plan reflecting any revisions necessary to comply with city codes and conditions of approval.
- (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 preliminary plat approval, plans concerning water, including provisions for fire hydrants, streetlights, and sanitary sewage that comply with city policies, shall be submitted and approved.

- (K) All dwellings shall be located on a subdivided lot and recorded in the public registry in accordance with the city's land development requirements.
- (L) All setbacks shall be no less than as provided by the site plan except that corner lots within phases 2 and 3 shall only be required to comply with one front yard setback; the other yard(s) adjacent to a street shall be considered a side yard setback or shall abide by any buffer yard provided. Within Phases 2 and 3, side yard setbacks shall be no less than 10' and rear yard setbacks shall be no less than 20'. Front yard averaging provisions shall not be applicable within any phase of the development.
- (M) Open space shall be created and recorded consistent with the conditional zoning district site plan.
- (N) Recreational elements proposed within each phase shall be constructed and available for use prior to the recording of subdivision plats resulting in the creation of more than 75% of the lots approved for that phase as ultimately shown on the preliminary plats to be presented.
- (O) Recreational vehicle (RV) parking shall either be prohibited throughout the development by the homeowners' association documents or areas compliant with city regulatory requirements shall be provided. Phase 3 lots 126-155 shall be permitted to store RVs provided it is done in a manner that complies with the city requirements.
- (P) Sidewalks that meet ADA standards shall be provided along streets to connect all units and lots, parking areas, recreation vehicle storage (if provided), recreation facilities, trash facilities, community mailbox(s), and shall extend to intersections with existing streets, and along existing public streets where new curb and gutter is added.
- (Q) Within the 30 ft. buffer areas, shown along Old Cox Road and Old Humble Mill Road, existing vegetation shall be retained where present; where no vegetation present, a street yard equivalent to 1 evergreen shrub per 10 linear feet and 1 canopy tree per 20 linear feet shall be provided within the buffer area.
- (R) The 20 ft. Type B buffers identified on the site plan may use existing vegetation when located within the buffer area and providing equivalent or greater buffering than the zoning ordinance requirements for a Type B buffer. Otherwise, new plantings shall be provided.
- (S) Stormwater control measures designed by a licensed professional in accordance with the current North Carolina Department of Environmental Quality Stormwater BMP Manual shall be provided. Measures shall control the ten-year post-development peak discharge rates to pre-development peak flow rates. Prior to a Certificate of Occupancy, a licensed professional shall provide certification that the storm water control measures were built according to the plans. Any open water retention or drainage areas shall be managed to control mosquitos. The maintenance of all runoff control measures shall be the responsibility of the property owner.
- (T) No uses are permitted within the "Future Development" portion of the property. Approval of a separate rezoning application shall occur prior to the city's issuance of any building permits for this area.
- (U) All terminations of public streets, whether permanent or temporary, shall comply with city ordinances and policies pertaining to turnaround and maneuvering area.
- (V) No new driveways or roadway connections shall be made to Old Cox Road or Old Humble Mill Road except for those shown on the submitted site plan unless determined by zoning administrator to be necessary for public or emergency service response(s).
- (W) Final roadway names shall be subject to city and Randolph County approval.

- (X) Floodplain development permits shall be issued by the city prior to any construction within regulated floodplain areas.
- (Y) Prior to recording a final plat for any phase of the development, homeowners' association documents, which contain provisions consistent with this order, shall be recorded in the office of the Randolph County Register of Deeds. Such homeowners' documents shall include, but not be limited to, maintenance responsibilities of the association, a release of City of Asheboro from liability due to utility maintenance on any streets, indication that walls between units are party walls, and prohibition of parking recreational vehicles (boats, campers, travel trailers, etc.) outdoors.
- (Z) 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.

Mr. Nuttall asked the board if they had any questions. Mr. O'Kelley inquired if there were any other projects like this or is this particular project relatively unprecedented. Mr. Nuttall stated that the project is relatively unique due to the size and proposal to master-plan the project. There were no more questions for Mr. Nuttall at this time.

The applicant and their representation spoke in favor of the request and provided visual presentations for the board and audience members, including an overview of the site data and proposed plans, traffic engineering studies, area maps showing future job growth, a phasing map, proposed driveway locations, examples of the types of homes within the subdivision, a revenues and expenditures breakdown, as well as a Randolph County School System Student Assignment Report. They also informed the board that mailed notices were sent to all adjoining property owners.

Several adjoining property owners and citizens spoke in opposition to the request. There were general concerns over traffic, including zoo traffic and zoo city sportsplex traffic, an overall change to the characteristics of the existing area, increased demand on emergency services, the overall number of units, removing or disturbing historic natural species and other potential federally and state endangered animal species on the property, concerns for school system capacity as well as capacity of city utilities, steep topography, water runoff, and an overall question of if this type of "super community" development is what Asheboro needs.

Hearing no further questions or comments, the board took the following action:

Mr. Henderson moved to recommend approval of RZ-23-05. Mr. Buffkin seconded the motion and the motion carried with a vote of 6 to 1. Mr. Anderson made the dissenting vote.

An audio recording of the full case is available on the City of Asheboro website.

- 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)**

Mr. Evans gave a visual presentation of the above-referenced agenda item. He gave an overview of the case:

Applicant: Terry Tucker
Location: Pineview Road

Request: 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)
Randolph County Parcel ID: 7753354982
Size: 13.37 acres +/-
Existing Land Use: Undeveloped

He presented overview, rezoning, topographic/utilities, aerial, and oblique maps, as well as a proposed site plan of development, including a proposed street profile. He also presented photographs of the subject property from all directions. He then gave an 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. Plans submitted show an intent to offer for public dedication the private driveway.
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 27% based on data presented by the applicant's engineer on 6-5-23.
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%. An SIA of approximately 2 acres for this project would utilize approximately 4% of the remaining allocatable acreage. 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 designed, the potential for future access to serve adjacent property under a separate proposal, is preserved. This is important as the code requires consideration of future development and how a proposed street network may be able to be extended over time.

He went over the LDP Recommendations:

Proposed Land Use Map: Commercial
Small Area Plan: Northwest
Growth Strategy Map: Primary Growth

Goals/Policies Supporting Request:

- Policy 2.1.5: Transitional land use between high-intensity and low-intensity uses.
- Checklist Item 3: Fits district description of zoning ordinance
- Checklist Item 5: Complies with growth strategy map.
- Checklist Item 13: Outside of Flood area

Goals/Policies Not Supporting Request:

- Checklist Item 1: Does not comply with LDP proposed land use map.
- Checklist Item 12: Located within watershed.
- Checklist Item 14: Steep slopes of greater than 20%.

He then gave proposed conditions (in underline below are portions of the proposed conditions that were newly worded since printed copies of the Staff Report were mailed):

- (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, provided no additional built-upon area results.
- (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) If the approval needed for the street(s) to be public is not obtained, the property owner shall be responsible for ensuring that solid waste facilities are installed consistent with city policies and codes. Correspondingly, a change in proposed street maintenance from public to private shall not be considered a modification requiring re-hearing.
- (G) Landscaping, including street trees, front yard landscaping, and perimeter buffering shall be installed consistent with the details and specifications shown on the site plan.
- (H) Stormwater control measures designed by a licensed professional in accordance with the current North Carolina Department of Environmental Quality Stormwater BMP Manual shall be provided. Measures shall control the ten-year post-development peak discharge rates to pre-development peak flow rates. Prior to a Certificate of Occupancy, a licensed professional shall provide certification that the storm water control measures were built according to the plans. Any open water retention or drainage areas shall be managed to control mosquitos. The maintenance of all runoff control measures shall be the responsibility of the property owner.
- (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
 - iv. Acceptance of the offer of dedication by the city for public maintenance of the currently privately maintained driveway that provides the subject property access to Pineview Road, unless new streets are ultimately privately maintained.
- (J) Prior to preliminary plat approval, plans concerning water, including provisions for fire hydrants, streetlights, 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) 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.

He then gave staff's final analysis:

"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. While approval of the district would reduce the amount of acreage available for special intensity allocations to other projects, staff believes that it is reasonable to grant the minimal allocation needed for this project. Such action will result in residential development that likely is more compatible with adjoining properties than what could be proposed under the current commercial designation."

Mr. O'Kelley inquired if there was anyone to speak for the request. Mr. HR Gallimore spoke in favor of the request. He stated that the current zoning would allow for more invasive uses than residential. He also stated that the Watershed allocation being requested is only 27% and not the max of 70%. He also stated that mailed notices were sent to adjoining property owners. There were no questions for Mr. Gallimore at this time.

Mr. O'Kelley inquired if there was anyone to speak against the request. There were general concerns about density, privacy, the overall character of the area, stormwater and water runoff. The need for a wider buffer was requested by an adjoining neighbor along the west and south property boundary. There were no further questions or comments.

Mr. Henderson moved to recommend approval RZ-23-06 with an added condition that the Buffer "B" be replaced with a Buffer "C" along the West and South property boundaries. Ms. Vuncannon seconded the motion and the motion carried unanimously.

- 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. An additional continuance until the July 10, 2023 Planning Board meeting has been requested by the applicant.**

Mr. Evans stated that an additional continuance until the July 10, 2023 Planning Board meeting has been requested by the applicant. Ms. Vuncannon moved to continue RZ-23-07 to the July 10, 2023 Planning Board meeting. Mr. Anderson seconded the motion and the motion carried unanimously.

NEW BUSINESS

- a) RZ-23-08: AN APPLICATION TO REZONE PROPERTY LOCATED AT 207 EAST PRITCHARD STREET (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7751966980) FROM B2 GENERAL COMMERCIAL TO OA6 OFFICE-APARTMENT**

Mr. Evans gave a visual presentation of the above-referenced agenda item. He gave an overview of the case:

Applicant: Estate of Peggy Britt (HR Gallimore, Agent)
Location: 207 East Pritchard Street
Request: Rezone from B2 General Commercial to OA6 Office-Apartment
Randolph County Parcel ID: 7751966980
Size: 0.8 acres +/-
Existing Land Use: Business Services (insurance office)

He presented overview, rezoning, topographic/utilities, aerial, and oblique maps. He also presented photographs of the subject property from all directions. He then gave an analysis:

1. The property is within the city limits. East Pritchard Street is a city-maintained collector street. The property is approximately 350 feet east of East Pritchard Street's signalized intersection with North Fayetteville Street.
2. The existing B2 zoning district is described by the zoning ordinance as "intended to serve the convenience goods, shoppers goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets."
3. The OA6 Office-Apartment district is described as "intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
4. The OA6 district allows residential uses (single-, two-, and multi-family with up to 4 dwellings when less than 45,000 SF exists), institutional uses (such as places of worship), and some lighter commercial uses (medical/professional offices, service uses such as hair salons). Heavier commercial uses, such as eating establishments, motor vehicle repair/sales/rental, and retail are not permitted.
5. The requested district would allow all uses permitted by right subject to compliance with city land use regulations. No site-specific development plan is considered with this request.
6. The last use of the property was business services, serving as an insurance office.
7. Information from the Randolph County Tax Department indicates that the property's building type is considered a "single-family" residence, and that the structure was built in 1923.
8. If mixed occupancy is proposed in the future (i.e., residential and non-residential), compliance with the state building code must be demonstrated.

He went over the LDP Recommendations:

Proposed Land Use Map:
Neighborhood Residential
Small Area Plan: Central
Growth Strategy Map: Primary Growth

Goals/Policies Supporting Request (7):

- **Checklist Item 1:** Complies with LDP Proposed Land Use Map
- **Checklist Items 3:** Fits description of zoning ordinance for district
- **Checklist Item 5:** The proposed rezoning is compliant with the Growth Strategy Map.
- **Checklist Items 12-14:** Outside of watershed, flood areas, areas of steep slopes
- **Policy 2.1.5:** Transitional use between high-intensity commercial/industrial and low intensity residential uses.

Goals/Policies Not Supporting Request: N/A

He then gave staff's consistency statement:

"Staff believes that the OA6 district is a more appropriate transition between industrial uses to the south and west and commercial uses to the north and east than the existing B2 General Commercial district. The Zoning Ordinance's description of the OA6 also more closely fits the property's location.

Additionally, available records indicate that either office or residential uses have occurred from the property over time; both are appropriate in an OA6 district.

Considering these factors, staff believes that the proposed zoning map amendment is reasonable and in the public interest."

He then asked the board if there were any questions. There were no questions for Mr. Evans at this time.

Mr. O'Kelley inquired if there was anyone to speak for or against the request. There was no one to speak for or against the request.

Mr. Rich moved to recommend approval of RZ-23-08. Ms. Vuncannon seconded the motion and the motion carried unanimously.

b) RZ-23-09: AN APPLICATION TO REZONE PROPERTY LOCATED AT 3114 ZOO PARKWAY (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7669460864) FROM R40 (LOW-DENSITY RESIDENTIAL) TO R10 (MEDIUM-DENSITY RESIDENTIAL)

Mr. Evans gave a visual presentation of the above-referenced agenda item. He gave an overview of the case:

Applicant: Ricky Eugene Spencer
Location: 3114 Zoo Parkway
Request: Rezone from R40 Low-Density Residential to R10 Medium-Density Residential
Randolph County Parcel ID: 7669460864
Size: 2.2 acres +/-
Existing Land Use: Undeveloped (formerly single-family dwelling)

He presented overview, rezoning, topographic/utilities, aerial, and oblique maps. He also presented photographs of the subject property from all directions. He then gave an analysis:

1. The property is outside the city limits. Zoo Parkway is a state-maintained major thoroughfare at this location.
2. Access to city utilities (water/sewer) requires annexing the property.
3. The existing R40 district allows a single-family dwelling on a lot with 40,000 SF and a two-family dwelling on a lot with 80,000 SF.
4. The zoning ordinance describes the R10 zoning district as "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."
5. The current R40 zoning only allows one two-dwelling unit on the property. If the property is rezoned, it is possible that additional lots can be created through the subdivision process and additional homes constructed.
6. The Village Activity Center is described by the Land Development plan to have a "variety of housing types surrounding the mixed-use core, including some multi-family residential units (e.g., Apartments, Townhouses, and Condominiums)." It describes the intent as to "create pedestrian-friendly, community focal points containing a mixture of commercial, office and institutional, entertainment, open space, and residential uses & housing types.
7. The area already includes a mixture of housing types (single-family, residential townhomes, Crossroads Rest and Retirement) and is across from the city-owned Zoo City Sportsplex.

He went over the LDP Recommendations:

Proposed Land Use Map: Village Activity Center

Small Area Plan: Southeast

Growth Strategy Map: Secondary Growth

Goals/Policies Supporting Request (6):

- **Checklist Items 3:** Fits description of zoning ordinance for district
- **Checklist Item 5:** The proposed rezoning is compliant with the Growth Strategy Map.
- **Checklist Items 12-14:** Outside of watershed, flood areas, areas of steep slopes
- **Policy 2.1.5:** Transitional use between high-intensity commercial/industrial and low intensity residential uses.

Goals/Policies Not Supporting Request (1):

- **Checklist Item 1:** Does not comply with LDP Proposed Land Use Map

He then gave staff's consistency statement:

"Staff believe that the requested R10 zoning designation is appropriate for the property given the area's mixture of housing types and densities. While the application does not implement the Land Development Plan's recommendations for a mixed-use Village Activity Center, recent investments and growth in the area justify a transition to medium-density residential zoning from the present low-density district. Considering these factors, staff believes that the proposed zoning map amendment is reasonable and in the public interest."

He stated that the applicant was not available for the meeting due to a scheduled conflict but did inform staff that the applicant had mailed notices to adjoining property owners on May 26th, 2023. He then asked the board if there were any questions. Mr. O'Kelley commented on the size of the lot and inquired on the number of lots this property could be potentially divided into that would meet the R10 district requirements. Mr. Evans went over the minimum lot sizes for development in the R10 district and stated that the potential for 2 to 3 lots. He also mentioned that this request is pending an annexation request with the City Council.

