AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, MARCH 7, 2024, 7:00 PM

1. Call to order.

2. Silent prayer and pledge of allegiance.

3. Randolph County District Attorney Andy Gregson will discuss Project Safe Neighborhoods.

4. Mayor Smith will recognize and honor retired Chief of Police Mark Lineberry for his dedicated public service.

5. Asheboro/Randolph Chamber of Commerce Vice President Amy Rudisill will provide the 2023 retail sales report.

6. North Carolina Director of the American Diabetes Association Katie-Rose Crater will discuss the North Carolina Tour de Cure charity cycling event, which will call Asheboro its new home on May 18, 2024.

7. Downtown Asheboro Inc. Executive Director Addie Corder will announce this year's Summer Concert Series.

8. Piedmont Triad Regional Council Assistant Director Matt Reece will report on the following:

   (a) Prioritization of capital projects; and

   (b) Review and request approval of a contract to recruit an Assistant City Manager.

9. Old Business:

   (a)City Attorney Jeff Sugg will present for council action potential amendments to the Zoo City Social District regulations;

   (b)City Attorney Jeff Sugg will present for council action potential regulations for an Urban Archery deer hunting program; and

(c) Community Development Director Trevor Nuttall will provide an update on last month's business item concerning the relocation of NC 159 and the requested adoption of municipal declarations pertaining to the repeal and enactment of certain speed limitations tied to concurring state ordinance numbers 1037284 and 1084871.

10. Public comment period.

11. Consent Agenda:

(a) Approval of the meeting minutes for the regular city council meeting on February 8, 2024.

(b) Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for January 8, 2024.

(c) Approval of an ordinance to amend the General Fund to account for maintenance on the back of City Hall.

(d) Approval of the community development division's request to schedule for the regular city council meeting on April 4, 2024, and to advertise, legislative hearings on the following applications:

(i) 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 to R7.5 zoning;

(ii) An application to rezone 853 East Salisbury Street (Randolph County Parcel Identification Numbers 7761229556, 7761229618, 7761229996, and 7761227703) to an amended OA6 (CZ) conditional zoning district for a residential development with multiple family dwellings;

(iii) An application to rezone 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; and

(iv) 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 General Commercial to I1 (CZ) Light Industrial Conditional Zoning for a Vehicle Storage Facility.

(e) Acknowledgement of the receipt of the monthly report detailing major subdivisions administratively approved in 2024) *(There have been none approved.)*

(f) Approval of a resolution awarding to Police Captain Charles David Wagner, upon his retirement, his service side arm.

(g) Approval of a resolution awarding to Master Police Officer Anthony Paul Maness, upon his retirement, his service side arm.

(h) Authorization for Mayor Smith to sign a Grant Administrative Services Agreement with the Piedmont Triad Regional Council for technical and professional services related to the city's Urgent Repair Program.

(i) Approval of a special event/street closure order for the Zoo City StrEAT Fest on April 20, 2024.

(j) Approval of a special event/street closure order for the Katie Bunch Memorial 5k Run/Walk on May 4, 2024.

12. Legislative Hearing (Case No. RZ-24-02): Community Development Director Trevor Nuttall will provide the initial testimony concerning an application to rezone property located adjacent to 1901 North Fayetteville Street (Randolph County Parcel Identification Numbers 7762091068 and 7752988469) by amending an RA6 (CZ) zoning district to allow for a residential development with multiple family dwelling units up to 22% Floor Area Ratio.

13. Water Resources Director Michael Rhoney, P.E. will present a resolution authorizing an application for a state grant/loan for the W.L. Brown Water Treatment Plant Emerging Contaminants Planning Project.

14. McCrary Ballpark:

(a) Recreation Services Director Jonathan Sermon will provide an update on the process to finalize a leasing agreement with ZooKeepers Baseball LLC; and

(b) Council action/direction on the proposed lease.

15. City Attorney Jeff Sugg will request authorization to publish legal notice of a proposed lease agreement with New Cingular Wireless PCS, LLC.

16. Mayor Smith will ask the council to consider entering closed session to discuss with the city attorney matters that fall within the attorney-client privilege.

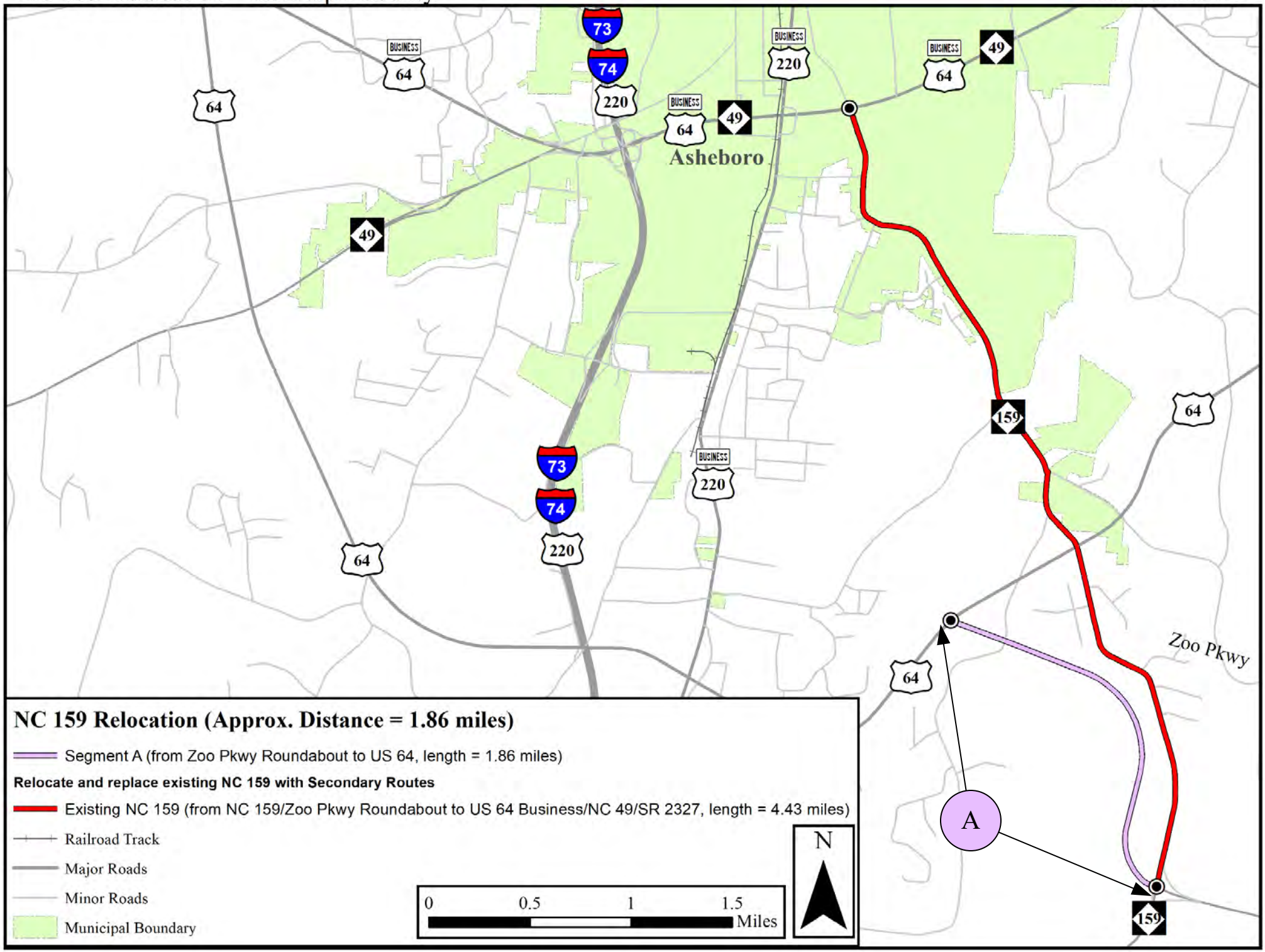
17. Return to open session and consider any items not on the agenda.

18. Mayor Smith will lead a discussion on upcoming events.

19. Adjournment.

NC 159 Relocation - Randolph County

Created: 05/31/2023



NC 159 Relocation (Approx. Distance = 1.86 miles)

Segment A (from Zoo Pkwy Roundabout to US 64, length = 1.86 miles)

Relocate and replace existing NC 159 with Secondary Routes

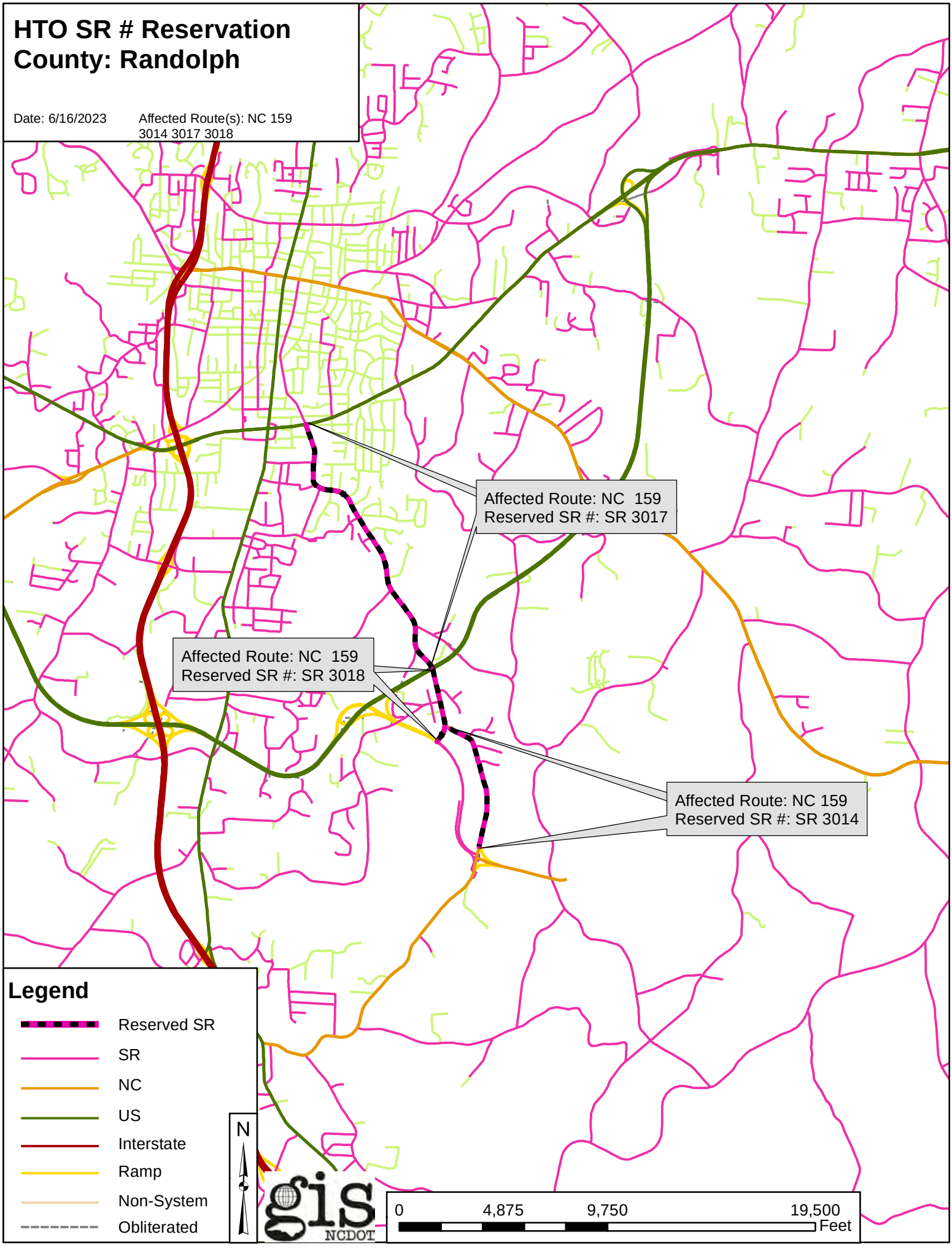
Existing NC 159 (from NC 159/Zoo Pkwy Roundabout to US 64 Business/NC 49/SR 2327, length = 4.43 miles)

Railroad Track

Major Roads

Minor Roads

Municipal Boundary


HTO SR # Reservation
County: Randolph
Date: 6/16/2023
Affected Route(s): NC 159
3014 3017 3018
Affected Route: NC 159
Reserved SR #: SR 3017
Affected Route: NC 159
Reserved SR #: SR 3018
Affected Route: NC 159
Reserved SR #: SR 3014
Legend
Reserved SR
SR
NC
US
Interstate
Ramp
Non-System
Obliterated
N
gis
NCDOT
0
4,875
9,750
19,500
Feet

Certification of Municipal Declaration
To Repeal Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1037284

Division: 8 **County:** RANDOLPH **Municipality:** ASHEBORO

Type: Municipal Speed Zones

Road: NC 159 **Car:** 45 MPH **Truck:** 45 MPH

Description: NC 159 from a point approximately 0.07 mile north of SR 2820 (Crestview Church Road) northward to a point approximately 0.05 mile north of SR 2941(Brownmire Road) inAsheboro.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page:_____ Ordinance Number: _____

In witness whereof, I have hereunto set my hand and the municipal seal this _____ day of _____, 20_____.

