



**Asheboro Planning Board**  
Monday, August 4, 2014  
**7:00 PM**  
**AGENDA**

- I. Call to Order
- II. Approval of Minutes (July 7, 2014)
- III. Review of Cases
- IV. RZ-14-07: Clyde Foust: 950 Martin Luther King Jr. Dr. (Rezone from R7.5 Medium-Density Residential and B1 Neighborhood Commercial to B2 General Commercial)
- V. SUB-14-01: Review of Springwood Townhomes Subdivision
  - a.) Sketch design review for Planned Unit Development
  - b.) US Hwy. 220 Overlay District Review
- 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, JULY 7, 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  
 Jeff Sugg, City Attorney

Three (3) citizens were present at this meeting.

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES (June 2, 2014)**

Mr. Rich inquired to the Board if the June 2, 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-14-05: Green Light Holdings, LLC: 527 West Central Avenue (Rezone from R10 Medium-Density Residential and I3 Limited Industrial to I2 General Industrial)**

Mr. John Evans presented the rezoning case before the board. He stated that the applicant was present. He listed the Parcel Identification Number as 7752891801 with the property totaling 14.5 acres +/- including railroad and street rights of way. He stated that the rezoning request was to go from Medium-Density Residential and limited industrial to the I2 General Industrial zoning district. He showed maps of the property as well as photos from all directions, and listed the surrounding uses. He then gave an analysis of the property, mentioning that it was inside the corporate city limits and that all city services are available. He also mentioned that West Central Avenue is a state-maintained minor thoroughfare. He mentioned the property has frontage on Sewell Avenue [sic], which is a city-maintained street. He then provided the intent of the I2 zoning district and stated that in the I2 zoning districts, the most intense uses would be subject to a Type D Buffer or Screen adjacent to Single Family or Two Family land uses. He also stated that some commercial uses that were permitted in the I2 district would still require a buffer or screen but it may have less width than required for industrial uses. He stated that the Land Development Plan's (LDP) Growth Strategy Map identifies the property within the Primary Growth area and the Proposed Land Use Map calls for Industrial to the South of West Central Avenue and an Employment Center to the North. He mentioned several goals and policies that supported the request, including the fact that it complies with the LDP. Only one of the LDP goals and policies was negative to the request, being that there was not an appropriate transition of land uses between high intensity industrial and low intensity residential. He then gave staff's recommendation to approve the request based on compliance with the proposed land use map, the property's proximity to an interstate interchange and rail access, and

the industrial character along West Central Avenue east of the property. and He gave a consistency statement that the map amendment will allow a reasonable use of the property.

Mr. Henderson inquired more on the buffer and where on the property the buffer would be located. Mr. Evans informed him that if development takes place, the buffer would need to be in areas adjacent to the residential locations and would start at the property line going into the property. He mentioned that the amount of buffer depended on the particular use and reminded the board that a straight rezoning would allow all uses permitted by right in the I2 district.

Mr. Gary Richardson spoke to the board on the proposal and included the possibility of warehousing at that particular property.

Mr. Whitaker made a motion to approve the rezoning request based on staff's recommendation. Mr. Henderson seconded the motion and the motion carried with no opposition.

**V. RZ-14-06: Richard S. Stockner: 609 and 617 NC Hwy 42 North (Rezone from R7.5 and R10 Medium-Density Residential to O&I Office & Institutional)**

Mr. Evans presented the rezoning case before the board. He stated that the applicant was present. He listed the parcel information as including four (4) parcels (7761322047, 7761321382, 7761312710, and 7761322224) and totaling 1.79 acres +/- . He stated that the rezoning request was to go from Medium-Density Residential to the O&I Office and Institutional zoning district. He showed maps of the property as well as photos from all directions, and listed the surrounding land uses. He then gave an analysis of the property, mentioning that it was inside the corporate city limits and that all city services are available. He also mentioned that NC Hwy 42 N. is a state-maintained major thoroughfare. He then provided the intent of the O&I zoning district. He stated that the applicant had proposed a rezoning at the June Planning Board meeting for OA6 which would permit multi-family housing and apartments in addition to office and institutional uses. He informed the board that the O&I district would not permit these particular residential uses. He stated that the Growth Strategy Map identifies the property within the Primary Growth area and the Proposed Land Use Map calls for Neighborhood Residential use. He then gave the positive and negative goals and policies with the request. He stated that staff's recommendation was to approve the request based on general consensus during the previous public hearing that the neighborhood residential district designated by the proposed land use map was outdated given the changing traffic patterns and office and institutional development that had occurred in approximately the last decade on NC Hwy 42 North. He mentioned that the testimony during the public hearing for the previous request (OA6) indicated the greatest concerns over compatibility were with multi-family residential development, which is not an option in the O&I district. He then gave a consistency statement that the map amendment will allow a reasonable use of the property.

Mr. Ritchie Buffkin made a motion to approve the request based on staff's recommendation. Ms. Lynette Garner seconded the motion and the motion carried with no opposition.

**VI. ITEMS NOT ON THE AGENDA**

Mr. Rich informed the board about a service luncheon held on July 23, 2014 to honor the recently retired Planning Board members. He then took a count of the board members who would be attending. The attending board members' names were recorded.

