

REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, APRIL 4, 2024
7:00 P.M.

This being the time and place for a regular meeting of the Asheboro City Council, a meeting was held with the following elected officials and city management team members present:

David H. Smith	) – Mayor Presiding
Clark R. Bell	)
Edward J. Burks	)
Kelly L. Heath	)
William N. McCaskill	) – Council Members Present
Walker B. Moffitt	)
Charles A. Swiers	)
W. Joseph Trogdon, Jr.	)

John N. Ogburn, III, City Manager
Robert L. Brown, Jr. Chief of Police
Travis W. Curry, Police Captain
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Michael D. Rhoney, PE, Water Resources Director
Jeffrey C. Sugg, City Attorney

1. Call to Order

A quorum thus being present, Mayor Smith called the meeting to order for the transaction of business, and business was transacted as follows.

2. Moment of Silent Prayer and Pledge of Allegiance

After a moment of silence was observed in order to allow for private prayer and meditation, Mayor Smith asked everyone to stand and recite the pledge of allegiance.

3. Recognition of Retired Master Police Officer Paul Maness

Chief Brown recognized retired Master Police Officer Paul Maness for his dedicated service to the citizens of Asheboro through his work as a police officer for the Asheboro Police Department. Along with a plaque, Chief Brown awarded him with his service side arm that he carried at the time of his retirement.

No formal action was taken by the council during this portion of the meeting.

4. Presentation of the Asheboro Pride Award

Mayor Smith presented the Asheboro Pride Award to Ms. Amy Rudisill for her outstanding service to the citizens of Asheboro and the members of the Asheboro/Randolph Chamber of Commerce.

No formal action was taken by the council during this portion of the meeting.

5. Recognition of Award Winners Announced at the Annual North Carolina Main Street Conference Award Ceremony

(a) City of Asheboro's Award of Excellence in Downtown Revitalization

Downtown Asheboro Inc. Executive Director Addie Corder presented an award of excellence in Downtown Revitalization 'Best Adaptive Reuse' category for the Church Street Lofts Project. Mayor Smith accepted the award on behalf of the city.

(b) Downtown Champion Award

Ms. Corder presented City Manager John Ogburn with the Downtown Champion Award.

No formal action was taken by the council during this portion of the meeting.

6. Randolph County Tourism Development Authority Annual Report for 2022

Randolph County Tourism Development Executive Director Amber Scarlett presented the Randolph County Tourism Development Authority's annual report for 2022. During her report, Ms. Scarlett highlighted that the occupancy tax revenue increased by 16% from 2021 for a total of \$1,343,329.70, and that the attractions within Randolph County reported an overall increase in visitors by 9% from 2021.

Ms. Scarlett emphasized the importance of the city's partnership with the tourism development authority and is looking forward to the opening of the Zoo City Sportsplex, the North Carolina Zoo Expansion, and the North Asheboro Greenway Project. These projects will most likely result in an increase in visitor traffic for years to come.

No formal action was taken by the council during this portion of the meeting.

7. Update on the Eastern Randolph Water and Sewer District

Randolph County Assistant Manager Joey Johnson provided an update on the Eastern Randolph Water and Sewer District and requested that the council appoint a member to the District's Advisory Board. Council Member Heath moved, and Council Member Swiers seconded the motion to appoint Council Member Burks to the District's Advisory Board. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

8. Approval of a Resolution Recognizing April 18, 2024 as National Lineman Appreciation Day

Mayor Smith presented a resolution recognizing April 18, 2024 as National Lineman Appreciation Day. Council Member Bell moved, and Council Member Moffitt seconded the motion to approve/adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

RESOLUTION NUMBER 7 RES 4-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION HONORING OUR LOCAL LINEMEN EMPLOYED
BY DUKE ENERGY PROGRESS AND RANDOLPH ELECTRIC
MEMBERSHIP CORPORATION**

WHEREAS, National Lineman Appreciation Day was celebrated for the first time in 2013 after the U.S. Senate approved Resolution 95 to honor and recognize the contributions of these brave men and women who protect public safety; and

WHEREAS, a lineman's job is among the top 10 most dangerous in the United States, according to the Bureau of Labor Statistics; and

WHEREAS, linemen are true public servants, working long hours, often around the clock and in potentially hazardous conditions, often during extreme weather conditions, to keep electricity running, so the rest of us can continue our daily lives comfortably; and

WHEREAS, linemen are among the first responders during hurricanes, ice storms and other emergency events, working with electricity and high power lines to protect the nation from dangerous electrical currents; and

WHEREAS, linemen play a vital role in maintaining and growing the energy infrastructure of the United States; and

WHEREAS, linemen deserve recognition from the community regarding dangerous work conditions and often being separated from their families for long periods of time to keep everything up and running;

WHEREAS, April 18, 2024, would be the appropriate date to designate as National Lineman Appreciation Day:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, on behalf of the citizens of Asheboro, the governing board extends its sincere thanks and appreciation to our local linemen for their dedication and public service.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 4th day of April, 2024.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

9. Public Comment Period

Mayor Smith opened the floor for comments from the public, and none were offered.

Mayor Smith closed the public comment period.

10. Consent Agenda

Council Member Burks moved, and Council Member Heath seconded the motion, to approve/adopt the following consent agenda items. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

(a) Approval of the City Council Meeting Minutes for February 23, 2024

The meeting minutes for the city council's special meeting on February 23, 2024, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(b) Approval of the City Council Meeting Minutes for March 7, 2024

The meeting minutes for the city council's regular meeting on March 7, 2024, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(c) Approval of the General Account of the City Council's Closed Session Held During the Regular Meeting on March 7, 2024

The general account of the city council's closed session that was held during the council's regular meeting on March 7, 2024 were approved and have been filed in the city clerk's office.