_____
(signature) (municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1084871

Division: 8 **County:** RANDOLPH **Municipality:** ASHEBORO

Type: Municipal Speed Zones

Road: SR 3017 **Car:** 45 MPH **Truck:** 45 MPH

Description: Between 0.07 miles north of SR 2820 (Crestview Church Road) and 0.05 miles north of SR 2941 (Brownmire Drive).

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page:_____ Ordinance Number: _____

In witness whereof, I have hereunto set my hand and the municipal seal this _____ day of _____, 20_____.

_____
(signature) (municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, FEBRUARY 8, 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
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Charles J. Garner, Code Enforcement Officer
Eddie L. Garner, Chief Building Inspector
David J. Hutchins, Public Works Director
Steven B. Hackett, CPA, Deputy Finance Director
Michael L. Leonard, PE, City Engineer
Mark T. Lineberry, Chief of Police
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Jonathan M. Sermon, Recreation Services 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. Year-End Audit Report for Fiscal Year 2022-2023

Mr. Alan Thompson, CPA with the firm of Thompson, Price, Scott, Adams & Co., PA discussed the audit report for the fiscal year that ended June 30, 2023. During his presentation, Mr. Thompson reported that the city received what is commonly referred to as a "clean audit" (also referred to as an "unmodified opinion"). A "clean audit" means the city's financial statements are fairly presented in accordance with generally accepted accounting principles for the fiscal year ending June 30, 2023.

The council members expressed their satisfaction with the audit report and their general consent to the acceptance of the report from the auditor. A copy of the written audit report is available for inspection in the city's finance department.

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

4. Feral Cats Neutering Program Discussion

Dr. Tina Byrd, DVM gave a presentation pertaining to feral cats. During her presentation, Dr. Byrd discussed how the "Trap, Neuter, and Release" program helps

control the feral cat population and asked that the city council explore options to amend the Code of Asheboro to address complaints about feral cats.

No formal action was asked of the council during this portion of the meeting, and none was taken.

5. Discussion of Randolph Community College's 2024 Strategic Planning Process

Dr. Shah Ardalan, Ed.D, President of Randolph Community College and Ms. Linda Brown discussed the college's strategic plan process. The discussion focused on how the strategic plan process should focus on the ways that the community's economy is evolving with economic development projects such as Toyota and Wolfspeed and integrate such growth in order to have long-term sustainability with the college and its students.

Citizens will have opportunities to participate in public meetings sponsored by the college. These meetings will assist the college's planning team in developing a strategic plan. More information about the process will be published online and available through the Randolph Community College's website.

No formal action was asked of the council during this portion of the meeting, and none was taken.

6. Public Comment Period

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

Mayor Smith then closed the public comment period and moved to the next item on the meeting agenda.

7. 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 Trogdon voted aye. There were no dissenting votes.

(a) Approval of the City Council Meeting Minutes for January 11, 2024

The meeting minutes for the city council's regular meeting on January 11, 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) Acknowledgement of the Receipt of the Meeting Minutes for the Asheboro ABC Board Meeting Held on December 4, 2023

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

(c) Approval of the Community Development Division's request to schedule for the regular city council meeting on March 7, 2024, and to advertise, a legislative hearing on an application to rezone property adjacent to 1901 North Fayetteville Street (Randolph County Parcel Identification Numbers 7762091068 and 7752988469) by amending an RA6 (CZ) zoning district to allow for a residential development with multiple family dwellings.

(d) Acknowledgement of the receipt of the monthly report detailing major subdivisions administratively approved in 2024.

There have been none approved.

(e) Approval of a Contract Amendment Extending the Termination Date for the Starpet Building Reuse Grant from December 10, 2023 to December 10, 2024.

A copy of the approved contract amendment instrument is on file in the city clerk's office.

(f) Approval of a Resolution Awarding to Chief of Police Mark T. Lineberry, upon His Retirement, His Service Side Arm

RESOLUTION NUMBER 2 RES 2-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION AWARDING TO MARK T. LINEBERRY HIS SERVICE SIDE ARM UPON RETIREMENT FROM THE ASHEBORO POLICE DEPARTMENT

WHEREAS, after rendering honorable and valuable service to the City of Asheboro and its citizens throughout the course of his career with the Asheboro Police Department, which began on May 4, 1992, Asheboro Police Chief Mark T. Lineberry will begin his retirement from employment with the city on March 1, 2024; and

WHEREAS, pursuant to and in accordance with Section 17F-20 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Chief Lineberry for his dedicated service to the city by awarding to him, at a minimal monetary cost, the service side arm that he carried at the time of his retirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective March 1, 2024, in consideration of the combination of his dedicated service to the City of Asheboro and the payment to the city of $1.00, Mark T. Lineberry is to be awarded ownership of his city-issued service side arm (a Glock model 45 9mm with serial no. BLKC000 and three magazines) upon a determination by the police department command staff that Mr. Lineberry is eligible under the applicable federal and state laws to receive, own, or possess a firearm.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on February 8, 2024.

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

ATTEST:

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

8. Community Development Items

(a) Legislative Hearing (Case No. RZ-24-01): An application to rezone property at 1419 and 1425 Old Liberty Road (Randolph County Parcel Identification Numbers 7763939476 and 7763939312) from B1 and R10 zoning to R10 (CZ) zoning to modify lot width standards for single and two-family dwellings.

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-24-01. Community Development Director Trevor 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 Christian Vestal.

The land for which the above-described zoning has been requested is located at 1419 and 1425 Old Liberty Road (this property will be hereinafter referred to as the "Zoning Lot.") The Zoning Lot is approximately 1.84 acres in size, and is specifically identified by Randolph County Parcel Identification Numbers 7763939476 and 7763939312. The Zoning Lot is owned by Christian D. Vestal and Taylor Saunders Vestal.

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. Old Liberty Road is a minor thoroughfare at this location.

3. The property currently has R10 (Medium-Density Residential) zoning on the majority of the property at 1425 Old Liberty Road and B1 zoning at 1419 Old Liberty Road and a small portion of the property at 1425 Old Liberty Road.

4. The zoning ordinance describes the B1 district as "intended to provide for limited retail and personal service uses on free-standing parcels or for small centers to serve adjacent residential neighborhoods. These districts shall normally be located in nodes along minor thoroughfares or higher classification streets." The R10 district is described as producing 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 owner proposes retaining the single-family dwelling on one parcel and dividing the larger parcel into two lots, with a two-family dwelling on each of the new lots. Typical R10 minimum lot sizes are 10,000 square feet for a single-family dwelling and 15,000 square feet for a two-family dwelling. Each lot exceeds the minimum lot size for the use proposed.

6. The zoning ordinance allows an applicant to propose a conditional zoning district that deviates from the zoning ordinance's pre-determined requirements. The primary deviation requested by the applicant is the reduction of the lot width from the standard R10 lot width of 75 feet to 70 feet.

7. The applicant proposes a share driveway to serve both two-family dwellings. One driveway serving the single-family dwelling already exists. The applicant has indicated he has contacted NCDOT and a driveway permit will be required.

8. The property is in close proximity to the intersection of WOW Road and Old Liberty Road, which is designed as a proposed Neighborhood Activity Center. Such a designation advocates a small, pedestrian-oriented neighborhood activity center with a "mix of commercial, office and institutional, entertainment, open space, and residential uses and housing types." While that particular plan recommendation has not been realized, there are non-residential uses and zoning in close proximity, including industrial zoning across Old Liberty Road to the east.

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

Checklist Item 5: Complies with Growth Strategy Map

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

There were no goals/policies that do not support the request.

The City of Asheboro Planning Board considered the zoning application and recommended placement of the Zoning Lot into the requested R10 (CZ) zoning district with modified lot width standards. 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.

> The application seeks to eliminate a small area of Neighborhood Commercial zoning that would be challenging to utilize, and instead proposes a conditional R10 district, similar to the surrounding residential zoning, that would allow single and two-family uses permitted by right in the R10. The request does include a slight modification to R10 lot width standards but offers to provide a shared driveway for the new development proposed, which helps to manage the number of driveways connecting to Old Liberty Road and promotes public safety. The number of dwellings and housing types requested are consistent with what would be expected in the R10 district.
>
> 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. These conditions are as follows:

(A) The use approved shall be a single-family dwelling on PIN 7763939312 and one single or two-family dwelling on each new lot created through the subdivision of PIN 7763939476 as depicted on the site plan. Any accessory uses permitted by-right in the R10 district shall be authorized subject to compliance with general R10 district regulations.

(B) Development on the new lots to be created through the subdivision of PIN 7763939476 shall share a single-driveway connection to Old Liberty Road.

(C) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.

(D) 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.

(E) Deviations from the Zoning Ordinance's pre-determined development requirements shall be strictly limited to the reduction in lot width to no less than 70 feet at a lot's front setback line.

(F) Prior to issuance of a zoning permit for the development depicted, the owner shall provide the following:

(i) NCDOT permit(s) and updates to the plan as necessary to obtain said permit.
(ii) Recordation of a survey plat creating the lots as shown on the site plan.

(G) 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 district in the chain of title for the Zoning Lot.

The applicant, Mr. Christian Vestal, presented comments in support of the rezoning, and he was in agreement with the staff suggested conditions. Additionally, after the applicant and the elected officials discussed off-street parking concerns associated with the currently contemplated development of a two-family dwelling on each new lot created through the subdivision of PIN 7763939476, mutual agreement was reached to add an additional condition to the ordinance approving the requested map amendment.

The added condition provides as follows:

> In the event a two-family dwelling is actually developed on each new lot created through the subdivision of PIN 7763939746, four paved parking spaces above and beyond the minimum number of off-street parking spaces required under the zoning ordinance's predetermined standards shall be installed. Such additional parking spaces shall be shown on a revised site plan submitted to the planning staff for a review of the plan's compliance with all applicable ordinances. The installation of these additional parking spaces shall be conducted in compliance with the zoning ordinance. The submission of a revised site plan reflecting compliance with this condition shall not be deemed to constitute a modification requiring a new map amendment application.

There was opposition to the application. Sylvia Smith, Donna Hughes, Kenneth and Crystal Davis, and Susan Richards had questions and concerns about the rezoning. When no one else asked to speak, 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 Bell 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. The applicant proposes the elimination of a small area of Neighborhood Commercial zoning that would be challenging to utilize, and instead proposes a conditional R10 district, similar to the surrounding residential zoning, that would allow single and two-family uses permitted by right in the R10. Additionally, the application includes a slight modification to R10 lot width standards but offers to provide a shared driveway for the proposed new development. This helps to manage the number of driveways connected to Old Liberty Road and promotes public safety. The proposed number of dwellings and housing types are consistent with what would be expected in the R10 district.

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

2. The zoning map amendment application seeking to place the Zoning Lot into the requested R10 (CZ) zoning district is hereby approved, subject to the inclusion of the staff recommended conditions and the above-

stated additional parking spaces condition with the approved conditional zoning ordinance.

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

(b) The Requested Appointment of Pamela Vuncannon to a New 5-year Term of Office (January 1, 2024 to January 1, 2029) on the Asheboro Planning Board

Mr. Nuttall asked the council members to consider the appointment of Pamela Vuncannon to a new 5-year term of office (January 1, 2024 to January 1, 20029) on the Asheboro Planning Board.

Council Member Heath moved, and Council Member Swiers seconded the motion to appoint Pamela Vuncannon to a new 5-year term of office (January 1, 2024 to January 1, 2029) on the Asheboro Planning Board. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

(c) A Request for Council Authorization to Forward to the Randolph County Board of Commissioners a Request for the Reappointment of Thomas Rush to the Asheboro Planning Board as a Representative from the City's Extraterritorial Planning Jurisdiction

Mr. Nuttall asked the council members to consider the authorization to forward to the Randolph County Board of Commissioners, a request for the reappointment of Thomas Rush to the Asheboro Planning Board as a representative from the city's extraterritorial planning jurisdiction.

Council Member Bell moved, and Council Member Heath seconded the motion to approve the authorization to forward to the Randolph County Board of Commissioners a request for the reappointment of Thomas Rush to the Asheboro Planning Board as a representative from the city's extraterritorial planning jurisdiction. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

9. Downtown Asheboro Discussions

(a) Options for the Expansion of the Zoo City Social District

During the regular city council meeting that was held on January 11, 2024, the council members directed city staff to explore options in order to include the Hoover Hatchet House in the Zoo City Social District. The Hoover Hatchet House is located on the east side of S. Fayetteville Street.

City Attorney Jeff Sugg presented to the council members maps with four potential options for the expansion of the Zoo City Social District. Council Member Bell moved, and Council Member Moffitt seconded the motion, to approve/adopt the map labeled "Potential Zoo City Social District Expansion – Option D with an effective date of March 14, 2024" Council Members Bell, Heath, McCaskill, Moffitt, Swiers and Trogdon voted aye. Council Member Burks voted no.