Mr. Luck gave the board a handout from the University of North Carolina at Chapel Hill's School of Government, written by Adam Lovelady, about the recent changes regarding Board of Adjustment variance tests. He stated that this is a good article for the board members to read so that they can refresh themselves on the current rules and regulations governing variances.

**VII. ADJOURNMENT**

At this time, Mr. Rich inquired if there was any more business to hear and if not, the meeting would be adjourned. There being no more business, he declared the meeting adjourned.

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Bradley W. Morton, Secretary, Planning Board

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Van Rich, Planning Board Chair



**RZ-14-07: Rezone from R7.5 (Medium Density Residential) and B1  
(Neighborhood Commercial) to B2 (General Commercial)**

(950 Martin Luther King, Jr. Drive: Clyde Foust)

**Staff Report**

## Rezoning Staff Report

RZ Case # **RZ-14-07**

Date 8/4/2014 PB

9/11//2014 CC

### General Information

**Applicant** Clyde Foust  
**Address** 114 Sunset Avenue  
**City** Asheboro NC 27203  
**Phone** 336-626-4200  
**Location** 950 Martin Luther King Jr. Drive  
**Requested Action** Rezone from R7.5 (Medium-Density Residential) and B1 (Neighborhood Commercial) to B2 (General Commercial)

**Existing Zone** R7.5/B1

**Existing Land Use** Undeveloped property

**Size** 1.94 acres (+/-)

**Pin #** 7761332561

### Applicant's Reasons as stated on application

*To build a community center. The property has been used as a church and a factory. The rezoning will enhance the community tremendously and bring the property up to date.*

Staff Note: Rezoning the property to B2 will allow all uses permitted by right in the district.

### Surrounding Land Use

**North** Single/Two-family residential

**East** Single-family residential

**South** Commercial

**West** Single-family residential

**Zoning History** In March, 2014, the property owner voluntarily entered into a consent agreement with City of Asheboro to remove the 3,000 sq. ft. structure on the property.

### Legal Description

The property of George Washington Carver College, located at 950 Martin Luther King Jr. Dr., totaling approximately 1.94 acres (+/-) and more specifically identified by Randolph County Parcel ID No. 7761332561.

### Analysis

1. The property is inside the city limits. All city services are available.
2. Martin Luther King Jr. Dr. is a state-maintained minor thoroughfare. South Spring St. is a city-maintained local street.
3. The area includes a mix of uses, including single family and two family residences. Further west of the property along Martin Luther King Jr. Dr. are commercial and institutional (i.e. church) uses. Single-family residences and a public use facility (substation) are located south of the property along S. Spring Street.
4. The proposed land use map designates the portion of the property zoned B1 for commercial use and the portion of the property zoned R7.5 for residential use.
5. According to the Asheboro Zoning Ordinance, *the B2 General Commercial District is intended to serve the convenience goods, shoppers goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to major or minor thoroughfares, never local streets*
6. A 3,000 square foot structure was previously on the site but has been removed. Available information indicates that the structure has been utilized for non-residential uses (including for industrial purposes and most recently a church) as early as 1960. The structure and its parking were located on the portion of the property zoned R7.5.

# Rezoning Staff Report

RZ Case # RZ-14-07

Page 2

## 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/Commercial
<b>Small Area Plan</b>	Central

## LDP Goals/Policies Which Support Request

**Checklist Item 1:** Rezoning is compliant with the Proposed Land Use Map. (applies to western portion of the property zoned B1)

**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 Item 6:** Existing infrastructure is adequate to support the desired zone. (*water, sewer, roads, schools, etc.*)

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

**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-14-07

Page 3

## LDP Goals/Policies Which Do Not Support Request

**Checklist Item 1:** Rezoning is not compliant with the Proposed Land Use Map (applies to eastern portion of property zoned R7.5).

**Policy 2.1.1** The City will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.

## Recommendation

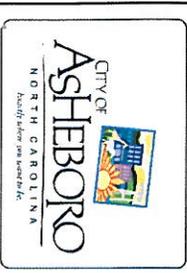
Approve

## Reason for Recommendation

A number of factors support the request. A portion of the property is currently zoned B1 Neighborhood Commercial. Although the Land Development Plan proposes neighborhood residential use on the property that is currently zoned R7.5, the available history indicates the property has been used for non-residential purposes and property that is contiguous to the south is zoned B2. Additionally, the Central Small Area Plan recommends strategically located commercial development along minor thoroughfares, to accommodate existing, and some future commercial development. Considering these factors, staff believes the B2 designation fits the history and context of the property.

