



**Asheboro Planning Board**  
Monday, June 2, 2014  
**7:00 PM**  
**AGENDA**

- I. Call to Order
- II. Approval of Minutes (May 5, 2014)
- III. Review of Cases
- IV. RZ-14-04: Richard S. Stockner: 609 and 617 NC Hwy. 42 North (Rezone from R7.5 and R10 Medium-Density Residential to OA6 Office-Apartment) **(Old Business)**
- V. Appearance by Ms. Ofilia Kindley proposing consideration of fence requirements.
- VI. Items Not on the Agenda
- VII. Adjournment

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MEETING OF THE ASHEBORO PLANNING BOARD  
COUNCIL CHAMBERS, 146 N. Church St.  
MONDAY, MAY 5, 2014  
7:00 p.m.

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This being the time and place for meeting of the Planning Board, a meeting was held with the following officials and members present:

Van Rich ) - Chair  
James Lindsey ) - Vice Chair

Ritchie Buffkin )  
Lynette Garner )  
David Henderson ) - Members Present  
Thomas Rush )  
Dave Whitaker )

John Evans, Assistant Community Development Division Director  
Justin Luck, Zoning Administrator/Planner  
Bradley Morton, Planning Technician/Deputy City Clerk  
Trevor L. Nuttall, Community Development Division Director

One (1) citizen was present at this meeting.

**I. CALL TO ORDER**

Mr. Van Rich, Chair, called the Asheboro Planning Board to order.

**II. APPROVAL OF MINUTES (April 7, 2014)**

Mr. Rich inquired to the Board if the April 7, 2014 minutes were correct and if so they would be approved as presented. There were no corrections.

**III. REVIEW OF CASES**

Mr. Justin Luck discussed last month's City Council cases.

**IV. RZ-14-04: RICHARD S. STOCKNER: 609 AND 617 NC HWY 42 NORTH (REZONE FROM R7.5 AND R10 MEDIUM DENSITY RESIDENTIAL TO OA6 OFFICE APARTMENT) (OLD BUSINESS)**

Mr. John Evans reported that Ms. Carol Burrow, agent to the applicant, would not be attending the meeting and had asked for a second continuance. With no opposition from the board, Mr. Buffkin made a motion to continue the case until the June Planning Board meeting. Mr. Lindsey seconded the motion and the motion carried unanimously.

**V. REVIEW OF FINAL PLAT: OLDE TOWNE VILLAGE, SECTION II, PHASE II**

Mr. Evans presented an overview of the case, stating that Carolina Bank was the applicant and that a portion of Parcel Identification Number 7741980250 was in question. He gave the surrounding land uses and mentioned that the Land Development Plan calls for Long-Range Growth on the Growth Strategy Map. He stated that it was designated suburban residential according to the proposed land use map. He showed an overview map and an aerial photograph of the property and stated that the request was to review the final plat of Section II, Phase II. He stated that this phase was to plat the remaining portion of Middleton Circle for acceptance as a public street to be maintained by the City of Asheboro. He noted that the right of way was to be platted, and then other lots could be recorded as minor subdivisions, either as single lots or as many as the applicant wished to record at any given time.

Mr. Evans also mentioned certain development issues in a portion of the development along Olde Towne Parkway that were beyond the scope of review for this phase of the development but were important to note. He mentioned that construction of a temporary turnaround would be required for platting or issuing a Certificate of Occupancy for

Lot 52. He also stated that prior to platting or issuing a certificate of occupancy for Lot 51, staff would need to evaluate conditions related to the temporary turnaround requirement for Lot 51. He stated that an evaluation would need to be made to determine whether the existing City pump station driveway could be used as the turnaround for Lot 51 or if a new temporary turnaround would need to be constructed.

He stated that several of the staff comments had been addressed already, including minor plat corrections and a guarantee that had been filed for the final layer of asphalt, sidewalks and street seeding as well as the previously submitted guarantee for incomplete improvements in the first phase of the development. He stated that staff's recommendation was to approve the request, noting the staff comments. Mr. Tim Duncan, with Duncan-Kennedy Land Surveying, PLLC, was there to answer any questions that the board had. With no questions being asked by the board, Mr. Whitaker made a motion to approve the request. Mr. Henderson seconded the motion and the motion carried with no opposition.