A second and final vote on this issue will be taken during the next regular council meeting on March 7, 2024.

Copies of the maps that were distributed are on file in the city clerk's office.

(b) Discussion of the Zoo City Street Festival

Downtown Asheboro Inc. Executive Director Addie Corder asked the city council members to consider closing Sunset Avenue (from Fayetteville Street to Church Street) and North Street from 5:00 p.m. to 8:00 p.m. for the Zoo City StrEAT Fest that is proposed for April 20, 2024. Downtown Asheboro Inc and the N.C. Zoo are collaborating in order for a street festival to be held in honor of the zoo's 50th anniversary. The festival would include options for outdoor dining with the restaurants located downtown.

Council Member Bell moved, and Council Member Heath seconded the motion to direct city staff to draft a street closure order for the requested closure of sections of Sunset Avenue and North Street on April 20, 2024 for the Zoo City Street Festival. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

A street closure order will be available for council's consideration during the regular meeting on March 7, 2024.

(c) Proposal to Abate an Underground Storage Tank

Mr. Nuttall requested council's authorization for city staff to accept the D.H. Griffin Wrecking Company proposal that is dated January 15, 2024. This authorization is for the removal of an existing 20,000 gallon underground storage ("UST") tank that is located on the city's historic mill property at 159 North Street.

Council Member Bell moved, and Council Member Burks seconded the motion to authorize city staff to accept the D.H. Griffin Wrecking Company proposal that is dated January 15, 2024, and award to the contractor the Underground Storage Tank Closure Activities Contract to remove the UST at an estimated price of $64,025. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

[A copy of the approved proposal is on file in the city clerk's office.]

10. Report on Water Distribution Line Breaks

Public Works Director David Hutchins utilized a slide show presentation in order to update the council members on water main breaks that took place in January 2024. During the month of January, there were approximately twelve (12) water main breaks that occurred within the city. City crews repaired the leaks with approximately 50 hours dedicated to the repairs.

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

11. Building Inspections Department Annual Report

Chief Building Inspector Eddie Garner presented an overview of the building inspections department's activities during 2023. The department's report reflected the issuance of a total of 1,560 permits with a total of $602,851.31 in revenue.

A copy of the annual report is on file in the city clerk's office. No formal action was asked of the council during this portion of the meeting, and none was taken.

12. Code Enforcement Annual Report

Code Enforcement Officer Charles Garner utilized a slide show presentation to provide an overview of the activities, including remedial actions, undertaken by the code enforcement office during the preceding year. Mr. Garner's report reflected recorded violations for 2023. These violations included, but were not limited to, unlawful tent cities and dilapidated structures.

A copy of the slide show utilized by Mr. Garner is on file in the city clerk's office. No formal action was taken by the council during this portion of the meeting.

13. Recreation Services Items

(a) Zoo City Sportsplex

Prior to the consideration of agenda item 13(a), Council Member Swiers asked to be recused from participating in any manner in this specific agenda item. This request was made because of the council member's service on the YMCA board. He is endeavoring to avoid a conflict of interest.

In response to the council member's disclosure and request, Council Member Bell moved, and Council Member Heath seconded the motion, to recuse Council Member Swiers as requested. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Trogdon voted aye. There were no dissenting votes.

Recreation Services Director Jonathan Sermon presented and recommended adoption, by reference, of an ordinance amending Section 19.6 in the Cultural and Recreation Services Policy Manual. The adoption of this ordinance would integrate the facility use agreement in Section 19.6 of the policy manual. This facility use agreement pertaining to the Zoo City Sportsplex was introduced to the council during its regular January 11, 2024 meeting.

Council Member Trogdon moved, and Council Member Burks seconded the motion to approve/adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Trogdon voted aye. There were no dissenting votes.

ORDINANCE NUMBER 4 ORD 2-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

AN ORDINANCE AMENDING SECTION 19.6 IN THE CULTURAL AND RECREATION SERVICES POLICY MANUAL

WHEREAS, the City of Asheboro Cultural and Recreation Services Policy Manual contains the rules and regulations applicable to the city's cultural and recreation services facilities; and

WHEREAS, Section 98.01 (Adoption by Reference) of the Code of Asheboro provides that the City of Asheboro Cultural and Recreation Services Policy Manual (the "Manual") has been adopted by the Asheboro City Council by reference and made a part of the Code of Asheboro; and

WHEREAS, the Zoo City Sportsplex is administered by Asheboro Cultural and Recreation Services in compliance with regulations adopted by the city council and found in Article XIX of the Manual; and

WHEREAS, during the city council's regular meeting on January 11, 2024, an agreement pertaining to the Zoo City Sportsplex, which was titled "Facility Use Agreement between Randolph-Asheboro YMCA and the City of Asheboro," was presented to the city council for ratification; and

WHEREAS, on the condition that the material terms and conditions of the proposed facility use agreement must be integrated into the regulations applicable to the Zoo City Sportsplex, the city council is willing to ratify the proposal; and

WHEREAS, the recommended text to integrate the referenced facility use agreement into Section 19.6 of the Manual has been attached to this Ordinance as EXHIBIT 1, which is hereby incorporated into this instrument by reference as if copied fully herein.

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

Section 1. Within Article XIX of the City of Asheboro Cultural and Recreation Services Policy Manual, Section 19.6 of the Manual is hereby rewritten to provide as stated in the attached EXHIBIT 1.

Section 2. All articles, sections, and provisions of the Manual that are not explicitly modified by the contents of EXHIBIT 1 shall continue in full force and effect without alteration.

Section 3. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. The regulations found in EXHIBIT 1 shall be in full force and effect upon and after February 9, 2024.

Section 5. As soon as is practicable, the contents of this Ordinance, inclusive of the attached exhibit, shall be transmitted in writing by the city's recreation services director to an authorized representative of the Randolph-Asheboro YMCA.

The Asheboro City Council approved this Ordinance in open session during a regular meeting held on the 8th day of February, 2024.

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

ATTEST:

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

EXHIBIT 1

ARTICLE XIX. ZOO CITY SPORTSPLEX

SECTION 19.6 PARTNER ORGANIZATION ~~DEFINITIONS~~

For purposes of this section the Randolph-Asheboro YMCA will be considered an approved partner organization.

A. All Zoo City Sportsplex amenities as well as all activities, programs, tournaments, and special events will be scheduled and managed by Asheboro Cultural & Recreation Services on behalf of the City of Asheboro where not exempted below in items (B) and (C).

(1) The City of Asheboro shall retain all revenue generated from the sources mentioned in item (A) and as further described in the Schedule of Deposits, Fees, and Charges as set and approved by the Asheboro City Council.

B. The City of Asheboro and the Randolph-Asheboro YMCA will partner to sponsor, schedule, and manage their recreational Youth Soccer League and the Challenge Soccer Program, currently known as the Asheboro City Futbol Club. The Youth Soccer Program is under the auspices of the North Carolina Youth Soccer Association.

C. The City of Asheboro and the Randolph-Asheboro YMCA will also partner to sponsor, schedule, and manage their youth and adult recreational Beach Volleyball Leagues.

(1) As a partner organization, the Randolph-Asheboro YMCA shall not be required to lease the courts/fields needed to facilitate the above listed programs mentioned in items (B) and (C).

(2) The Randolph-Asheboro YMCA shall retain all participant registration revenue generated from the above listed programs mentioned in items (B) and (C).

D. If at any time the Randolph-Asheboro YMCA fails or chooses not to offer the programs listed in items (B) or (C), the City of Asheboro reserves the right to program those activities and receive any revenue generated from those programs.

E. The Randolph-Asheboro YMCA may sell all food and beverages at concession stand #2 for the partnership events listed above in items (B) and (C) and retain any profit gained to financially support those youth activities.

F. Notwithstanding any other provision found in Article XIX, and with the modification that the terms and conditions found in the below-referenced agreement are subject to amendment by the city council in the same manner as any other regulation found in the City of Asheboro Cultural and Recreation Services Policy Manual (the "Manual"), the Facility Use Agreement between Randolph-Asheboro YMCA and the City of Asheboro, which was signed by representatives of the two entities on December 13, 2023, and presented to the city council for review on January 11, 2024, is, with the modification stated in this subsection, hereby ratified and incorporated into Section 19.6 of the Manual by reference as if copied fully herein. When applying the regulations applicable to the Zoo City Sportsplex, if a conflict between the text printed in Article XIX and the text in the facility use agreement that is incorporated by reference into Section 19.6 is encountered, the text found in the incorporated facility use agreement shall be the controlling text.

(b) McCrary Ballpark

Mr. Sermon reported that a legal notice was published in the local newspaper on January 30, 2023. This legal notice was published in order to give citizens notice that the city council will soon consider the approval/adoption a lease agreement for the use of McCrary Ballpark.

No formal action was asked of the council during this portion of the meeting, and none was taken.

(c) Asheboro Tennis Center

Mr. Sermon reported that the trees at the Asheboro Tennis Center were recently cut. These trees will be replaced with new trees that are consistent with good maintenance of the tennis courts. Additionally, the wind screening will be replaced.

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

14. Proposed Youth Athletics Scholarship Program

Assistant Recreation Services Director Jody Maness requested the council's approval to institute a scholarship program for youth sports. The scholarship program would provide financial assistance to youth who may or may not otherwise be able to participate in youth athletics in Asheboro. The recipient must be an Asheboro city resident.

Council Member Bell moved, and Council Member Swiers seconded the motion to establish a youth athletics scholarship program for the City of Asheboro. Council

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

[A copy of the approved proposal is on file in the city clerk's office.]

15. Transportation Issues

(a) The relocation of NC 159 and the requested adoption of municipal declarations pertaining to the repeal and enactment of certain speed limitations tied to concurring state ordinance numbers 1037284 and 1084871

Mr. Nuttall asked that the above-referenced item be continued to provide time for more interaction between city staff and NC Department of Transportation personnel about this issue.

Council Member Heath moved, and Council Member Trogdon seconded the motion, to continue this agenda item to the council's regular March 7, 2024 meeting. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

(b) North Carolina Department of Transportation Review of Several Intersections within the City of Asheboro for Pedestrian improvements

Mr. Nuttall reported that the North Carolina Department of Transportation has requested feedback from the City of Asheboro on potential pedestrian-oriented intersection improvements. Improvements being studied range from the addition of crosswalks, ramps, sidewalk extensions, and new or modified pedestrian signals/traffic signal timings.

The work is expected to be funded by a federal funding appropriation directed to NCDOT. The city is not expecting to have to cost share with this expense. A list of intersections being considered has been provided, and others can be added. Input is requested in the next two or three weeks.

No formal action was asked of the council during this portion of the meeting, and none was taken.

16. The Outline of a Potential Urban Archery Deer Hunting Program

City Attorney Jeff Sugg presented a potential urban archery deer hunting program for the City of Asheboro. This program would allow individuals to use archery equipment within the corporate limits of the City of Asheboro as participants in the city's urban archery deer hunting program. Such activities with archery equipment would not be deemed to be a violation of the prohibition that is found within the city code.

A draft ordinance to implement the City of Asheboro Urban Archery Deer Hunting Program was distributed and discussed with the council. The discussion included a review of the proposed City of Asheboro Urban Archery Deer Hunting Program Manual.

After discussion, a consensus emerged to direct the city attorney to prepare for final action an ordinance to implement the proposed program. The revised ordinance is to prohibit the use of cross bows.

Council Member Bell moved, and Council Member Burks seconded the motion to direct city staff to prepare an ordinance for final action at the council's regular March 7, 2024 meeting, and this revised ordinance is to prohibit the use of cross bows as part of the city's urban archery deer hunting program. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

An ordinance will be presented to the council for a second vote and final adoption at the city's regular March 7, 2024 meeting.

17. Discussion of Plans to Engage with the Piedmont Triad Regional Council and UNC School of Government in Order to Design and Lead Work Sessions with the City Council

City Manager John Ogburn announced that a workshop will be held on February 23, 2024 at 12:00 p.m. in the city's recreation center. Mr. Matthew Dolge, Executive Director of PTRC will lead the council through the prioritization process of the remaining capital projects as well as receive additional project ideas or scopes of new projects to be included. The capital projects or initiatives include the Sportsplex, McCary Park, Emergency Operations Center/Fire Station #3, Crestview Church Road Extension, Jarrell Garden, expanded public transportation options, and the historic North Street mill (Acme-McCrary).

On March 22, 2024 at 12:00 p.m., Ms. Rebecca Ann Jackson of the UNC School of Government will lead a conversation focusing on potential strategic planning initiatives to be further investigated. This meeting will take place in the city's recreation center.

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

There being no further business, the meeting was adjourned at 11:14 p.m.

_____ _____

Holly H. Doerr, CMC, NCCMC, City Clerk **David H. Smith, Mayor**

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on January 8, 2024

194

The Asheboro ABC Board met on Monday, January 8, 2024, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the meeting were Chairman Steve Knight, Board Member Bob Morrison, and General Manager Rodney Johnson (GM). Board Member Curtis Shipley attended by phone. A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after Board member(s) voiced having no conflict, and there being no objection, the agenda was adopted.