(d) Approval of a Resolution Sealing the General Account of the Closed Session Held During the Regular Meeting on March 7, 2024

RESOLUTION NUMBER 8 RES 4-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**Resolution Sealing the General Account of a
Closed Session Held on March 7, 2024**

WHEREAS, Section 143-318.10(e) of the North Carolina General Statutes provides, in pertinent part, that the "minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session;" and

WHEREAS, pursuant to Section 143-318.11(a)(3) of the North Carolina General Statutes, the city council, upon unanimous adoption of a properly made and seconded motion, went into closed session on March 7, 2024, to discuss with the city attorney matters that fall within the scope of the attorney-client privilege, specifically including a contested case concerning the renewal of a NPDES (National Pollutant Discharge Elimination System) permit; and

WHEREAS, the purpose for going into closed session on March 7, 2024, would be frustrated if the general account of the closed session were to be made available for public inspection at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the general account of the closed session conducted on March 7, 2024, is hereby sealed and will remain sealed so long as public inspection of the records would frustrate the purpose of the closed session; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city manager is hereby authorized to act as the council's agent with the authority to unseal these records when the purpose of the closed session would no longer be frustrated by making the records available for public inspection or when the unsealing of this general account is otherwise required by law.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on April 4, 2024.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(e) Acknowledgement of the Receipt of the Meeting Minutes for the Asheboro ABC Board Meeting Held on February 5, 2024

The meeting minutes for the above-listed Asheboro ABC Board meeting were received and distributed to the elected officials. The document has been filed in the city clerk's office.

- (f) Approval of an Ordinance to Amend the General Fund to Account for Passthrough Funding from the State in Connection with a Building Reuse Grant

11 ORD 4-24

ORDINANCE TO AMEND THE GENERAL FUND
FY 2023-2024

WHEREAS, Sedia Systems Inc. received a building reuse grant from the North Carolina Department of Commerce, Rural Development Division.

WHEREAS, the City of Asheboro is expecting \$100,000 in pass-thru funds from the Department of Commerce in April 2024 to Sedia System Inc.

WHEREAS, the City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina

Section 1: The following revenue line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
10-000-350.0000	State Grants	100,000

Section 4: The following amounts are appropriated as expenditures for this project:

That the following Expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
10-490-532.0000	Grants- Sedia Systems Inc Pass-Thru	100,000

Adopted this the 4th day of April 2024.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

- (g) Approval of the Community Development Division’s request to schedule for the regular city council meeting on May 9, 2024, and to advertise, legislative hearings on the following applications:
 - (i) An application to rezone property at 919 Draper Street (Randolph County Parcel Identification Number 7762573909) from B2, I1, and R10 zoning to R15 zoning; and
 - (ii) An application to rezone property at 947 East Salisbury Street (Randolph County Parcel Identification Number 7761324663) from R7.5 to B2 zoning.

- (h) Approval of the reappointment of the following members to 5-year terms of office (April 1, 2024, to April 1, 2029) on the Asheboro Redevelopment Commission:**

- (i) David Jarrell**
- (ii) Ann McGlohon**
- (iii) Delilah P. Warner; and**
- (iv) Gene Isom.**

- (i) Acknowledgement of the Receipt of the Monthly Report Detailing Major Subdivisions Administratively Approved**

There have been none approved.

- (j) Authorization to Reject all Chemical Bids Initially Received by the City's Water Resources Division and to Readvertise this Year's Chemical Bid Solicitation**

In a memorandum from Water Resources Director Michael Rhoney, PE, the governing board was informed that bids to supply chemicals for the city's water/wastewater treatment plants were opened on March 12, 2024. However, there was an error in the bid summary process. Consequently, the water resources director recommended the rejection of all bids.

With the adoption of the consent agenda, the city council accepted the water resources director's recommendation, rejected all bids, and authorized the readvertising of the request for bids to meet the chemical needs of the City of Asheboro Water/Wastewater Treatment Plants.

- (k) Acknowledgement of the Receipt and Acceptance of the List Provided by the Recreation Services Director with the 2024 Downtown Farmers' Market Operational Days, Including Special Events**

Consistent with the City of Asheboro Cultural and Recreation Services Policy Manual, Recreation Services Director Jonathan Sermon submitted for the governing board's review, written notification of the operational hours for the Downtown Farmers' Market during the upcoming season. The written notification provided by the recreation services director is on file in the city clerk's office and may also be obtained by directly contacting the city's cultural and recreation services department.

With the adoption of the consent agenda, the council acknowledged receiving the Downtown Farmers' Market schedule for 2024. No alterations in the proposed operational schedule were requested by the governing board.

- (l) Acknowledgement of the Receipt and Acceptance of the List of Operational Hours Proposed by the Recreation Services Director for the City-Owned Outdoor Pools During the 2024 Season**

Consistent with the City of Asheboro Cultural and Recreation Services Policy Manual, Recreation Services Director Jonathan Sermon submitted for the governing board's review, written notification of the operational hours for the city-owned outdoor pool facilities during the upcoming season. The written notification provided by the recreation services director is on file in the city clerk's office and may also be obtained by directly contacting the city's cultural and recreation services department.

With the adoption of the consent agenda, the council acknowledged the city-owned outdoor pool facilities schedule for 2024. No alterations in the proposed operations schedule were requested by the governing board.

11. Community Development Division Legislative Hearings

- (a) **Legislative Hearing (Case No. RZ-24-03): An application to rezone property located at the western intersection of East Central Avenue and Willow Road (Randolph County Parcel Identification Number 7762297740) from R10 zoning to R7.5 zoning.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-24-03. Mr. Nuttall was the first speaker. In addition to entering into the records the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Brian Lucas.

The land for which the above-described zoning has been requested is located at the western corner of East Central Avenue and Willow Road. The property is approximately 42,626 square feet in size, and is specifically identified by Randolph County Parcel Identification Number 7762297740 (this property will be hereinafter referred to as the “Zoning Lot”). The Zoning Lot is owned by BLL Holdings, LLC, and Brian Lucas, the applicant is authorized to act on behalf of the limited liability company.