#### **VI. CONSIDERATION OF ANNUAL REPORT SUMMARIZING 2013 PLANNING BOARD ACTIVITIES**

Mr Nuttall presented a report outlining the cases the Planning Board had considered, changes in board composition related to the reduction in the City's Extraterritorial Planning Jurisdiction and budgetary expenditures in 2013. Mr. Rich asked the board if there were any corrections to the report. With no corrections to be made and full consent of the board, the report would be forwarded to the City Council for approval.

#### **VII. ITEMS NOT ON THE AGENDA**

There were no items to present.

#### **VIII. ADJOURNMENT**

Mr. Henderson made a motion to adjourn. The motion was seconded by Mr. Lindsey and the motion carried with no opposition.

At this time, Mr. Rich declared the meeting adjourned.

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Bradley W. Morton, Secretary, Planning Board

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Van Rich, Planning Board Chair



**RZ-14-04 Rezone from R7.5 and R10 (Medium-Density Residential) to OA6  
(Office-Apartment)**

(609/617 NC Hwy. 42 North: Richard S. Stockner, Carol Burrow, Agent)

**Staff Report**

**Staff Note:** During the initial Planning Board meeting held on April 7, 2014, the Planning Board voted to continue this request to allow the owner to additional time to contemplate amending the request to a conditional use district.

On May 5, 2014, the Planning Board continued the case at the request of the applicant.

As of May 28, 2014, the request is still to rezone this property to OA6.

## Rezoning Staff Report

RZ Case # RZ-14-04

Date 6/2/14 PB; 6/5/14 CC

### General Information

**Applicant** Richard S. Stockner

**Address** 6601 Old NC Hwy 13

**City** Asheboro NC 27203

**Phone** 336-465-6525

**Location** 609 and 617 NC Hwy. 42 North

**Requested Action** Rezone from R7.5 and R10 (Medium-Density Residential) to OA6 (Office-Apartment)

**Existing Zone** R7.5 and R10

**Existing Land Use** Single-family residential (2 dwellings)

**Size** 1.79 acres

**Pin #** 7761322047, 7761321382, 7761312710, 7761322224

### Applicant's Reasons as stated on application

Due to extremely high traffic on Dixie Drive, Hwy. 42 is used as a cut thru from Dixie Drive to Salisbury Street. The surrounding properties are already zoned commercial and office(s). Due to high traffic use on Hwy. 42 between Salisbury Street and Dixie Drive, we request that the properties be rezoned OA6.

### Surrounding Land Use

**North** Undeveloped/Commercial/Single-family res.

**East** Commercial/Office

**South** Single-family residential

**West** Undeveloped residential/Church

**Zoning History** N/A

### Legal Description

The property of Iris B. Stockner, located at 617 NC Hwy. 42 North, identified by Randolph County Parcel Identification Numbers 7761321382 and 7761322224. Richard S. Stockner and Robin S. Stockner, located at 609 NC Hwy. 42 N, identified by Parcel ID #7761322047 and Parcel ID #7761312710. These properties total approximately 1.79 acres (+/-).

### Analysis

1. The property is inside the city limits. All city services are available.
2. NC Hwy. 42 North is a state-maintained major throughfare.
3. According to the Zoning Ordinance (Art. 200, Sec. 210): The OA6 District is intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designed [sic] OA6 shall normally be located with access to a major or minor thoroughfare with access to local residential streets discouraged.
4. The west side of NC Hwy. 42 consists primarily of residential uses in this area except for two churches. On the east side of NC Hwy. 42 is Triangle Park, a 4 acre office and commercial complex.
5. The existing R7.5 and R10 residential districts permit single or two-family dwellings.
6. The OA6 district permits single-family and multi-family residential uses with a floor area ratio (FAR) of up to 17 percent and non-residential structures with a FAR of up to 30 percent. If this rezoning is approved, all uses permitted by right would be allowed, including residential development of up to approximately 13,255 square feet or non-residential development of up to approximately 23,391 square feet. In addition to single- and multi-family residential uses, other uses allowed by right include offices, churches, schools, and some services uses (such as laundry facilities, beauty/barber shops, and banks). Heavier commercial uses, such as retail, restaurants, sales of motor vehicles, etc. are not permitted in the OA6 district.

# Rezoning Staff Report

RZ Case # RZ-14-04

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## Consistency with the 2020 LDP Growth Strategy designations

*In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.*

<b>Growth Strategy Map Designation</b>	Primary Growth
<b>Proposed Land Use Map Designation</b>	Neighborhood Residential
<b>Small Area Plan</b>	Central

## LDP Goals/Policies Which Support Request

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

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

**Checklist Items #12, #13, #14, and #15:** 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area. 14.) Rezoning is not located on steep slopes of greater than 20%. 15.) Rezoning is not located on poor soils

## Rezoning Staff Report

RZ Case # RZ-14-04

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### LDP Goals/Policies Which Do Not Support Request

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

**Checklist Item #7:** Rezoning is not compatible with the Central Small Area Plan

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

### Recommendation

Deny

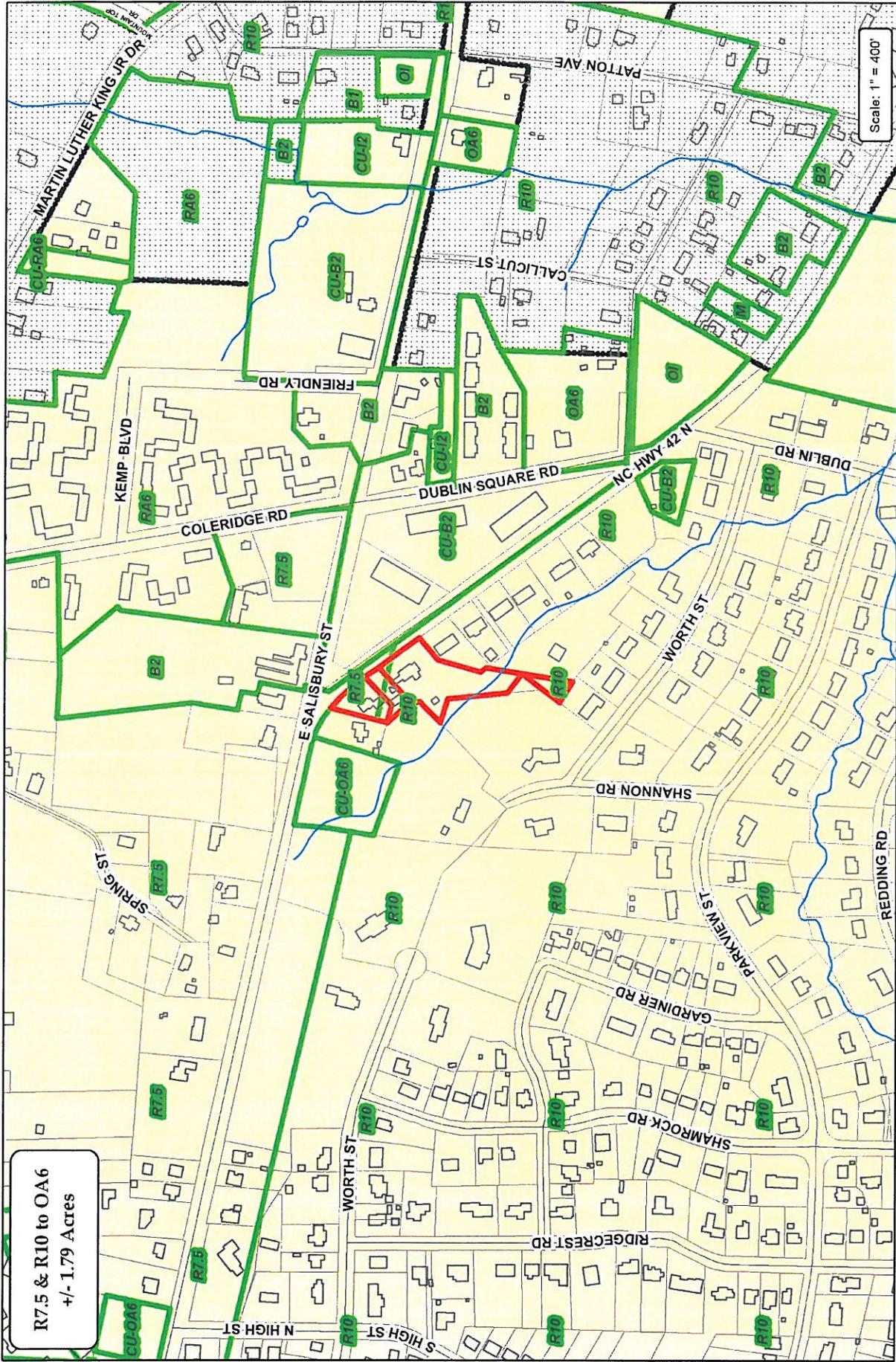
### Reason for Recommendation

There are a number of goals and policies supporting the request. The property is located on a major thoroughfare (NC Hwy. 42 N.) near its intersection with another major thoroughfare (E. Salisbury St.) and is adjacent to or near commercial, office, and institutional uses. The OA6 district can be an appropriate transition between commercial and residential uses.

However, several LDP goals and policies do not support the request. The proposed land use map designates the property for neighborhood residential use, which encourages residential development of density similar to existing neighborhoods while limiting multi-family development. The neighborhood residential designation doesn't encourage non-residential development outside of designated neighborhood commercial centers and the Central Small Area plan emphasizes preservation of existing residential neighborhoods. Additionally, the city's draft Comprehensive Transportation Plan identifies NC Hwy. 42 N. as needing improvement. The ability to effectively address adverse impacts, such as mitigating worsening traffic congestion through access management, becomes impractical without the ability to review a site-specific development plan.

### Evaluation of Consistency with Adopted Comprehensive Plans/Reasonableness and Public Interest

After considering the above factors, staff believes the existing zoning designation will allow a reasonable use of the property and ensure consistency with the Land Development Plan.



Scale: 1" = 400'

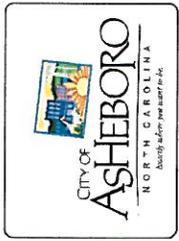


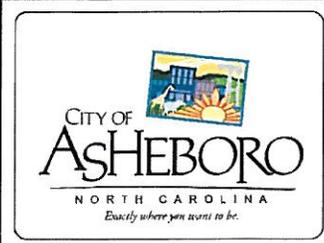
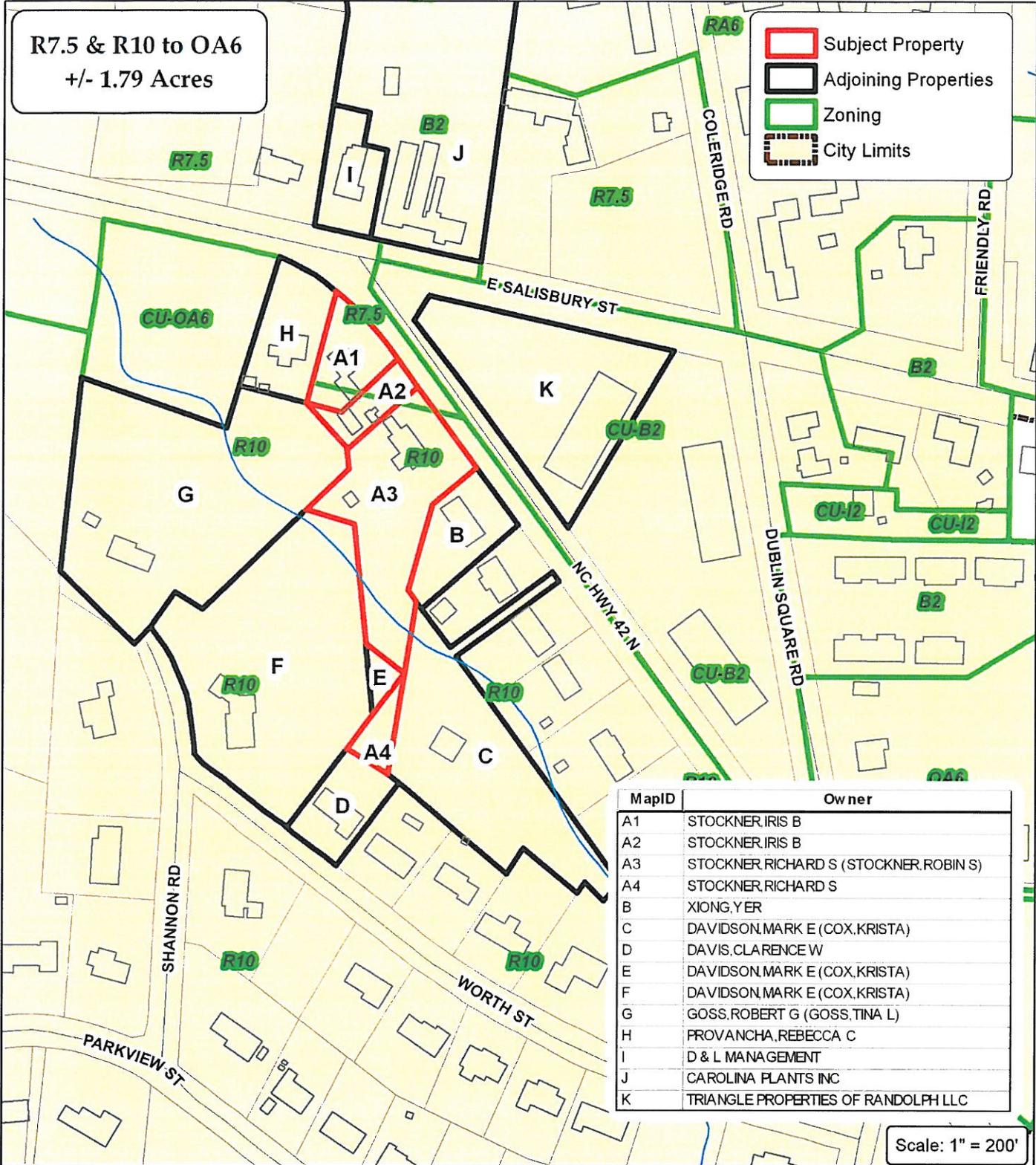
Subject Property  
 Zoning  
 City Limits  
 ETJ

**R7.5 & R10 to OA6**  
 +/- 1.79 Acres

City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-14-04

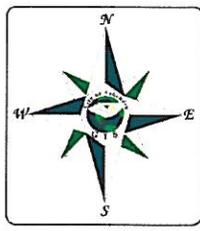
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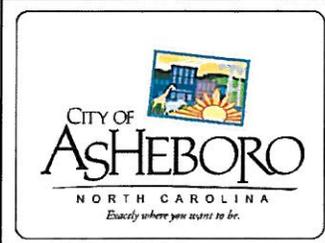
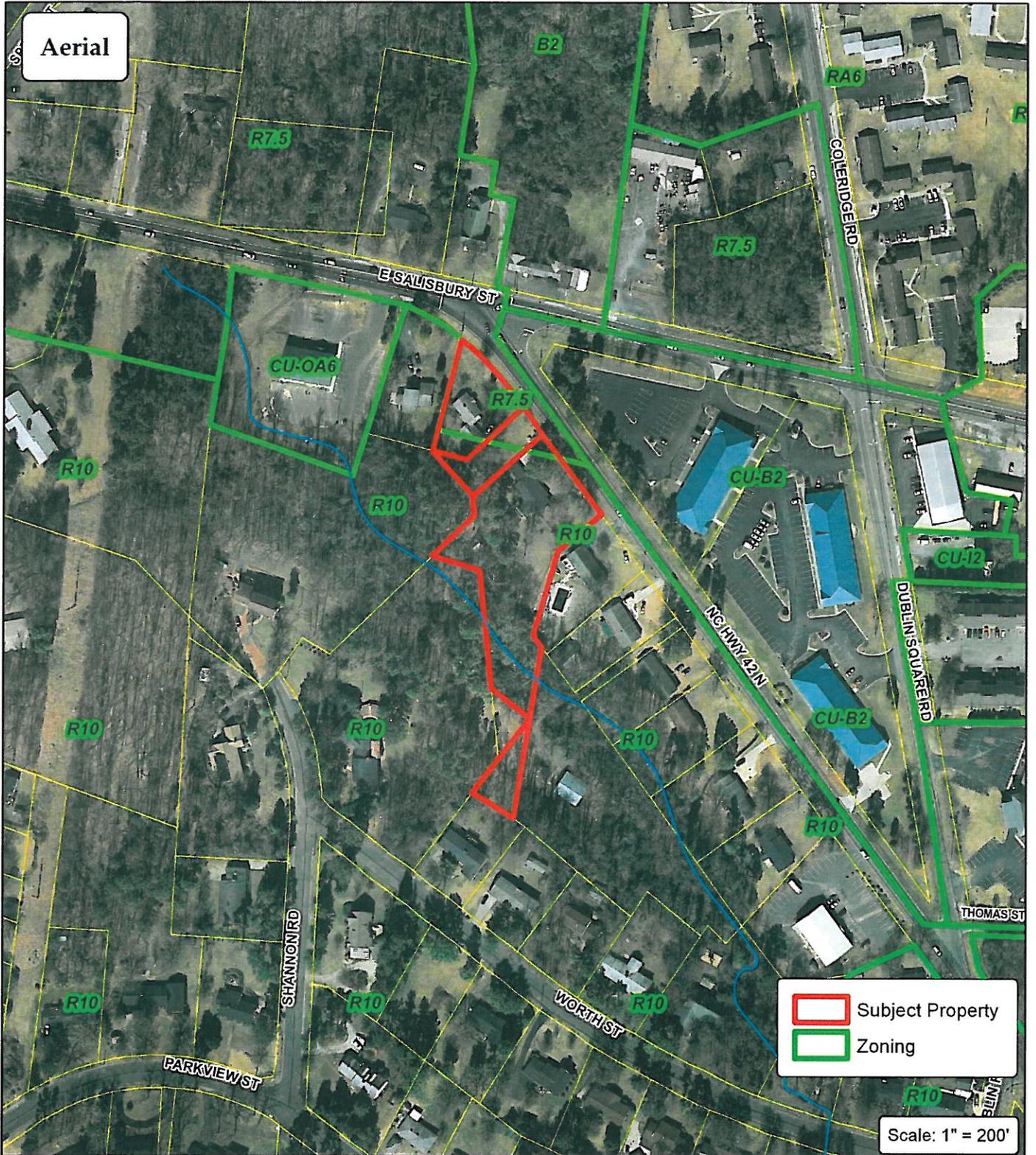