Board Minutes from the December 4, 2023, meeting were reviewed and approved by the Board.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent (sales and expenses).

Bob Morrison made a motion to send a letter to ABC Chairman Bauer concerning the Commission's distribution of hard-to-get products based on sales volume, the Chairman's personal selection of certain boards to receive hard-to-get products, and the Commission's failure to enact ABC regulations regarding the ordering of spirituous liquor, all of which violate 18B-204(a1). The Board approved the motion.

The Board heard reports from the General Manager concerning the following issues:

1. Asheboro ABC sales statistics comparing:

    - December 2023 sales with the previous month indicate:
        - An overall +34.6% change (all sales and tax collections)

    - December 2023 sales with sales from the same month last year indicate:
        - Retail Sales -11.5%
        - Mixed Beverage Sales: +21.2%
        - Sales Tax Collections: -11.5%
        - Overall Collections: -8.79%

    - December 2023 bottle sales with bottle sales from the same month last year indicate:
        - Retail Bottle Sales: -9.1%
        - Mixed Beverage Bottle Sales: +23.1%
        - Overall Bottle Sales: -7.6%

The next regular Asheboro ABC Board meeting will be held Monday, February 5, 2024, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 2-5-24

GM

Stephen R. Knight

Chuck Morrison

ORDINANCE TO AMEND THE GENERAL FUND
FY 2023-2024

WHEREAS, the east side (back) of City Hall needs to be treated to remove sealant that has delaminated from the brick and reapply sealant in order to stop existing water penetration and prevent future water damage.

WHEREAS, the City of Asheboro wishes to reallocate funding that was originally budgeted in the engineering department for professional services to City hall building maintenance and repair to pay for these services.

WHEREAS, the estimated cost of services is $107,000

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

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

That the following expense line items be increased / decreased:

Line Item	Description	Amount
10-575-522.0000	Professional Services	($107,000)
10-500-515.0000	Maint. & Repair – Building	$107,000
		0

Adopted this the 7th day of March 2024.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION AWARDING TO CHARLES DAVID WAGNER HIS SERVICE SIDE ARM UPON RETIREMENT FROM THE ASHEBORO POLICE DEPARTMENT

WHEREAS, after rendering honorable and valuable service to the City of Asheboro and its citizens throughout the course of his career with the Asheboro Police Department, which began on August 1, 1996, Asheboro Police Captain Charles David Wagner will begin his retirement from employment with the city on April 1, 2024; and

WHEREAS, pursuant to and in accordance with Section 17F-20 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Captain Wagner for his dedicated service to the city by awarding to him, at a minimal monetary cost, the service side arm that he carried at the time of his retirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective April 1, 2024, in consideration of the combination of his dedicated service to the City of Asheboro and the payment to the city of $1.00, Charles David Wagner is to be awarded ownership of his city-issued service side arm (a Glock model 45 9mm with serial no. BLKC070 and three magazines) upon a determination by the police department command staff that Mr. Wagner is eligible under the applicable federal and state laws to receive, own, or possess a firearm.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on March 7, 2024.

_____

David H. Smith, Mayor

ATTEST:

_____

Holly H. Doerr, CMC, NCCMC, City Clerk

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION AWARDING TO ANTHONY PAUL MANESS HIS SERVICE SIDE ARM UPON RETIREMENT FROM THE ASHEBORO POLICE DEPARTMENT

WHEREAS, after rendering honorable and valuable service to the City of Asheboro and its citizens throughout the course of his career with the Asheboro Police Department, which began on September 13, 1996, Asheboro Master Police Officer Anthony Paul Maness will begin his retirement from employment with the city on April 1, 2024; and

WHEREAS, pursuant to and in accordance with Section 17F-20 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Officer Maness for his dedicated service to the city by awarding to him, at a minimal monetary cost, the service side arm that he carried at the time of his retirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective April 1, 2024, in consideration of the combination of his dedicated service to the City of Asheboro and the payment to the city of $1.00, Anthony Paul Maness is to be awarded ownership of his city-issued service side arm (a Glock model 45 9mm with serial no. BLKC031 and three magazines) upon a determination by the police department command staff that Mr. Maness is eligible under the applicable federal and state laws to receive, own, or possess a firearm.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on March 7, 2024.

_____

David H. Smith, Mayor

ATTEST:

_____

Holly H. Doerr, CMC, NCCMC, City Clerk

GRANT ADMINISTRATIVE SERVICES AGREEMENT

Between

the City of Asheboro

and

Piedmont Triad Regional Council

THIS AGREEMENT entered into this ___ day of _____, 2024 by and between the City of Asheboro, hereinafter referred to as the "City", and the Piedmont Triad Regional Council, hereinafter referred to as the "Council."

WITNESSETH:

WHEREAS, the City has received North Carolina Housing Finance Agency's 2023 Urgent Repair Program, hereinafter referred to as the "Grant"; and

WHEREAS, the Council has actively and successfully participated in housing and community development programs for the improvement of conditions in northwest North Carolina; and

WHEREAS, the City desires to engage the Council to render certain administrative technical and professional services as described in Attachment A of this document in connection with the Grant.

NOW, THEREFORE, for and in consideration of the covenants and forbearances herein contained, the City and the Council agree to the following:

1. Scope of Administrative Services.
   The Council shall do, perform and carry out in a satisfactory and proper manner, as determined by the City, the items listed in the Scope of Services, marked as Attachment A of this document, and in accordance with the objectives of the Grant, marked as Attachment B. Both attachments are incorporated herein as part of this Agreement. The Council will hold the City harmless for any errors, omissions, or action(s) taken by the agency that may result in any unresolved questioned financial expenditure or programmatic activity.

2. Fees for Administrative Services.
   The fee for all administrative services performed by the Council under this Agreement is equal to the per unit administrative costs incurred by the Council in the administration of the Grant. Payments shall be made from the Grant funds as allocated and appropriated to the City by the North Carolina Housing Finance Agency. The fees will be payable in installments as necessary as administrative services are rendered and the Grant funds are drawn down. The fees will be requisitioned as reimbursement for actual administrative services are rendered and

costs incurred. The Council shall be paid for services rendered in amounts not to exceed fees set forth as follows and described in NCHFA "Urgent Repair Program: URP23 Administrator's Manual, June 5th 2023" section 2.1.8.

URP15 HARD COSTS	MAXIMUM PROGRAM SUPPORT
From $501 to $12,000	$200 + 10% of the Hard Cost (not to exceed $1,000)
Up to $500	$200

In the event that all Grant Administrative funds are expended prior to Grant Close-Out, the Council shall inform the City and receive authorization prior to incurring additional expenses.

3. Termination of Agreement.
This Agreement may be terminated either by the mutual consent of the City and the Council or by either party giving thirty-days prior written notice to the other party. In the event of any termination, the Council shall be entitled to payment for all documented administrative services rendered to the date of termination. All documentation and files regarding all finished or unfinished work that that remains upon termination of this Agreement becomes the property of the City upon termination.

4. Civil Rights Assurances.
The Council will not discriminate against any employee or applicant for employment because of race, color, age, sex, national origin or disability.

5. Amendments to Agreement.
Any amendment to this Agreement shall be approved in advance in writing by both the City and the Council, and shall be attached to this Agreement and incorporated herein.

6. General Compliance Assurances.
The City and the Council mutually agree to comply with all procedures and regulations prescribed in the Grant, as amended from time to time.

7. Conflict of Interest.
The Council covenants that it has no interest and shall not acquire any interest, direct or indirect, in any area included in the Grant Project, or any parcels therein, or any other interest which would conflict in any manner or degree with the performance of the services to be provided under the provisions of this Agreement. The Council further covenants that in the performance of this Agreement, no person having such interest is currently employed nor shall be employed by the Council.

Interest of Members, Officers, or Employees of the Recipient, Members of Local Governing Body, or Other Public Officials. No member, officer, or employee of the recipient or its agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his/her

tenure or for one year thereafter, shall have any financial interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees and officials are similarly barred from having any financial interest in the program. The recipient shall incorporate, or cause to be incorporated in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.

8. Legal Remedies.
The United States shall be deemed to be a beneficiary of these provisions both for and in its own right, and also for the purpose of protecting the interests of the community and other parties, public or private, in whose favor or for whose benefit this program is being conducted, and shall have the right in the event of any breach of these provisions to maintain any actions or suits at law or in equity to cure any breach of this Agreement.

9. Access to Records.
The Council shall maintain all official program records and documents pertaining to this Agreement during the operation of this Agreement. The City, the North Carolina Housing Finance Agency, or any of their duly authorized representatives shall have access to any books, documents, papers, and records of the Council which are pertinent to the execution of this Agreement, for the purpose of making audits, examinations, excerpts, and transcriptions. Said books, documents, papers and records shall be retained by the Council for three (3) years after the expiration of this Agreement.

10. Non-discrimination.
The Council assures that, in the administration of this Agreement, no person shall, on the grounds of race, color, age, sex, religion, national origin, or disability, be excluded from participation in, be denied the benefit or, or be subjected to discrimination under any activity of this Grant project.

11. Equal Employment Opportunity.
During the performance of this contract, the Council agrees as follows:

A. The Council will not discriminate against any employee or applicant for employment because of race, creed, color, religion, sex, national origin or disability status. The Council will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, creed, color, religion, sex, national origin or disability status. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Council agrees to post in conspicuous places, available to the employees and applicants for employment, notices to be

provided by the Council setting forth the provisions of this non-discrimination clause.

B. The Council shall state in advertisements for employees, that all qualified applicants will receive consideration for employment without regard to race creed, color, religion, sex, national origin or disability status.

12. Entire Agreement.
This Agreement constitutes the entire agreement between the parties with respect to its subject matter and supersedes all prior and contemporaneous agreements or understandings, inducements or conditions, express or implied, written or oral, between the parties with respect hereto.

13. Execution in Counterparts.
This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same Agreement.

14. Law and Venue.
This Agreement shall be governed in accordance with the laws of the State of North Carolina. Venue shall be proper and shall lie exclusively in the Superior Court of Randolph City North Carolina.

IN WITNESS WHEREOF, the City and the Council have executed this Agreement as of the year and day first written above.

CITY OF ASHEBORO

Attest to:

_____ By:_____

City Clerk
(Corporate Seal)

Mayor, City of Asheboro

PIEDMONT TRIAD REGIONAL COUNCIL

Attest to:

_____	By:_____
Michael Blair, C.D. Director Piedmont Triad Regional Council	Matthew L. Dolge, Executive Director Piedmont Triad Regional Council

STATE OF NORTH CAROLINA
CITY OF ASHEBORO

I, _____, Notary Public for the said City and State, certify that _____, Clerk to the CITY OF ASHEBORO CITY COUNCIL, personally appeared before me and certified that the foregoing instrument was executed in the name of CITY OF ASHEBORO by_____, City Manager of Asheboro, and that she _____ , Clerk to the Board, did attest to said execution and did affix the CITY OF ASHEBORO Seal to said instrument.

WITNESS my hand and official seal, this the _____ day of _____, 2024.

_____
Notary Public

My commission expires _____

STATE OF NORTH CAROLINA
CITY OF _____

I, _____, Notary Public for said City and State certify that Matthew L. Dolge personally appeared before me this day and acknowledged that he is the Executive Director of the Piedmont Triad Regional Council, and that by authority duly given, acknowledged due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 2024.

_____
Notary Public

My commission Expires _____

Certificate of Finance Officer

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

This the_____day of _____ , 2024

Finance Officer

_____

SCOPE OF SERVICES

1. Council staff will not require a designated office space in the City during the start-up and construction phase of the project. Staff may require space from time to time for public hearings, application intake, bid opening, grievance hearings or other activities related to this grant program. Staff will make arrangements with the City Manager for any events requiring designated space.

   Council will provide the City with the information and records and will establish and maintain the filing system for the project during the term of this Agreement. Once the project is completed, the City will maintain files and records pertaining to the project for three (3) years.

2. Any supplies purchased for the administration of the grant will be charged to the grant portion reserved for administration in accordance with Paragraph 2 of the Agreement. The invoices submitted for reimbursement will itemize all purchases.

3. The Council will assist the City in establishing and maintaining a financial management system for this project. City will provide forms for requisitions, disbursement documentation and approval of disbursements. The City will approve and sign all requisitions and disburse checks. Posting of checks will be performed by the City.

4. The Council will assist the City in preparing general policy documents to be adopted by the City as they apply to the administration of this project.

5. The Council will perform all tasks necessary to procure professional services, as needed to carry out the Grant Program. This includes but is not limited to developing advertisements, RFPs and contract documents to meet state requirements and overseeing the performance of all third-party professional contracts.