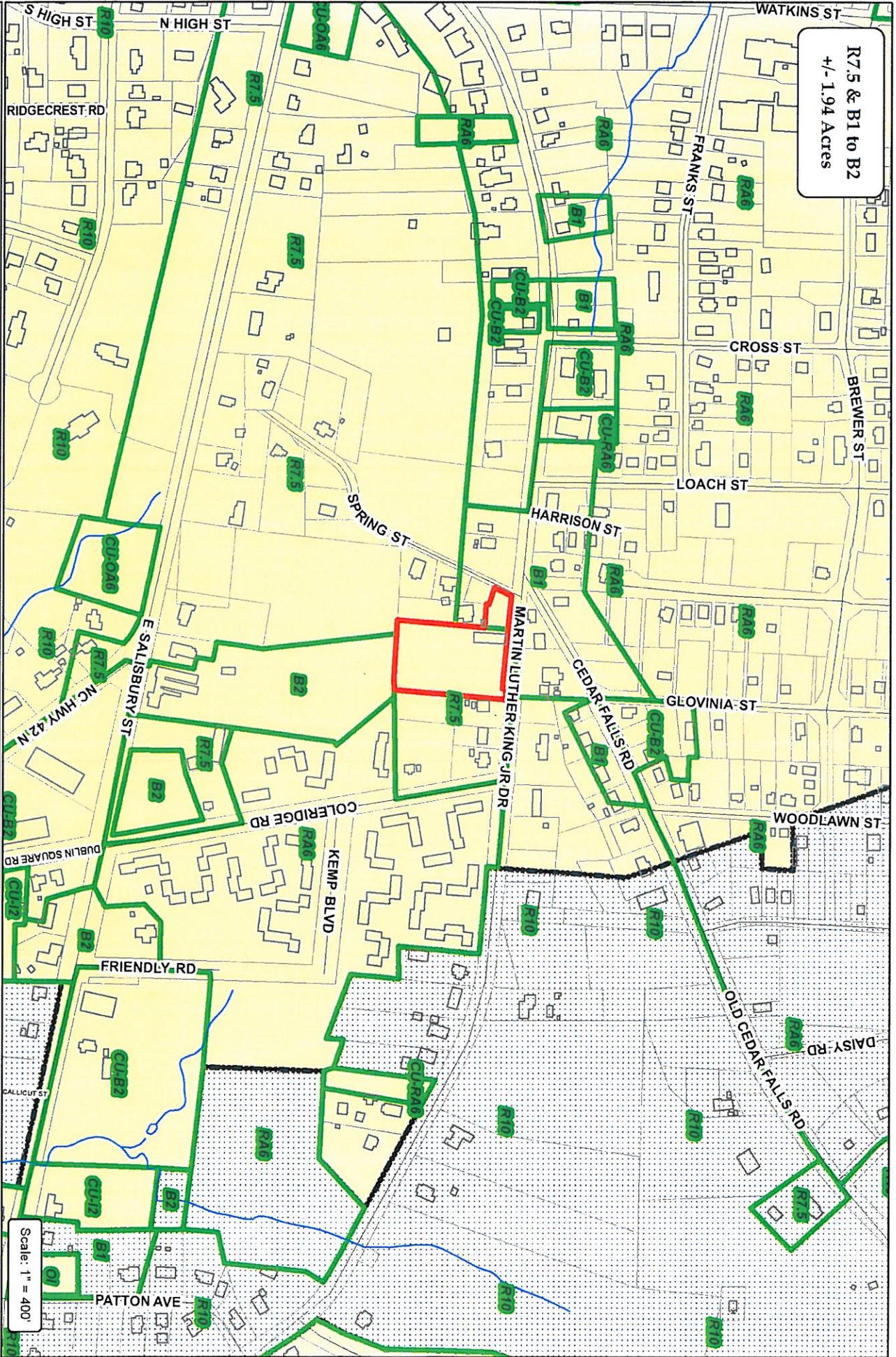
## Evaluation of Consistency with Adopted Comprehensive Plans/Reasonableness and Public Interest

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



City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-14-07  
 Parcels: 7761332561