In addition to the written staff report, Mr. Nuttall utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The property is inside the city limits.
2. East Central Avenue is a state-maintained minor thoroughfare. Willow Road is a local city-maintained street.
3. The request is for a general district R7.5 district. This district permits both single-family and two-family dwellings if zoning ordinance requirements are met. No specific use or site plan can be considered with this application.
4. The Zoning Ordinance describes the existing R10 and requested R7.5 designations as follows: R10: *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.*

R7.5: To provide regulations which will produce a moderate intensity of residential uses, usually single family and no more than two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living.
5. The primary differences between the R10 and R7.5 districts relate to minimum lot sizes and setbacks. A detailed comparison is attached to this report.
6. The surrounding area includes a mix of single-family residential uses, including two legal-nonconforming manufactured home parks; one of the parks is commercially zoned.
7. The neighborhood residential designation of the property is described by the Land Development Plan’s Land Category Description as intended “to accommodate existing medium-density, single family residential neighborhoods, while encouraging new neighborhoods of similar density to provide a greater sense of community.”
8. With the current R10 zoning, it may be possible to divide the property into three lots, two of which would be adequately sized for a two-family

dwelling for a total of 5 dwellings. If rezoned to R7.5, it is likely that the size and configuration of the property could support three lots for two-family dwellings for a total of 6 dwellings.

Mr. Nuttall noted that, when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map Designation: Neighborhood Residential

Small Area Plan: Northeast

Growth Strategy Map Designation: Primary Growth

LDP Goals/Policies Which Support Request:

Checklist Item 5: Complies with Growth Strategy Map

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

Checklist Items 12-14: Property is located outside of the watershed area, Special Hazard Flood Area, and area with steep slopes

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

Goals/Policies that Do Not Support Request:

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

Checklist Item 10: Rezoning is not consistent with land category descriptions.

The City of Asheboro Planning Board considered the zoning application and recommended placement of the Zoning Lot into the requested map amendment R7.5 zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

Both the current and requested zoning districts could allow construction of single-family and two-family dwellings, development. The application seeks a modest increase of potential density and reduced setbacks. Given the property's location on a minor thoroughfare and proximity to two legal non-conforming manufactured home parks, one of which could be redeveloped for commercial uses, an R7.5 district is a reasonable designation for the property. The presence of High Density RA6 zoning within 500 feet of the subject property and Land Development Plan's Proposed Land Use Map recommending neighborhood (medium-density) residential development also lends a degree of validity to the request.

Considering the aforementioned analysis, staff believes that the proposed zoning map amendment is reasonable and in the public interest and recommends approval of the request.

The applicant, Mr. Brian Lucas presented comments in support of the rezoning. No one spoke in opposition to the application. Mayor Smith transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Moffitt moved, and Council Member Burks seconded the motion to adopt the plan consistency statement printed below and to approve the requested zoning map amendment with the following multi-part motion.

1. Both the current and requested zoning districts would allow construction of single-family and two-family residential development. The requested zoning seeks a modest increase of potential density and reduced setbacks. Given the property's location on a minor thoroughfare and proximity to two legal non-conforming manufactured home parks, one of which could be redeveloped for commercial uses, an R7.5 district is a reasonable designation for the property. The presence of High Density RA6 zoning within 500 feet of the subject property and the Land Development Plan's Proposed Land Use Map recommendations of neighborhood (medium-density) residential development also lends validity to the request.

Considering the aforementioned analysis, the city council believes that the proposed zoning map amendment is consistent with the adopted comprehensive plan, is reasonable, and is in the public interest.

2. The zoning map amendment application seeking to place the Zoning Lot into the requested above-described R7.5 zoning district is hereby approved.

Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

(b) Legislative Hearing (Case No. RZ-24-04): An application to rezone property at 853 East Salisbury Street (Randolph County Parcel Identification Numbers 7761229556, 7761229618, 7761229996, and 7761227703) to an amended OA6 (CZ) conditional zoning district for a development with multiple family dwellings.

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-24-04. Mr. Nuttall was the first speaker. In addition to entering into the record the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Solstice Partners, LLC.

The land for which the above-described rezoning has been requested is located at 853 East Salisbury Street. The Zoning Lot is approximately 5.4 acres in size, and is specifically identified by Randolph County Parcel Identification Numbers 7761229556, 7761229618, 7761229996, and 7761227703 (this property will be hereinafter referred to as the "Zoning Lot"). The Zoning Lot is owned by Davidson Builders and Properties, LLC, which joined in the submission of the zoning map amendment application.

In addition to the written staff report, Mr. Nuttall utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. This application requests changes to the zoning district and site plan approved by City Council in 2023. The addition of significant parking area north of the proposed building location is viewed as a modification requiring re-review by Council. The application states that this change is necessitated by an NCDOT drainage and utility easement along the frontage of the property. One less apartment unit is proposed with this application.