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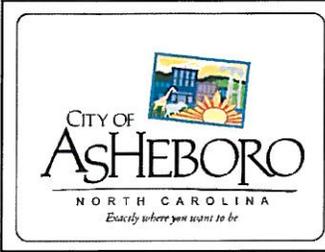
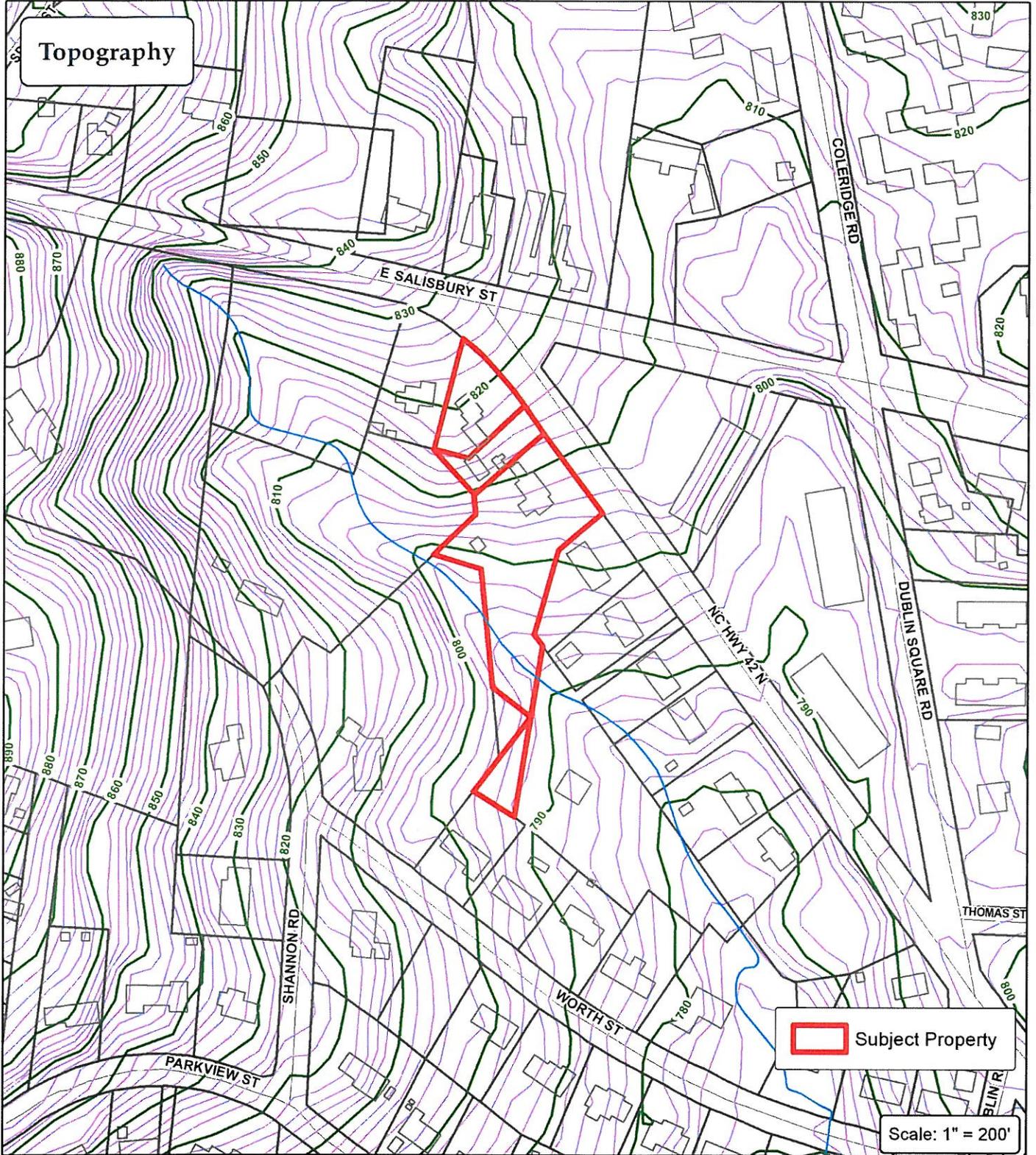


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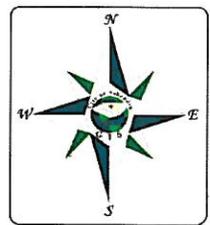
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May 13, 2014

**TO:** Asheboro City Council Planning Board

**FROM:** Ofilia Kindley 1850 Saddlewood Ct., Asheboro, NC 27203 336. 672-0417, requesting to be on City Council Planning Board, on June 8, 2014

**TOPIC:** Asking Asheboro City Council Planning Board to please consider passing a Residential City Ordinance Law on Temporary Fencing, city wide. Set time limits, stipulations, and regulations, and replaced with proper permanent fence, within 30-45 days. City Residents would file an application and obtain a city permit, before erect a temporary fence in their property.

Thank you