6. The Council will be responsible for all program functions, including but not limited to preparation of program forms, letters and contract documents, preparation of grant criteria to establish applicant eligibility, working with the City to process applications, inspections, publication of all required notices, work write-ups, contractor advertisements, bid notices, bid analysis, coordination of contract award by the City, contract execution, conduct of pre-construction conferences, work inspections, approving requisitions for partial payments based on work performed, change orders, final inspections, owner release, handling citizen complaints, grievance hearings, Grant Agreement and Deed of Trust execution and recordings. The Council will also prepare and submit all Quarterly and Annual Performance Reports or other reports required by the Grant.

7. The Council will be present and will represent the City at all monitoring visits by the North Carolina Housing Finance Agency and others and prepare all responses to monitoring letters. The Council will also provide necessary assistance during formal audits of the Grant Program.

8. The Council will complete all aspects of Grant Program closeout, including hearing notices.

9. The Council will provide the City with quarterly reports on the progress of the Grant Program and will assist the City in the event a complaint is filed against the City in the course of this Grant.

10. The Council will provide representation to attend City Council meetings if necessary and requested.

11. In addition, the Council agrees to comply with all applicable State and Federal laws, rules, regulations and ordinances governing the Grant Program; to the terms, conditions, assurances, covenants, stipulations, and understandings contained in the Grant.

Attachment B.

COPY OF GRANT

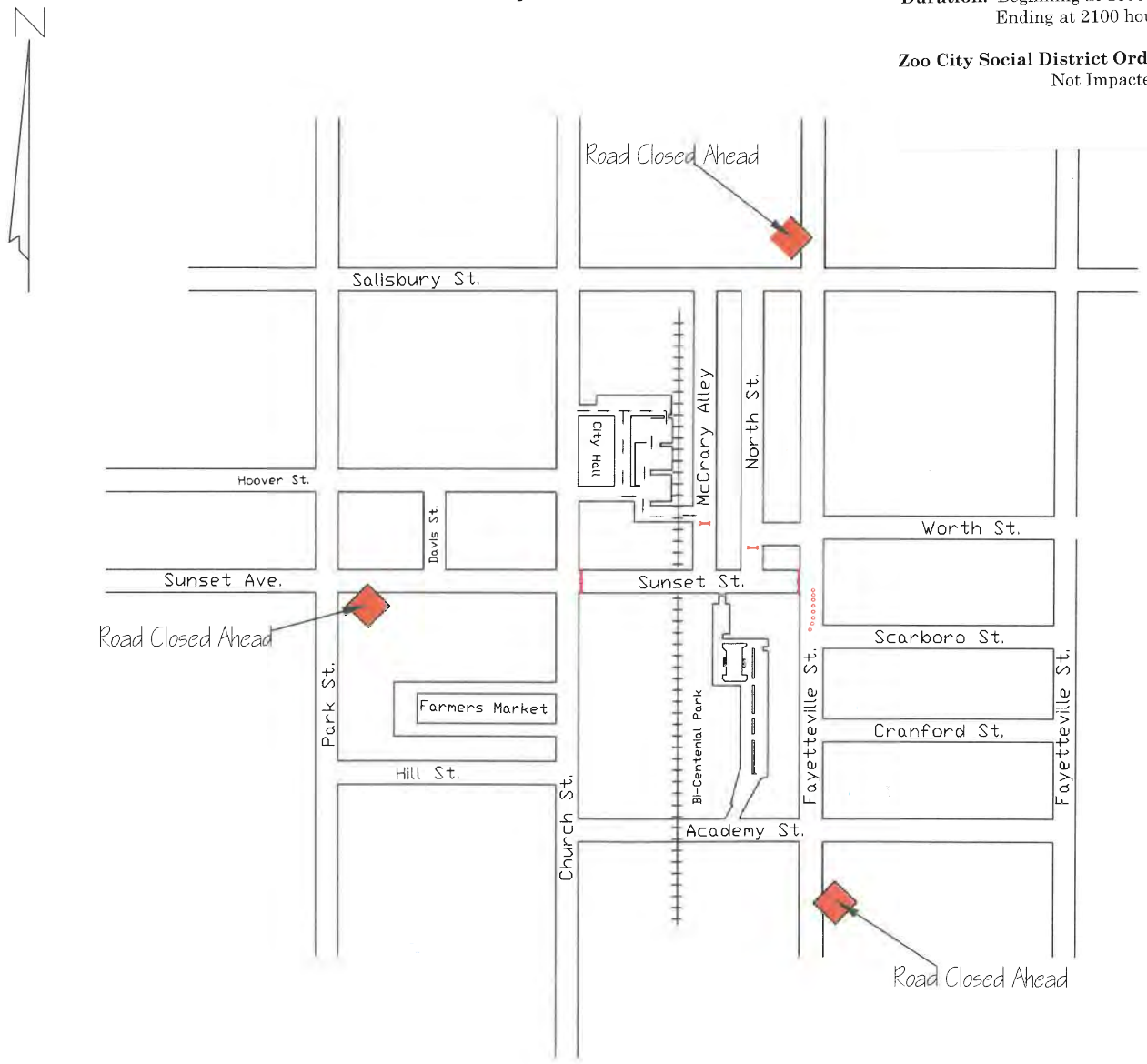
Copy of Grant referred to in this document are on file with the City Community Development Department.

Zoo City StrEAT Fest

SPECIAL EVENT CLOSURE ORDER

Duration: Beginning at 1600 hours on 04/20/2024
Ending at 2100 hours on 04/20/2024

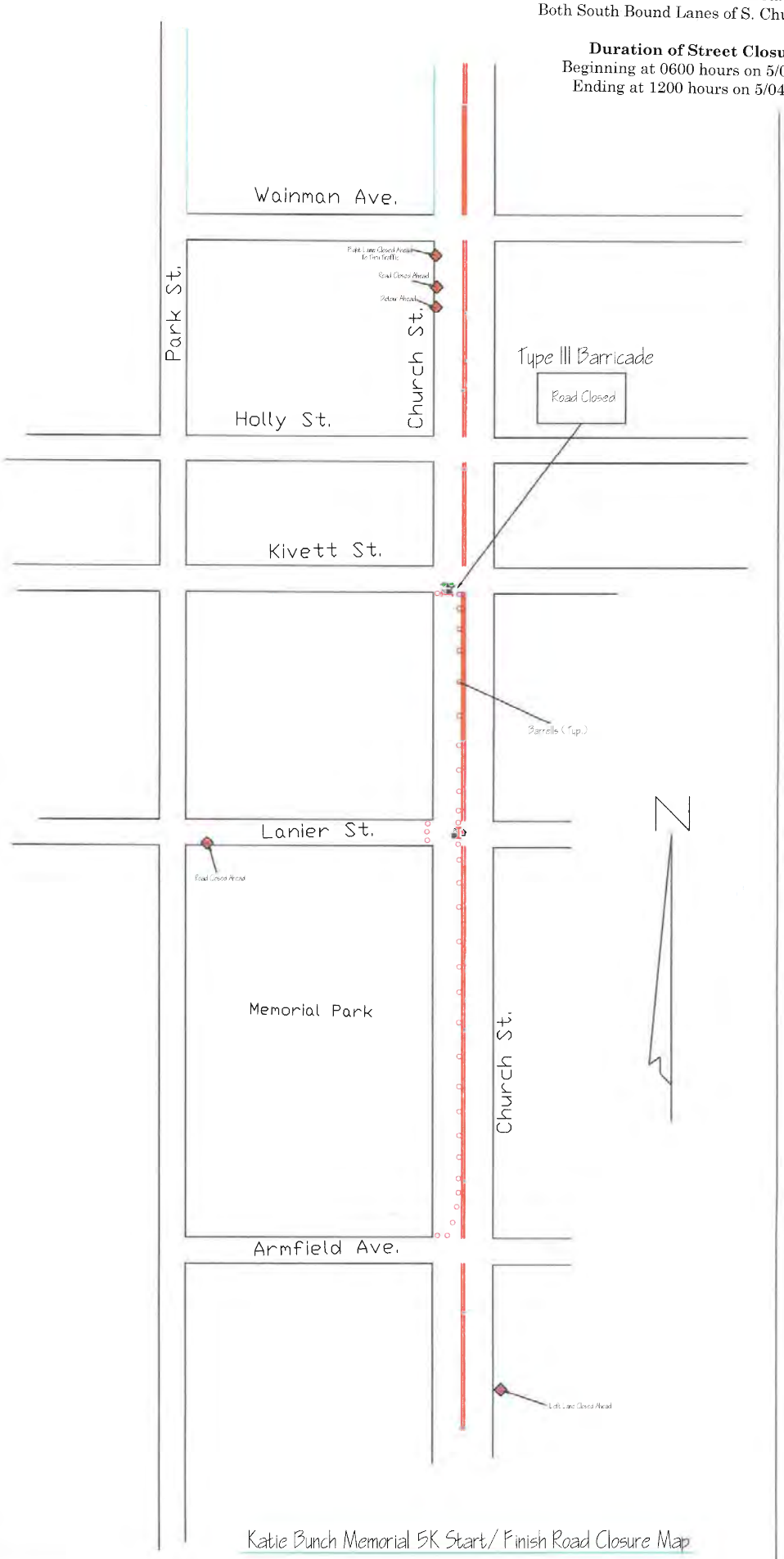
Zoo City Social District Ordinance Provisions:
Not Impacted



SPECIAL EVENT CLOSURE ORDER
Katie Bunch Memorial 5k Run/Walk

Street Closure Area:
Both South Bound Lanes of S. Church Street

Duration of Street Closure:
Beginning at 0600 hours on 5/04/2024
Ending at 1200 hours on 5/04/2024



Katie Bunch Memorial 5K Start/ Finish Road Closure Map

Agenda Item 12

RZ-24-02: Request to rezone property adjacent to 1901 North Fayetteville Street (Randolph County Parcel Identification Numbers 7752988469 and 7762091068) to an amended RA6 (CZ) High-Density Residential Conditional Zoning for Multiple-Family dwellings with a floor area ratio of up to 22 percent

Planning Board Recommendation and Staff Report

Planning Board Recommendation & Comments to City Council

NOTE: Have applicant Certify to Council mailings to all adjoining property owners.

Case # **RZ-24-02**

Date 2/5/2024

Applicant Lyn Van Lurette Trust, LLC (Brian Newman)

Legal Description

The property of Lyn Van Lurette Trust, LLC located contiguous to 1901 North Fayetteville Street (identified by Randolph County Parcel Identification Numbers 7762091068 and 7752988469 and, totaling approximately 15.79 acres +/-).

Requested Action Rezone to an amended RA6 (CZ) High Density Conditional Zoning to allow for a development with multiple family dwellings having a floor area ratio of up to 22 percent.

Existing Zone RA6 (CZ)

Land Development Plan See Rezoning Staff Report

Planning Board Recommendation

The Planning Board continued the request during its meeting on February 5, 2024. An updated recommendation will be available after the Board's scheduled time to consider this request during its March 4, 2024 meeting.

Reason for Recommendation

Planning Board Comments

Rezoning Staff Report

RZ Case # **RZ-24-02** **Date** 3/7/2024 City Council

General Information

Applicant Lyn Van Lurette Trust, LLC (Brian Newman)

Address PO Box 1450

City Kitty Hawk NC 27949

Phone 252-202-6248

Location 1901 North Fayetteville Street

Requested Action Rezone to an amended RA6 (CZ) High Density Conditional Zoning to allow for a development with multiple family dwellings with Floor Area Ratio of up to 22%

Existing Zone RA6 (CZ) **Existing Land Use** Undeveloped

Size 15.79 acres +/-

Pin # 7762091068 and 7752988469

Applicant's Reasons as stated on application

To renew the previously approved RA6 CZ for PIN 7762094082 and 7752988469. Future growth needs in the city limits, with the use of current zoning and infrastructure.

Surrounding Land Use

North Undeveloped/Single-Family **East** Commercial/Multi-family residential

South Single/multi-family residential/Manuf. home Park **West** Undeveloped/Residential PUD

Zoning History RZ-01-13: The property was rezoned to a conditional use zoning district in 2000 prior to the current conditional zoning process. Only the district was approved; no specific plan or conditional use permit authorized.

Legal Description

The property of Lyn Van Lurette Trust, LLC located contiguous to 1901 North Fayetteville Street (identified by Randolph County Parcel Identification Numbers 7762091068 and 7752988469 and, totaling approximately 15.79 acres +/-).

Analysis

See Attachment 1.