2. The property is inside the city limits.
3. The 2014 Comprehensive Transportation Plan identifies this segment of East Salisbury Street/NC Hwy 42 (a state-maintained major thoroughfare) as over capacity. 2023 volumes indicated an average annual daily vehicles/day of 15,000, an increase from 14,500 in 2021. Current capacity is 11,600 vehicles.
4. In order to relieve congestion on NC Hwy 42 North, the NCDOT Transportation Improvement Program is funding road improvements (Project No. U-5743) extending between the E. Salisbury Street intersection and US Hwy 64 (E. Dixie Drive). Proposed improvements include the addition of a center turn lane, sidewalks, curbing, and guttering. The latest available NCDOT State Transportation Improvement Plan information indicates that right-of-way acquisition is currently in progress and construction is now anticipated in 2025.
5. The plan proposes two three-story buildings clad primarily in brick and vinyl siding. One building contains 22 units and a community room while the second building contains 24 units. The units are described as one, two and three bedrooms. There also is a recreation area with a tot lot/play area, child play area, and covered picnic area. The plan shows construction of a sidewalk along the frontage.
6. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes approval conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance's predetermined land use requirements. The following deviation from the city's predetermined land use regulations is noted: no separate designated and screened area for recreational vehicles is provided (at least 3,312 square feet of such area typically would be required). However, the plan does include 3 more parking spaces than the code would otherwise require for the project.
7. The Land Development Plan's "Urban Residential" designation for the property is described as intended to provide for "medium to high density single-and multi-family residential uses" and its intent is to "accommodate existing & encourage new medium-high density residential uses in & around Activity Centers, and around Employment Centers." The Urban Residential description also includes design elements such as building placement close to the street, interconnectivity between neighborhoods, sidewalks, street trees, and recreational amenities such as pocket parks to create a sense of place.
8. The site plan was also routed to NCDOT, Asheboro City Schools, and US Postal Service. NCDOT initially responded stating that driveway permitting would be required, and that the need for turning lanes would be analyzed at the time of permitting. At the request of the applicant, NCDOT further evaluated the preliminary plans and on March 1, provided additional comments summarized below:
 - The development entrance may need to shift approximately 100 feet to the east due to sight distance considerations. Additional engineering information could also be submitted to DOT demonstrating that adequate sight distance is provided;
 - Left and right turning lanes should be anticipated due to traffic volumes and to promote safety.

Staff has proposed a condition to address changes to the project that could result due to NCDOT requirements; no city compliance issues are anticipated based on the DOT feedback and ultimately, the state is responsible for access requirements to NC 42.

Mr. Nuttall noted that, when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map Designation: Urban Residential

Small Area Plan: Central

Growth Strategy Map Designation: Primary Growth

LDP Goals/Policies Which Support Request:

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

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

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

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

LDP Goals/Policies that Do Not Support Request:

Checklist Item 6: Existing infrastructure is adequate to support the desired zone (*water, sewer, **roads**, schools, etc.*). *Related to existing roadway without proposed roadway and pedestrian improvements.*

Checklist Item 14: Rezoning is located on steep slopes of greater than 20%.

The City of Asheboro Planning Board considered the zoning application and recommended placement of the Zoning Lot into the requested amended OA6 (CZ) zoning district. In making this recommendation, the planning board, subject to staff’s suggested conditions, concurred with the planning staff’s analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff’s analysis is summarized in the following indented paragraphs.

With council previously having zoned the property OA6 (CZ), the request should be evaluated on the basis of the site plan’s alignment with land use objectives established by the Land Development Plan and zoning ordinance. This application, like the prior request, proposes preservation of ample open space, includes various types of recreational and community amenities, pedestrian improvements, adequate parking, building design that incorporates masonry and decorative architectural elements, and stormwater controls. Project intensity, meanwhile, has been slightly reduced, with Floor Area Ratio (and overall density) now slightly less than what the current OA6 (CZ) district would permit. Staff, therefore, believes that the requested modified conditional district, with incorporation of reasonable

conditions, is consistent with the city's adopted plans and approval would permit a reasonable use of the property.

Considering the aforementioned analysis, staff believes that the proposed zoning map amendment generally is reasonable and in the public interest, subject to acceptance of the staff suggested conditions.

In the event of council approval of the application, the planning staff did offer suggested conditions to include as part of the requested conditional zoning ordinance.

- (A) *The use approved shall be a Development with Multiple Family Dwellings, consisting of a total of 46 dwelling units with a floor area of up to 22 percent.*
- (B) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.*
- (C) *Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.*
- (D) *Mail delivery shall be provided on the final site plan. If the postal service and/or NCDOT require a different facility/facilities or location for mail delivery, such a change will not be considered a modification of the Conditional Zoning district requiring Council action.*
- (E) *The sidewalk as shown on the site plan, shall be extended along the entire frontage of East Salisbury Street, and shall be built to NCDOT standards. The applicant shall obtain any required encroachment authorization from NCDOT for the construction of the sidewalk.*
- (F) *No outdoor recreational vehicle parking or storage shall be permitted on the Zoning Lot.*
- (G) *Prior to the issuance of a zoning compliance permit, construction plans concerning water, including provisions for fire hydrants determined to be required by Asheboro Fire and Rescue, and sanitary sewage that complies with city policies, shall be submitted. Surveying and permitting of any required public utility lines and the associated easements that may be necessary shall be the responsibility of the property owner.*
- (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) *The exact placement of front yard landscaping shall be located a manner that does not conflict with the NCDOT drainage and utility easement. If it is determined to be necessary to relocate such front yard plantings to a location, this may be done as long as such front yard landscaping is consistent with the number and types of plantings required by Section 6.10(D) of the zoning ordinance.*
- (J) *If NCDOT requires relocating the development's entrance and/or turning lanes for access and/or maneuvering, resulting changes to the placement of the buildings and/or parking areas shall not be considered modifications requiring a new Conditional Zoning approval, as long as the number of parking spaces, front yard landscaping, and buffering/screening against adjacent property remains consistent with ordinance requirements. In such case, the revised site*

plan shall be submitted, along with the application for the zoning permit, to city staff for review, approval, and inclusion into the file without further review by the city council.

- (K) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation showing approval from NC Department of Transportation and NC Department of Environmental Quality.*
- (L) Prior to the issuance of a zoning compliance permit, the applicant shall submit a final site plan with information necessary to determine compliance with all city codes, and the applicable permit fee.*
- (M) 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 the conditional zoning ordinance in the chain of title for the Zoning Lot.*

On behalf of the applicant, Ms. Tammy Stern with Solstice Partners, LLC presented comments in support of the rezoning. She agreed with the staff suggested conditions.

Ms. Vivian Hughes and Mr. Tommy Kemp had questions and provided comments relating to the zoning application. After no one else spoke, Mayor Smith transitioned to the deliberative phase of the proceedings.

After engaging in deliberations about the zoning map amendment application, Council Member Bell moved, and Council Member Trogon seconded the motion, to adopt the plan consistency statement printed below and to approve the requested conditional zoning ordinance amendment with the following multi-part motion.