Mr. O'Kelley inquired if there was anyone to speak for or against the request. There was no one to speak for or against the request.

Board members expressed some concerns regarding the possibility of several driveways and lots that could be developed on a segment Zoo Parkway that has limited sight distance. After discussion, the Board suggested that the applicant's presence may be helpful. Ms. Vuncannon moved to continue the case to the July Planning Board meeting to allow a chance for the applicant to address the board. Mr. Rush seconded the motion and the motion carried unanimously.

- c) **RZ-23-10: AN APPLICATION TO REZONE PROPERTY LOCATED AT 615 & 617 SOUTH CHURCH STREET; 233 WEST KIVETT STREET; 616 & 622 HAMMER AVENUE (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7751703525), WITH AN AMENDED CONDITIONAL ZONING OFFICE-APARTMENT DESIGNATION FOR THE PURPOSE OF A MULTI-FAMILY DEVELOPMENT FOR THE ELDERLY THAT IS A WHOLE BLOCK REDEVELOPMENT PROJECT. THE APPLICANT HAS ASKED FOR A CONTINUANCE UNTIL THE JULY 10, 2023 PLANNING BOARD MEETING.**

Mr. Evans stated that a continuance until the July 10, 2023 Planning Board meeting has been requested by the applicant. Ms. Vuncannon moved to continue RZ-23-10 to the July 10, 2023 Planning Board meeting. Mr. Anderson seconded the motion and the motion carried unanimously.

ITEMS NOT ON THE AGENDA

There were no items at this time.

ADJOURNMENT

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

Bradley Morton, Planning Board Secretary

Michael O'Kelley, Planning Board Chair



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 August 7, 2023 Planning Board meeting has been requested by the applicant.

Staff Report

John Evans

From: Trevor Nuttall
Sent: Thursday, June 29, 2023 2:58 PM
To: John Evans; John Ogburn
Subject: Fwd: [External Sender] Keaton's Place zoning request

FYI below.

----- Forwarded message -----

From: Chip Womick <chip@keatonsplace.org>
Date: Jun 28, 2023 6:08 PM
Subject: [External Sender] Keaton's Place zoning request
To: Trevor Nuttall <tnuttall@ci.asheboro.nc.us>
Cc:

Trevor,

We recently hosted an information meeting on our proposal for conditional zoning of a parcel at 379 S. Cox St. So that we have time to evaluate the feedback from that meeting, we request continuation of consideration of our application to the August meetings of the planning board and the city council.

Chip Womick
Director of Services
Keaton's Place
120 Worth St.
Asheboro

336-628-0070

Rezoning Staff Report

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

Date July 10, 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

See attachment 1.

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 can be considered a "Family Care Home" which, under state law, must be regulated as a single-family residential use with the exception that permitted homes can be required to provide separation between from one another.
4. A Congregate Living Facility is defined as: *any building, buildings, section of a building, or distinct part of a dwelling unit, home for the aged or other place, whether operated for profit or not, which undertakes through its ownership or management to provide to individuals, for a period exceeding twenty-four hours, housing, food services, and one or more personal care services. For purposes of this definition "Personal Care Services," means services, in addition to housing and food service which include, but are not limited to, personal assistance with bathing, dressing, ambulation, supervision of self-administered medication, transportation, emotional security, and other related service. Furthermore, personal care services are deemed to include on-site ancillary services to mentor and provide personal support and improve life skills of residents, including but not limited to, job training, homemaking skills, personal budgeting, parenting, personal counseling and GED programs. Personal care services do not include nursing or medical treatment. Such facilities shall contain congregate kitchen, dining and living areas only, with separate sleeping rooms. Further, such facilities shall not be used for those persons in need of a structured environment, as it is defined herein. For purposes of this Ordinance, Congregate Living Facilities shall not be deemed to include boarding/rooming houses; fraternities/sororities; monasteries; convents; hotels/motels; professional recovery facilities; or nursing, convalescent and extended care facilities. A congregate living facility is synonymous with a family care home as defined by NCGS § 168, Article 3.*
5. 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.*
6. 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.

7. A Congregate Living Facility differs from an Emergency Shelter and also from a Professional Recovery Facility. The former provides temporary accommodations due to emergencies or circumstances that threaten the safety or well-being of those assisted. The latter provides board and lodging as well as professionally administered treatment, under state license, to overcome various conditions that will enable full participation in community life.

8. No building additions are proposed; the use would occur within the existing structure. Building upfits, however, would be required under the state building code. The site plan submitted does not indicate any exterior site improvements except a 6' wooden privacy fence along the northern and eastern property boundaries.

9. 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."

10. Staff has requested more project details related to landscaping, the number of residents to be housed, the location of outdoor recreation area, and proposed lighting.

11. Staff has confirmed with the NC Department of Health and Human Services that the use, as proposed, would not require state licensing.

12. The applicant has requested an additional continuance until the August 7, 2023 Planning Board. The applicant's written request is included in this report.

Rezoning Staff Report

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

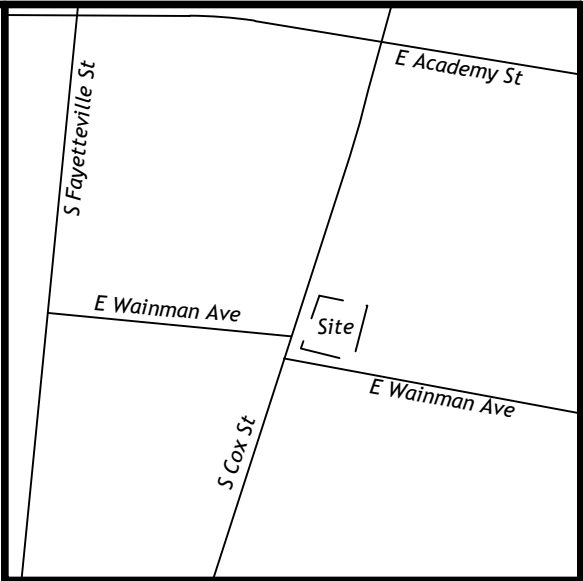
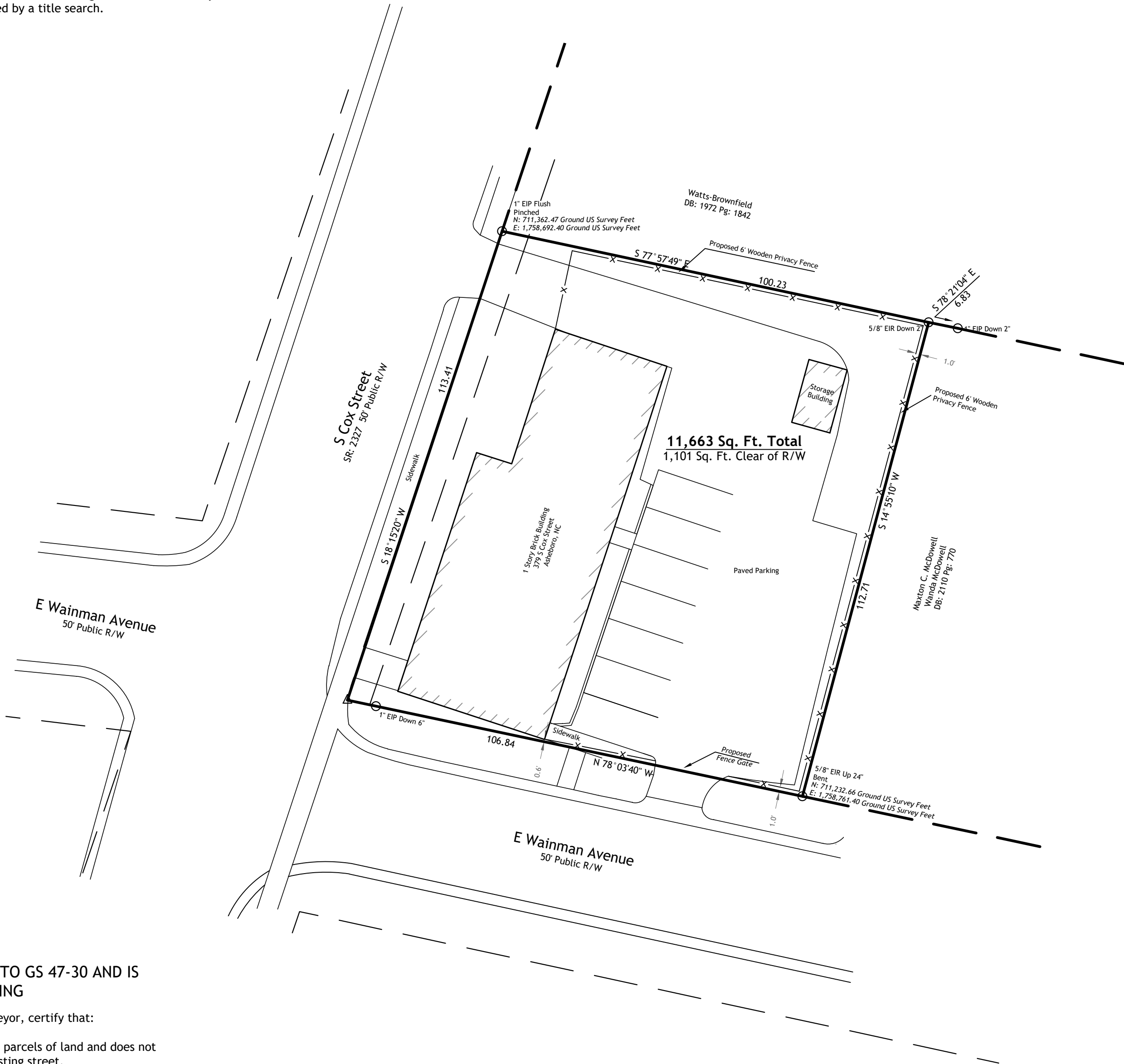
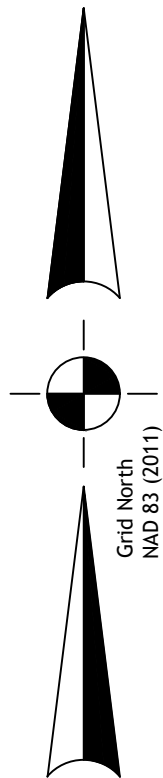
Recommendation Staff supports the applicant's continuance request.

Rezoning Staff Report

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

Proposed conditions are pending.

- 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		LP - 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:

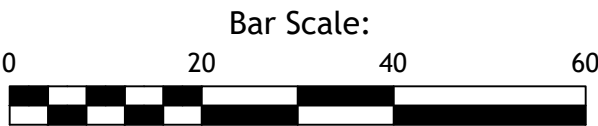
Keaton's Place

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

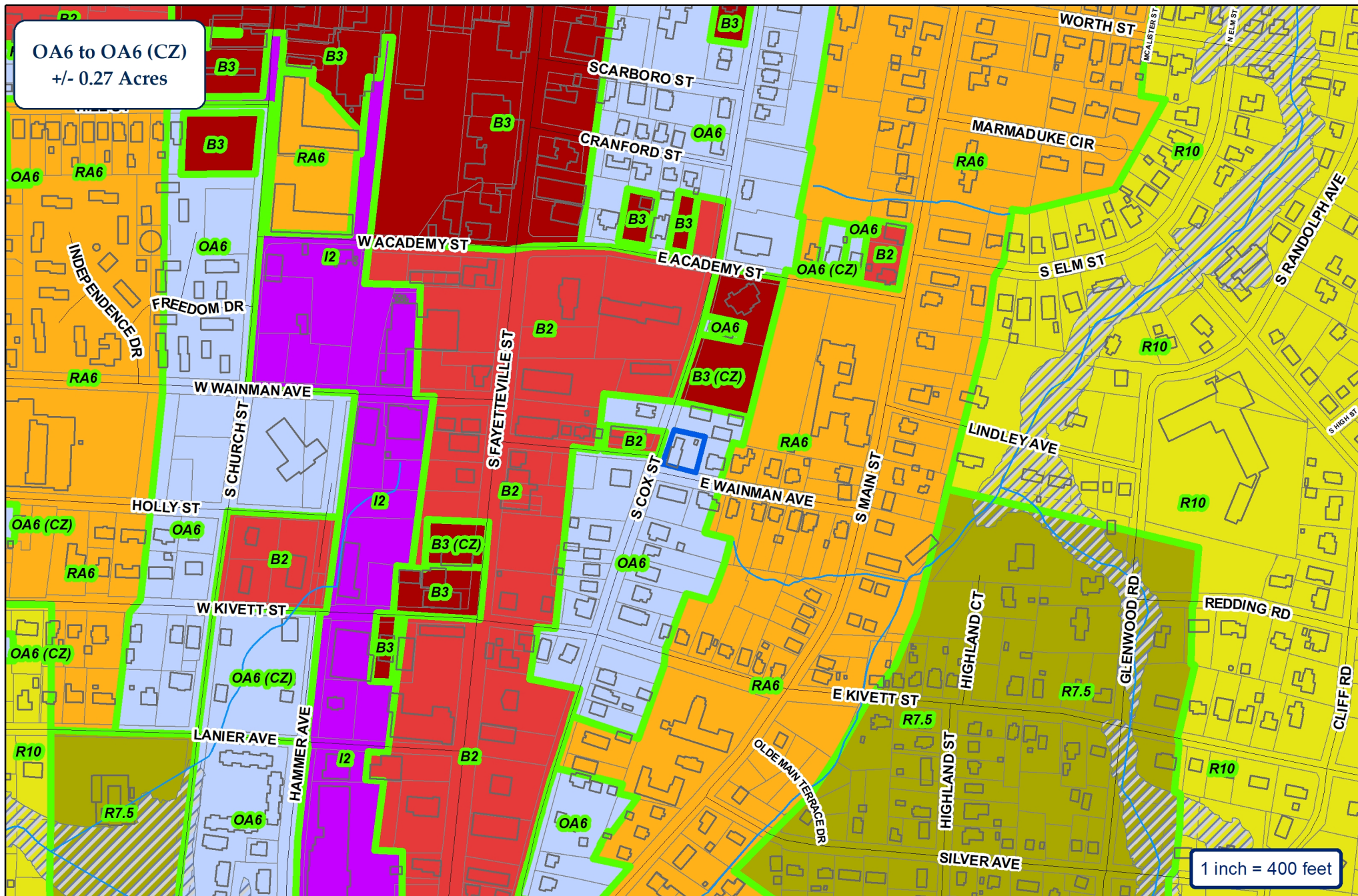
Firm #: P-1110

Dan W Tanner II L-4787

© 2023 Survey Carolina, Pllc

Job #: 15079

OA6 to OA6 (CZ)
+/- 0.27 Acres

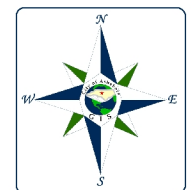
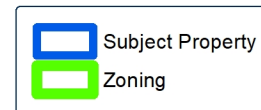