**Subject Property**  
 Zoning  
 City Limits  
 ETJ



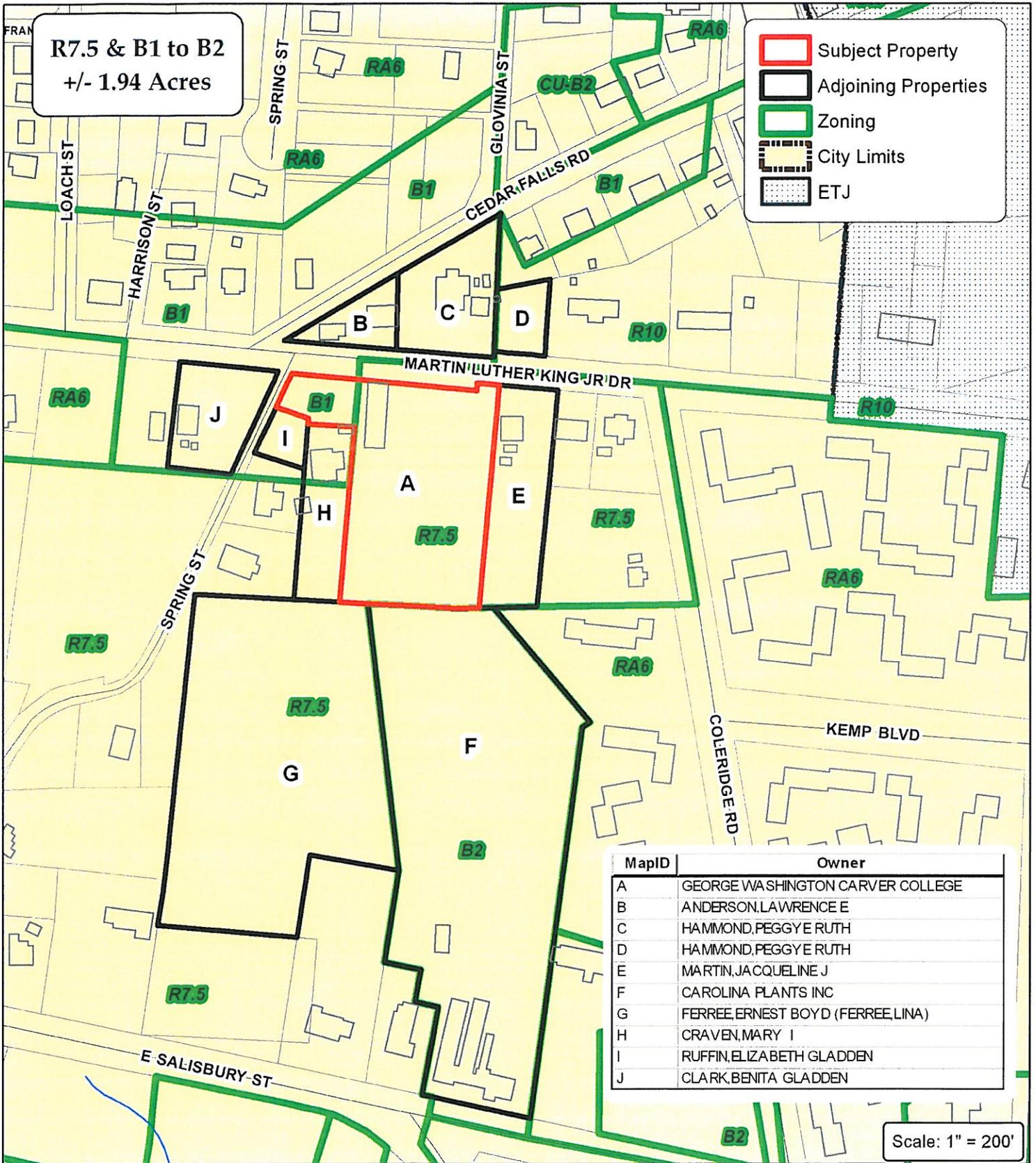
R7.5 & B1 to B2  
 +/- 1.94 Acres

Scale: 1" = 400'

R7.5 & B1 to B2  
 +/- 1.94 Acres

Legend:

- Subject Property
- Adjoining Properties
- Zoning
- City Limits
- ETJ

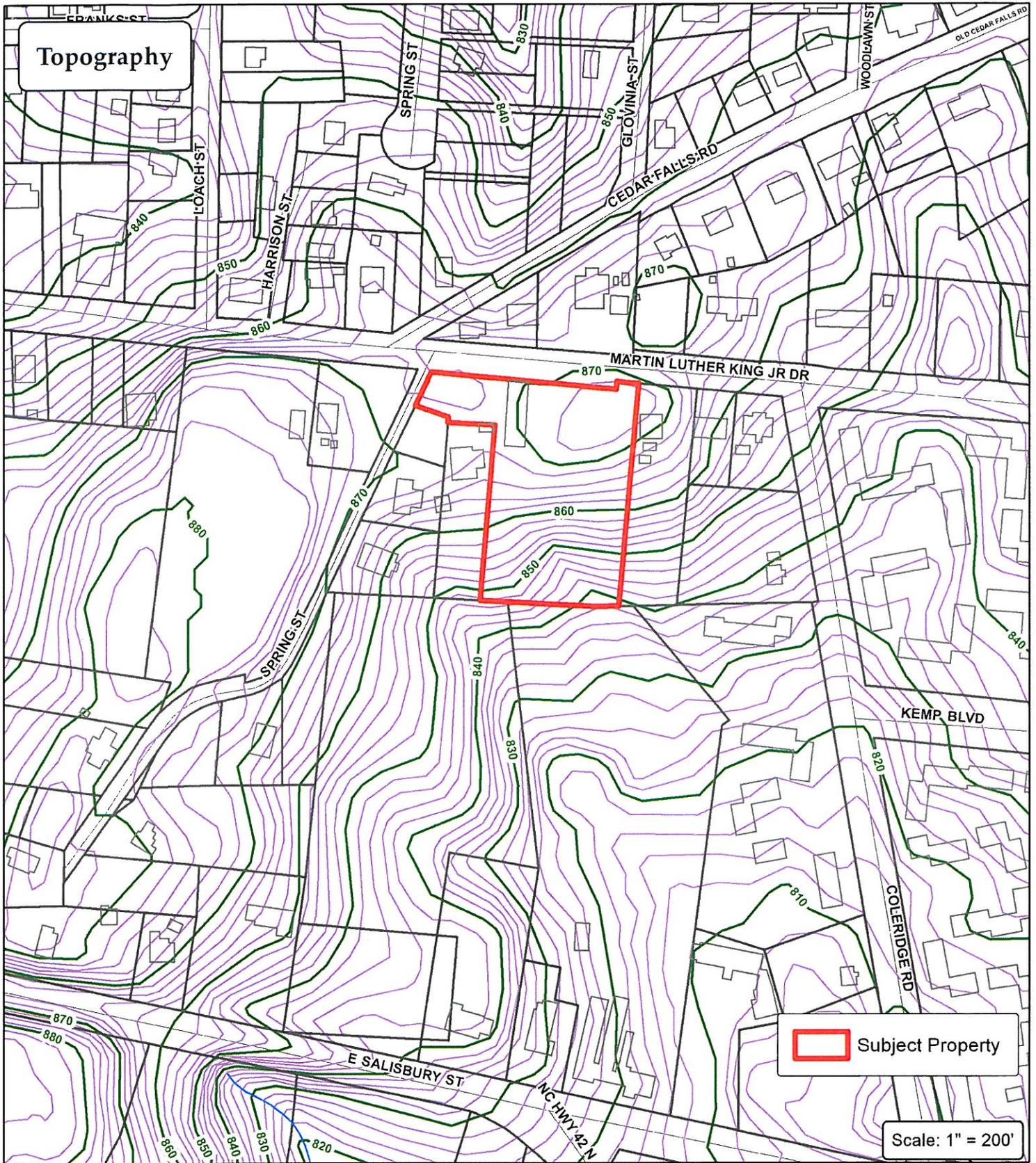


MapID	Owner
A	GEORGE WASHINGTON CARVER COLLEGE
B	ANDERSON, LAWRENCE E
C	HAMMOND, PEGGYE RUTH
D	HAMMOND, PEGGYE RUTH
E	MARTIN, JACQUELINE J
F	CAROLINA PLANTS INC
G	FERREE, ERNEST BOYD (FERREE, LINA)
H	CRAVEN, MARY I
I	RUFFIN, ELIZABETH GLADDEN
J	CLARK, BENITA GLADDEN

Scale: 1" = 200'

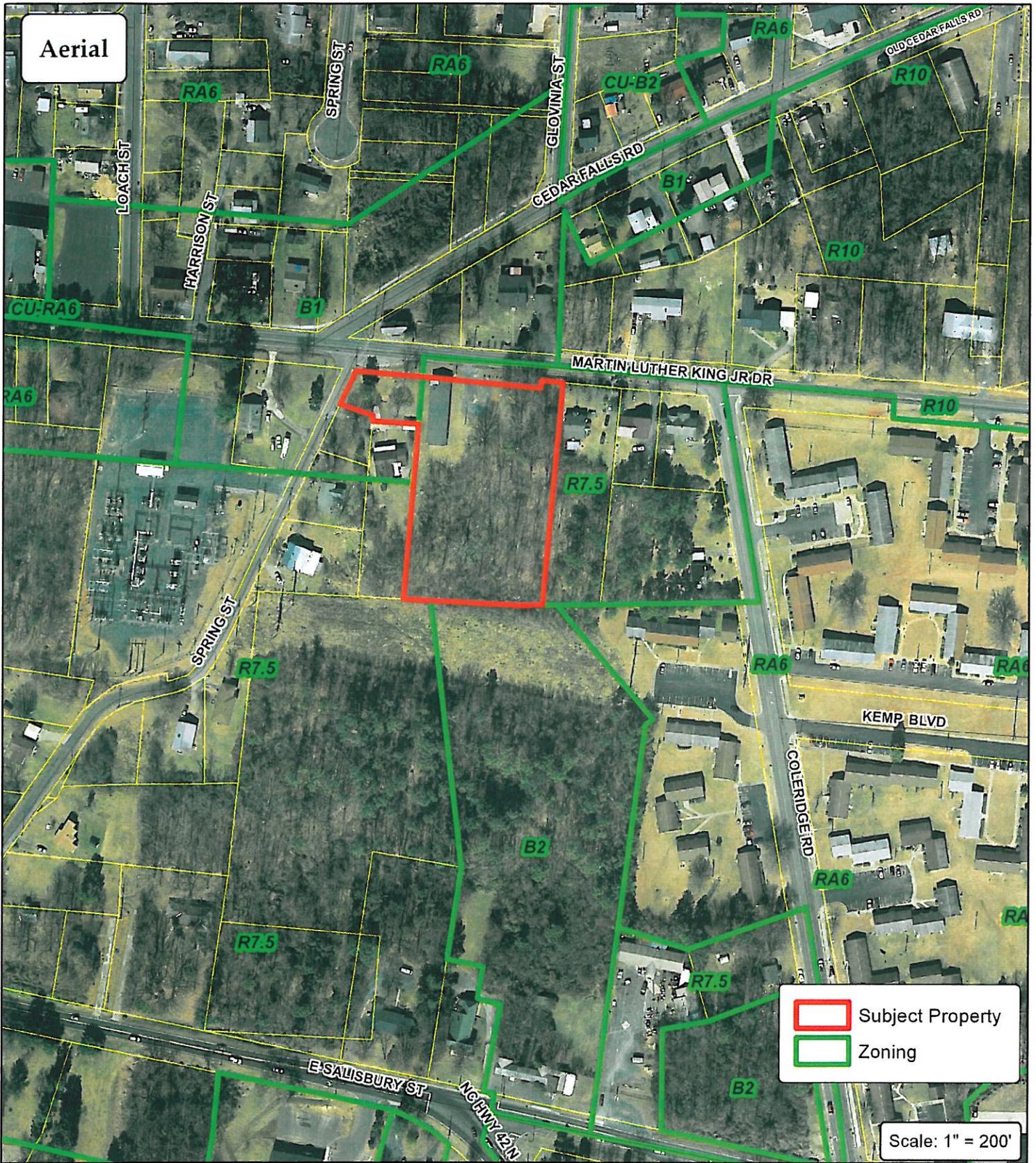
City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-14-07  
 Parcels: 7761332561