1. In 2023, the city council placed the Zoning Lot in an OA6(CZ) conditional zoning district for 47 dwelling units, the OA6 (CZ) zoning district aligns with land use objectives established by the Land Development Plan and zoning ordinance. This application proposes preservation of ample open space, includes various types of recreational and community amenities, pedestrian improvements, adequate parking, building design that incorporates masonry and decorative architectural elements, and stormwater controls. Project intensity, has been slightly reduced, with Floor Area Ratio (and overall density) now slightly less than what the current OA6 (CZ) district would permit. With incorporation of reasonable conditions, the zoning map amendment application is consistent with the city's adopted plans and approval would permit a reasonable use of the property.

Considering the aforementioned analysis, the city council believes that the proposed zoning map amendment is consistent with the adopted comprehensive plan, is reasonable, and is in the public interest.

2. Subject to the inclusion of the staff recommended conditions that were accepted by the applicant's authorized representative, the zoning map amendment application seeking to place the Zoning Lot into the requested above-described OA6 (CZ) zoning district is hereby approved.

Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

- (c) **Legislative Hearing (Case No. RZ-24-05): An application to rezone property at 801 and 817 Sunset Avenue (Randolph County Parcel Identification Number 7751426889) from M (CZ) and OA6 zoning to OA6 (CZ) conditional zoning for a residential development with multiple family dwellings for the elderly.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-24-05. Mr. Nuttall presented a written request by the applicant to continue the above-referenced land use case to the council's next regular meeting that is scheduled for May 9, 2024.

Council Member Burks moved, and Council Member Heath seconded the motion, to continue the above-referenced land use case to the council's regular meeting on May 9, 2024. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

- (d) **Legislative Hearing (Case No. RZ-24-06): An application to rezone property located on the east side of Clover Street, approximately 115 feet south of Plummer Street, (Randolph County Parcel Identification Number 7751971892) from B2 to I1 (CZ) conditional zoning for a vehicle storage facility.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-24-06. Mr. Nuttall was the first speaker. In addition to entering into the record the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Gary Lee Morris.

The land for which the above-described zoning has been requested is located on the east side of Clover Street approximately 155 feet south of the intersection of Plummer Street. The property is approximately 0.31 of an acre in size, and is specifically identified by Randolph County Parcel Identification Number 7751971892 (this property will be hereinafter referred to as the "Zoning Lot.") The Zoning Lot is owned by Gary Lee Morris and Lori Byerly Morris.

In addition to the written staff report, Mr. Nuttall utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The property is within the city limits.
2. Clover Street is a state-maintained road for approximately 100 feet from the Plummer Street intersection, after which there is no public maintenance of the platted street. There is other property utilizing the street and the subject property is viewed as abutting a street for zoning compliance purposes. NCDOT has indicated that it will not require a driveway permit for the use.
3. The proposed use is a vehicle towing storage facility, which is defined as *"the use of land or buildings to park, store and maintain vehicles associated with vehicle towing. This includes storage of towed vehicles while awaiting proper disposition of these vehicles and storage of vehicles engaged in vehicle towing (i.e. tow trucks). A vehicle towing yard does not include a vehicle towing operation."* The application does not include a vehicle towing operation, which is a separate use defined as *"solely designated for administrative activities associated with vehicle towing."*
4. The site plan shows a fenced storage yard for towed vehicles. A 10 ft. setback from all property lines is proposed; per the application, the fence will be 7' in height and include black privacy slats, evergreen trees no more than 10 feet apart and 15 shrubs along the southern and western sides of the property. Along the northern and eastern property

lines, a 10' natural vegetative buffer is to be retained. The storage yard will be illuminated by a pole light. While some vehicle storage yards include an office as part of the operation, one is not proposed as part of this application. Staff has informed the applicant that the addition of any type of building, including any type of storage building, would require a new rezoning application and hearing.

5. The current B2 General Commercial zoning district is the most permissive commercial district in terms of the number of commercial uses that are allowed. It is described by the 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."*
6. While there is a dwelling at the intersection of Plummer and Clover northwest of the subject property, the area consists primarily of non-residential uses, many of which are legal non-conforming uses or have legal non-conforming situations. In addition to uses related to repair of motor vehicles in the area, a legal non-conforming manufacturing, processing, and assembly use is adjacent to the subject property to the west; this use also utilizes Clover Street.
7. The zoning ordinance states that the intent of the I1 district is to *"produce areas for manufacturing, processing, and assembly uses, commercial uses, distribution and servicing enterprises, controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts."*
8. The zoning ordinance has supplemental requirements for vehicle towing and storage facilities.
9. A text amendment to the Zoning Ordinance adopted in 2008 (Case No. RZ-08-24) specified that storage yards for vehicle facilities must be in an I1 and I2 zoning district. Prior to the text amendments in 2008, vehicle storage yards were allowed in the B2 zoning district.

Mr. Nuttall noted that, when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

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

LDP Goals/Policies Which Support Request:

<u>Checklist Item 3:</u>	The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. (<i>Article 200, Section 210, Schedule of Statements of Intent</i>)
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<u>Checklist Item 4:</u>	The proposed rezoning is compatible with surrounding land uses.
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<u>Checklist Items 12-14:</u>	Property is located outside of the watershed area, Special Hazard Flood Area, and area with steep slopes.
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LDP Goals/Policies That Do Not Support Request:

Checklist Item 1:

Rezoning is not compliant with the Proposed Land Use Map.

2.1.5:

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

The City of Asheboro Planning Board considered the zoning application and recommended, subject to staff's suggested conditions, placement of the Zoning Lot into the requested I1 (CZ) zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

Although the Land Development Plan designates the property for commercial use, given the surrounding land uses, the light industrial conditional zoning designation is reasonable for the property. Further, the existing general commercial zoning district could result in a land use that would generate much higher trip volumes that could be problematic in light of how the property is accessed and maintained and the condition of the street.

Considering the aforementioned analysis, staff believes that the proposed zoning map amendment is reasonable and in the public interest, subject to acceptance of the staff suggested conditions.

In the event of council approval of the application, the planning staff did offer suggested conditions to include as part of the requested conditional zoning ordinance.

- (A) *The use approved shall be a Vehicle Towing Storage Facility*
- (B) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.*
- (C) *Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.*
- (D) *Storage of towed vehicles must be contained completely within the screened and fenced area.*
- (E) *Prior to the issuance of a zoning compliance permit, a final site plan and the applicable permit fee shall be submitted.*
- (F) *Outdoor lighting (pole mounted) shall comply with city ordinances, and information on such lighting shall be provided to staff for review and approval prior to installation of this outdoor lighting.*
- (G) *Evergreen trees shown on the site plan shall be a minimum of 6 feet in height at the time of planting and evergreen shrubs shall be a minimum of 12 inches at the time of planting.*
- (H) *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 ordinance in the chain of title for the Zoning Lot.*

The applicant, Gary Lee Morris presented comments in support of the rezoning. He agreed with the staff suggested conditions.

No one spoke in opposition to the application. Mayor Smith transitioned to the deliberative phase of the proceeding.

After engaging in deliberations about the zoning map amendment application, Council Member Bell moved, and Council Member Swiers seconded the motion, to adopt the plan consistency statement printed below and to approve the requested conditional zoning ordinance with the following multi-part motion.

1. Given the surrounding land uses, the light industrial conditional zoning designation is reasonable for the property. Further, the existing general commercial zoning district would permit a land use that would generate much higher trip volumes that would be problematic light of how the property is accessed and maintained and the condition of the street.

Considering the aforementioned analysis, the city council believes that the proposed zoning map amendment is consistent with the adopted comprehensive plan, is reasonable, and is in the public interest.

2. Subject to the inclusion of the staff recommended conditions, that were accepted by the applicant, the zoning map amendment application seeking to place the Zoning Lot into the requested above-described I1 (CZ) zoning district is hereby approved,

Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

12. Legislative Hearing: A request to designate as a Local Historic Landmark the real property identified as the Randolph Savings and Loan Branch Bank located at 115 South Fayetteville Street, Asheboro, NC (Randolph County Parcel Identification Number 7751823582).

Mayor Smith opened the legislative hearing on the request to designate as a Local Historic Landmark the real property identified as the Randolph Savings and Loan Branch Bank located at 115 South Fayetteville Street in Asheboro. Mr. Nuttall introduced Mr. Ross Holt of the Randolph County Historic Preservation Commission.

Mr. Holt utilized a slide show presentation in order to give an overview of the history of the above-referenced building and to discuss the actions taken by the Randolph County Historic Landmark Preservation Commission. During his presentation, Mr. Holt presented and recommended adoption, by reference, of an ordinance designating the exterior and certain interior features of the Randolph Savings and Loan Branch Bank, 1963, as a local historic landmark in Asheboro, North Carolina.

Based on the report and recommendation received from the Randolph County Historic Landmark Preservation Commission, Council Member Bell moved, and Council Member Burks seconded the motion, to approve the following ordinance by reference. Council Members Bell, Burks Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

Ordinance Number 12 ORD 4-24
Ordinance Designating the Exterior and Certain Interior Features of the
RANDOLPH SAVINGS AND LOAN BRANCH BANK, 1963, as Local Historic
Landmarks in Asheboro, North Carolina

WHEREAS, Chapter 160D, Article 9, Part 4 of the North Carolina General Statutes provides for the designation of local historic landmarks; and

WHEREAS, the City of Asheboro designated the Randolph County Historic Landmark Preservation Commission as a joint historic preservation commission on September 4, 2008, having the authority to exercise, within the planning jurisdiction of the City of Asheboro, all powers and duties given it by the Randolph County Historic Preservation Ordinance; and

WHEREAS, the Asheboro City Council has taken into consideration all information contained in the Historic Landmark Designation Application for the Randolph Savings and Loan Branch Bank, 1963, as submitted by the Randolph County Historic Landmark Preservation Commission; and

WHEREAS, the North Carolina Department of Natural and Cultural Resources, State Historic Preservation Office, has been given the opportunity to review the Local Landmark designation report which contains the historical information necessary for the Asheboro City Council to determine special historical significance and integrity; and

WHEREAS, the Randolph County Historic Landmark Preservation Commission and the Asheboro City Council conducted the require public hearings, and published legal notices; and

WHEREAS, the Randolph County Historic Landmark Preservation Commission has adopted a unanimous resolution requesting the City of Asheboro to designate the exterior and certain interior features of the Randolph Savings and Loan Branch Bank, 1963, as a local historic landmark, and

WHEREAS the Asheboro City Council finds that finds that the Randolph Savings and Loan Association Branch Bank, 1963, meets the following specific criteria outlined in the Ordinance establishing the Commission: (1) Critical part of the City of Asheboro's heritage by having value as an example of the cultural, historic and social heritage of City of Asheboro; (2) Its important architecture as an exemplification of an architectural type or style distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials or craftsmanship; (3) Its distinctive theme, representing an architectural, cultural, economic, historic or other theme expressed through a distinctive building; and

WHEREAS, the property is more specifically described as follows:

The Randolph Savings and Loan Association Branch Bank is located at 115 S. Fayetteville St., Asheboro, N.C., PIN 7751823582, Asheboro Township, Randolph County, N.C.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Asheboro, North Carolina, that:

- 1:** The property known as the exterior of the Randolph Savings and Loan Branch Bank, 115 S. Fayetteville St., Asheboro, N.C., within the planning jurisdiction of the City of Asheboro, North Carolina, is hereby designated as a Local Historic Landmark pursuant to Chapter 160D, Article 9, Part 4, of the North Carolina General Statutes, and by inter-local agreement approved September 4, 2008, between the City of Asheboro and the County of Randolph.
- 2:** That certain interior features of the Randolph Savings and Loan Association Branch Bank, 1963, be incorporated in the Local Historic Landmark designation, including: gray-veined white marble veneer on the lobby's north wall, the northwest stair and elevator tower vestibule's north and east walls, and the lobby stairwell walls; terrazzo floors throughout the building; concrete and steel lobby stair with terrazzo treads that rises around a faceted-concrete post to a central landing and continues to the second-floor mezzanine; stair and mezzanine railings with wood handrails and slender painted-steel balusters; pendant light fixtures with opaque white glass shades in the stairwell; single-leaf flat-panel wood corridor doors and chrome-finished hardware in the administrative suite on the first floor, and walnut paneled walls in three offices in this location; built-in closets, a bar, and a restroom between the executive and executive assistant's offices; aluminum mail chutes, aluminum-frame directory and fire extinguisher boxes, and aluminum-frame curtain walls in

elevator vestibule; elevator door surrounds, call button plates, and floor location indicators; three six-foot-long steel-frame leather-upholstered benches in elevator vestibules; reinforced-concrete and steel stairs with wall-mounted wood handrails and railings with wood handrails and slender painted-steel balusters in both stair towers; unpainted taupe-brick walls; wood-paneled walls on upper floors; and the 1963 vault with solid exterior door and interior steel-bar door manufactured by Mosler Safe Company of New York, unpainted brick walls, and gray-and-white terrazzo floor.

- 3: That the exterior and above listed interior features of the Randolph Savings and Loan Branch Bank building may be materially altered, restored, remodeled, or demolished only following issuance of a Certificate of Appropriateness from the Historic Landmark Preservation Commission.
- 4: That nothing in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material or outer appearance thereof, after obtaining the necessary permits and official approval for said stated repair. Nothing herein shall prevent the construction, alteration, restoration, demolition, or removal of such features when a building inspector or similar authorized official certifies to the Historic Landmark Preservation Commission that such action is required for the public safety because of an unsafe condition. Furthermore, nothing shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances or regulations.
- 5: That suitable signs may be posted indicating the designation as a Local Historic Landmark and containing appropriate information.
- 6: That DLAA, LLC, owner of the Randolph Savings and Loan Branch Bank, shall be given written notice as required by the applicable law of this action, and the Asheboro City Council directs that copies of this Ordinance be filed and indexed in the office of the Asheboro City Clerk, the Randolph County Register of Deeds, the Randolph County Tax Department, and both the City and County Planning and Inspections Departments as required by applicable law.

Upon the motion of Council Member Bell, and a second by Council Member Burks, the foregoing ordinance was passed upon its first reading by a vote of 7 to 0.

CITY OF ASHEBORO
NORTH CAROLINA

BY: /s/David H. Smith
David H. Smith, Mayor

April 4, 2024
Adoption Date

ATTEST: /s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

13. Request for Authorization to Proceed with Certain Municipal Infrastructure Improvements in Downtown Asheboro

Utilizing a slide show presentation, Mr. Nuttall asked for the city council to authorize City Manager John Ogburn to sign a plat of survey titled Trade Street Improvements and City of Asheboro Street Creation Plan. The purpose of the new street dedication is to provide a clear and practical legal access to N. Fayetteville Street for the

adjoining parcels shown on the plat. A copy of the plat is on file in the community development division

Council Member Bell moved, and Council Member Heath seconded the motion to authorize the city manager to sign the plat of survey designating the necessary right-of-way. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

14. An Update on the Process to Finalize a Leasing Agreement with ZooKeepers Baseball LLC

Council Member Bell moved, and Council Member Moffitt seconded the motion to continue the above-referenced agenda item to the city council's regular meeting that is scheduled for May 9, 2024. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

15. A Resolution to Initiate the Annexation Process for the City-Owned Property Acquired for a Future Emergency Operations Center/Third Fire Station

City Attorney Jeff Sugg presented and recommended adoption, by reference, of a resolution stating the intent of the Asheboro City Council to annex city-owned real property that is contiguous to the municipal corporations' existing primary city limits. Council Member Bell moved, and Council Member Swiers seconded the motion to approve/adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

RESOLUTION NUMBER 9 RES 4-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION STATING THE INTENT OF THE ASHEBORO CITY COUNCIL TO ANNEX CITY-OWNED REAL PROPERTY THAT IS CONTIGUOUS TO THE MUNICIPAL CORPORATION'S EXISTING PRIMARY CITY LIMITS

WHEREAS, on December 13, 2023, the City of Asheboro purchased 3.25 acres of vacant land, more or less, lying on the east side of Zoo Parkway; and

WHEREAS, this land, which is now identified by Randolph County Parcel Identification Number 7669395087, (the "EOC/Fire Station Parcel") is contiguous to the existing primary city limits for the City of Asheboro; and

WHEREAS, the EOC/Fire Station Parcel was purchased because this site was deemed to be a suitable location for the city's proposed emergency operations center/third fire station; and

WHEREAS, the Asheboro City Council has concluded that, in preparation for the eventual development of a municipal emergency operations center/third fire station at this site, the EOC/Fire Station Parcel should be annexed into the City of Asheboro.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro as follows:

Section 1. It is the intent of the Asheboro City Council, pursuant to Section 160A-31 of the North Carolina General Statutes, to annex into the City of Asheboro the EOC/Fire Station Parcel that is owned in fee simple by the City of Asheboro.

Section 2. The legal description of the territory to be annexed into the primary city limits of the City of Asheboro is as follows:

Grant Township, Randolph County, North Carolina:

BEGINNING in the eastern margin of the 60-foot public right-of-way for Zoo Parkway and on the existing City of Asheboro primary city limits lines at a 1-inch existing iron pipe down two inches and located by means of the North Carolina Coordinate System at the coordinates of North 699,157.86 feet and East 1,763,303.42 feet (NAD 83 (2011)), this BEGINNING point is at the northwest corner of the EOC/Fire Station Parcel owned in fee simple by the City of Asheboro and described in Book of Record 2888, Page 637 and in Plat Book 183, Page 22 in the Office of the Register of Deeds for Randolph County, North Carolina (the "Randolph County Registry"); thence, from the described BEGINNING point, departing from the eastern margin of the public right-of-way for Zoo Parkway and following both the existing City of Asheboro primary city limits line and the northern boundary of EOC/Fire Station Parcel the next four bearings and distances: North 81 degrees 34 minutes 05 seconds East 109.67 feet along the Jonathan Bullington and Ashley L. Bullington property described in Deed Book 2698, Page 1462, Randolph County Registry (Lot 19 as shown in Plat Book 31, Page 5, Randolph County Registry) to a 5/8-inch existing iron rod up two inches; thence North 81 degrees 33 minutes 02 seconds East 99.98 feet along the Kimberly Dekle Hanna Fields property described in Deed Book 1927, Page 780, Randolph County Registry (Lot 18 as shown in Plat Book 31, Page 5, Randolph County Registry) to a 1/2-inch existing iron pipe down two inches; thence North 71 degrees 37 minutes 33 seconds East 101.33 feet along the Joan Beane Cockman and Johnnie Edwind Cockman property described in Deed Book 2511, Page 1316, Randolph County Registry (Lot 17 as shown in Plat Book 31, Page 5, Randolph County Registry) to a 1/2-inch existing iron pipe down two inches; thence North 71 degrees 37 minutes 42 seconds East 195.00 feet along the Johnny J. Harvell and Nancy H. Harvell property described in Deed Book 1827, Page 572, Randolph County Registry (Lot 16 and part of Lot 15 as shown in Plat Book 31, Page 5, Randolph County Registry) to a set 1-inch new iron pipe up two inches; thence departing from the northern boundary of EOC/Fire Station Parcel and the existing City of Asheboro primary city limits line in order to proceed along the proposed City of Asheboro primary city limits line by running with the eastern boundary of the EOC/Fire Station Parcel the next two bearings and distances: South 19 degrees 25 minutes 40 seconds East 165.88 feet to a set 2-inch new iron pipe up two inches; thence South 29 degrees 48 minutes 20 seconds East 60.00 feet to a set 2-inch new iron pipe up two inches; thence continuing to follow the proposed City of Asheboro primary city limits line by departing from the eastern boundary of EOC/Fire Station Parcel and running with the southern boundary of the EOC/Fire Station Parcel the next two bearings and distances: South 60 degrees 11 minutes 40 seconds West 460.02 feet to a set 2-inch new iron pipe up two inches; thence in a southwesterly direction along the arc of a curve with a radius of 30.00 feet and an arc length of 49.42 feet a chord bearing and distance of South 13 degrees 00 minutes 21 seconds West 44.02 feet to a set 1-inch iron pipe up two inches in the eastern margin of the public right-of-way for Zoo Parkway; thence continuing to follow the proposed City of Asheboro primary city limits line by departing from the southern boundary of the EOC/Fire Station Parcel and running with the western boundary of the EOC/Fire Station Parcel along the eastern margin of the public right-of-way for Zoo Parkway northwestward along the arc of a curve with a radius of 1,203.94 feet and an arc length of 73.75 feet a chord bearing and distance of North 32 degrees 25 minutes 41 seconds West 73.74 feet to a computed point; thence following the proposed City of Asheboro primary city limits across the public right right-of-way for Zoo Parkway South 59 degrees 19 minutes 36 seconds West 139.67 feet to a computed point on the existing City of Asheboro primary city limits line; thence following the existing City of Asheboro primary city limits line the next three bearings and distances along the western margin of the public right-of-way for Zoo Parkway: North 06 degrees 02 minutes 02 seconds East 136.44 feet to a computed point; thence northwestward along the arc of a curve with a radius of 712.07 feet and an arc length of 120.53 feet a chord bearing and distance of North 22 degrees 36 minutes 53 seconds West 120.39 feet to a computed point; thence continuing northwestward along the arc of a curve with a radius of 1,750.67 feet and an arc length of 111.01 feet a chord bearing and distance of North 16 degrees 05 minutes 18 seconds West 110.99 feet to a computed point; thence continuing to follow the existing City of Asheboro primary city limits line by crossing the public right-of-way for Zoo Parkway North 78 degrees 49 minutes 53 seconds East 58.97 feet to the point and place of BEGINNING, and containing a total of 3.817 acres (166,221 square feet), more or less, to be annexed.

The preceding description is in accordance with a plat of survey titled "ANNEXATION SURVEY CITY OF ASHEBORO PROPERTY ANNEXATION." The plat was drawn under the supervision of Thomas Scaramastra, a Professional Land Surveyor with Registration Number L-4421, from an actual survey made under his supervision. The job number listed on the plat is 23-002, with a date of April 2, 2024.

Section 3. The territory described in Section 2 of this Resolution is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of the proposed annexation of the property will be held during a regular meeting of the Asheboro City Council, which will be called to order at 7:00 p.m. on Thursday, May 9, 2024, in the council chamber on the second floor of Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203.

Section 5. Notice of the public hearing shall be published once in *The Courier-Tribune*, a newspaper having general circulation in the City of Asheboro, at least ten (10) days prior to the date of the public hearing.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on April 4, 2024.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

16. Proposed Schedule of Upcoming City Council Meetings

Mayor Smith discussed potential dates for upcoming city council meetings. Notice of any special meetings will be provided in accordance with state law. No action was taken during this portion of the meeting.

17. Upcoming Events and Items Not on the Agenda

Mayor Smith and Mr. Ogburn led a brief discussion of upcoming events within the city government and the community in general.

No formal action was taken by the council during this portion of the meeting.

There being no further business, the meeting was adjourned at 9:13 p.m.

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

/s/David H. Smith
David H. Smith, Mayor