1 inch = 400 feet

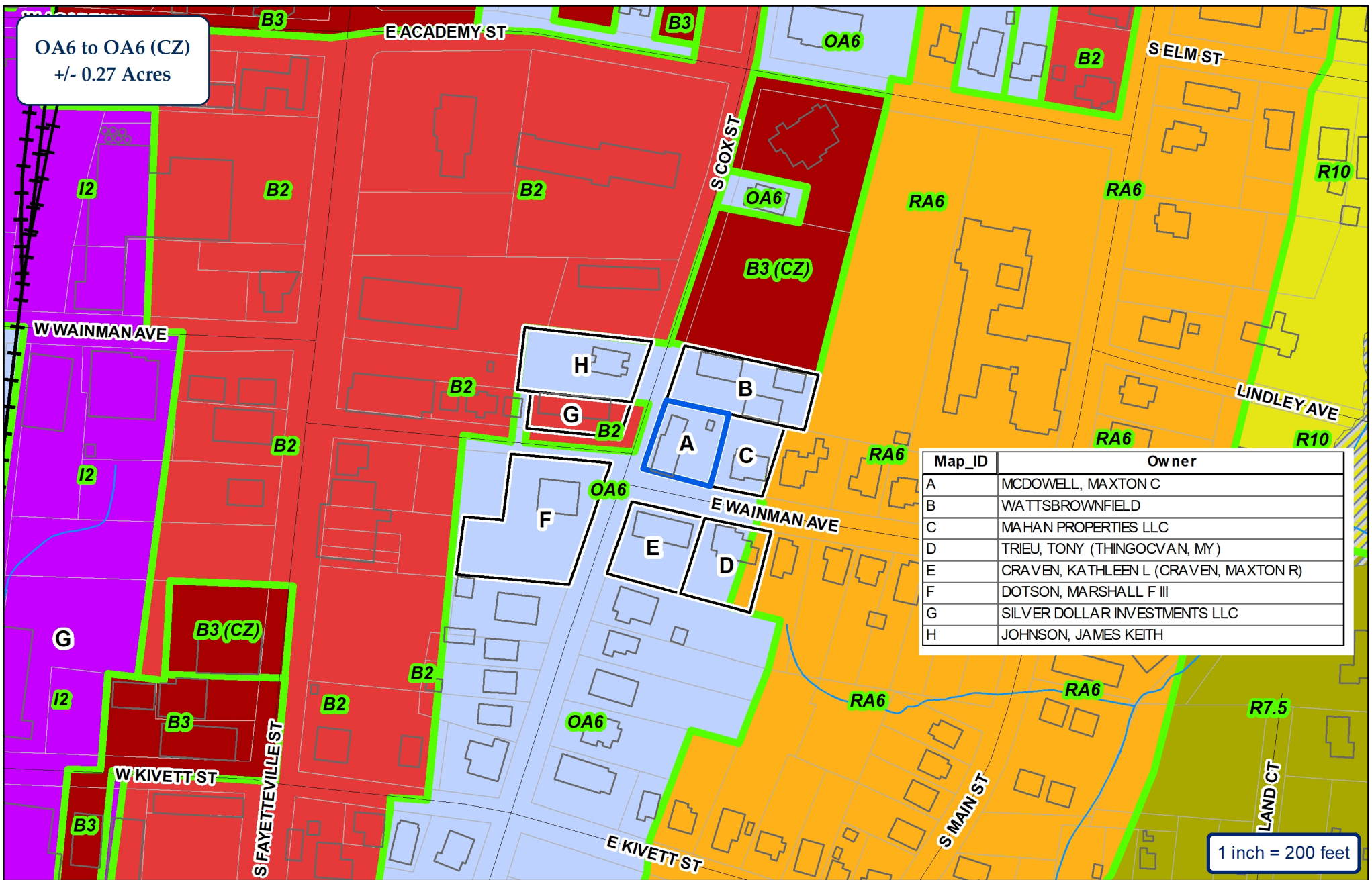


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-07

Parcels: 751816243

OA6 to OA6 (CZ)
+/- 0.27 Acres



Map_ID	Owner
A	MCDOWELL, MAXTON C
B	WATTSBROWNFIELD
C	MAHAN PROPERTIES LLC
D	TRIEU, TONY (THINGOCVAN, MY)
E	CRAVEN, KATHLEEN L (CRAVEN, MAXTON R)
F	DOTSON, MARSHALL F III
G	SILVER DOLLAR INVESTMENTS LLC
H	JOHNSON, JAMES KEITH

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-07

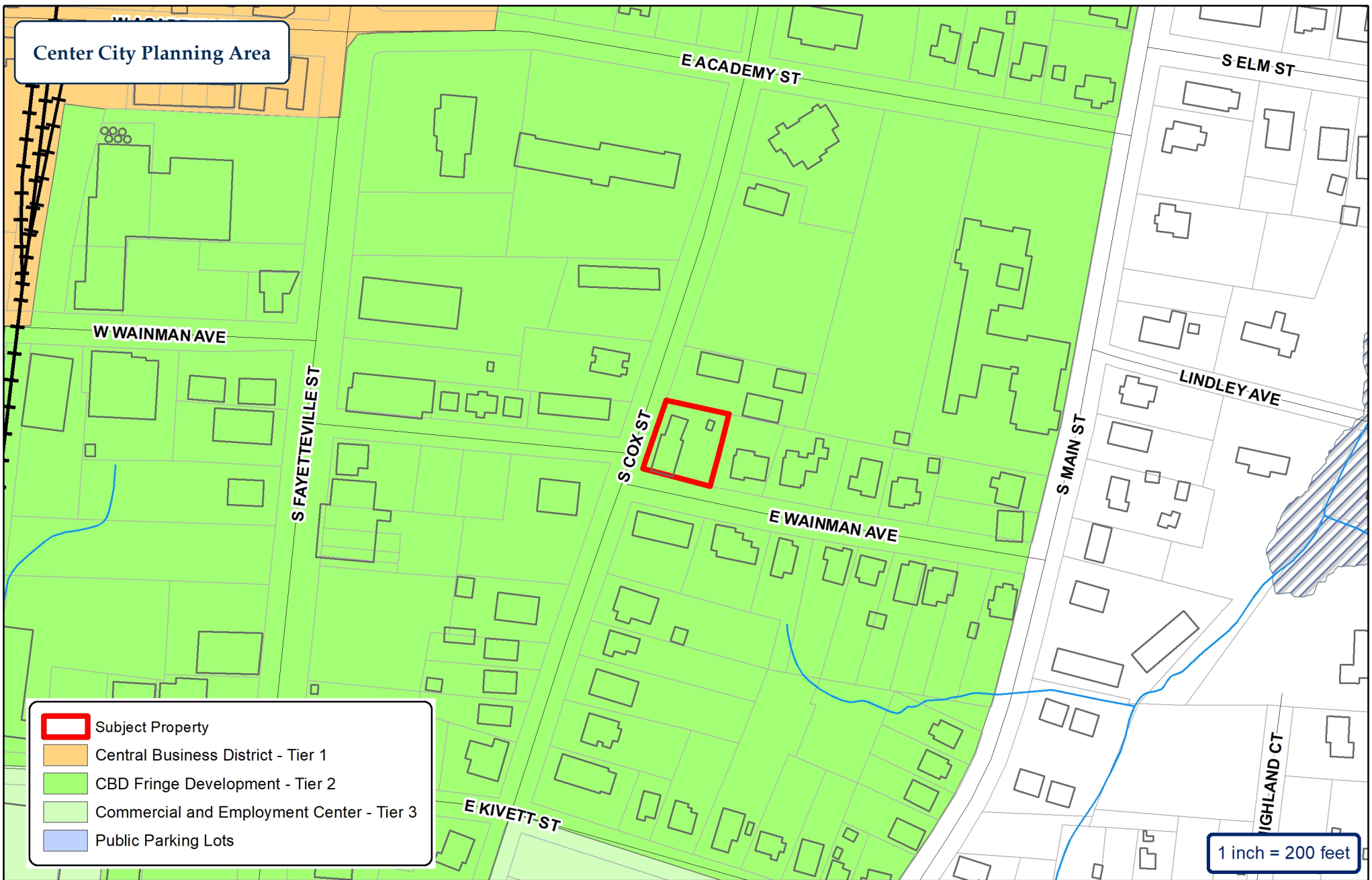
Parcels: 7751816243



ETJ

- Subject Property
- Adjoining Properties
- City Zoning





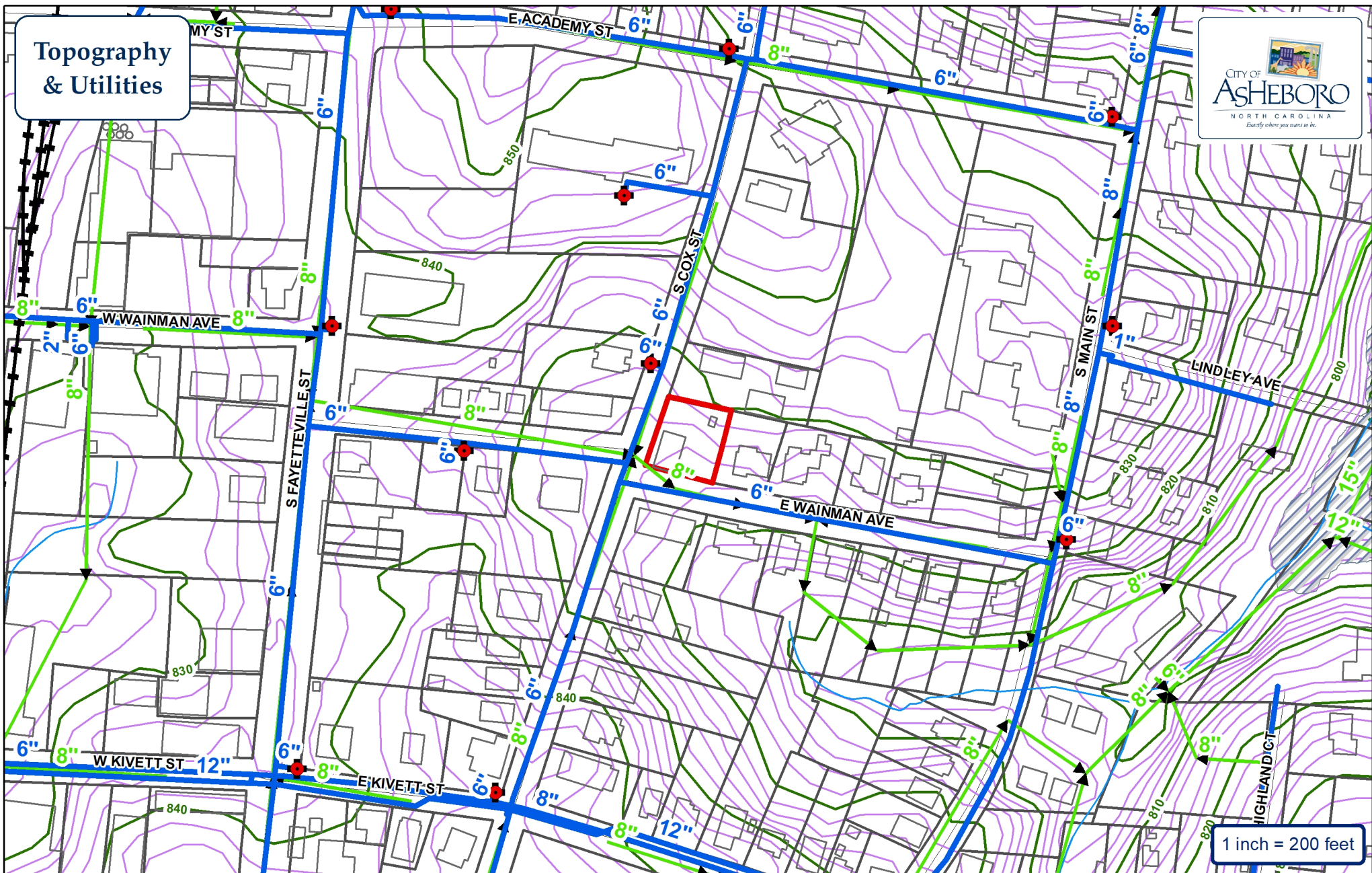
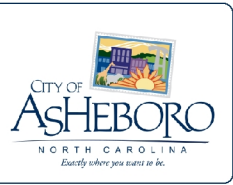
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-07

Parcels: 7751816243



Topography & Utilities



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

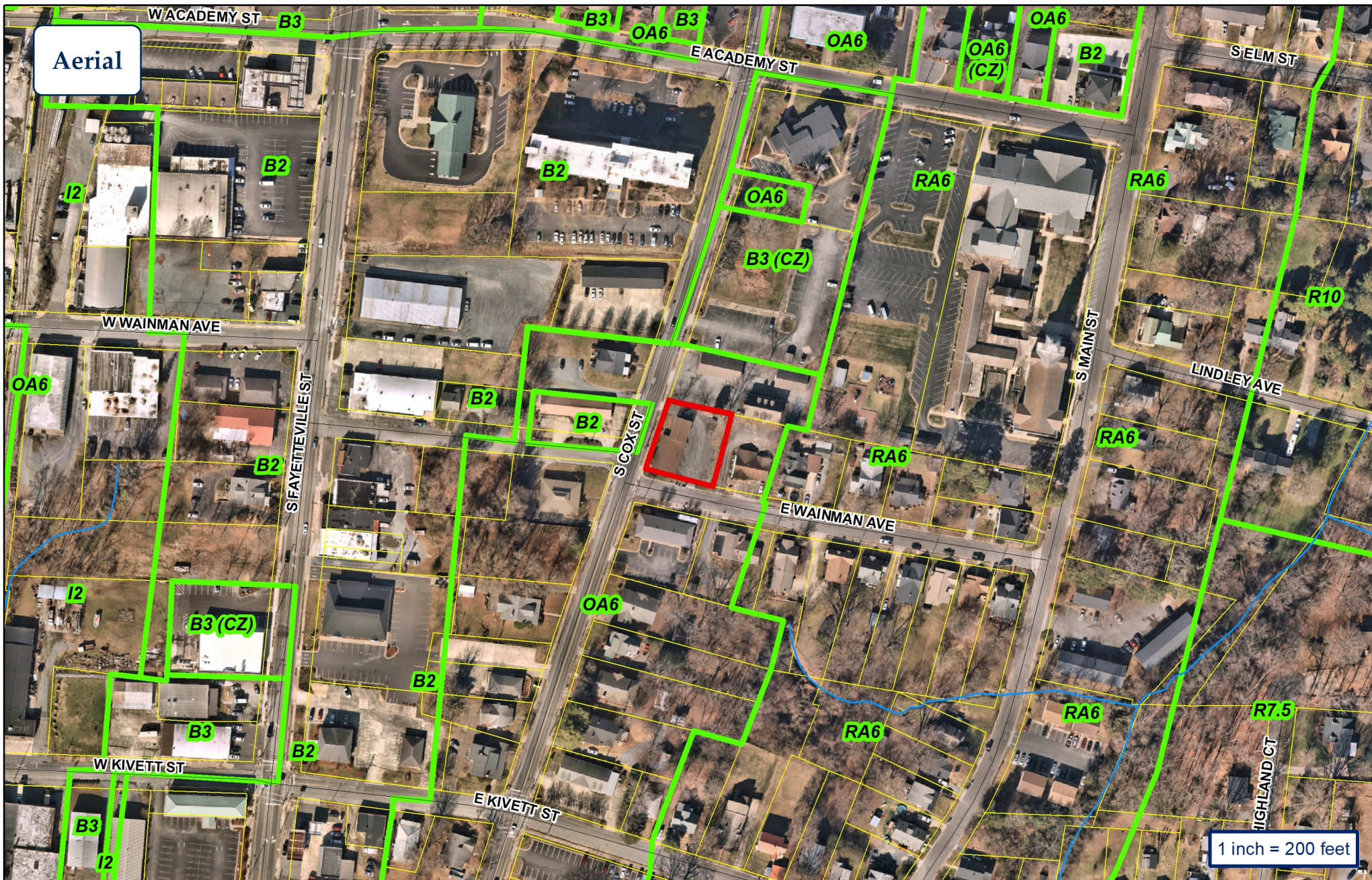
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-07

Parcels: 751816243

 Subject Property

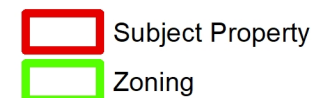




City of Asheboro Planning & Zoning Department

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



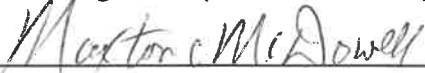
Printed Name of Authorized Signatory (if different from Applicant)

Susan E. Hunt

Position/Relationship of Authorized Signatory to Applicant

Exec. Director

Owner Signature (if different than Applicant)



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

STAFF USE		
Received by: <u>JLE</u>	Date: <u>4-14-23</u>	Case Number: <u>R2-23-07</u>



RZ-23-09: An application to rezone property located at 3114 Zoo Parkway (Randolph County Parcel Identification Number 7669460864) from R40 (Low-Density Residential) to R10 (Medium-Density Residential)

Staff Report

Rezoning Staff Report

RZ Case # **RZ-23-09**

Date July 10, 2023 Planning Board

General Information

Applicant Ricky Eugene Spencer

Address 651 Karla Drive

City Asheboro NC 27203

Phone 336-953-8060

Location 3114 Zoo Parkway

Requested Action Rezone from R40 Low-Density Residential to R10 Medium-Density Residential

Existing Zone R40

Existing Land Use Undeveloped/formerly single-family dwelling

Size 2.2 acres +/-

Pin # 7669460864

Applicant's Reasons as stated on application

Provide new housing opportunities. New development has occurred in the area over last 15-20 years.