Attachment 1: RZ-24-02 (Arlington Apartments rezoning request): Staff analysis as of 2-29-24

1. The property is inside the city limits.
2. North Fayetteville Street (US 220 Business North) is a state-maintained major thoroughfare. The adopted 2024-2033 State Transportation Improvement Plan identifies improvements for this segment of North Fayetteville Street (widen to multi lanes); the proposed improvements currently are not funded.
3. The property adjoins the Arlington Square apartments which were built in 1999. That development, which is owned by the applicant, includes a total of 120 units contained within 15 two-story structures and a clubhouse. The application proposes to add 180 units to be contained within 15 three-story buildings. Developments of this size typically require a full-time on-site property manager to be provided.
4. The submitted site plan shows access to the new units from the existing development's driveway on N. Fayetteville Street. NCDOT has indicated that an increase to existing right and left turn-lane storages likely will be required as part of the state permitting process. City departments have reviewed the plan related to service delivery. While a second means of access would be beneficial, no department has raised an objection to the proposal.
5. The site plan identifies two recreational picnic areas and one pavilion. A 6' wide private trail also is proposed that could provide a connection to North Asheboro Park. The city currently is studying the feasibility of a public greenway along Hasketts Creek and is proposing a condition that would facilitate its construction should the project move forward in the future. The development's private trail could connect to this future greenway.
6. The western portion of the property is located within a flood hazard area. No structures or parking is proposed within the flood hazard area. There may also be a jurisdictional tributary to Hasketts Creek that drains from east to west on the southern portion of the property. If jurisdictional, impacts may have to be mitigated. The applicant is advised to consult with NCDEQ.
7. The application proposes a Floor Area Ratio of 21% (habitable conditioned space) on the subject property; density would be 11.4 dwellings per acre. The existing Arlington Square development has a Floor Area Ratio of 30% and a density of 18.1 dwellings per acre. In 1999, multi-family developments with a ratio of up to 33% were permitted by right in the RA6 district. Current codes limit the ratio to 17% unless additional intensity is authorized through a public hearing process. Projects proposing a ratio of greater than 22% also are expected to comply with additional development standards; these primarily deal with enhanced landscaping, mandatory stormwater control, and requirements pertaining to building design, including acceptable exterior facades or cladding material. When combining the existing Arlington Square development's floor area ratio with that of the proposed application, the ratio exceeds 22%.
8. The zoning ordinance describes the RA6 District as "intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land designated RA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
9. The zoning ordinance allows an applicant to propose a conditional zoning district that deviates from the zoning ordinance's pre-determined requirements. One deviation is the lack of recreational vehicle parking for residents that is typically required by the code. The second deviation is identified below in 10.C. The applicant has indicated that existence of two access easements intended to serve adjacent property should preclude installation of the typical buffer.
10. Since the February 5, 2024 Planning Board, the applicant has revised the site plan or provided written confirmation on the following items:

A. 20 trees within the parking area plus foundation shrubs in front of the buildings.

B. Buffer C, which is normally 25 feet in width along part of southern boundary of the property. The Buffer C normally consists of 2 canopy trees, 6 understory trees, and 10 shrubs per 100 linear feet. As allowable under ordinance standards, the applicant has proposed the option of using existing vegetation to meet this requirement.

C. Confirmation that there is not a buffer or screen proposed along the property boundaries adjacent to two residentially zoned parcels, one of which also is owned by the applicant.

D. Clarification that exterior building walls are clad in a combination of vinyl siding (2nd and 3rd story) and brick (1st).
E. Confirmation that the units, at this time, are all expected to be two bedrooms. Note: unit layouts can change provided the approved Floor Area Ratio is not exceeded and the minimum amount of off-street parking is provided.
11. The applicant has indicated the possibility of phasing for the development, and staff is proposing a condition reflect this possibility and ensure adequate turnaround area is provided at phase lines.
12. If the rezoning is approved, the site plan submitted for the zoning compliance permit to authorize construction will need to satisfy all district and zoning ordinance requirements, including those related to accessible parking for persons with disabilities.

Rezoning Staff Report

RZ Case # **RZ-24-02**

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	Urban Residential
Small Area Plan	Northeast
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.

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: Property is not located within a watershed area.

Rezoning Staff Report

RZ Case # **RZ-24-02**

LDP Goals/Policies Which Do Not Support Request

Checklist Items 13-14: (13) Property is located with Special Hazard Flood Area and (14) on slopes of greater than 20%.

Checklist Item 6: Existing infrastructure is adequate to support the desired zone *(water, sewer,* ***roads****, schools, etc.).* ***Staff Note: Concern with this item is related to capacity of existing roadway without roadway improvements.***

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

An RA6 (CZ) district is generally consistent with the Land Development Plan. The Plan's Proposed Land Use map recognizes the high-density zoning approved for the property in 2000 and designates it for Urban Residential development. The property is adjacent to two high-density multi-family developments and the Small Area Plan advocates accommodating new multi-family projects in certain areas along N. Fayetteville Street. The presence of nearby employment centers also supports the notion of expanding higher-density opportunities.

Staff has continued to work with the applicant on site plan revisions, and believes the request is approvable subject to reasonable conditions. As is common, more detail would be provided at the permitting and construction stage if the rezoning is approved. Noting that, staff does believe that the Land Development Plan provides sufficient support for the application.

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

Rezoning Staff Report

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

See Attachment 2.

(A) The use approved shall be a Development with Multiple Family Dwellings, consisting of a total of 180 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) If solid waste disposal facilities as shown on the site plan are deemed to be inadequate, the property owner shall be responsible for ensuring that additional facilities or measures are installed. Such facilities shall be consistent with city policies and codes.
(E) Maintenance of all areas not within public easements or noted to be publicly maintained on the site plan shall be the responsibility of the property owner and any successors in interest.
(F) Parking of recreational vehicles shall be prohibited.
(G) 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.
(H) A 20’ public use easement for the proposed Hasketts Creek Greenway shall be granted at no cost to the city within the 100-year floodplain, if sought by the city and consistent with engineering plans to be prepared for the greenway. The cost to prepare and record the easement shall be the responsibility of the city. The development’s trail location depicted on the site plan may be changed to include a connection to a future North Asheboro Greenway. Any connection of the depicted trail to North Asheboro Park shall occur in coordination and after consultation with the city’s recreation director.
(I) The site plan indicates mail delivery through a cluster mailboxes. If the postal service and/or NCDOT require a different facility(s) or location for mail delivery, such a change will not be considered a modification requiring City Council action.
(J) If future development of adjoining property provides an opportunity for a second access to be provided from N. Fayetteville Street, the property owner and city staff shall be authorized to work together to investigate the benefits of such a connection. If mutually agreeable and consistent with city codes, such connection shall be permitted and not be considered a modification requiring City Council action.
(K) If phasing is implemented, the developer shall submit to staff information to ensure the adequacy of any required turnaround area needed for the provision of public and emergency services.
(L) 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 sewer 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.
(M) Prior to issuance of a zoning permit for development depicted, the owner shall provide the following:

(i) A final site plan with all the information necessary to determine compliance with city codes, and the applicable permit fee.
(ii) Details ensuring the functional equivalent of full-time on or off-site property management
(iii) NCDOT permit(s) and updates to the plan as necessary to obtain said permit.
(iv) NCDEQ approval for land disturbance and, if applicable, stream impacts.
(v) Necessary information for a floodplain development permit, if required.
(N) 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 district in the chain of title for the Zoning Lot.

GREENWAY TRAIL TO CONNECT TO ASHEBORO CITY PARK

PROPOSED DUMPSTER LOCATION (TYP.)

PROPOSED 20'X40' PARK PAVILION 3,000 SF REC AREA PROVIDED

PROPOSED FIRE HYDRANT (TYP.)

PROPOSED BMP AREA

50' EASEMENT (PER P.B. 132, PG. 55)

PROPOSED HANDICAP SPACE WITH ASSOCIATED SIGN AND STRIPING (TYP.)

PROPOSED CBU LOCATION

18' JOINT DRIVEWAY EASEMENT (PER D.B. 919, PG. 63)

NO BUFFER IS PROPOSED ALONG THE SHARED ACCESS EASEMENT.

20' PROPOSED UTILITY EASEMENT

6' SIDEWALK (TYP.)

EXISTING CLUB HOUSE TO BE SHARED WITH THE NEW PHASE OF APARTMENTS

NO LANDSCAPING BUFFER PROPOSED BETWEEN PROPERTIES WITH SAME OWNER (TYP)

20 PARKING LOT CANOPY TREES TO BE PROVIDED

PROPOSED 6" DIP WATER MAIN

EXISTING 8" SEWER MAIN

9'X20' PARKING STALL (TYP.)

9'X20' PARKING STALL (TYP.)

SEE WATER SERVICE CONNECTION DETAIL

PROPOSED PICNIC AREA (TYP.) 3,500 SF REC AREA PROVIDED

CENTERLINE OF HASKETTS CREEK IS THE PROPERTY LINE PROPERTY LINE TAKEN FROM P.B. 28, PG. 54

100 YR FLOOD PLAIN LINE (TYP.)

FLOOD WAY LINE (TYP.)

PROPOSED BMP AREA

TURN DOWN SIDEWALK (TYP.)

NON INVASIVE FOUNDATION PLANTINGS TO BE PROVIDED

PROPOSED PARKING LOT TO BE ASPHALT PAVEMENT

15' SCREEN D BUFFER YARD STAGGERED ROW OF EVERGREEN TREES SPACED NO MORE THAN 15' APART ON CENTER 6' TALL SOLID REDWOOD OPAQUE FENCE

PROPOSED 6' WIDE GREENWAY TRAIL

BUFFER 'C' DESCRIBED IN THE CITY OF ASHEBORO UDO SHALL BE MET BY USING EXISTING VEGETATION OR SUPPLEMENTAL PLANTING AS REQ'D ALONG PROPERTY ZONED R10 WITH SINGLE FAMILY AND TWO FAMILY USES

CITY OF ASHEBORO
PIN NO. 7752991582
D.B. 1093, PG. 769

SMITH PROPERTIES OF ASHEBORO, LLC
PIN NO: 7762093105
D.B. 2570, PG. 1358
P.B. 132, PG. 55

LYN VAN LURETTE
PIN NO: 7762094082
D.B. 2823, PG. 957
P.B. 117, PG. 17
0.872± ACRES

LYN VAN LURETTE
PIN NO: 7762087987
D.B. 2823, PG. 957
P.B. 117, PG. 17
0.924± ACRES

LYN VAN LURETTE
PIN NO: 7762089659
D.B. 2823, PG. 957
P.B. 117, PG. 17
0.338± ACRES

ARLINGTON APARTMENTS, LLC
PIN NO: 7762083721
D.B. 2034, PG. 685

MEDICAL RESOURCE CENTER FOR RANDOLPH COUNTY
PIN NO: 7762085460
D.B. 1472, PG. 269
P.B. 46, PG. 67
LOT 1

SAF NOB FAYETTEVILLE, LLC
PIN NO: 7762086205
D.B. 2794, PG. 505
P.B. 46, PG. 67
LOTS 2 & 3

RESERVE AT ASHELYN GLEN LIMITED PARTNERSHIP
PIN NO: 7762081057
D.B. 2588, PG. 1257

THE TERRA LAND COMPANY, LLC
PIN NO: 7752986284
D.B. 2739, PG. 237

JAMES WADE CRANFORD & GERALDINE C. CRANFORD
PIN NO: 7752984275
D.B. 731, PG. 425

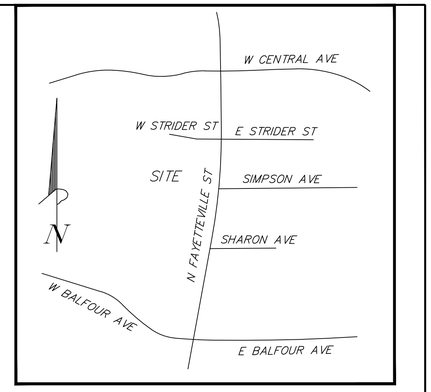
N. FAYETTEVILLE STREET
US HWY 220 BUSINESS
100' PUBLIC R/W
(PER P.B. 132, PG. 55)

20' EXISTING SEWER EASEMENT

94.61'

IRS

BFE 666.7
BFE 666.9
BFE 668.1
BFE 670.4



VICINITY MAP
N.T.S.

PRELIMINARY SITE PLAN NOTES:

1. PROPERTY INFORMATION

OWNERS: LYN VAN LURETTE TRUST LLC.
PIN NUMBERS: 7752988469, 7762091068, 7762083721
EXISTING ZONING: RA-6 CZ
EXISTING LAND USE: UNDEVELOPED
SITE ADDRESS: 1901 N FAYETTEVILLE ST, ASHEBORO NC 27203
OWNER ADDRESSES: P.O. BOX 1450 KITTY HAWK, NC 27949

2. THE PROJECT IS LOCATED INSIDE THE CITY OF ASHEBORO.

3. PARCEL BOUNDARIES, TOPOGRAPHIC DATA, AND EASEMENTS ARE SHOWN PER FIELD SURVEY PERFORMED BY SUMMEY ENGINEERING ASSOCIATES, PLLC.