**City of Asheboro**  
**Planning & Zoning Department**  
**Rezoning Case: RZ-14-06**  
**Parcels: 7761332561**

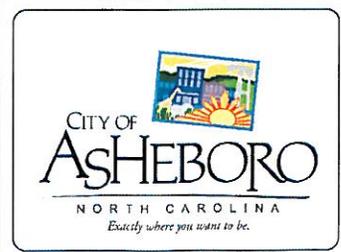




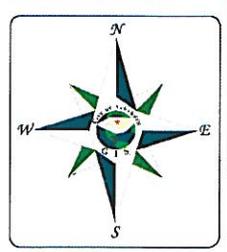
Aerial

Subject Property  
 Zoning

Scale: 1" = 200'



**City of Asheboro**  
**Planning & Zoning Department**  
**Rezoning Case: RZ-14-07**  
**Parcels: 7761332561**





**SUB-14-01: Subdivision Sketch Design and US Hwy. 220 Overlay Review for  
Springwood Townhomes**

(Springwood Road: Mc Mc Properties LLC; c/o Larry McKenzie)

**Staff Report**

**SUBDIVISION STAFF REPORT**  
Sketch Design

**CASE #** SUB-14-01

**Date** 8/4/14 PB, 8/7/14 CC

**GENERAL INFORMATION**

**Subdivision Name** Townhomes on Springwood  
**Requested Action** Sketch Design Approval  
**Applicant** Mc Mc Properties LLC (c/o Mr. Larry McKenzie)  
**Address** 126 Lanier Avenue, Asheboro, NC 27204  
**Phone** 953-2913  
**Location** Terminus of Springwood Road

**PARCEL INFORMATION**

**PIN** 7750423717

**Size** 6.75 acres (+/-)

**Number of Lots** 24

**Average Lot Size** 2,125 square feet

**Existing Zoning** CU-RA6

**Existing Land Use** Undeveloped

**Surrounding Land Use**

**North** Undeveloped/Residential

**East** Residential

**South** Industrial

**West** US 220 Bypass

**LAND DEVELOPMENT PLAN**

**Growth Strategy Map** Primary Growth

**Proposed Land Use Map** Neighborhood Residential

**Small Area Plan Map** Central

**Identified Activity Center?** No

**Development Issues** A Special Use Permit and sketch design for a similar Planned Unit Development (consisting of 22 lots) was approved in 2005. Since no activity has occurred, and modifications (including an increase in the number of lots) have occurred, a new sketch design review is required.

An intermittent stream is located on the property. FIRM maps do not identify any floodplain. No stream buffer is required since the property is not in a city-designated watershed.

The city has a 40' easement on the property. No structures or plantings should be located within the easement.

The property's only access is Springwood Road. Dennis Street does not abut this property, making its connection with Springwood Road unlikely.

**SUBDIVISION STAFF REPORT**  
Sketch Design

**DEPARTMENT COMMENTS**

**Engineering**

1. Staff is verifying street names are acceptable with Emergency Services.
2. Engineering Department will need to approve concrete pad adjacent to the community mailbox, since the concrete pad is inside the public right-of-way.

**Public Works**

Staff notes that the first unit on the right upon entering the complex is very close to the city's sewer easement. Staff would recommend providing the maximum distance practical from this unit to the easement since a 10" force main is located within the easement.

**Planning**

1. Homeowners' association (HOA) documents will need to be recorded with the final plat.
2. HOA documents will need to be recorded prohibiting parking of recreational vehicles. The plat indicates these vehicles will be prohibited from the development.
3. There is a labeling error indicating a 20' instead of the required 25' buffer along US Hwy. 220/I-73/I-74. The error is solely in reference to the labeling. The plat shows the correct buffer dimension.

**Other**

Fire Prevention Bureau: Since the proposal is for less than 30 units, the fire code does not require a secondary point of access.

Fire Dept.: Hydrant locations will need to be reviewed with preliminary plat.

Asheboro City Schools: No comments

NCDOT: No suggested improvements. Note: Springwood Road is a city maintained street connecting to state maintained US Hwy. 220 Business.

**Staff Recommendation**

Approve subject to noted comments and correction.

**Planning Board  
Recommendation**

Recommendation pending. The Planning Board will review the request on August 4, 2014.

## **US Hwy 220 Overlay District Review: July 7, 2014**

Applicant: Larry McKenzie (Mc Mc Properties LLC)

### **Introduction:**

Article 300A, Section 302A of the Asheboro Zoning Ordinance establishes a U.S. Hwy 220 Bypass Overlay Zone. Section 302A.1 states the following.

*The purpose of this zone is to establish a site plan review procedure to ensure that a high standard of development is achieved along U. S. 220 Bypass.*

Development activity that is located within 500 feet of the centerline of the US Hwy 220 Bypass is subject to Planning Board review.

### **Property Information:**

**Location:** Terminus of Springwood Road

**Randolph County Parcel Identification Number:** 7750423717

**Zoning District:** CURA6 (Conditional Use High Density Residential)

**Proposed Use:** Residential Planned Unit Development (PUD)

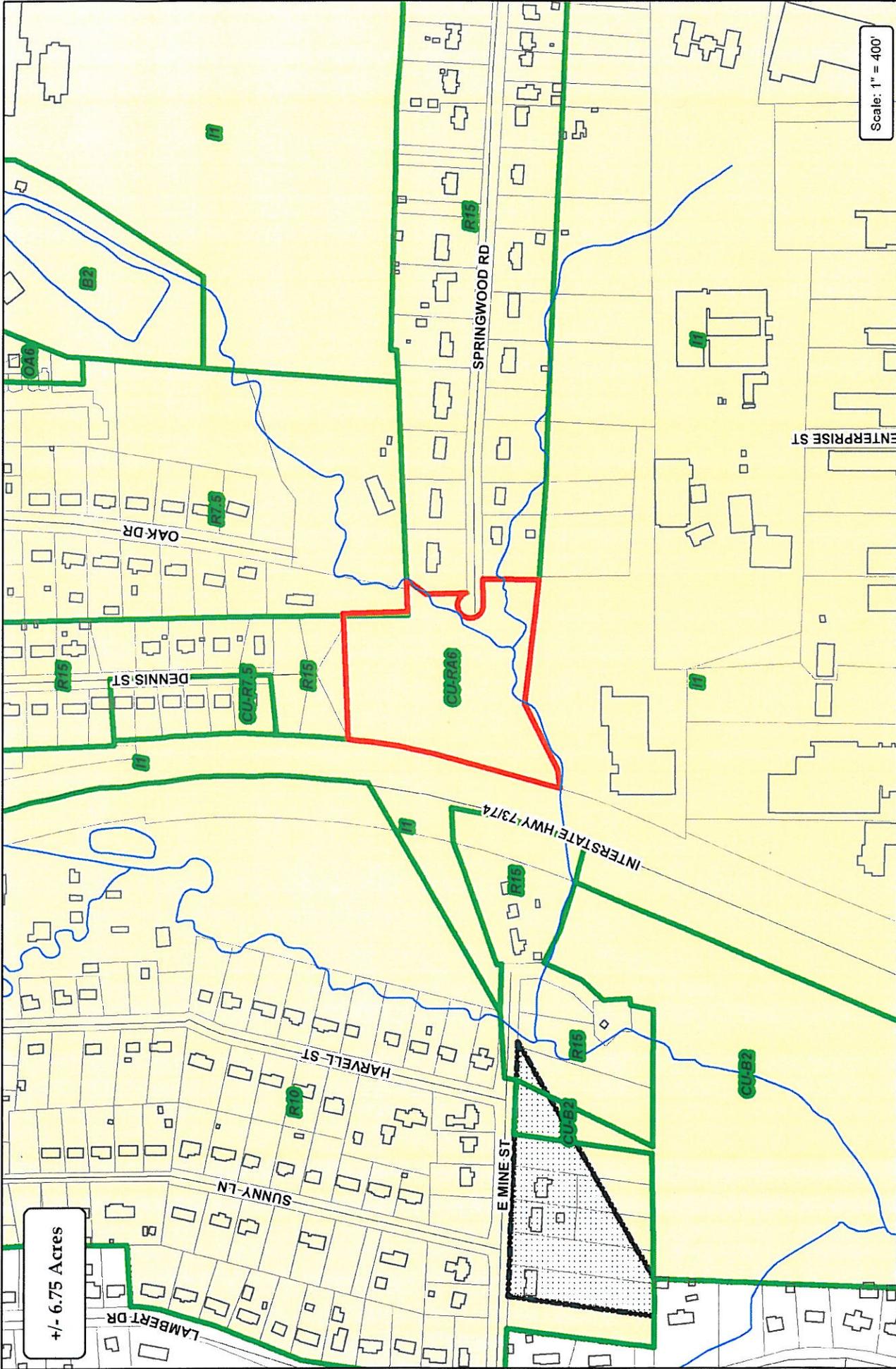
### **Analysis:**

1. The applicant is proposing a residential planned unit development. There are 24 residential units proposed. Two (2) residential dwellings are located in each of the eleven (12) residential structures.
2. The Planning Board approved a similar request for a residential PUD on this property in 2005. Aside from changes in density (26 units reviewed by Planning Board, 22 approved by City Council) and building design (combination of single and two story to single story), conditions are similar to conditions at the time of the previous request.
3. Section 302A.4 of the Asheboro Zoning Ordinance requires the inclusion of a buffer adjacent to US Hwy. 220 Bypass (I-73/I-74).
4. When the U.S. 220 Overlay District request was reviewed by the Planning Board in 2005, the applicant proposes leaving the existing buffer adjacent to US Hwy. 220 Bypass and a 25' strip adjacent to the public right-of-way. The Planning Board approved this request with the condition that eight (8) additional Leyland Cypress evergreen trees be planted. In addition to the 25' vegetation that has been retained, the eight (8) new Leyland Cypress trees have been installed. The applicant proposes leaving this vegetation intact.

5. The setback between the proposed structure and US Hwy. 220 Bypass is considered front yard setback.

The minimum front yard setback in the CURA6 district is 25 feet. The applicant proposes placing the structures between 35 and 40 feet from the public right-of-way along US Hwy. 220 Bypass (I-73/I-74).