Surrounding Land Use

North Industrial/Single-Family

East Zoo City Sportsplex & Congregate Living

South Residential PUD (Parkway South)

West Undeveloped

Zoning History N/A

Legal Description

The property of Ricky Eugene Spencer & Clarissa Spencer, located at 3114 Zoo Parkway, across from & immediately south of the Old Cox Road intersection, totaling approximately 2.2 acres +/- and more specifically identified by Randolph County PIN 7669460864

Analysis

1. The property is outside the city limits. Zoo Parkway is a state-maintained major thoroughfare at this location.
2. Access to city utilities (water/sewer) requires annexing the property.
3. The existing R40 district allows a single-family dwelling on a lot with 40,000 SF and a two-family dwelling on a lot with 80,000 SF.
4. The zoning ordinance describes the R10 zoning district as "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."
5. The current R40 zoning only allows one two-dwelling unit on the property. If the property is rezoned, it is possible that additional lots can be created through the subdivision process and additional homes constructed.
6. The Village Activity Center is described by the Land Development plan to have a "variety of housing types surrounding the mixed-use core, including some multi-family residential units (e.g. Apartments, Townhouses, and Condominiums)." It describes the intent as to "create pedestrian-friendly, community focal points containing a mixture of commercial, office and institutional, entertainment, open space, and residential uses & housing types"
7. The area already includes a mixture of housing types (single-family, residential townhomes, Crossroads Rest and Retirement) and is across from the city-owned Zoo City Sportsplex.
8. Concerns were raised at the June 5 Planning Board meeting regarding the number of driveways that may result if the property is rezoned to R10 later subdivided. Based on these concerns, staff inquired with NCDOT about anticipated requirements for both single-family and two-family development. NCDOT has provided the city written communication indicating that a shared driveway may be requested, especially if two-family development is proposed, due to limited site distance. This information has been shared with and acknowledged by the applicant. With a non-conditional zoning district request, no additional details can be provided but the NCDOT has an established process that should be able to address concerns of the Board.

Rezoning Staff Report

RZ Case # RZ-23-09

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 Village Activity Center

Small Area Plan Southeast

Growth Strategy Map Designation Secondary 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.

Checklist Item 5: Complies with Growth Strategy Map

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 Items 12, 13, and 14: 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area.

Rezoning Staff Report

RZ Case # **RZ-23-09**

LDP Goals/Policies Which Do Not Support Request

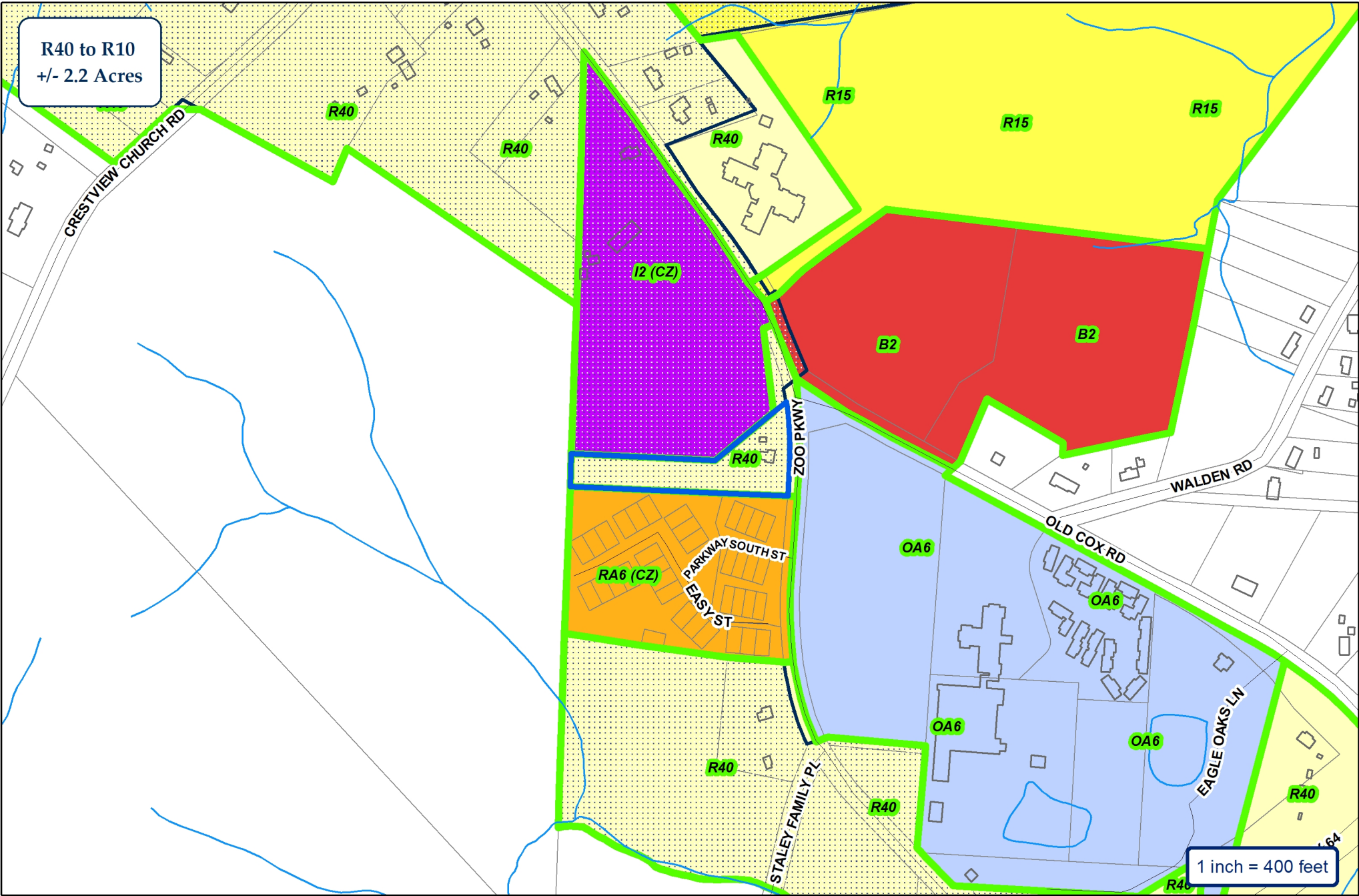
Checklist Item 1: Does not comply with LDP proposed land use map.

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

Staff believes that the requested R10 zoning designation is appropriate for the property given the area's mixture of housing types and densities. While the application does not implement the Land Development Plan's recommendations for a mixed use Village Activity Center, recent investments and growth in the area justify a transition to medium-density residential zoning from the present low-density district.

Considering these factors, staff asserts that the proposed zoning map amendment is reasonable and in the public interest.

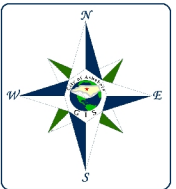
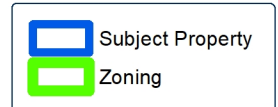
Recommendation In light of the above analysis, staff recommends approval.



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-09

Parcels: 7669460864



R40 to R10
+/- 2.2 Acres

Map_ID	Owner
A	SPENCER, RICKY EUGENE (SPENCER, CLARISSA)
B	SPENCER, OLA MAE HUNT
C	CITY OF ASHEBORO
D	CROSS ROAD REST & RETIREMENT CTR
E	TRIANGLE PARK ASSOCIATES
F	TRIANGLE PARK ASSOCIATES
G	BRASWELL, MARK T

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-09

Parcels: 7669460864

-  Subject Property
-  Adjoining Properties
-  City Zoning

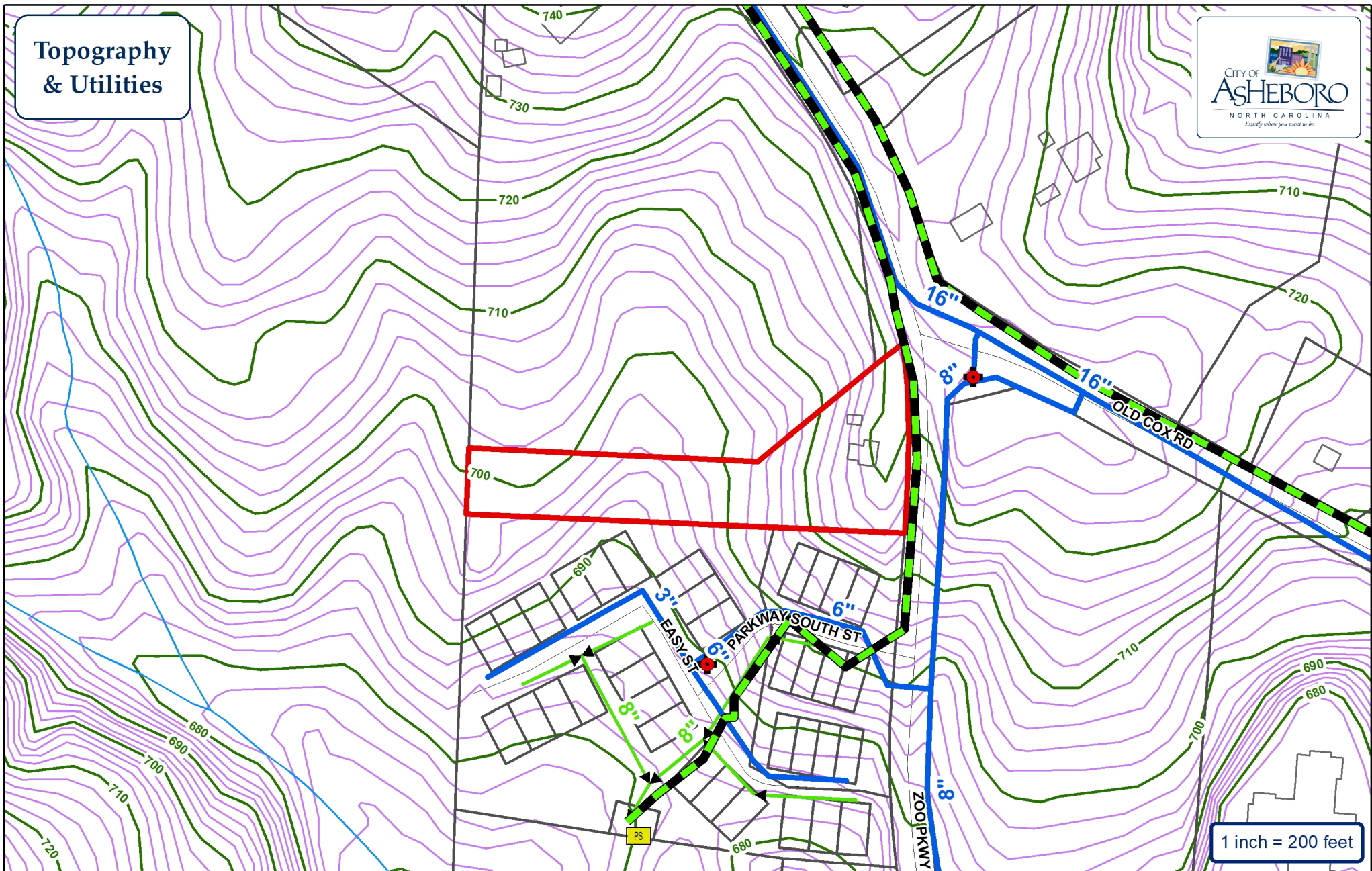


1 inch = 200 feet



ETJ

Topography & Utilities



1 inch = 200 feet

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

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-09

Parcels: 7669460864

 Subject Property



Aerial



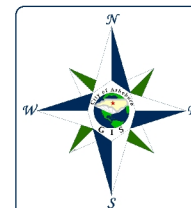
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-09

Parcels: 7669460864



 Subject Property



APPLICANT INFORMATION

Applicant Ricky Eugene Spencer
Applicant's Phone # 336-953-8060
Applicant's Address 651 Karla Dr
Asheboro, N.C.
Applicant Email Address respencer54@gmail.com

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name _____
Location of Property 3114 Zoo Parkway, Asheboro, NC 27205
Property Size (ac. or s.f.) 2.2 ac.
Randolph County Property Identification Number (PIN#) 7669-46-0864
Current Zoning District R40
Requested Zoning District R10
Date Property Title Acquired 9/28/2017
Deed Book 002565 Page 01174
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?

Provide new housing opportunities

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?

*new development has occurred in area
over last 15-20 years*

Does not apply ☐

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

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

Riley E. Spence

Printed Name of Authorized Signatory (if
different from Applicant)

Position/Relationship of Authorized
Signatory to Applicant

Owner Signature (if different than Applicant)

Riley Eugene Spence Christina Spence

Owner Address

651 Karla Dr

Asheboro NC

Telephone Number

336-953-8060

Printed Name of Authorized Signatory (if
different from Owner)

Position/Relationship of Authorized
Signatory to Owner

STAFF USE

Received by: TH Date: 5/10/23 Case Number: _____



RZ-23-10: An application to rezone property located at 615 & 617 South Church Street; 233 West Kivett Street; 616 & 622 Hammer Avenue (Randolph County Parcel Identification Number 7751703525), with an amended Conditional Zoning Office-Apartment designation for the purpose of a Multi-Family Development for the Elderly that is a Whole Block Redevelopment project.

Staff Report

Rezoning Staff Report

RZ Case # RZ-23-10

Date July 10, 2023 Planning Board

General Information

Applicant

Wynnefield Forward, LLC

Address PO Box 566

City Asheboro NC 27203

Phone 336-822-0765

Location 615 & 617 South Church Street; 233 West Kivett Street; 616 & 622 Hammer Avenue

Requested Action

Rezone to an amended OA6 (CZ) Office-Apartment Conditional Zoning designation for a Whole Block Redevelopment for a Multi Family Development for the Elderly ☐

Existing Zone OA6

Existing Land Use Single Family (2); Two-Family (1); Multi-Family (5 units)

Size 2.5 acres +/-

Pin # 7751703525

Applicant's Reasons as stated on application

See attached

Surrounding Land Use

North Commercial/Office

East Commercial/Industrial/Railroad

South Multi-family residential

West Single-Family dwelling /Office

Zoning History RZ-22-04: Rezone from OA6 (Office-Apartment) to OA6 (CZ) for a Whole Block Redevelopment for a Multi Family Development for the Elderly

Legal Description

The property of Memorial Square, LLC., located at 615 & 617 South Church Street; 233 W. Kivett Street, and 616 & 622 Hammer Avenue, consisting of approximately 2.5 acres +/- and more specifically identified by Randolph County Parcel Identification Number 7751703525.

Analysis

1. The applicant is requesting a Conditional Zoning requesting a Multi Family Development for the Elderly that is a Whole Block Redevelopment project.
2. The property is within the city limits.
3. South Church Street is a state-maintained minor thoroughfare. West Kivett Street is a city-maintained minor thoroughfare. Lanier Avenue and Hammer Avenue are city-maintained local streets.
4. This use was approved in 2022 (Case No. RZ-22-04), allowing a four-story structure with 60 dwelling units.
5. The applicant is proposing an amended conditional zoning district, which (1) reduces the total number of units from 60 to 48; (2) moves the building closer to Hammer Avenue and further from South Church Street; and (3) changes the parking location and reduces the number of parking spaces.
6. The zoning ordinance allows an applicant to propose a conditional zoning district that deviates from the zoning ordinance's pre-prescribed requirements. Three deviations from typically applied zoning ordinance requirements are proposed: the first is the elimination of five (5) overflow parking spaces, the second is to exceed the typical 45 ft. height limitation with a building that is 47 feet and 5 inches in height; and the third is to permit indoor recreational area to be provided via indoor space as opposed to exclusively by outdoors.
7. The OA6 zoning district is described as "intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged." Multi-family Development for the Elderly is a permitted use within the OA6 district.
8. The property is located within Tier 3 (Commercial and Employment Center) of the Center City Planning Area. Two properties with a B3 (Central Commercial) designation are within 300 feet of the subject property.
9. The application seeks approval of a Whole Block Redevelopment proposal. Whole Block Redevelopment is envisioned to help with the revitalization of neighborhoods, removal of blighted and unsafe structures, encouragement of reinvestment into properties in the vicinity of the development, stabilization and enhancement of property values, improvement of the City's housing stock, enhancement of the historic integrity of neighborhoods and improvement to public infrastructure.
10. There are currently two single-family dwellings, one two-family (duplex) dwelling, and one multi-family structure

Rezoning Staff Report

with five residential dwelling units located on the property requested for rezoning.

RZ Case # RZ-23-10

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

Growth Strategy Map Designation Primary Growth

LDP Goals/Policies Which Support Request

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

Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. *(Article 200, Section 210, Schedule of Statements of Intent)*

Checklist Item 5: Complies with Growth Strategy Map

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

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

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.

Rezoning Staff Report

RZ Case # RZ-23-10

LDP Goals/Policies Which Do Not Support Request

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

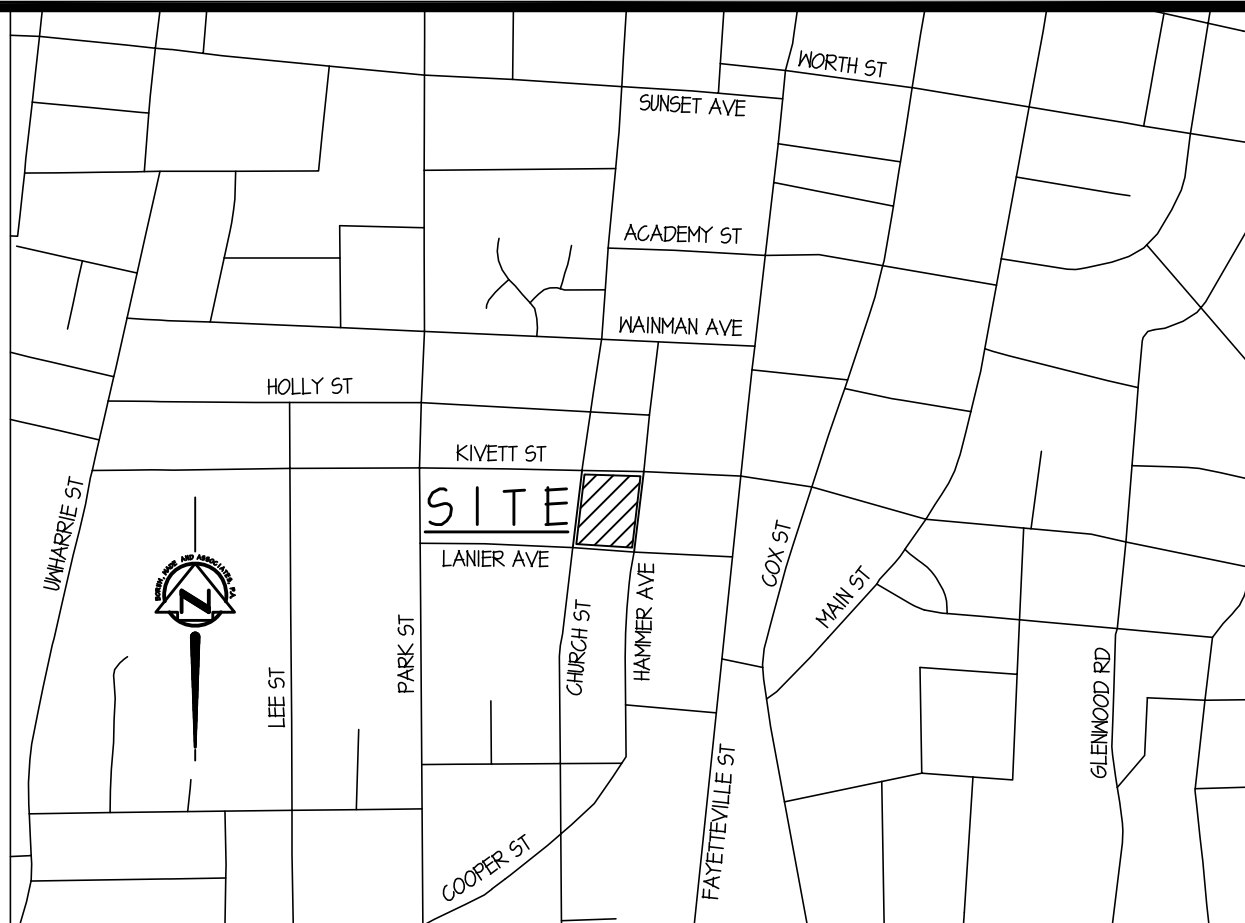
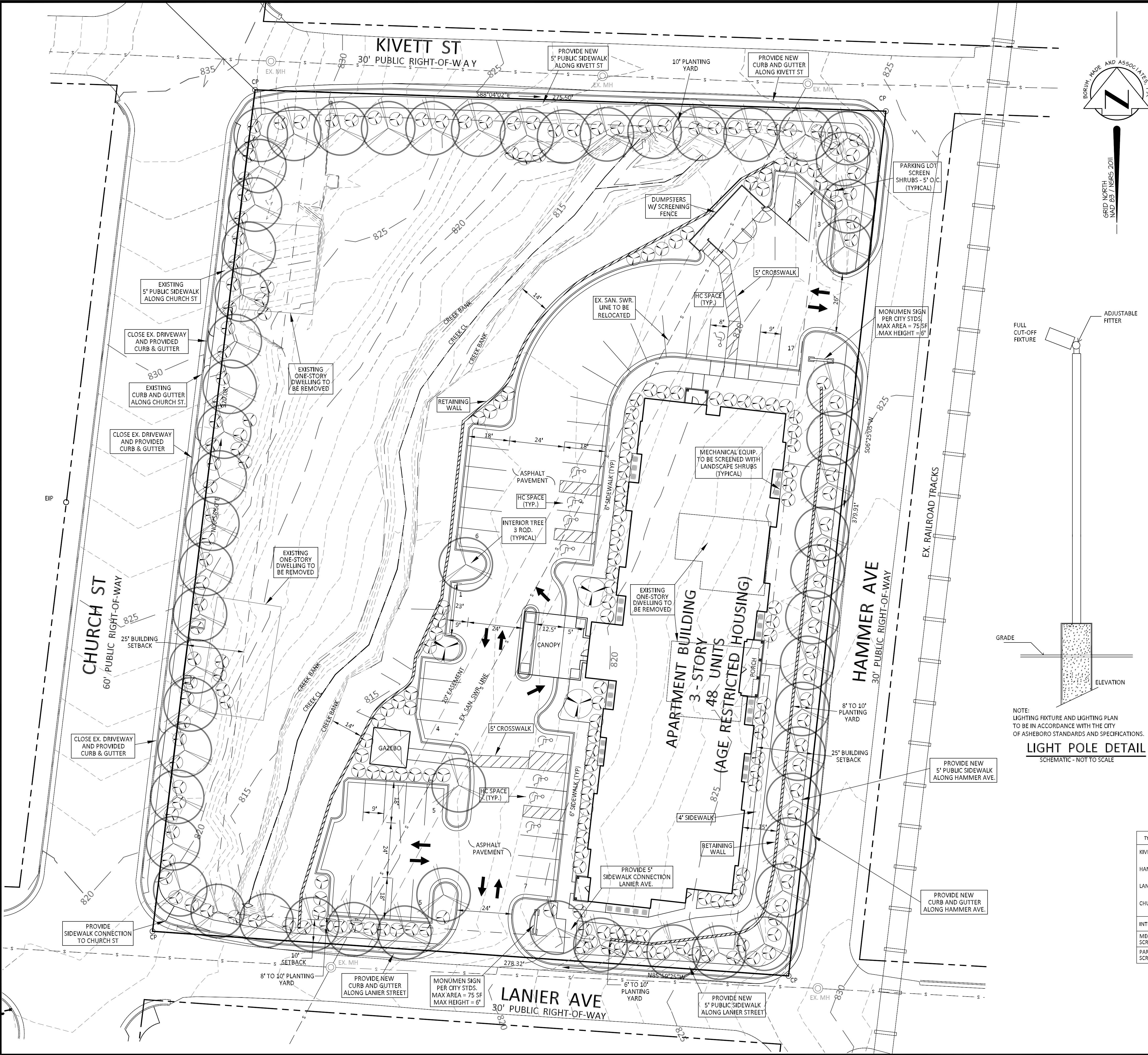
While the application shifts the building location away from S. Church Street to Hammer Avenue in order to minimize environmental impacts, many of the project's primary design elements remain. Redevelopment still will result in needed housing for the elderly in an urban location with the necessary supportive services in close proximity. Transportation-related improvements that are important for a project of this type and advocated by the Central Small Area Plan are included. Impervious surface is reduced, steeper slopes are better protected, and additional tree preservation is expected with the revised design. While the applicant is requesting deviations from certain parking provisions and the type of recreation space provided, staff believes that the requests are reasonable based on the plan presented and in light of the property's characteristics and limitations. The district and conditions proposed are consistent with the city's adopted plans and approval would facilitate a reasonable use of the property.

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

Rezoning Staff Report

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

- (A) The use approved shall be a Whole Block Redevelopment for a Multi Family Development for the Elderly and the site developed consistent with the site plan submitted.
- (B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
- (C) The existing city sewer line that will be impacted by the project shall be relocated by the developer and in a manner approved by the city.
- (D) Project landscaping shall be installed in a manner to preserve appropriate sight distances and avoid conflict with public right-of-ways.
- (E) The applicant shall obtain and submit documentation detailing the following approvals at the appropriate time:
 - (i) NCDEQ (Erosion&Sediment Control).
 - (ii) NCDOT encroachment agreement for curb and gutter modifications to South Church Street (SR 1707).
- (F) 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.



VICINITY MAP
N. T. S.

SITE DATA

AREA IN R/W:	0.11 ACRES
SITE AREA:	2.36 ACRES
TOTAL AREA:	2.47 ACRES
PARCEL PIN:	7751703525
DEED REFERENCE:	D.B. 1165, PG 491
PLAT REFERENCE:	P.B. 1, PG. 177
EXISTING ZONING:	OAG (CZ)
PROPOSED ZONING:	OAG (CZ)
EXISTING USE:	SINGLE FAMILY HOMES
PROPOSED USE:	RESIDENTIAL MULTI-FAMILY APARTMENTS
NO. OF UNITS:	48 APTS. UNITS
DENSITY:	48 UNITS / 2.47 AC = 19.43 UNITS / AC

BUILDING SETBACKS

STREET	ORDINANCE REQUIRED SETBACK	REQUESTED SETBACK
KIVETT STREET	25'	25' MIN.
HAMMER AVENUE	10'	10' MIN.
LANIER AVENUE	10'	10' MIN.
CHURCH STREET	25'	25' MIN.

PARKING SUMMARY

UNIT PARKING REQUIRED:	48 UNITS * 1 SP/UNIT = 48 SP. (+) 0 SP OVERFLOW = 48 SP.
VISITOR PARKING REQUIRED:	48 SPACES X 10% = 5 SPACES
UNIT PARKING PROVIDED:	48 SP.
VISITOR PARKING PROVIDED:	0 SP - DUE TO SITE CONSTRAINTS NO VISITOR PARKING PROPOSED.

RECREATIONAL AREA SUMMARY

RECREATIONAL AREA REQUIRED:	(2.36 AC. X 0.025 X 43560 SF) = 2,570 S.F.
RECREATIONAL AREA PROVIDED:	
INSIDE BUILDING:	
COMMON SITTING AREAS:	480 SF
MULTI-PURPOSE ROOM:	432 SF
FLEX SPACE:	180 SF
COMPUTER ROOM:	120 SF
ACTIVITY ROOMS:	1,800 SF
OUTSIDE BUILDING:	
GAZEBO:	250 SF
DESIGNATED AREA:	3,262 SF

BUILT UPON AREA SUMMARY

BUILT-UPON AREA ALLOWABLE:	70% MAX (2.36 AC * 70% = 1.65 AC)
BUILT-UPON AREA PROVIDED:	1.04 AC (1.04 AC / 2.36 AC = 44% +/-)

STORM WATER MANAGEMENT

STORMWATER MANAGEMENT BMP TO BE PROVIDED TO CONTROL RUNOFF FROM A 10 YEAR STORM TO THE PRE-DEVELOPMENT RATE.

NOTES

- BOUNDARY INFORMATION TAKEN FROM AVAILABLE RECORDED DEED INFORMATION. NO FIELD SURVEY OF THE PREMISES WAS PERFORMED FOR THIS MAP.
- TOPOGRAPHICAL INFORMATION FROM NC LIDAR.
- EXISTING STRUCTURES TO BE REMOVED FROM THE PROPERTY.
- NO R.V. STORAGE IS PERMITTED ON THE SITE.
- THIS SITE SKETCH IS "SCHEMATIC" AND "ILLUSTRATIVE" ONLY. FINAL SITE PLANS TO BE REMITTED TO THE CITY FOR APPROVAL WITH THE FINAL CONSTRUCTION DOCUMENTS.
- SEE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, ELEVATIONS AND INTERIOR LAYOUTS.

LANDSCAPE SYMBOLS

LARGE MATURING TREES

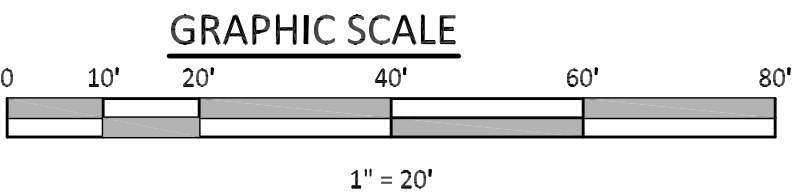
SHRUBS

SEE CITY OF ASHEBORO ORDINANCE FOR APPROVED TREE AND SHRUB LIST

LANDSCAPE REQUIREMENTS

TYPE	REQUIREMENT	PROVIDED
KIVETT STREET	(277 LF - 24" DRIVE - 22' ESMT AREA) FRONTAGE * 1 LARGE TREE/20' = 11 TREES (277 LF - 24" DRIVE - 22' ESMT AREA) FRONTAGE * 1 SHRUB/10' = 22 SHRUBS	11 TREES 22 SHRUBS
HAMMER AVENUE	374 LF FRONTAGE * 1 LARGE TREE/20' = 18 TREES 374 LF FRONTAGE * 1 SHRUB/10' = 36 SHRUBS	18 TREES 36 SHRUBS
LANIER AVENUE	(279 LF - 24" DRIVE - 22' ESMT AREA) FRONTAGE * 1 LARGE TREE/20' = 11 TREES (279 LF - 24" DRIVE - 22' ESMT AREA) FRONTAGE * 1 SHRUB/10' = 22 SHRUBS	11 TREES 22 SHRUBS
CHURCH STREET	365 LF FRONTAGE * 1 LARGE TREE/20' = 18 TREES 365 LF FRONTAGE * 1 SHRUB/10' = 36 SHRUBS	18 TREES 36 SHRUBS
INTERIOR TREES	3 TREES REQUIRED FOR PARKING LOT	3 TREES
MECHANICAL SCREEN	SHRUBS TO PLACED AS REQUIRED	SHRUBS PROVIDED AS NEEDED
PARKING LOT SCREEN	SHRUBS AT 5' O/C	SHRUBS PROVIDED AS NEEDED

ALL LANDSCAPING TO BE IN ACCORDANCE WITH THE CITY OF ASHEBORO ORDINANCE REQUIREMENTS.
* SMALL TREES CAN REPLACE THE LARGE TREES ONLY AS ALLOWABLE BY THE CITY REVIEWER
LANDSCAPING AS SHOWN ON THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.
FINAL LANDSCAPE PLAN TO BE REMITTED WITH CONSTRUCTION DOCUMENTS FOR APPROVAL.
PLAN TO BE ADJUSTED IF SO REQUIRED BY TRC FOR SIGHT DISTANCES AT INTERSECTIONS



SEALS:



PROJECT:
**PRELIMINARY
FOR REZONING**

**MEMORIAL SQUARE
APARTMENTS**
617 S CHURCH ST.
ASHEBORO TOWNSHIP, RANDOLPH COUNTY
ASHEBORO, NORTH CAROLINA

/DEVELOPER:

WYNNFIELD FORWARD, LLC
PO BOX 566
JAMESTOWN, NORTH CAROLINA 27282
PHONE: 336-822-0765
CONTACT: DAVIS RAY

DRAWN BY: WRB

DATE: MARCH 31, 2022

REVISIONS: MARCH 20, 2023

MARCH 29, 2023

APRIL 14, 2023

MAY 23, 2023

JUNE, 29, 2023

SHEET TITLE:

**ZONING
PLAN**

FILE NO: F:\WYNNFIELD\ASHEBORO-MEMO- SITEBASE

DRAWING SCALE: 1"=20'

PLAN SHEET NO.



4 REAR ELEVATION
1/8" = 1'-0"



3 LEFT SIDE ELEVATIONS(FROM PARKING LOT)
1/8" = 1'-0"

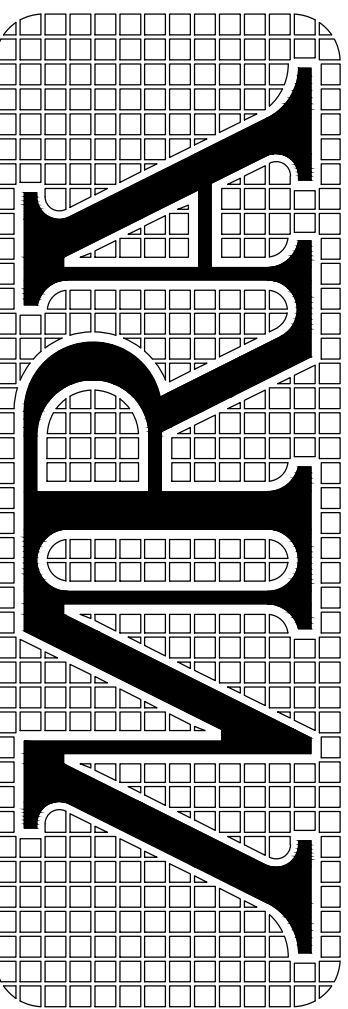


2 RIGHT SIDE ELEVATIONS(FROM PARKING LOT)
1/8" = 1'-0"



1 FRONT PARKING LOT ENTRY ELEVATION
1/8" = 1'-0"

0 5'-4" 10'-8" 21'-4"
SCALE: 3/32" = 1'-0"



MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
MEMORIAL SQUARE
ASHEBORO, NORTH CAROLINA

BUILDING ELEVATIONS



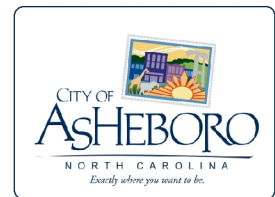
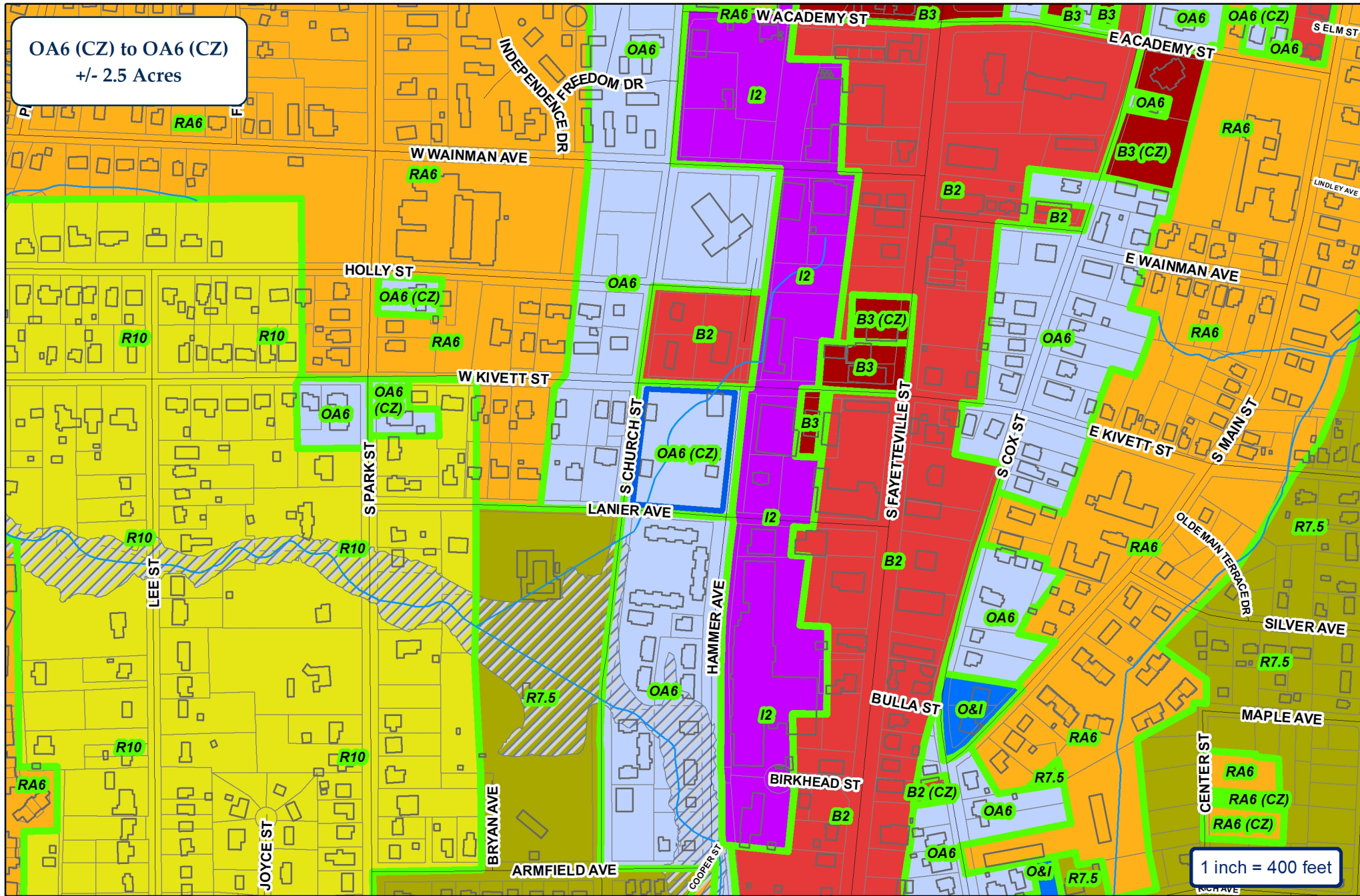
PROJECT 2022-002
DATE 12-20-2022
DRAWN BY / CHECKED BY HJD

REVISIONS

NOT RELEASED FOR CONSTRUCTION

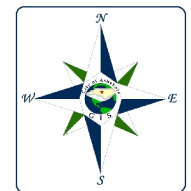
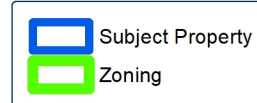
A3.01

OA6 (CZ) to OA6 (CZ)
+/- 2.5 Acres

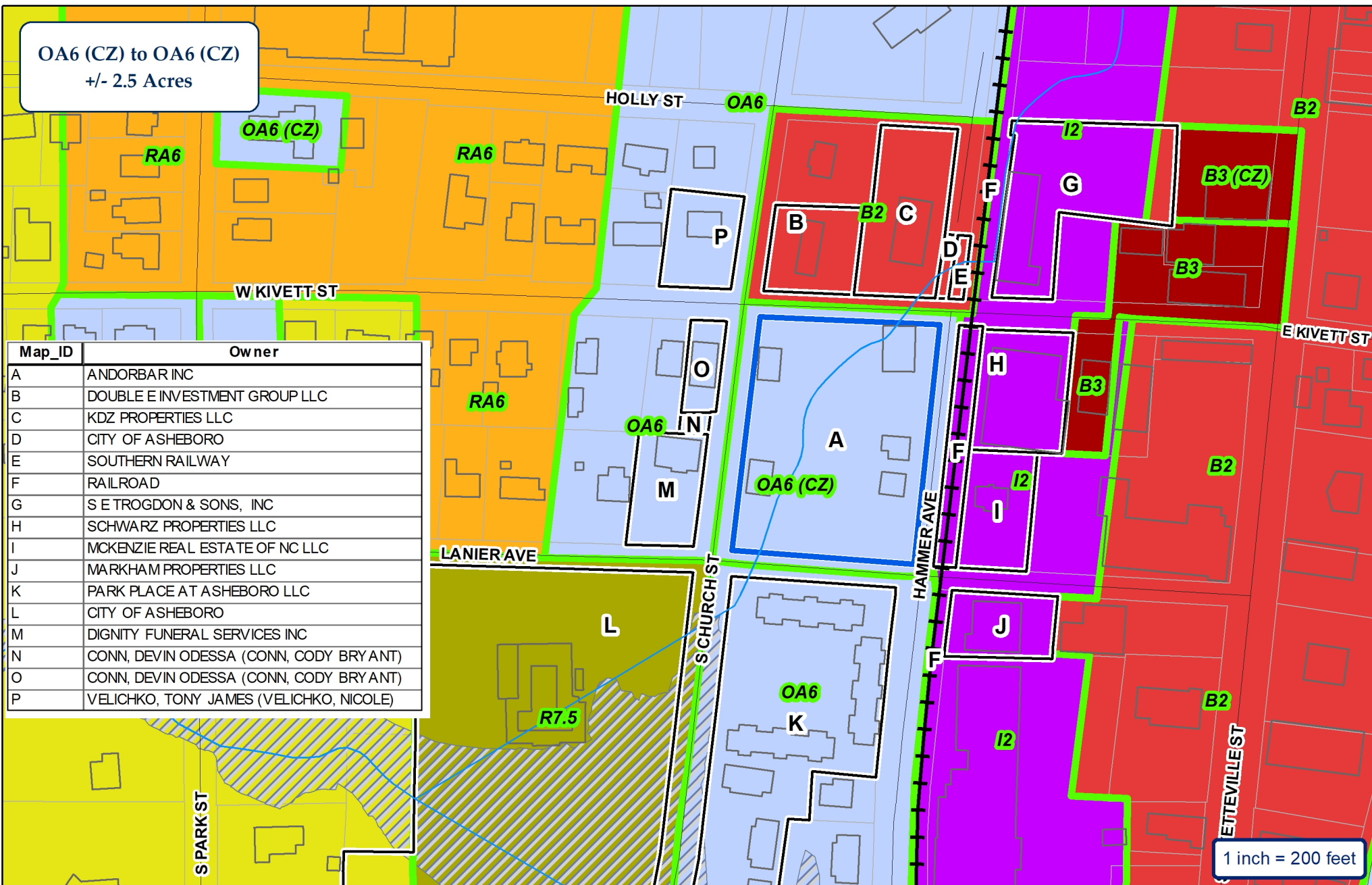


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-10

Parcels: 7751703525

OA6 (CZ) to OA6 (CZ)
+/- 2.5 Acres



Map_ID	Owner
A	ANDORBAR INC
B	DOUBLE E INVESTMENT GROUP LLC
C	KDZ PROPERTIES LLC
D	CITY OF ASHEBORO
E	SOUTHERN RAILWAY
F	RAILROAD
G	S E TROGDON & SONS, INC
H	SCHWARZ PROPERTIES LLC
I	MCKENZIE REAL ESTATE OF NC LLC
J	MARKHAM PROPERTIES LLC
K	PARK PLACE AT ASHEBORO LLC
L	CITY OF ASHEBORO
M	DIGNITY FUNERAL SERVICES INC
N	CONN, DEVIN ODESSA (CONN, CODY BRYANT)
O	CONN, DEVIN ODESSA (CONN, CODY BRYANT)
P	VELICHKO, TONY JAMES (VELICHKO, NICOLE)

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-10

Parcels: 7751703525

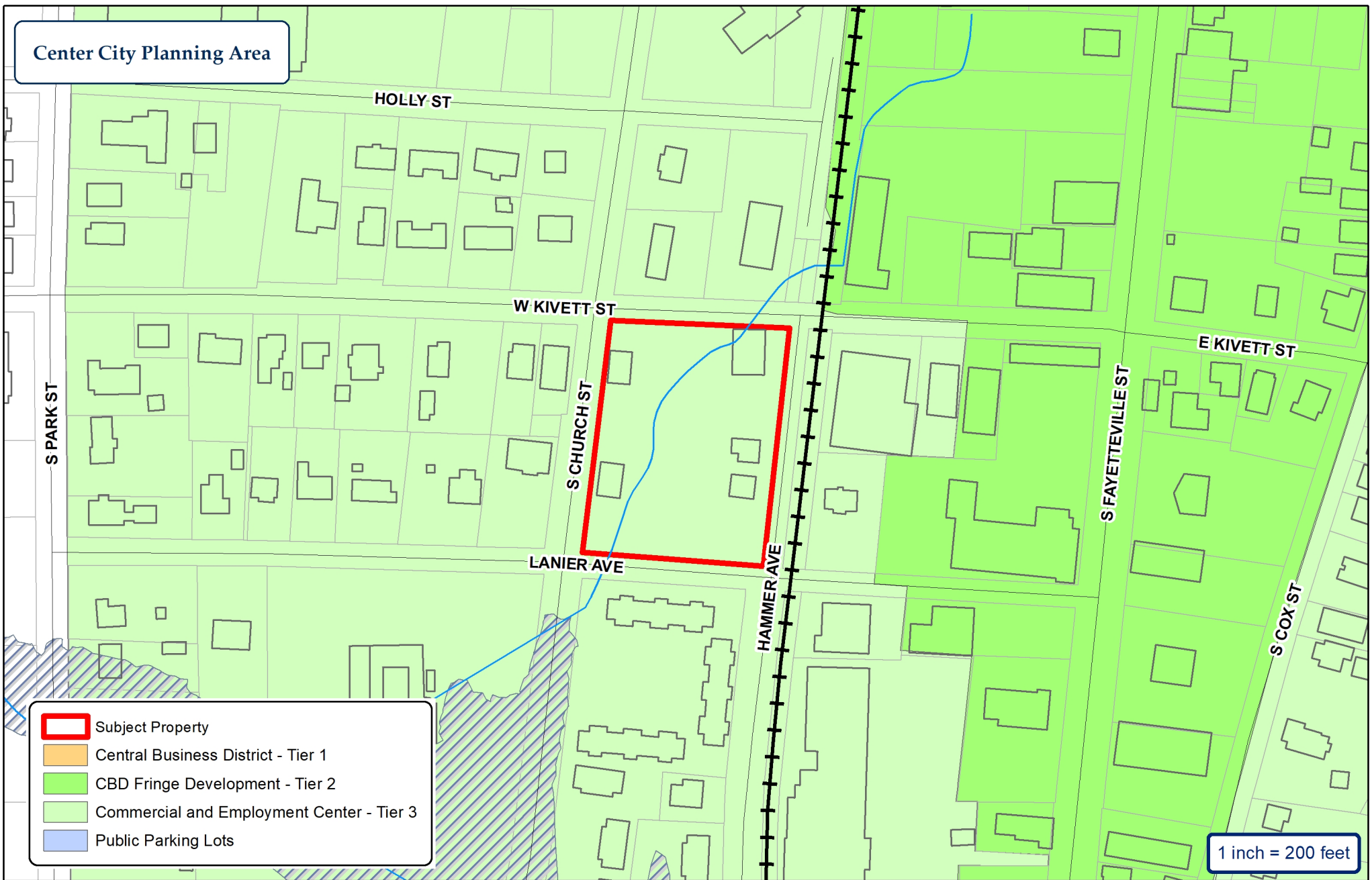


ETJ

- Subject Property
- Adjoining Properties
- City Zoning



Center City Planning Area



ETJ

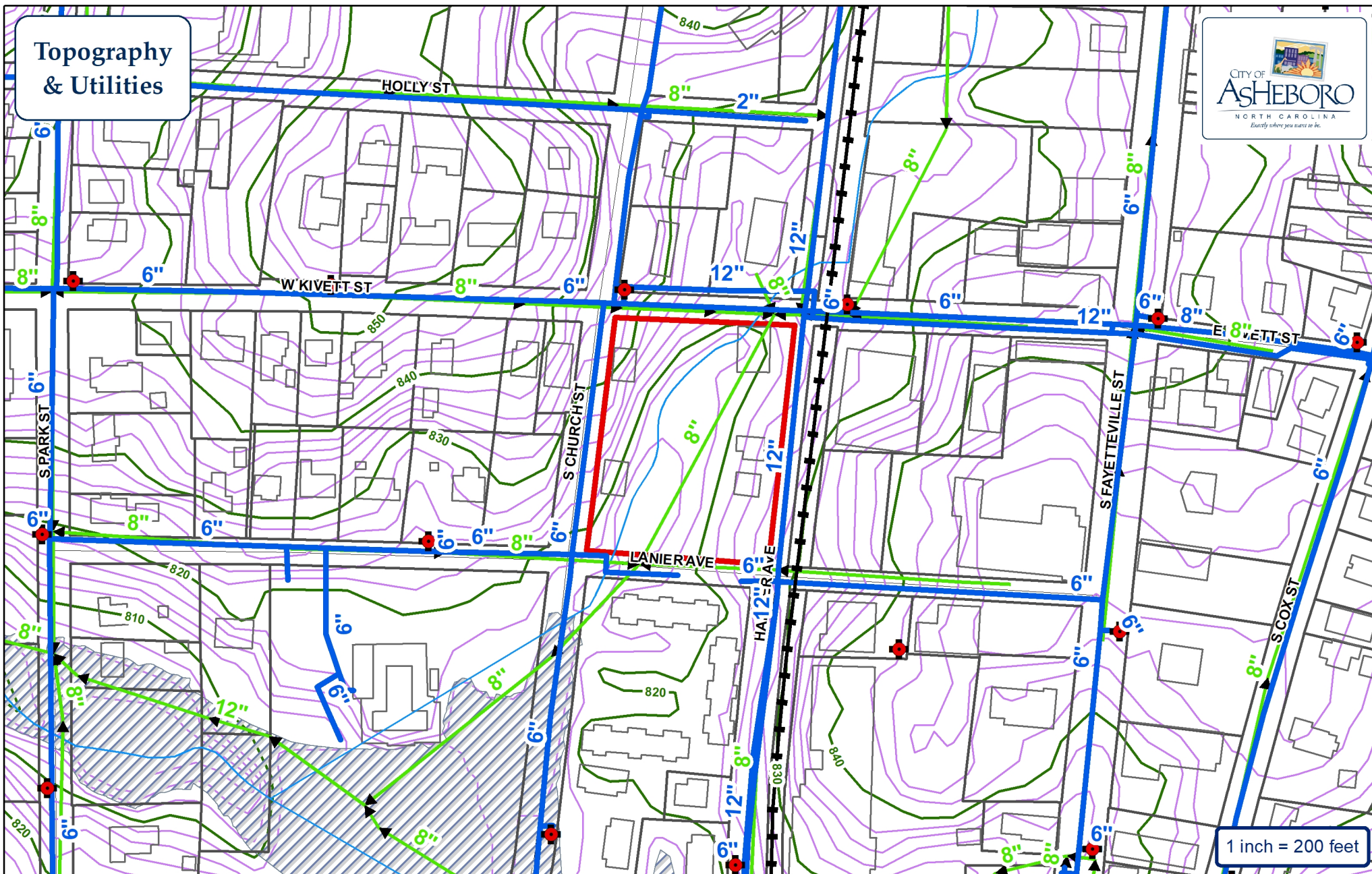
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-10

Parcels: 7751703525



Topography & Utilities



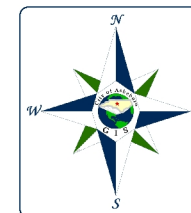
- Water Main
- Sewer Main
- Force Main
- Fire Hydrant
- Pump Station
- Watershed

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-10

Parcels: 7751703525

Subject Property



Aerial



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-10

Parcels: 7751703525



 Subject Property



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

APPLICANT INFORMATION

Applicant Wynnefield Forward, LLC Applicant's Phone # 336.882.0765

Applicant's Address PO Box 566
James town, NC 27282

Applicant email address davis@wynnefieldforward.com

PROPERTY INFORMATION

Property Owner's Name Anchor bar, Inc. (under contract by applicant)

Location of Property 617 S Church St. ext 20 Property Size (ac. or s.f.) 2.5 ac

Randolph County Property Identification Number (PIN#) 7751703525

Current Zoning District 016 (C2) Requested Zoning District 016 (C2)

Date Property Title Acquired 1985 Deed Book 1165 Page 491

Subdivision _____ Section _____ Lot # _____

Plat Book 1 Page 177

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:

Request to reconfigure layout of project
- rational remains as provided
in RZ-22-04

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

As provided in R2-22-04

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?

As provided in R2-22-04

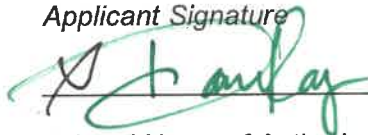
APPLICATION SIGNATURES

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)

Davis Ray for C. Craig Stone

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: TLV Date: 5/11/23 Case Number: R2-23-10



RZ-23-11: An application to rezone property located at 159 North Street (Randolph County Parcel Identification Number 7751738393) and property north of 148 North Street (Randolph County Parcel Identification Number 7751831208) from I2 General Industrial, B2 General Commercial, and B3 Central Commercial to OA6 Office-Apartment

Staff Report

Rezoning Staff Report

RZ Case # RZ-23-11

Date July 10, 2023 Planning Board

General Information

Applicant City of Asheboro

Address 146 North Church Street

City Asheboro NC 27203

Phone 336-626-1201

Location 113, 115, and 159 North Street

Requested Action Rezone from I2/B2/B3 to OA6 Office-Apartment

Existing Zone I2/B2/B3

Existing Land Use Formerly manufacturing, processing, and assembly

Size 2.54 acres +/- (Tract 1A and Tract 1B)

Pin # 7751838393 and 7750831208

Applicant's Reasons as stated on application

See attached.

Surrounding Land Use

North Cemetery and Commercial (medical)

East Central Bus. District/Asheboro Recreation Center/Commercial

South Central Bus. District

West Multi-family, governmental, and Central Bus. District

Zoning History No rezoning history, but the application and analysis detail history regarding plans for the property.

Legal Description

The property of the City of Asheboro, located at 159 North Street, and property located on the east side of North Street, totaling approximately 2.54 acres +/-, and more specifically identified as Randolph County Parcel Identification Numbers 7751831208 & 7751838393; Tracts 1A and 1B, recorded as Plat Book 178, Page 65, in Randolph County Public Registry.

Analysis

1. The property is inside the city limits, and within Tier 1 (Central Business Planning Area) of the Center City Planning Area. The zoning ordinance describe Tier 1 as "incorporating a mix of commercial, office, institutional, residential and public open space uses" and "a pedestrian oriented mix of multi-story buildings located close to the street and containing an attractive mix of first-story storefronts, ample sidewalks and street trees."
2. The property has frontage on West Salisbury Street (NC 42), which is a major thoroughfare maintained by NCDOT, and North Street, a local city-maintained street. Access also is provided via a driveway within right-of-way owned by Norfolk Southern that extends from Sunset Avenue to West Salisbury Street (NC 42).
3. The property was last used for manufacturing, processing, and assembly, but this ceased operation in July, 2022 according to water usage records; the city purchased the property in December, 2022.
4. The structure on the property was initially constructed in 1909 and added onto with various additions; it was placed on the National Register of Historic Places in 2014 and is a contributing structure within the city's nationally recognized historic district.
5. The zoning ordinance describes the OA6 district as "intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
6. This is a general district request in which no specific uses or site plan is considered as part of the application. If approved, all uses permitted by right in the OA6 district would be permitted. The OA6 district allows residential uses (single-, two-, and multi-family dwellings), institutional uses (such as places of worship), and some lighter commercial uses (medical/professional offices, and service uses such as hair salons). Commercial activities (such as retail-oriented uses and restaurants) would not be authorized by right. Additionally, unlike the

Rezoning Staff Report

B3 district that covers a small portion of the property, and much of the surrounding Central Business District.

RZ Case # RZ-23-11

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: Complies with LDP proposed land use map.

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

Checklist Items 12, 13, and 14: 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area.

Rezoning Staff Report

RZ Case # **RZ-23-11**

LDP Goals/Policies Which Do Not Support Request

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

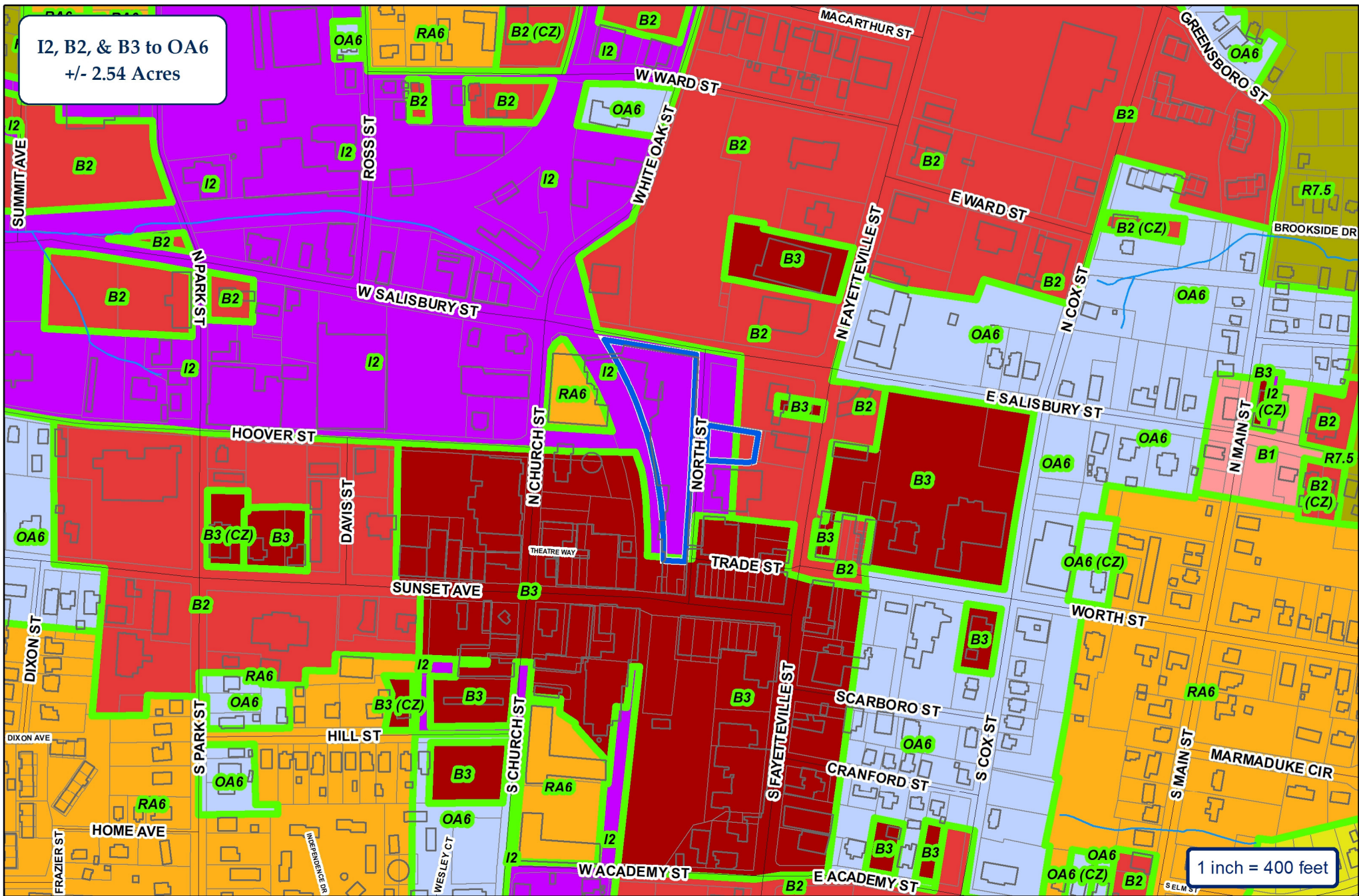
The OA6 district is the proper designation at this time. When the city purchased the property in 2022, one primary interest was ensuring that future development complements downtown's ongoing revitalization. Future industrial use of the property does not support that objective and it is in the city's interest to appropriately zone the property prior to any conveyance.

The mixed-use potential offered by the OA6 district would allow flexibility in terms of how the site is redeveloped. Parking availability is the primary limiting factor affecting potential site development. While the property includes an off-street parking lot that likely can accommodate +/- 30 spaces and potential parking areas with the Norfolk Southern right-of-way (subject to authorization by the railroad), the size of the structure (approximately 150,000 s.f. of leasable area per tax records) warrants particular attention when considering a reasonable zoning designation. Public parking, via on-street and city-owned lots, are in close proximity to the property, but downtown's growing popularity means the availability of public parking has become increasingly scarce. By placing the property in the OA6 district, the city will ensure that any redevelopment project either provides parking as required by the city zoning ordinance or is approved after reviewing site specific development plans.

Considering these factors, staff believes that the proposed zoning map amendment is reasonable and in the public interest.

Recommendation In light of the above analysis, staff recommends approval.

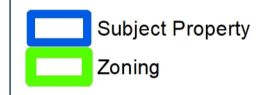
I2, B2, & B3 to OA6
+/- 2.54 Acres



City of Asheboro Planning & Zoning Department

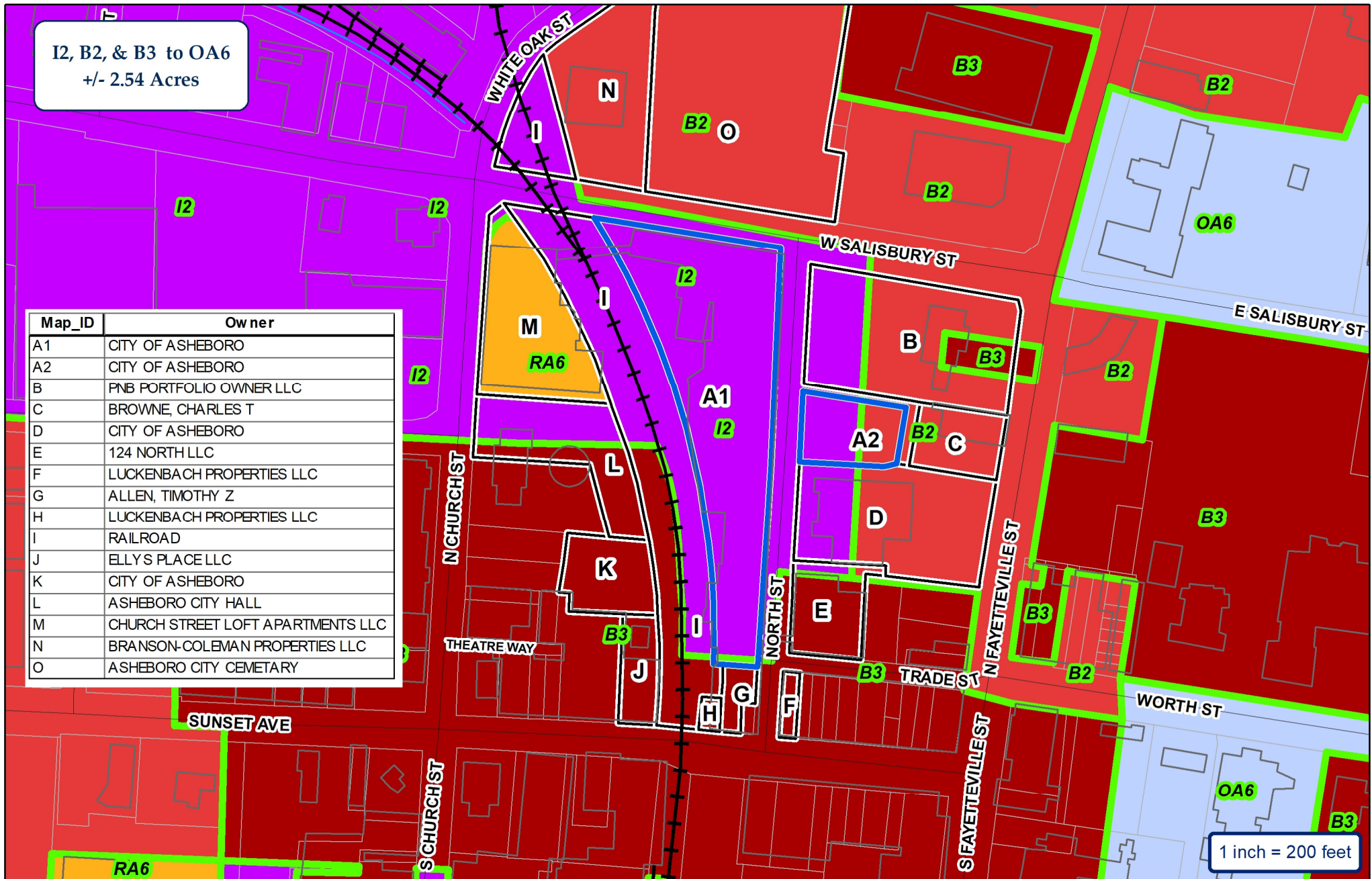
Rezoning Case: RZ-23-11

Parcels: 7751738393 & 7751831208



I2, B2, & B3 to OA6
+/- 2.54 Acres

Map_ID	Owner
A1	CITY OF ASHEBORO
A2	CITY OF ASHEBORO
B	PNB PORTFOLIO OWNER LLC
C	BROWNE, CHARLES T
D	CITY OF ASHEBORO
E	124 NORTH LLC
F	LUCKENBACH PROPERTIES LLC
G	ALLEN, TIMOTHY Z
H	LUCKENBACH PROPERTIES LLC
I	RAILROAD
J	ELLYS PLACE LLC
K	CITY OF ASHEBORO
L	ASHEBORO CITY HALL
M	CHURCH STREET LOFT APARTMENTS LLC
N	BRANSON-COLEMAN PROPERTIES LLC
O	ASHEBORO CITY CEMETARY



City of Asheville Planning & Zoning Department

Rezoning Case: RZ-23-11

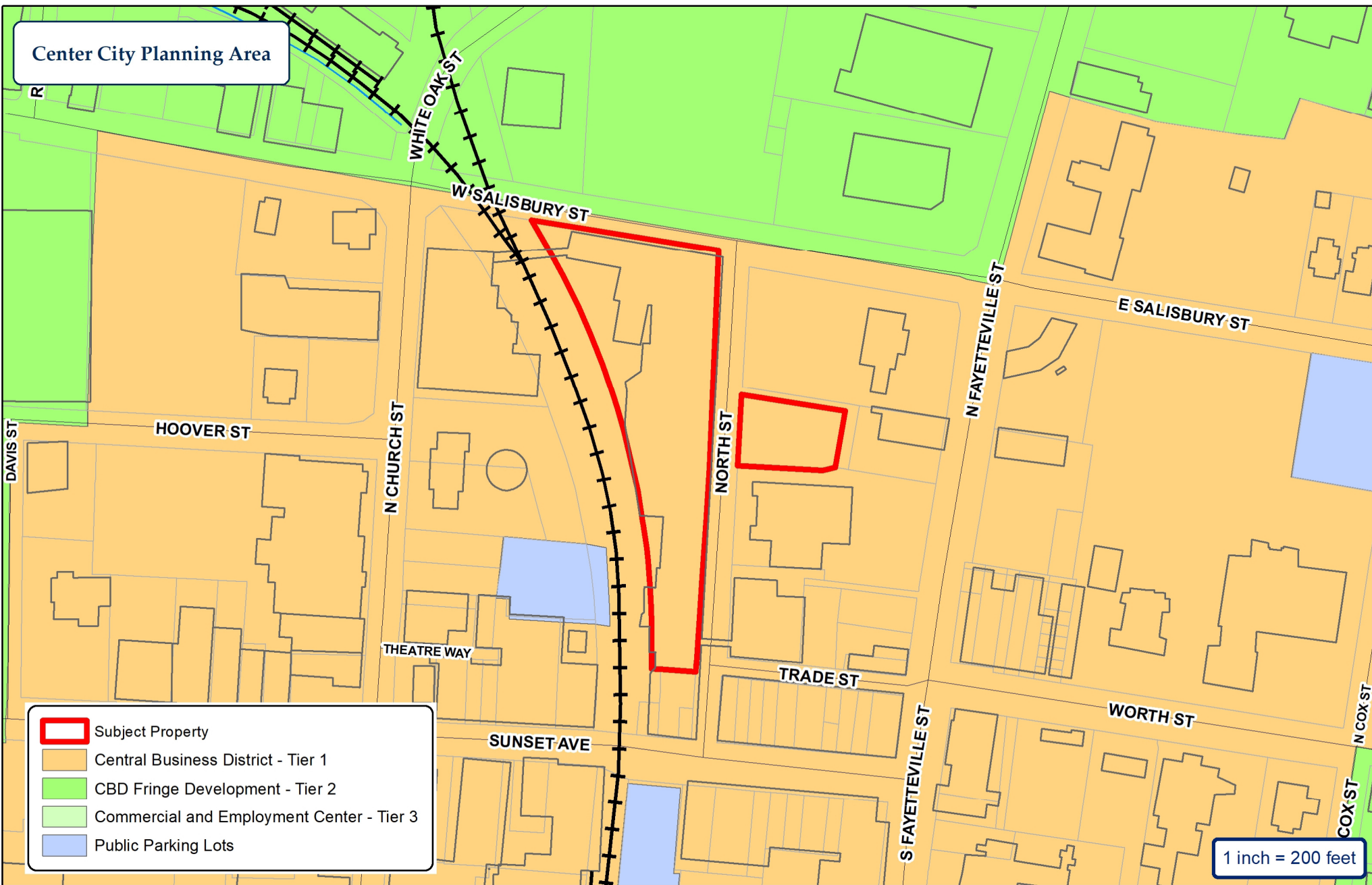
Parcels: 7751738893 & 7751831208



ETJ

- Subject Property
- Adjoining Properties
- City Zoning





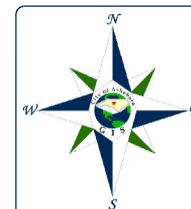
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-11

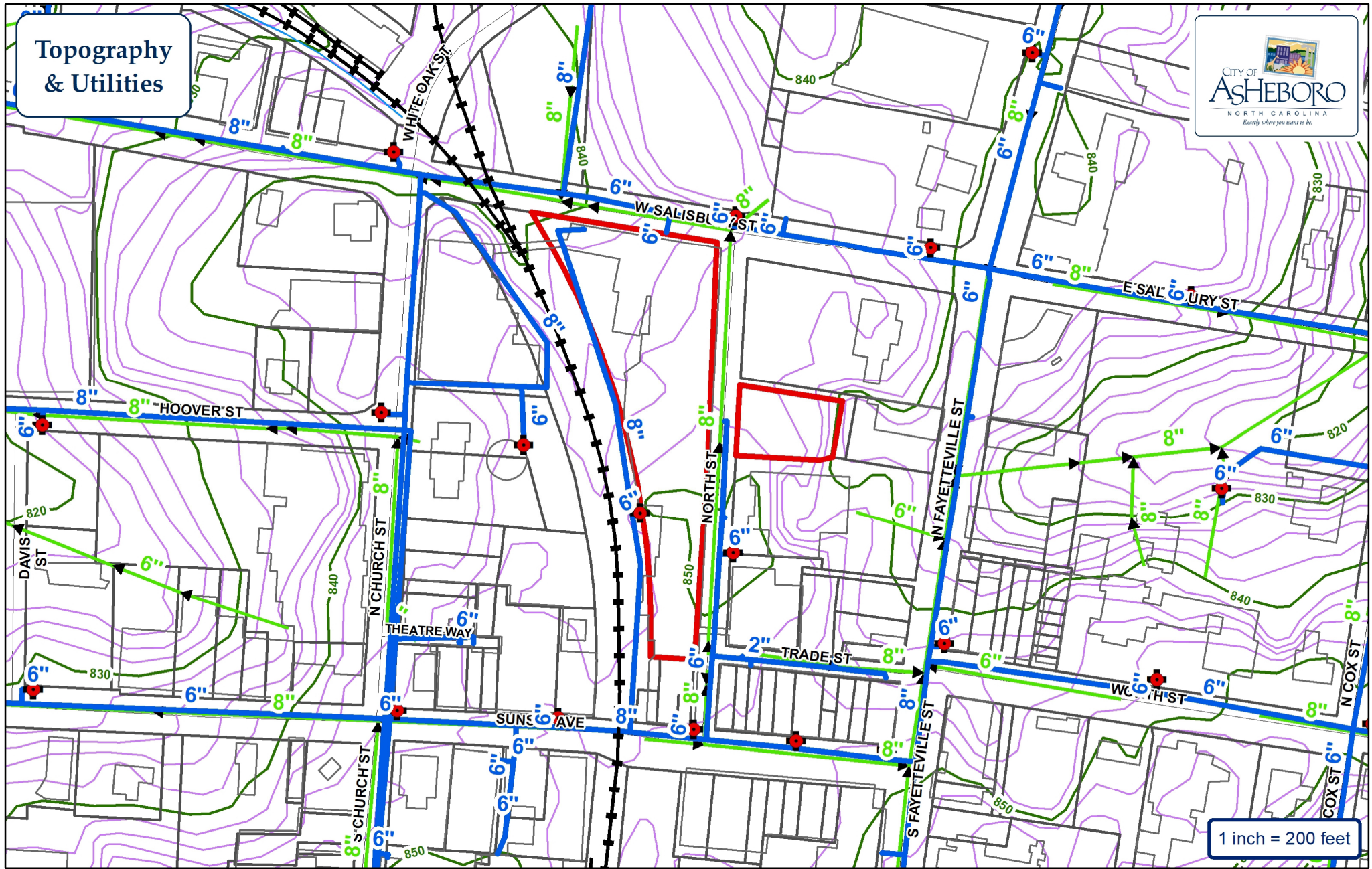
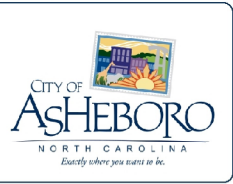
Parcels: 7751738893 & 7751831208



ETJ



Topography & Utilities



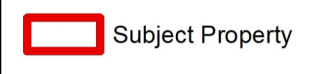
1 inch = 200 feet

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

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-11

Parcels: 7751738393 & 7751831208





City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-11

Parcels: 7751738893 & 7751831208

 Subject Property



APPLICANT INFORMATION

Applicant: City of Asheboro

Applicant's Phone #: 336-626-1201

Applicant's Address : 146 North Church Street; Asheboro, NC 27203

Applicant Email Address: jevans@ci.asheboro.nc.us

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name: City of Asheboro

Location of Property: 159 North Street

Property Size (ac. or s.f.) 2.54 acres +/-

Randolph County Property Identification Number (PIN#): 7751838393 &
7751831208

Current Zoning District: 12, B2, and B3

Requested Zoning District: OA6 (Office-Apartment)

Date Property Title Acquired: December 15, 2022

Deed Book 2836 Page 1547

Subdivision: Alta/NSPS Survey for City of Asheboro Section: N/A Lot #: IA & IB

Plat Book: 178 Page: 65

ORDINANCE AMENDMENT INFORMATION

1. In what manner will the proposed amendment carry out the intent of the Land Development Plan? The Land Development advocates for adaptive reuses (Checklist Item 8), and the property is designated as part of the "City Activity Center", which is described by the LDP as incorporating a mix of "commercial, office, institutional, residential, and public open space uses." The proposed OA6 district is better suited to achieving this description than the current 12 zoning which encompasses most of the property. Additional information that details the LDP support of the application will be detailed in staff's analysis of this request.

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?

The area around the subject property has seen a transition away from industrial activities, into mixed uses, especially with housing, and lighter commercial uses. Other examples include adaptive reuses of adjoining and nearby properties, such as Asheboro Mill Lofts, and Church Street Lofts, and other developments in the area. The zoning district will also allow for the potential for housing opportunities, which is especially important given recent concerns over limited inventory of housing and the need to provide a consistent customer base for non-residential uses in the City Activity Center.

Does not apply ☐

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

Preservation and repurposing of the property has been advocated for in the adopted Central Business District Small Area Plan, adopted in 2018, and as part of the 2012 Sustainable Communities Building Blocks Program, in which the City partnered with the EPA to create a conceptual plan for the property and surrounding area. These conceptual plans advocated for mixed-use development in the rehabbed mill. The City of Asheboro, and many of its Boards and Commissions and partners, such as the Asheboro Redevelopment Commission and Downtown Asheboro, Inc., have also indicated support for historic preservation and redevelopment of this property into a mixed-use development. While the OA6 district is a general district and no specific plan for development is evaluated with the request, placing the property in an appropriate zoning district to allow for the complementary uses identified in the LDP and other plans is an important step in seeing the goals within these plans being more precisely developed and implemented, and providing an opportunity for both residential and lighter non-residential uses.

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

X

Printed Name of Authorized Signatory (if different from Applicant)

X

Position/Relationship of Authorized Signatory to Applicant

X

Owner Signature (if different than Applicant)

Owner Address

Telephone Number

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by:

JLE

Date:

6-14-23

Case Number:

RZ-23-11