4. PROPOSED USE: APARTMENTS – 180 UNITS TOTAL

REQUIRED PARKING SPACES: 360 SPACES (2 SPACES FOR EACH DWELLING UNIT)
+ 1 VISITOR SPACE PER EVERY 10 REQUIRED PARKING SPACES
TOTAL: 396 TOTAL SPACES

PROPOSED PARKING SPACES: 397 SPACES TOTAL SPACES (2 SPACES FOR EACH DWELLING UNIT)

5. MAXIMUM BUILDING HEIGHT: 35 FT

6. SETBACKS:
FRONT: 25'
SIDE: 10'
REAR: 20'

7. CONTRACTOR TO ENSURE ALL APPLICABLE PERMIT APPROVALS ARE OBTAINED PRIOR TO ANY CONSTRUCTION.

8. CONTRACTOR TO ENSURE ALL SIDEWALKS ARE INSTALLED PER CODES.

9. ALL ELECTRICAL AND TELECOM UTILITY DESIGN BY OTHERS.

PROJECT DENSITY NOTE:

TOTAL PROJECT AREA= 688,338 SF. (15.80 AC.)
BUA (BUILDINGS 5550 SFx15) + DRIVES, SIDEWALK, PARKING (163,646 SF)= 246,896 SF

1 UNIT = 815 HEATED SQUARE FOOTAGE

180 UNITS PROPOSED: 146,700 SF.

FLOOR AREA RATIO: 21%

OPEN SPACE RATIO (NON BUA) (52% MIN): 688,338 x 0.52 = 357,935.76 SF REQ'D
OPEN SPACE PROVIDED: 64% (441,442 SF)

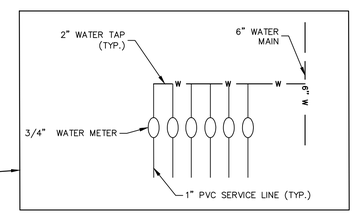
RECREATIONAL SPACE REQ'D (3.33% OF OPEN SPACE): 357,935.76 x 0.033 = 11,812 SF REQ'D:
10,000 SF GREENWAY, AND 6,500 SF REC AREA PROVIDED.

LANDSCPE NOTE:

PARKING AREA LANDSCAPING: 396x8.1= 3207.6 / 162 = 20 CANOPY TREES

GRADING NOTE:

THE EXTENTS OF GRADING FOR THEIS PROJECT SHALL NOT IMPEDE OR ENCROACH INTO THE 100 YEAR FLOOD PLAIN AS SHOWN ON THE FIRM PANEL 3710775200J.
ALL VEGETATION WITHIN FLOOD PLAIN TO REMAIN UNDISTURBED



WATER SERVICE CONNECTION EXHIBIT

NOT TO SCALE

ALL DOMESTIC AND FIRE LINE SIZES ARE SHOWN FOR REFERENCE ONLY AND ARE TO BE CONSTRUCTED PER THE ARCHITECTURAL AND PLUMBING DESIGN DRAWINGS BASED ON THE REQUIRED FLOW RATES PER THE APPROVED BUILDING DESIGN.

DRAWING LEGEND

PROPERTY LINE
ADJOINING PROPERTY LINE
SETBACK LINES
EXISTING SANITARY SEWER MANHOLE
EXISTING SANITARY SEWER LINE
EASEMENT LINE
100 YR FLOOD PLAIN LINE

0' 60' 120' 180'
DRAWING SCALE

NORTH GRID

PRELIMINARY PLANS NOT FOR CONSTRUCTION

NORTH CAROLINA PROFESSIONAL SEAL 26447 ENGINEER H. MACK SUMMEY, JR.

Summey Engineering Associates, PLLC
Engineering - Land Planning - Consulting
PO Box 968
Asheboro, NC 27204
Phone: 336-328-0902 Fax: 336-328-0922
E-mail - info@summeyengineering.com
NC Professional Engineering Firm License No. P-0336

PRELIM SITE SKETCH

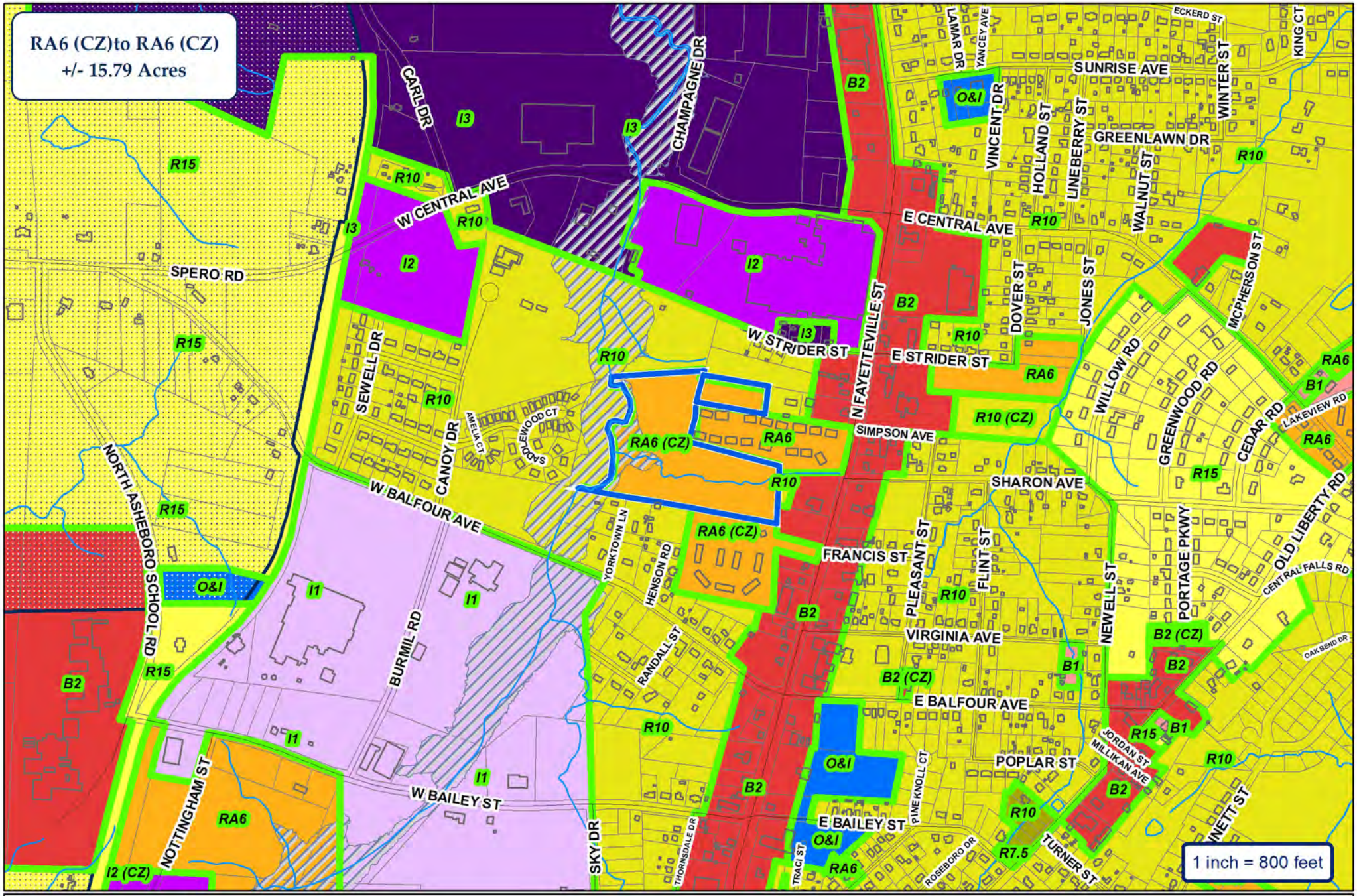
ARLINGTON APARTMENTS PH.2

1901 N FAYETTEVILLE ST
ASHEBORO - RANDOLPH COUNTY - NORTH CAROLINA

No.	Date:	Description:	By:

Scale:	AS NOTED	Drawn By:	SEA
Date:	NOV 2025	Checked By:	HMSJ
		Job No.:	E-9055

Sheet No. C-1



CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

ETJ

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-02

Parcels: 7762091068 & 7752988469

Subject Property
Zoning

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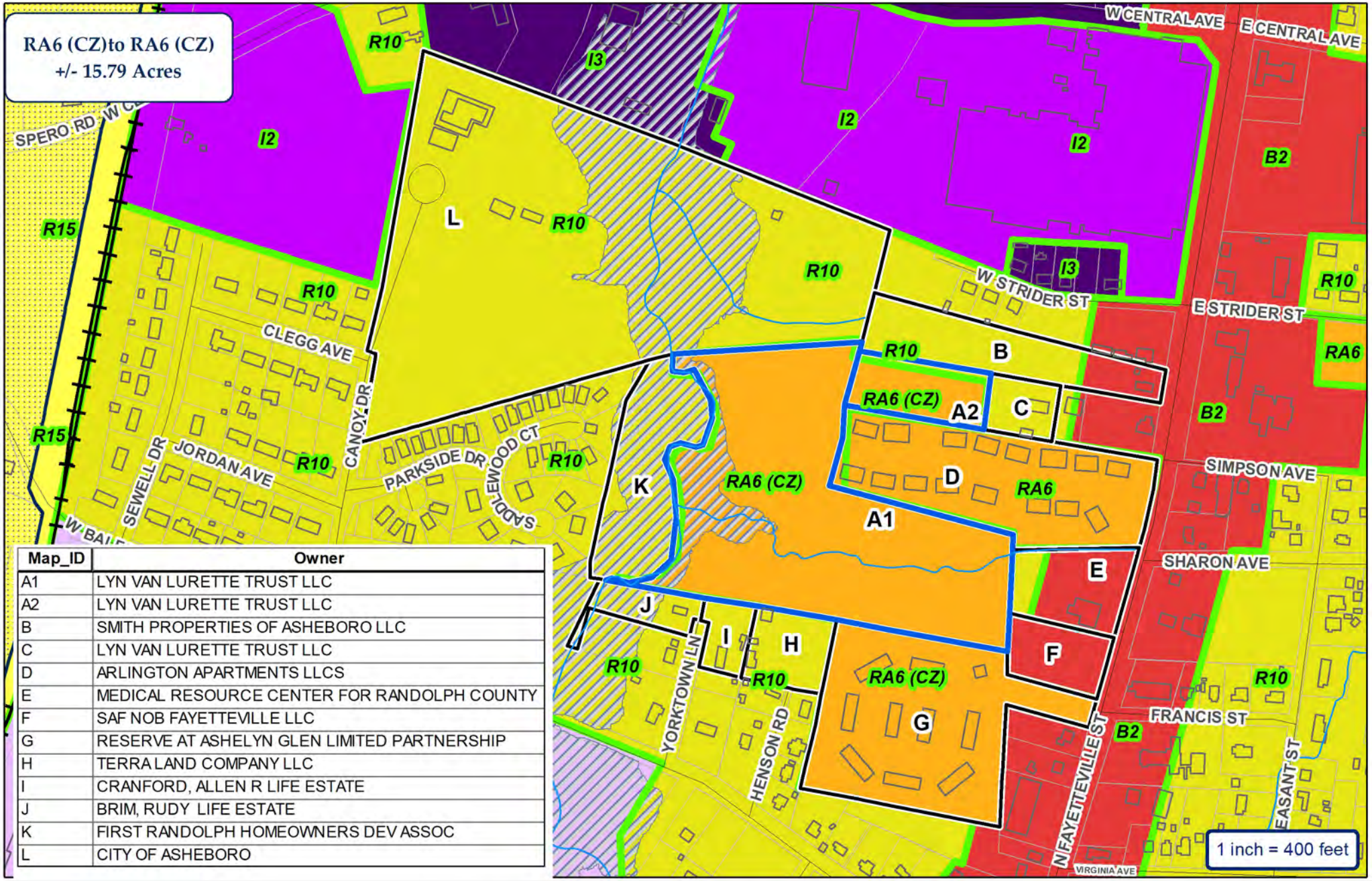

Map_ID	Owner
A1	LYN VAN LURETTE TRUST LLC
A2	LYN VAN LURETTE TRUST LLC
B	SMITH PROPERTIES OF ASHEBORO LLC
C	LYN VAN LURETTE TRUST LLC
D	ARLINGTON APARTMENTS LLCS
E	MEDICAL RESOURCE CENTER FOR RANDOLPH COUNTY
F	SAF NOB FAYETTEVILLE LLC
G	RESERVE AT ASHELYN GLEN LIMITED PARTNERSHIP
H	TERRA LAND COMPANY LLC
I	CRANFORD, ALLEN R LIFE ESTATE
J	BRIM, RUDY LIFE ESTATE
K	FIRST RANDOLPH HOMEOWNERS DEV ASSOC
L	CITY OF ASHEBORO

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City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-02