**The Planning Board's review is to determine if the existing buffer of the property and the setback of the proposed accessory structure complies with the intent of the US Hwy. 220 Overlay district, which is to *protect the existing natural character of the view from U.S. Hwy 220 Bypass* (Section 302A.4.B).**



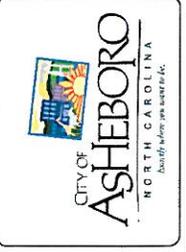
+/- 6.75 Acres

Scale: 1" = 400'



Subject Property  
 Zoning  
 City Limits  
 ETJ

City of Asheboro  
 Planning & Zoning Department  
 Subdivision Case: SUB-14-01  
 Parcel: 7750423717



Topography

INTERSTATE HWY 73/74

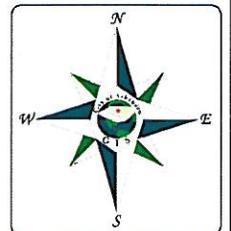
SPRINGWOOD RD

 Subject Property

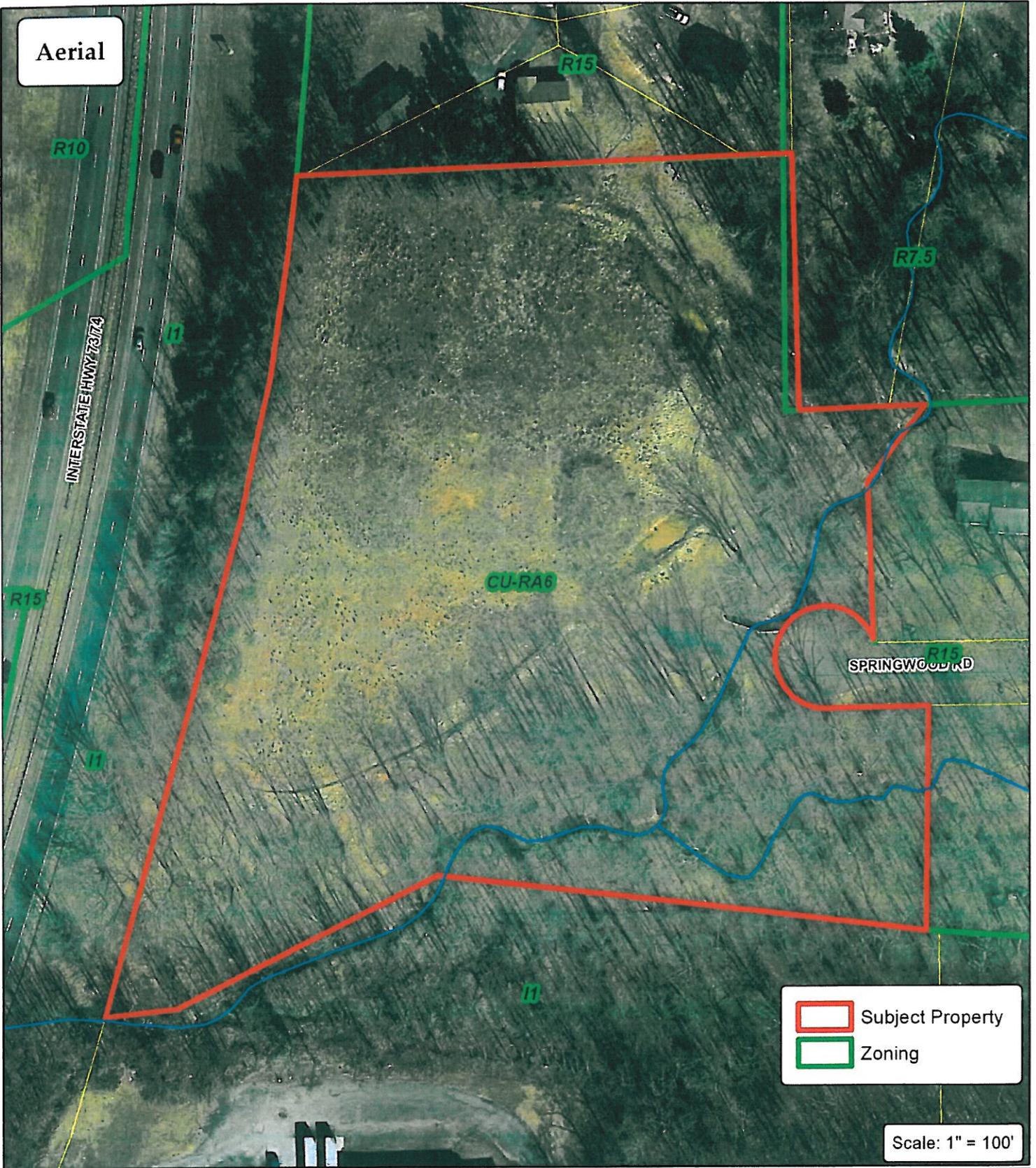
Scale: 1" = 100'



City of Asheboro  
Planning & Zoning Department  
Subdivision Case: SUB-14-01  
Parcels: 7750423717



Aerial



**City of Asheboro**  
**Planning & Zoning Department**  
**Subdivision Case: SUB-14-01**  
**Parcel: 7750423717**