Parcels: 7762091068 & 7752988469

Subject Property
Adjoining Properties
City Zoning

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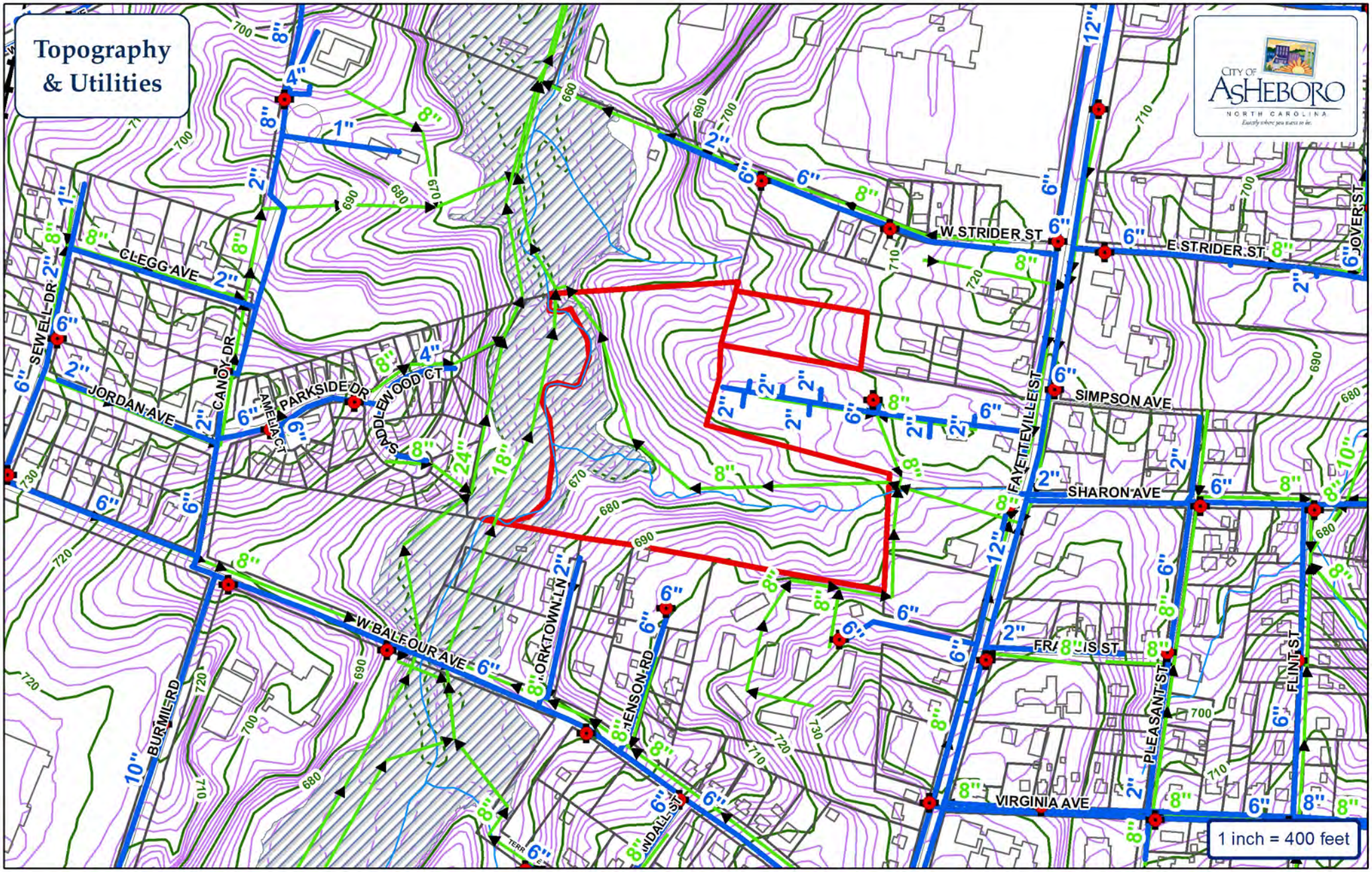
Topography & Utilities
CITY OF ASHEBORO
NORTH CAROLINA
W STRIDER ST
E STRIDER ST
CLEGG AVE
SEWELL DR
JORDAN AVE
CANOY DR
AMELIA CT
PARKSIDE DR
SADDLEWOOD CT
SIMPSON AVE
FAYETTEVILLE ST
SHARON AVE
W BALFOUR AVE
YORKTOWN LN
JENSON RD
RANDALL ST
BURMIL RD
FRANCIS ST
PLEASANT ST
FLINT ST
VIRGINIA AVE
JOVER ST
1 inch = 400 feet
Water Main
Sewer Main
Force Main
Fire Hydrant
Pump Station
Watershed
City of Asheboro Planning & Zoning Department
Rezoning Case: RZ-24-02
Parcels: 7762091068 & 7752988469
Subject Property

CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-02

Parcels: 7762091068 & 7752988469

Subject Property

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RZ-24-02: Request to rezone property adjacent to 1901 North Fayetteville Street (Randolph County Parcel Identification Numbers 7752988469 and 7762091068) to an amended RA6 (CZ) High-Density Residential Conditional Zoning for Multiple Family dwellings

Photos of existing development and proposed building elevation provided by applicant, and application, and NCDOT comment

Agenda Item 12

RZ-24-02: Request to rezone property adjacent to 1901 North Fayetteville Street (Randolph County Parcel Identification Numbers 7752988469 and 7762091068) to an amended RA6 (CZ) High-Density Residential Conditional Zoning for Multiple Family dwellings

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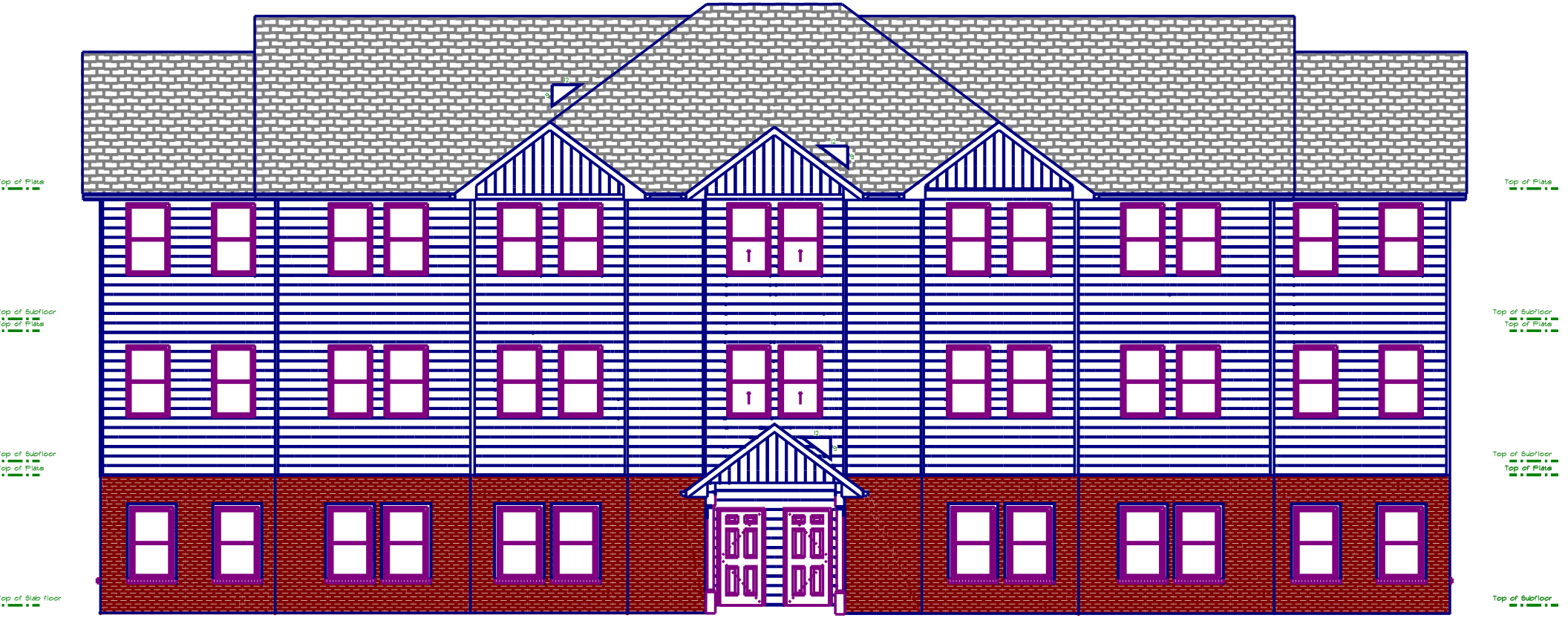
Top of Plate
Top of Subfloor
Top of Plate
Top of Subfloor
Top of Plate
Top of Slab floor
Top of Plate
Top of Subfloor
Top of Plate
Top of Subfloor
Top of Plate
Top of Subfloor

John Evans

Subject: FW: [External Sender] [External] Proposed development at 1901 North Fayetteville Street (Arlington Apartments, Phase 2)

From: Kimes, Tyler J <tjkimes@ncdot.gov>
Sent: Thursday, January 18, 2024 2:57 PM
To: John Evans <jevans@ci.asheboro.nc.us>
Cc: Monroe, Roosevelt J <rjmonroe@ncdot.gov>; Britt, Jennifer L <jlbritt@ncdot.gov>; Trevor Nuttall <tnuttall@ci.asheboro.nc.us>; Justin Luck <jluck@ci.asheboro.nc.us>
Subject: RE: [External Sender] [External] Proposed development at 1901 North Fayetteville Street (Arlington Apartments, Phase 2)

Good afternoon John,

Since they are expanding significantly, a new driveway permit application will need to be submitted for our review and approval. We anticipate the existing left and right turn lane storages needing to be increased. This will require a 16.1B encroachment agreement application along with a bond covering the scope of work. We may also request some existing traffic counts at the existing site driveway during our review.

Do they have an estimated build out date for this expansion?

Thanks,

Tyler Kimes
Assistant District Supervisor
NCDOT Highway Division 8
District 1 - District Office

336-318-4000 – Office
336-318-4005 – Direct
Tjkimes@ncdot.gov

300 DOT Drive
Asheboro, NC 27205

s.

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

APPLICANT INFORMATION

Applicant Lyn Van Lurette Trust, LLC (Brian Newman) *Applicant's Phone #* 252-202-6248

Applicant's Address PO Box 1450

Kitty Hawk, NC 27949

Applicant email address buildnewman@msn.com

PROPERTY INFORMATION

Property Owner's Name Lyn Van Lurette Trust, LLC

Location of Property _____ *Property Size (ac. or s.f.)* 15.79

Randolph County Property Identification Number (PIN#) 7762091068, 7752988469

Current Zoning District RA6 CZ *Requested Zoning District* RA6 CZ

Date Property Title Acquired Aug. 9 2022 *Deed Book* 2823 *Page* 957

Subdivision _____ *Section* _____ *Lot #* _____

Plat Book 177 *Page* 017

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:

To renew the previously approved RA6 CZ for PIN 7762094082 and 7752988469

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

Future growth needs in the city limits, with the use of current zoning and infrastructure

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?

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

Brian K Newman

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

Brian K Newman mng. mbr.

Owner Address

Telephone Number

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: JE ***Date:*** 1-12-24 ***Case Number:*** RZ-24-02

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov

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RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION SUPPORTING AND AUTHORIZING AN APPLICATION FOR A STATE GRANT/LOAN FOR THE W. L. BROWN WATER TREATMENT PLANT EMERGING CONTAMINANTS PLANNING PROJECT

WHEREAS, the Federal Bipartisan Infrastructure Law of 2021 provides Federal investment in water infrastructure including Emerging Contaminants Funds; and

WHEREAS, the City of Asheboro (hereafter referred to interchangeably as the "City" and the "Applicant") needs and intends to begin a study to evaluate and plan for treatment options for emerging contaminants at the water treatment plant described as the W. L. Brown Water Treatment Plant Emerging Contaminants Planning Project (hereafter referred to as the "Project"); and

WHEREAS, the City intends to request state loan or grant assistance for the Project

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro (hereafter referred to as the "Council") that the City, if approved for a State loan or grant award, will arrange financing for all remaining costs of the Project; and

BE IT FURTHER RESOLVED by the Council that the City will adopt and place into effect on or before completion of the Project a schedule of fees and charges, in addition to other available funds, that will provide adequate funding for the proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt; and

BE IT FURTHER RESOLVED by the Council that a provision will be included in the loan agreement authorizing the State Treasurer, upon failure of the City to make scheduled repayment(s) of the loan, to withhold from the City any State funds that would otherwise be distributed to the City in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan; and

BE IT FURTHER RESOLVED by the Council that the City will provide for the efficient operation and maintenance of the Project infrastructure upon completion of the construction thereof; and

BE IT FURTHER RESOLVED by the Council that John N. Ogburn, III, who is the city manager for the Applicant (the city manager will be hereafter referred to as the "Authorized Official"), and any successor so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan to aid in the construction of the Project described above; and

BE IT FURTHER RESOLVED by the Council that the Authorized Official, and any successor so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the Project, to make the assurances as contained above, and to execute such other documents as may be required in connection with the application; and

BE IT FURTHER RESOLVED by the Council that the City has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the Project and to Federal and State grants and loans pertaining thereto.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on March 7, 2024.

_____

David H. Smith, Mayor

ATTEST:

_____

Holly H. Doerr, CMC, NCCMC, City Clerk

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Asheboro does hereby certify:

1. That the above/attached resolution, which is identified as Asheboro City Council Resolution Number _____ is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Asheboro City Council that was duly held on the 7th day of March, 2023; and,

2. Furthermore, that resolution identified above has been fully recorded in the journal of proceedings and records in my office.

   IN WITNESS WHEREOF, I have hereunto set my hand on this the _____ day of March, 2024.

ATTEST:

_____

Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina