

**Asheboro Planning Board**  
**Asheboro City Hall (146 N. Church Street)**  
Monday, November 7, 2016  
**7:00 PM**  
**AGENDA**

- I. Call to Order
- II. Approval of Minutes from October 3, 2016 meeting
- III. Review of Cases
- IV. Old Business: Text Amendments related to density credits/severable development rights when public right-of-way dedication is required
  - a.) RZ-16-13: Text Amendments to the Zoning Ordinance
  - b.) Case No. #11-2016: Text Amendments to the Subdivision Ordinance
- V. RZ-16-14: Rezone property located at 153 and 175 NC Hwy. 49 South from R10 (Medium-Density Residential) to B2 (General Commercial)
- VI. RZ-16-15: Rezone property located at 133 and 139 South Church Street from I2 (General Industrial) to B3 (Central Commercial)
- VII. SUB-12-01: Olde Towne Village Section II (Final Plat Review)
- VIII. Consideration of 2017 Meeting Dates
- IX. Items Not on the Agenda
- X. Adjournment

#####

**MEETING OF THE ASHEBORO PLANNING BOARD  
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.  
MONDAY, OCTOBER 3, 2016  
7:00 p.m.**

\*\*\*\*\*

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

- 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 Nuttall, Community Development Division Director  
Jeff Sugg, City Attorney

No citizens were present at this meeting.

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES FROM AUGUST 1, 2016 MEETING**

Mr. Rich inquired if there were any corrections to be made to the September 12, 2016 minutes. There being no corrections, the minutes were approved as submitted.

**III. REVIEW OF CASES**

Mr. Justin Luck informed the board of the zoning related cases heard by the City Council in September.

**IV. TEXT AMENDMENTS RELATED TO DENSITY CREDITS/SEVERABLE DEVELOPMENT RIGHTS WHEN PUBLIC RIGHT-OF-WAY DEDICATION IS REQUIRED**

**a. RZ-16-13: Text Amendments to the Zoning Ordinance**

Mr. John Evans gave a visual presentation regarding text amendments to the Asheboro Zoning Ordinance, specifically regarding density credits/severable development rights when public right-of-way dedication is required. He stated that the application pertains to when dedication of right-of-way takes place on designated roads listed in the Comprehensive Transportation Plan (CTP). He listed the North Carolina General Statute NCGS 160A.381A(a) and stated that in the past this has been an option for municipalities and now it is becoming mandatory. He stated these provisions would take place when the CTP calls for additional right-of-way and dedication is required as part of a subdivision process. He then gave examples of situations of when the credits would be applied. He also mentioned some exclusions of when they will not apply. He then gave an overview of the text amendments, stating the structure of the amendments and then listed supporting goals and policies. He stated that there were no goals and policies negative to the request. He stated that the request was to continue the proposal until the November 7th Planning Board Meeting to allow for a public input process. He stated that there was no consistency statement for this request at the present time due to a request for continuation.

Mr. Rich asked if property owners could apply for variances based on the newly proposed amendments, specifically with request to Floor Area Ratio standards. Mr. Evans stated that, as written, the floor area ratio would be the same regardless of lot size or right-of-way area dedicated. Mr. Rich asked if the staff thought the Planning Board would

receive variances from property owners based on the text amendments. Mr. Nuttall responded that variance requests were possible and that many factors and discussions came into play when drafting the amendments regarding setbacks and also variances. He stated that staff would look into including Floor Area Ratio considerations as part of the proposed amendment. He stated that there would likely be very limited instances where the proposed text amendments come into play.

**b. Case No. #11-2016: Text Amendments to the Subdivision Ordinance**

Mr. Evans continued his presentation to show the proposed text amendments to the Subdivision Ordinance. He stated that these amendments would include the following sections: Article VI: Compliance with Official Plans, Article IX: Required Improvements and Design Standards, Article X: Planned Unit Developments, Article XI: Residential Townhome Developments, and Article XII: RV Resorts. He stated that staff's recommendation was to continue until the November 7, 2016 regular meeting.

Mr. Whitaker made a motion to continue both of the requests to the November 7, 2016 Planning Board meeting. Mr. Lindsey seconded the motion and the motion carried unanimously.

**V. ITEMS NOT ON THE AGENDA**

Mr. Nuttall handed a flyer out to the board regarding the ribbon cutting at the Asheboro Shelter of Hope.

**VI. ADJOURNMENT**

With no further business to come before the board, Mr. Lindsey adjourned the meeting.

---

Bradley Morton, Secretary, Planning Board

---

Van Rich, Planning Board Chairman



**RZ-16-13: Text Amendments Related to density credits**

- a.) Text Amendments to the Zoning Ordinance
- b.) Text Amendments to the Subdivision Ordinance

**Staff Report**

# Rezoning Staff Report

RZ Case # **RZ-16-13**

Date 11-7-2016 PB

11-10-2016

## General Information

**Applicant** City of Asheboro

**Address** 146 North Church Street

**City** Asheboro NC 27203

**Phone** 336-626-1201

**Location** N/A

**Requested Action** Text amendments to the zoning ordinance reflecting changes in state law concerning density credits when public right-of-way dedication is required

**Existing Zone** N/A

**Existing Land Use** N/A

**Size** N/A

**Pin #** N/A

## Applicant's Reasons as stated on application

No errors exist. Changes in state legislation (Session Law 2015-246) make the proposed amendments necessary. State law requires density credits to be granted when an adopted comprehensive transportation plan requires dedication of public right-of-way. These text amendments are proposed to comply with this new statewide legislation.

## **Surrounding Land Use**

**North** N/A

**East** N/A

**South** N/A

**West** N/A

**Zoning History** **RZ-06-45 (January 4, 2007)**: Floor Area Ratio in the B2 General Business zoning district from a maximum of 33 percent by right and 45 percent with a Special Use Permit to a maximum of 100 percent by right.

**RZ-11-19 (February 9, 2012)**: Center City Planning Area ordinance addressed pervious/impervious coverage.

## **Legal Description**

Zoning text amendments including, but not limited to, Article 300 (Modification of Yard and Height Requirements), and Article 1100 (Definitions) of the zoning ordinance related to density credits related to requirement to dedicate public right-of-way pursuant to Asheboro Comprehensive Transportation Plan, subdivision process, or evidentiary requirements related to Conditional/Special Use Permits.

## **Analysis**

1. North Carolina General Statutes have been amended to require that density credits or severable development rights be granted to property owners in cases in which they are required to plat public right-of-way for road projects designated on an adopted Comprehensive Transportation Plan (CTP). The projects may include construction of new roads or upgrades to existing roads in which dedication of public right-of-way is required.
2. The density credits help offset the reduction in development potential that occurs when property is required for such dedication through either a major subdivision process, or when necessary to meet the evidentiary requirements for a Conditional/Special Use Permit.
3. The proposed text amendments do not impact properties acquired through eminent domain, roadways platted that are not identified by the CTP, or when the Subdivision Ordinance requires 50' of public right-of-way for a proposed subdivision and existing right-of-way is less than 50' wide, requiring additional land to be dedicated for the public right-of-way.
4. Amendments are also being proposed to the Subdivision Ordinance to reflect this legislation.
5. After input given during the October, 2016 Planning Board meeting, staff has revised the proposal to also include a credit for the maximum gross floor area to counteract the reduction in lot sizes.

# Rezoning Staff Report

RZ Case # RZ-16-13

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.*

**Proposed Land Use Map Designation** N/A

**Small Area Plan** N/A

**Growth Strategy Map Designation** N/A

## LDP Goals/Policies Which Support Request

**2.1.1** The Zoning Ordinance will periodically be reviewed to ensure that the specific regulations for each Zoning District are aligned with the desired character and focus of each district.

**Goal 3.2:** Quality design demanding appropriate scale and context

# Rezoning Staff Report

RZ Case # RZ-16-13

Page 3

## LDP Goals/Policies Which Do Not Support Request

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

The proposed text amendments are prompted by recent state legislation requiring density credits when public right-of-way dedication is required pursuant to an adopted transportation plan (specifically the *2014 Asheboro Comprehensive Transportation Plan*).

This proposal is reasonable and reflects the goals and policies of the Land Development Plan by allowing density credits proportional to the development potential that would have been permitted without ROW dedication. Staff believes that other development requirements (setbacks, buffering/screening, etc.) will continue to ensure that development occurs in a manner consistent with the character of the area in which properties receiving density credits are located and will mitigate any impact density credits may have on the character of the area in which they are applied.

Staff believes this proposal carefully weighs the right to a reasonable use of property and the need to protect the public health, safety, and general welfare by specifying the intensity at which properties may be developed.

Therefore, staff believes the proposed amendments are consistent with adopted plans, reasonable, and in the public interest.

### Recommendation

In light of the above analysis, staff's recommendation to **approve** this request.

**Purpose (staff's statement):** This proposal corresponds with proposed amendments to the Subdivision Ordinance to ensure compliance with Session Law 2015-246, requiring the zoning ordinance to provide density credits or severable development rights when rights-of-way are dedicated pursuant to an adopted Comprehensive Transportation Plan. The proposed text amendments to the zoning ordinance provide a method for doing so in a manner which is consistent with the City's adopted Land Development Plan. A draft of language proposed to Article 300 (Modification of Yard and Height Requirements) follows (with proposed ordinance text underlined and explanations of the text's practical applications italicized). The proposal is filed concurrently with related amendments proposed to the Subdivision Ordinance.

---

**307.12 Density Credits when Public Right-of-Way dedication is required or offered pursuant to proposed public right-of-way identified in the Asheboro Comprehensive Transportation Plan**

**A) Purpose and Intent:**

Pursuant to NCGS 160A-381 and NCGS 136-66.10, whenever a tract of land is proposed for subdivision or development activity that requires dedication of public right-of-way identified by the Asheboro Comprehensive Transportation Plan, density credits may be granted. These density credits are intended to provide for reasonable use of the affected tract(s) of land when public right-of-way dedication is required based on needs identified by the Asheboro Comprehensive Transportation Plan.

**B) Applicability**

- i. Right-of-way dedication, in accordance with the Comprehensive Transportation Plan, may be required by the City Council when it determines that:
  - a. Said dedication does not result in the deprivation of all reasonable use of the original tract; and
  - b. The dedication is reasonably related to the traffic generated by the proposed use of land, or the impact of the dedication is mitigated by other measures, including the use of density credits as herein prescribed, on contiguous land owned by the subdivider.

*This subsection mirrors the NC General Statutes (NCGS 136.66-10(a)(1) as applicable to the City of Asheboro's approval processes (excludes the terms "special exception" and "permission" which aren't found in Asheboro's zoning ordinance in this context).*

- ii. Density credits may be issued when public right-of-way dedication is required by the Subdivision Ordinance or deemed necessary to meet the evidentiary requirements to grant a Conditional or Special Use Permit. When density credits are issued, the minimum lot sizes prescribed by Table 200-1 and permissible floor area ratio calculations may be modified.

## DRAFT AS OF ~~9-28-16~~10-21-16

Note that these provisions only apply to right-of-way identified by the CTP in excess of 50.' The Subdivision Ordinance already requires public right-of-way be a minimum of 50' wide.

### **C. Definitions**

TERMS	DESCRIPTION
Dedicated Area (A)	Entire area of land to be dedicated for public right-of-way purposes
Area Prior to Dedication (B)	Area of zoning lot prior to public right-of-way dedication
Area After Dedication (C)	B minus A (i.e. land in zoning lot remaining after dedication is made)
Ratio of Dedicated Area to Area Prior to Dedication (D)	A divided by B
Minimum Lot Size Prior to Dedication (E)	Minimum lot size requirement prior to application of density credit
Minimum Lot Size After Dedication (F)	Minimum lot size after application of density credit (E-[E*D])
<u>Maximum Gross Floor Area Allowable for Each Lot Subject to a Density Credit (G)</u>	<u>Gross Floor Area permitted for a lot possessing the zoning district's minimum lot square footage</u>

### **D.) Modification of Minimum Lot Size and Affect on Permissible Floor Area Ratio**

A density credit shall be calculated by dividing the area of the land dedicated (A) by the area prior of the land prior to dedication (B). The resulting figure (D) shall be used in determining the minimum lot size after dedication (F). The maximum gross floor area allowable for each lot subject to a density credit (G) may be calculated as the maximum gross floor area permitted for a lot possessing the zoning district's minimum lot square footage (E).

For example, if the zoning lot in question is fifty (50) acres in area (B), zoned R10 and five (5) acres is to be dedicated for public right-of-way (A), the minimum lot size in the subdivision after dedication (F) is 9,000 square feet. The maximum gross floor area allowable (G) is 10,000 \* .22 or 2,200 s.f.

*This provision applies to residential and non-residential zoned properties.*

### **E.) Recordation required for issuance of density credits**

Dedication of land for public right-of-way, as provided herein, shall be offered to the public. ~~Proof of such dedication~~Dedication, in the form of an instrument recorded in the Randolph County Public Registry, shall ~~occur be furnished to the Zoning Administrator~~ prior to the issuance of any zoning permit or subdivision approval that incorporates the use of density credits.

**DRAFT AS OF ~~9-28-16~~10-21-16**

*While a zoning permit or subdivision approval may still be issued without this recordation, in order to qualify for the density credits described in this subsection, this is a requirement.*

**Article 1100:**

**Density Credit:** the potential for the improvement or subdivision of part or all of a parcel of real property, as permitted under the terms of the zoning and/or subdivision ordinance, expressed by a reduction of minimum lot size, pursuant to NCGS 160A-381 and NCGS 136-66.10

Proposed Subdivision Ordinance Amendments  
**Draft as of 9-28-2016**

**Staff Note:** This draft text is being presented during the Planning Board meeting held on October 3, 2016. Staff will request this item be continued until the November 7, 2016 Planning Board meeting to allow additional time for public review and comment.

**Purpose:**

The proposal is intended to ensure compliance with Session Law 2015-246, which requires a zoning ordinance to provide density credits or severable development rights when rights-of-way are dedicated pursuant to an adopted Comprehensive Transportation Plan. Previously, such credits were permitted but not required. The applicable part of the session law is below:

**ZONING DENSITY CREDITS SECTION 16.** *G.S. 160A-381(a) reads as rewritten:*

*"(a) For the purpose of promoting health, safety, morals, or the general welfare of the community, any city may adopt zoning and development regulation ordinances. These ordinances may be adopted as part of a unified development ordinance or as a separate ordinance. A zoning ordinance may regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land. The ordinance ~~may~~ shall provide density credits or severable development rights for dedicated rights-of-way pursuant to G.S. 136-66.10 or G.S. 136-66.11."*

In order to establish the mechanism by which such credits can be offered, the following amendments to the subdivision ordinance are necessary.

ARTICLE VI  
COMPLIANCE WITH OFFICIAL PLANS

I. THOROUGHFARE PLANS COMPREHENSIVE TRANSPORTATION PLANS

Where a proposed subdivision includes any part of a thoroughfare boulevard or lesser classification roadway which has been designated as such upon the officially adopted Thoroughfare Plan Comprehensive Transportation Plan of the City of Asheboro, such part of such thoroughfare roadway shall be platted by the subdivider in the location shown on the plan and at the width specified in this Ordinance the Comprehensive Transportation Plan if the City Council finds that the dedication does not result in the deprivation of a reasonable use of the original tract and that the dedication is either reasonably related to the traffic generated by the proposed subdivision or use of the remaining land or the impact of the dedication is mitigated by measures provided in the local ordinance. In such instances, a density credit shall be provided in accordance with the Asheboro Zoning Ordinance.

ARTICLE IX  
REQUIRED IMPROVEMENTS AND DESIGN STANDARDS

I.B.4 Conformity to ~~Thoroughfare Plan~~ Comprehensive Transportation Plan

The alignment of all proposed streets shall follow the general alignments shown in the adopted Asheboro ~~Thoroughfare Plan~~ Comprehensive Transportation Plan. Proposed ~~thoroughfare~~ roadways shall be designed to appropriate ~~thoroughfare~~ standards. Density credits shall be provided in accordance with Article VI Section I.

ARTICLE X  
PLANNED UNIT DEVELOPMENTS

IV.C.4 OTHER REQUIREMENTS - Improvements

The street layout of the development shall be in conformity with the Asheboro ~~Thoroughfare Plan~~ Comprehensive Transportation Plan and:

- a. Where a proposed development will extend an existing public street such extension shall be a public street unless it is an existing dead end street not necessary for access to adjacent property.
- b. Where a through street is required to provide access to adjacent properties or for general public usefulness such street shall be a public street.
- c. Density credits shall be provided in accordance with Article VI Section I.

ARTICLE XI  
RESIDENTIAL TOWNHOUSE DEVELOPMENTS

IV.B.4 OTHER REQUIREMENTS - Improvements

The street layout of the development shall be in conformity with the Asheboro ~~Thoroughfare Plan~~ Comprehensive Transportation Plan and:

- a. Where a proposed development will extend an existing public street such extension shall be a public street unless it is an existing dead end street not necessary for access to adjacent property.
- b. Where a through street is required to provide access to adjacent properties or for general public usefulness such street shall be a public street.
- c. Density credits shall be provided in accordance with Article VI Section I.

ARTICLE XII  
RECREATIONAL VEHICLE RESORTS

IV.B.2 OTHER REQUIREMENTS - Improvements

The street layout of the development shall be in conformity with the Asheboro Thoroughfare Plan ~~Plan~~ Comprehensive Transportation Plan and:

- a. Where a proposed development will extend an existing public street such extension shall be a public street unless it is an existing dead end street not necessary for access to adjacent property.
- b. Where a through street is required to provide access to adjacent properties or for general public usefulness such street shall be a public street.
- c. Density credits shall be provided in accordance with Article VI Section I.



**RZ-16-14: Request to rezone from R10 (Medium-Density Residential) and B2  
(General Commercial) to B2**

(153 and 175 NC Hwy. 49 South)

**Staff Report**

# Rezoning Staff Report

RZ Case # RZ-16-14

Date 11/7/2016 PB

12/8/2016 CC

## General Information

**Applicant** Billy E. Loflin

**Address** 175 NC Hwy. 49 South

**City** Asheboro NC 27205

**Phone** 336-362-1891

**Location** 153 and 175 NC Hwy. 49 South

**Requested Action** Rezone from R10 (Medium-Density Residential )to B2 (General Commercial)

**Existing Zone** R10/B2

**Existing Land Use** Mobile (Modular) Home Sales Lot

**Size** 0.95 acres +/- of 2.78 acres +/-

**Pin #** 7750151017 and 7750152180

## Applicant's Reasons as stated on application

In order to make a viable piece of commercial real estate, as the new 4-way stop sign creates a commercial zone at Mack Rd. and Hwy. 49 S. Plan calls for the entire plot (2.04 acres) to be B-2 commercial. Historically used as a commercial site. The new 49S/Mack Rd. four way stop creates a more permanent commercial intersection.

## **Surrounding Land Use**

**North** Commercial/NCDOT Right-of-way

**East** Commercial

**South** Dwelling, Multiple Family (Elderly)

**West** Commercial

**Zoning History** No rezoning history. See #5 below for general history of property.

## **Legal Description**

The properties of Select Homes, Inc. located at 153 and 175 NC 49 South, totaling approximately 0.95 acres +/- of 2.78 acres +/-, more specifically identified by Randolph County Parcel Identification Nos. 7750151017 and 7750152180.

## **Analysis**

1. The property is inside the city limits. All city services are available.
2. NC Hwy. 49 South is a state-maintained major thoroughfare at this location. Mack Road is considered a minor thoroughfare at this location.
3. Mack Road is being extended from NC 49 to US Hwy. 64 West. Along with this extension, a traffic signal has been installed at the intersection of Mack Road and NC Hwy. 49 South and driveway locations near the intersection are being realigned for improved safety and mobility. This work is currently being finalized.
4. A portion of the properties are currently zoned B2 (General Commercial).
5. The current use (mobile home (which also includes modular homes) sales lot) was also permitted for a display home. At the time the zoning compliance permit for the use on this portion of the property was permitted (1995), the display home was permitted on the portion of the property zoned R10.
6. The B2 district is characterized by the Zoning Ordinance Statement of intent as "intended to serve the convenience goods, shoppers goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets."

# Rezoning Staff Report

RZ Case # RZ-16-14

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.*

**Proposed Land Use Map Designation** Commercial  
**Small Area Plan** Southwest  
**Growth Strategy Map Designation** Primary Growth

## LDP Goals/Policies Which Support Request

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

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

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

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

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

# Rezoning Staff Report

RZ Case # RZ-16-14

Page 3

## LDP Goals/Policies Which Do Not Support Request

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

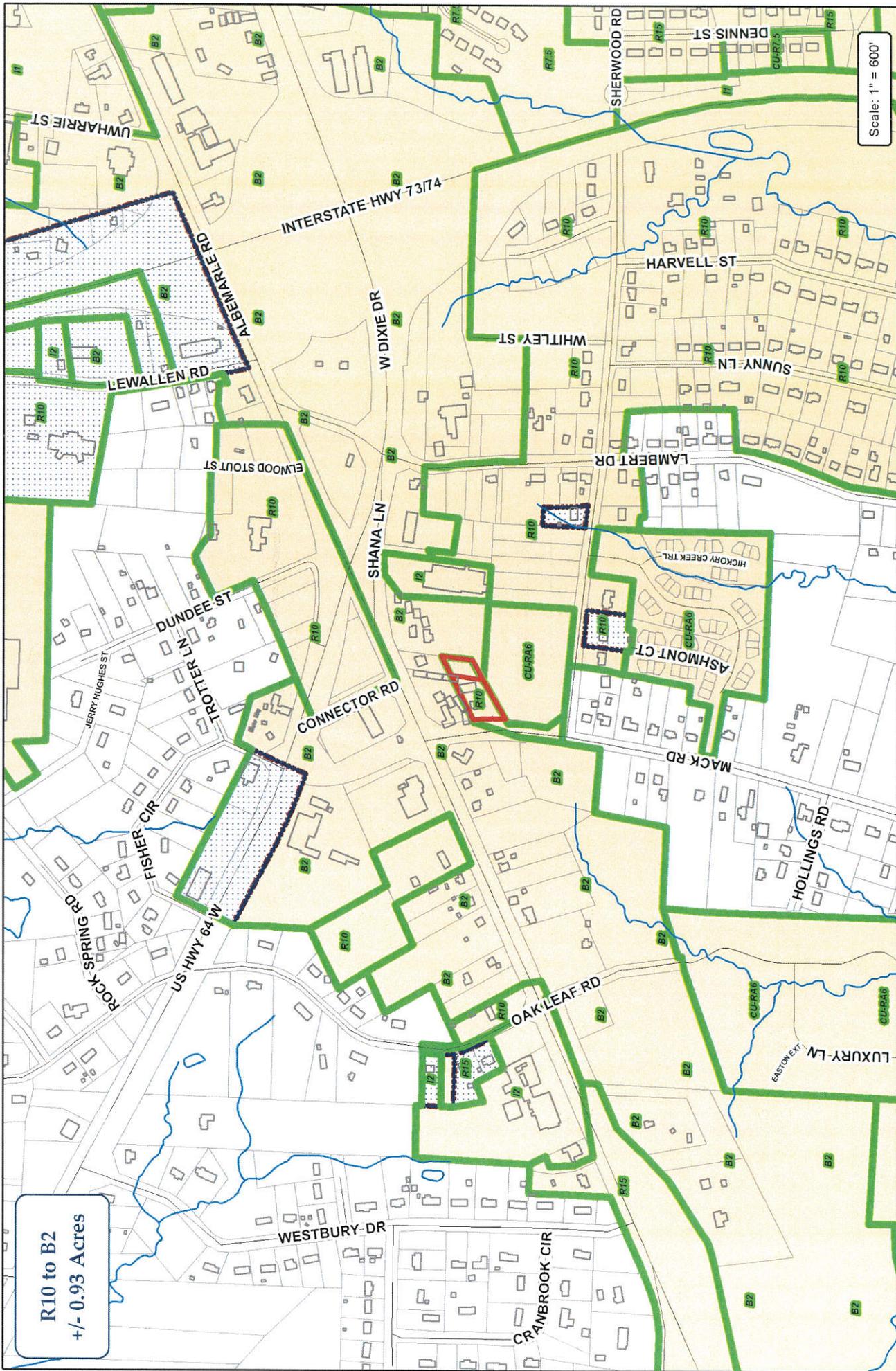
Along with the commercial designation of the property by the Land Development Plan (LDP) and the commercial history of the property and adjoining properties at this key intersection, this request is consistent with the Land Development Plan's Southwest Small area plan. The small area plan identifies the need to accommodate existing and some limited commercial development along NC Hwy. 49 South. Along with access to city services (water, sewer), intersection improvements that are currently being completed to improve traffic flow in the area further make the intersection more feasible for commercial use.

The zoning ordinance statement of intent describing where B2 zoning should be designated also fits the specific context of this property being located at the intersection of a major and minor thoroughfare.

The property's location outside of flood hazard, watershed, or areas of steep slopes also help make the B2 Commercial B2 designation suitable.

Given these factors, staff believes that the request is consistent with the adopted LDP, and is therefore reasonable and in the public interest.

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



R10 to B2  
+/- 0.93 Acres

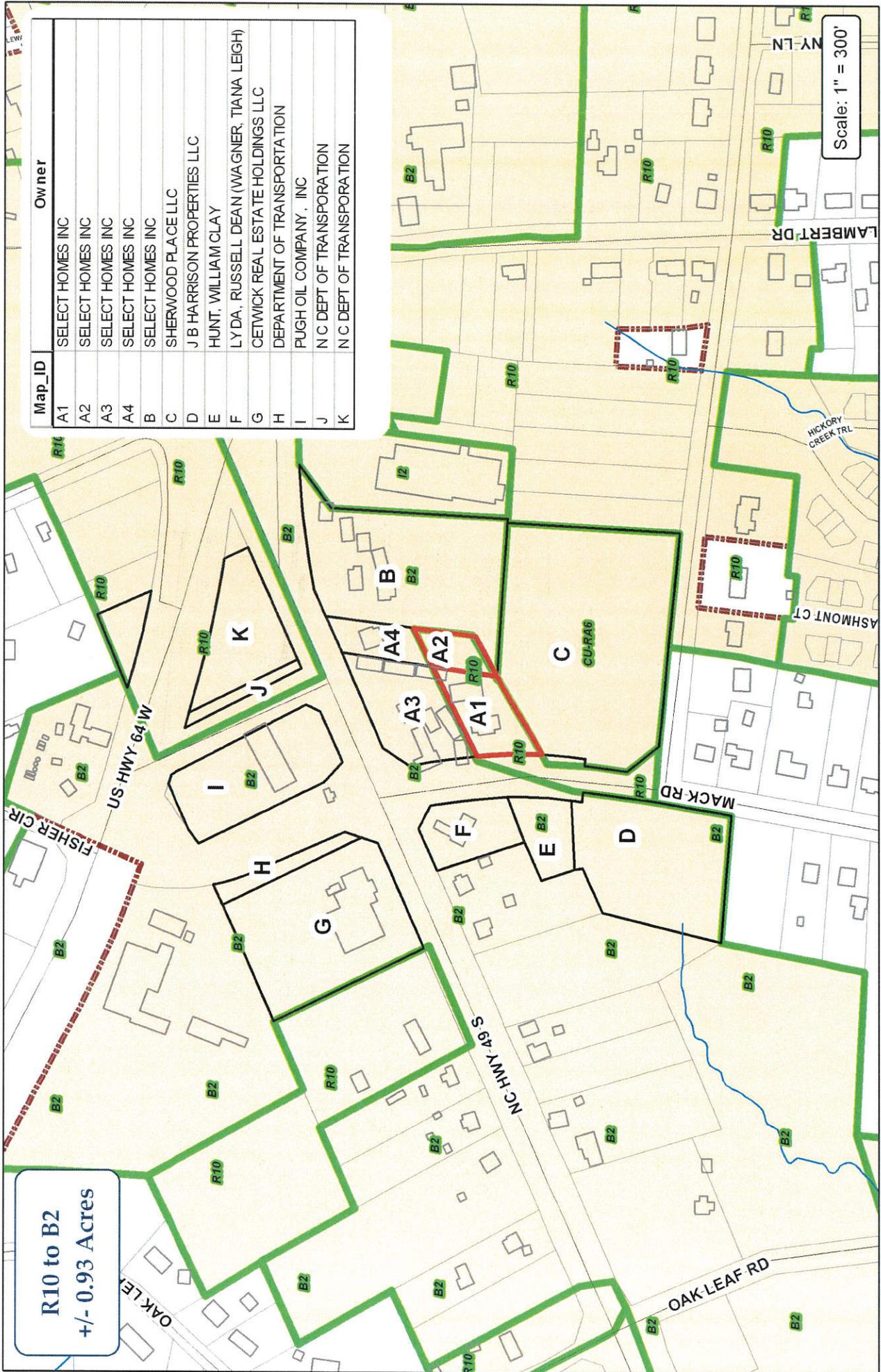
Scale: 1" = 600'



Subject Property  
Zoning  
City Limits  
ETJ

City of Asheboro  
Planning & Zoning Department  
Rezoning Case: RZ-16-14  
Parcel: 7750151017 & 7750152180





Map_ID	Owner
A1	SELECT HOMES INC
A2	SELECT HOMES INC
A3	SELECT HOMES INC
A4	SELECT HOMES INC
B	SELECT HOMES INC
C	SHERWOOD PLACE LLC
D	J B HARRISON PROPERTIES LLC
E	HUNT, WILLIAM CLAY
F	LY DA, RUSSELL DEAN (WAGNER, TIANA LEIGH)
G	CETWICK REAL ESTATE HOLDINGS LLC
H	DEPARTMENT OF TRANSPORTATION
I	PUGH OIL COMPANY, INC
J	N C DEPT OF TRANSPORTATION
K	N C DEPT OF TRANSPORTATION

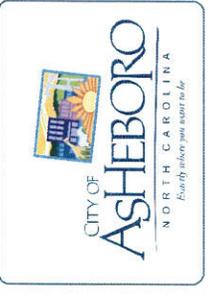
Scale: 1" = 300'

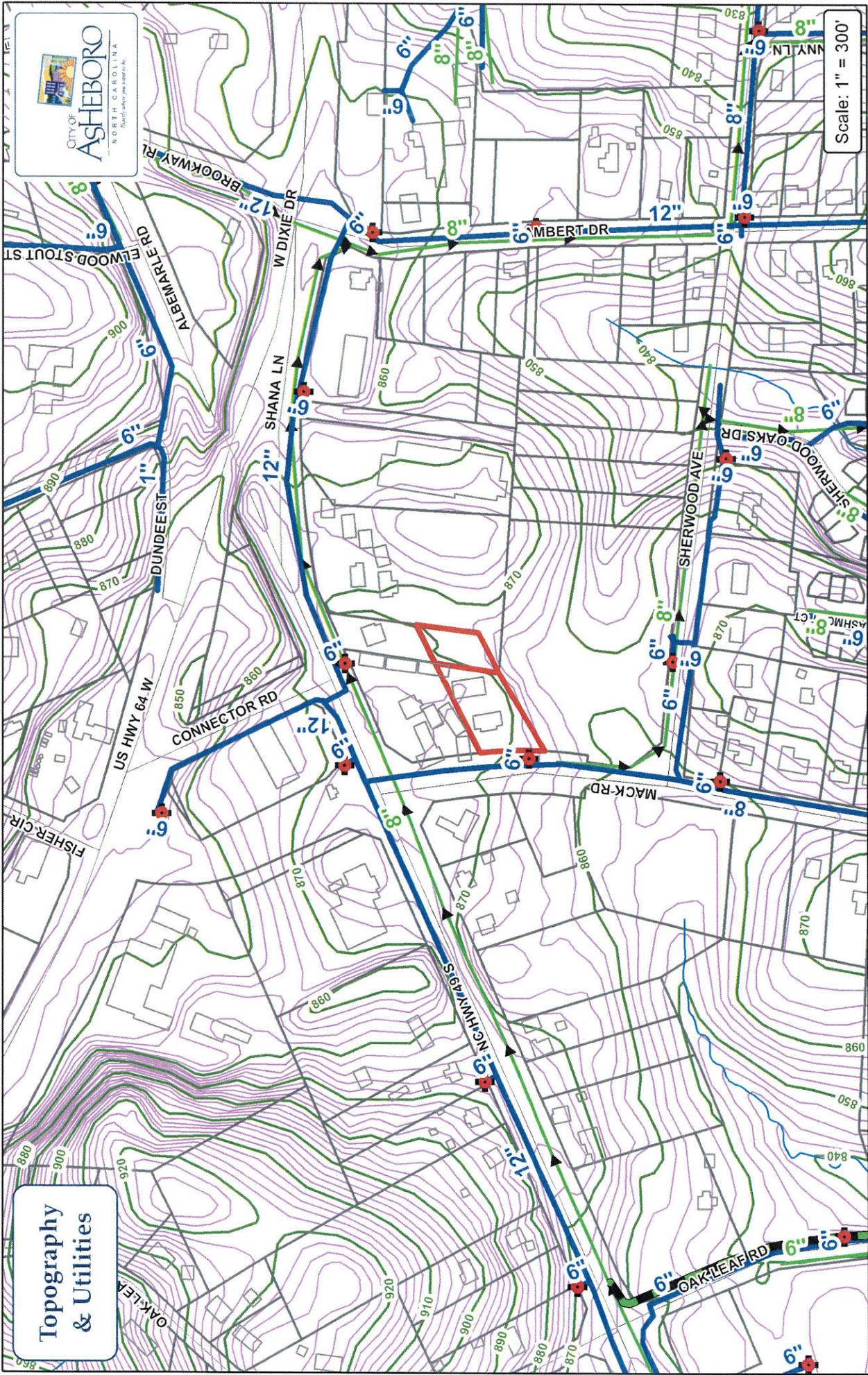


- Subject Property
- Adjoining Properties
- Zoning
- City Limits

**R10 to B2**  
 +/- 0.93 Acres

**City of Asheboro**  
**Planning & Zoning Department**  
 Rezoning Case: RZ-16-14  
 Parcel: 7750151017 & 7750152180





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

City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-16-14  
 Parcel: 7750151017 & 7750152180



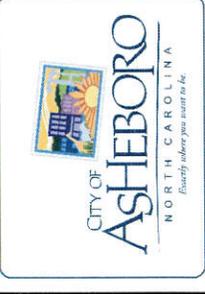
Aerial

Scale: 1" = 300'



Subject Property  
Zoning

City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-16-14  
 Parcel: 7750151017 & 7750152180





**RZ-16-15: Request to rezone from I2 (General Industrial) and B3 (Central Commercial) to B3**

(133 and 139 South Church Street)

**Staff Report**

# Rezoning Staff Report

RZ Case # **RZ-16-15**

Date 11/7/2016 PB

12/8/2016 CC

## General Information

**Applicant** VSR, LLC Jerry Neal and Dustie Gregson

**Address** 4212 Beckerdite Rd.

**City** Sophia NC 27350

**Phone** 336-804-0048

**Location** 133 South Church Street and 139 South Church Street

**Requested Action** Rezone from I2 (General Industrial) and B3 (Central Commercial) to B3 (Central Commercial)

**Existing Zone** I2/B3

**Existing Land Use** Vacant Manufacturing/Eating establishment

**Size** 1.23 acres +/-

**Pin #** 7751726479 and 7751725531

## Applicant's Reasons as stated on application

Rezoning from I2 to B3 allows for renovation to meet the needs of the community since industry has moved out and B3 allows us to line up with the vision of the downtown development. The LDP promotes and encourages this area to be an "activity center" for downtown Asheboro. Rezoning to a B3 allows that plan to materialize. Most of the industrial uses of the surrounding buildings have moved out. This allows for restoring these structures to be used for retail and hospitality and building on the LDP to make downtown a "city center" of activity.

## Surrounding Land Use

**North** Central Business District

**East** Railroad/Bicentennial Park

**South** Dwelling-Multiple Family Units

**West** Asheboro Farmers Market/Commercial

**Zoning History** 4-2012: A portion of the property at 139 South Church Street (Parcel #7751725531) was rezoned from I2 to B3 (Case No. RZ-12-03)

## Legal Description

The property of VSR, LLC, located at 133 S. Church St. and more specifically identified by Randolph Co. PIN #7751726479 and Table Bakery LLC, located at 139 S. Church St, more specifically identified by Randolph Co. PIN#7751725531. Both parcels total approximately 1.23 acres +/-.

## Analysis

1. The property is inside the city limits. All city services are available.
2. South Church Street is a state-maintained minor thoroughfare at this location.
3. The property is located within Tier 1 (Central Business Planning Area) of the Center City Planning Area. Tier 1 is described by the zoning ordinance as "established to strengthen Asheboro's Center City Planning Area by incorporating a mix of commercial, office, institutional, residential and public open space uses".
4. The previous use of 133 S. Church Street was manufacturing, processing, and assembly- heavy and warehousing. This existing structure has been vacant since 1998.
5. The existing use of 139 S. Church St. is an eating establishment. Additional property that was acquired and recombined with this parcel after the original tract was rezoned B3 in 2012 is part of this rezoning request. This additional property is currently zoned I2.
6. The B3 Central Commercial District is intended to be applied to the traditional commercial, governmental, administrative and service core of Asheboro, commonly known as the Central Business District (Zoning Ordinance, Sec. 210). It is also distinct from other commercial districts by requiring no off-street parking.
7. Both 133 S. Church St. and 139 S. Church St. are on the National Register of Historic Places.
8. Adaptive reuse of formerly industrial properties for commercial and residential uses has occurred in the area in recent years.

# Rezoning Staff Report

RZ Case # RZ-16-15

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.*

**Proposed Land Use Map Designation** City Activity Center

**Small Area Plan** Central

**Growth Strategy Map Designation** Primary Growth

## LDP Goals/Policies Which Support Request

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

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

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

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

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

**Checklist Item 10:** Rezoning is consistent with Land Category Descriptions

**Checklist Items 12, 13, and 14:** 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%.

**Goal 2.2:** Development that is located in appropriate locations

# Rezoning Staff Report

RZ Case # RZ-16-15

Page 3

## LDP Goals/Policies Which Do Not Support Request

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

The property is part of the City Activity Center, which is described by the Land Development Plan (LDP) as "the historic core of community life in Asheboro." This description further states that the City Activity Center "incorporates a mix of commercial, office, institutional, residential, and public open space uses." Uses permitted in the B3 district generally fit this description, and are likely more compatible with the City Activity Center designation than some uses permitted by the current I2 industrial zoning. The Central Small Area Plan also emphasizes the importance of the preservation/revitalization of the City Center as a key issue.

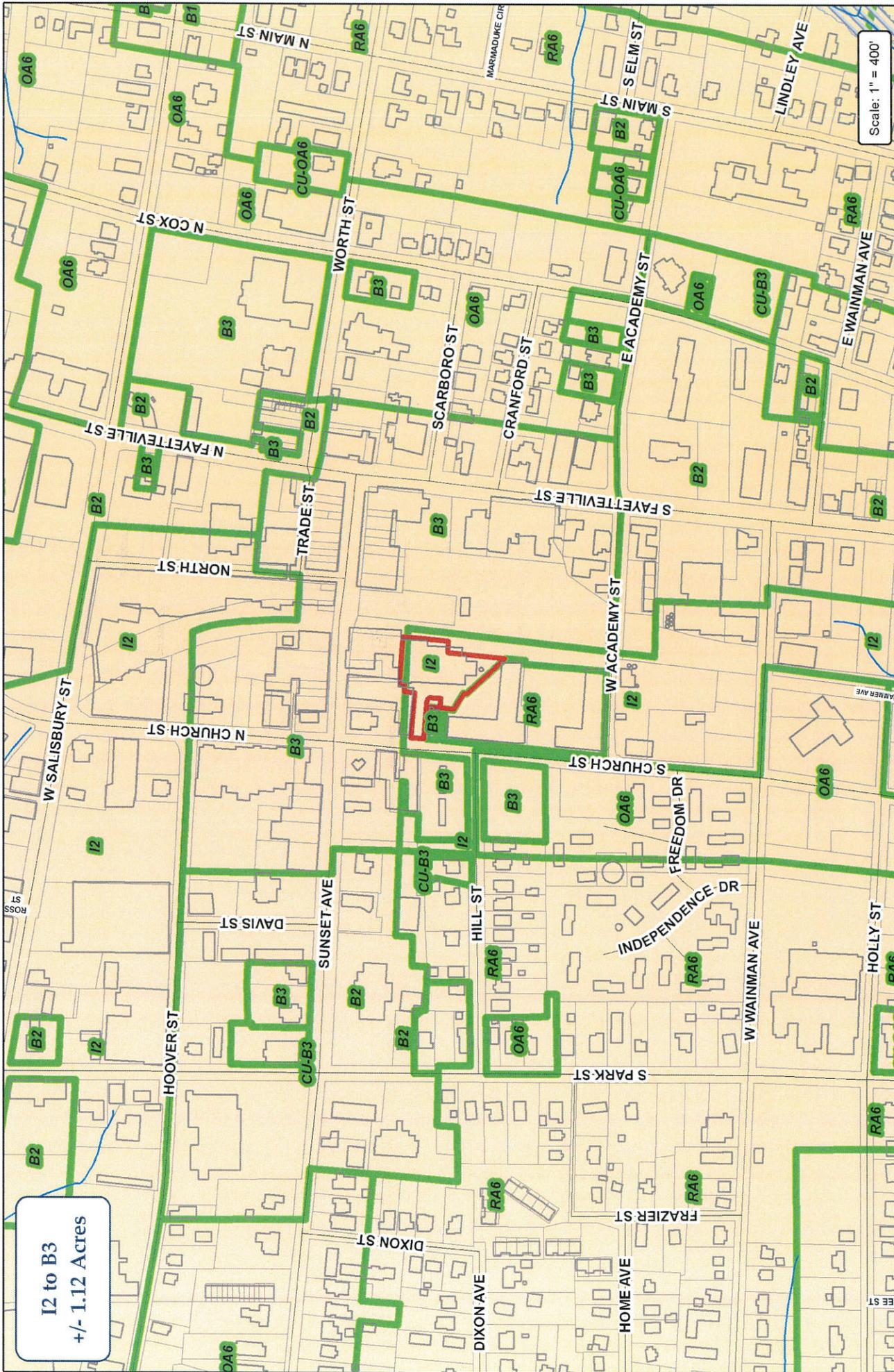
The Land Development Plan and other efforts also encourage adaptive reuse of properties, and adaptive reuse of surrounding properties has changed the character of the immediate area from industrial in nature to a mix of uses described by the City Activity Center designation.

These are also several transportation factors that support the B3 rezoning request. There is available on-street and off-street public parking in the vicinity. Recent improvements have also occurred which make South Church Street safer and more attractive for pedestrian and bicycle travel.

Finally, the property's location outside of watershed, flood areas, or areas with steep topography help make the requested B3 district appropriate

These factors make the request consistent with the adopted LDP, and therefore reasonable and in the public interest.

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



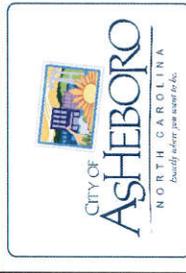
I2 to B3  
+/- 1.12 Acres

Scale: 1" = 400'



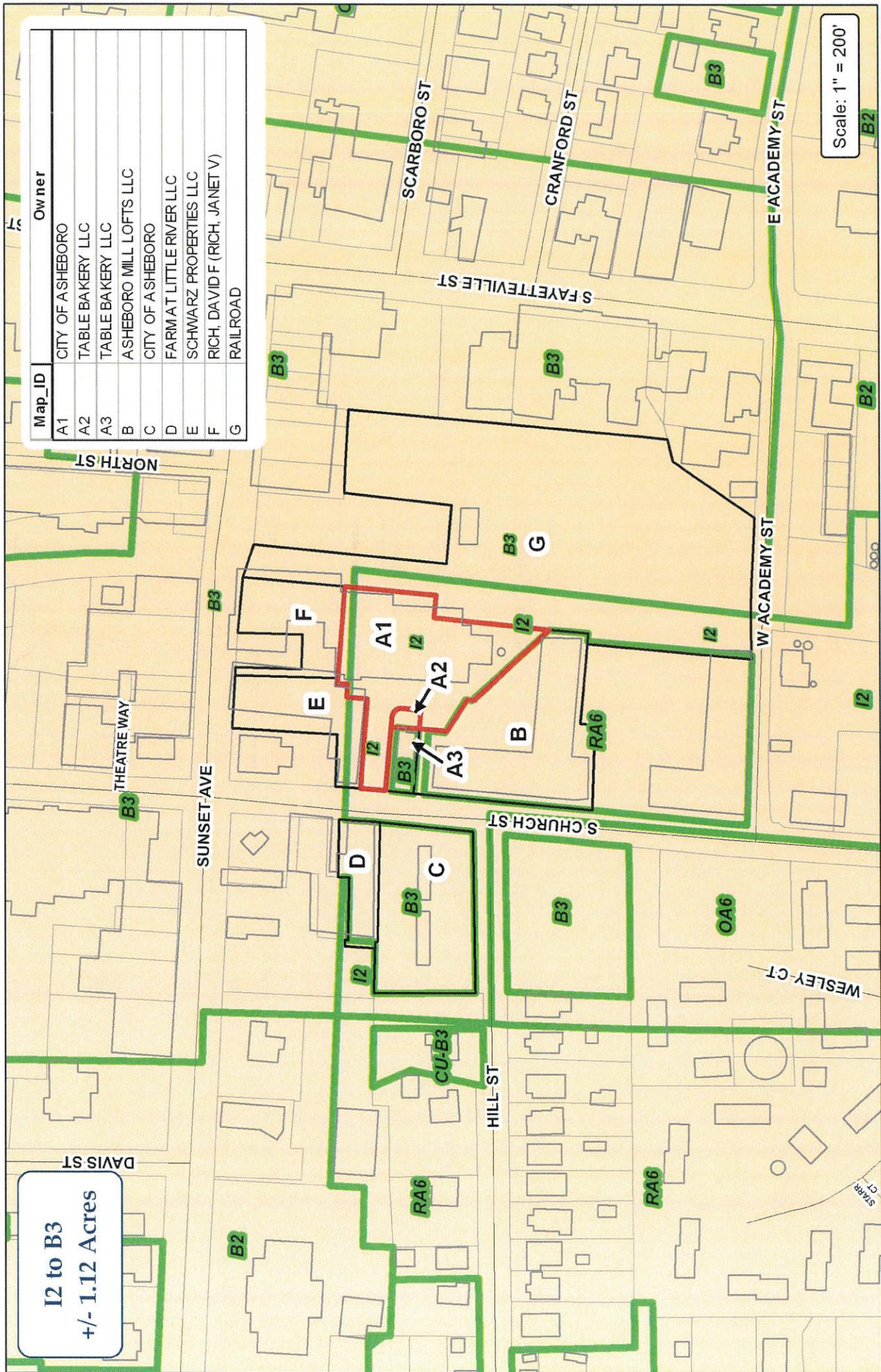
Subject Property  
Zoning  
City Limits  
ETJ

City of Asheville  
Planning & Zoning Department  
Rezoning Case: RZ-16-15  
Parcel: 7751725531 & 7751726479



I2 to B3  
+/- 1.12 Acres

Map_ID	Owner
A1	CITY OF ASHEBORO
A2	TABLE BAKERY LLC
A3	TABLE BAKERY LLC
B	ASHEBORO MILL LOFTS LLC
C	CITY OF ASHEBORO
D	FARM AT LITTLE RIVER LLC
E	SCHWARZ PROPERTIES LLC
F	RICH, DAVID F (RICH, JANET V)
G	RAILROAD

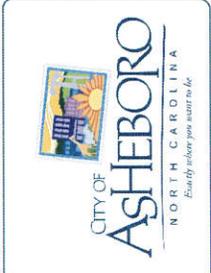


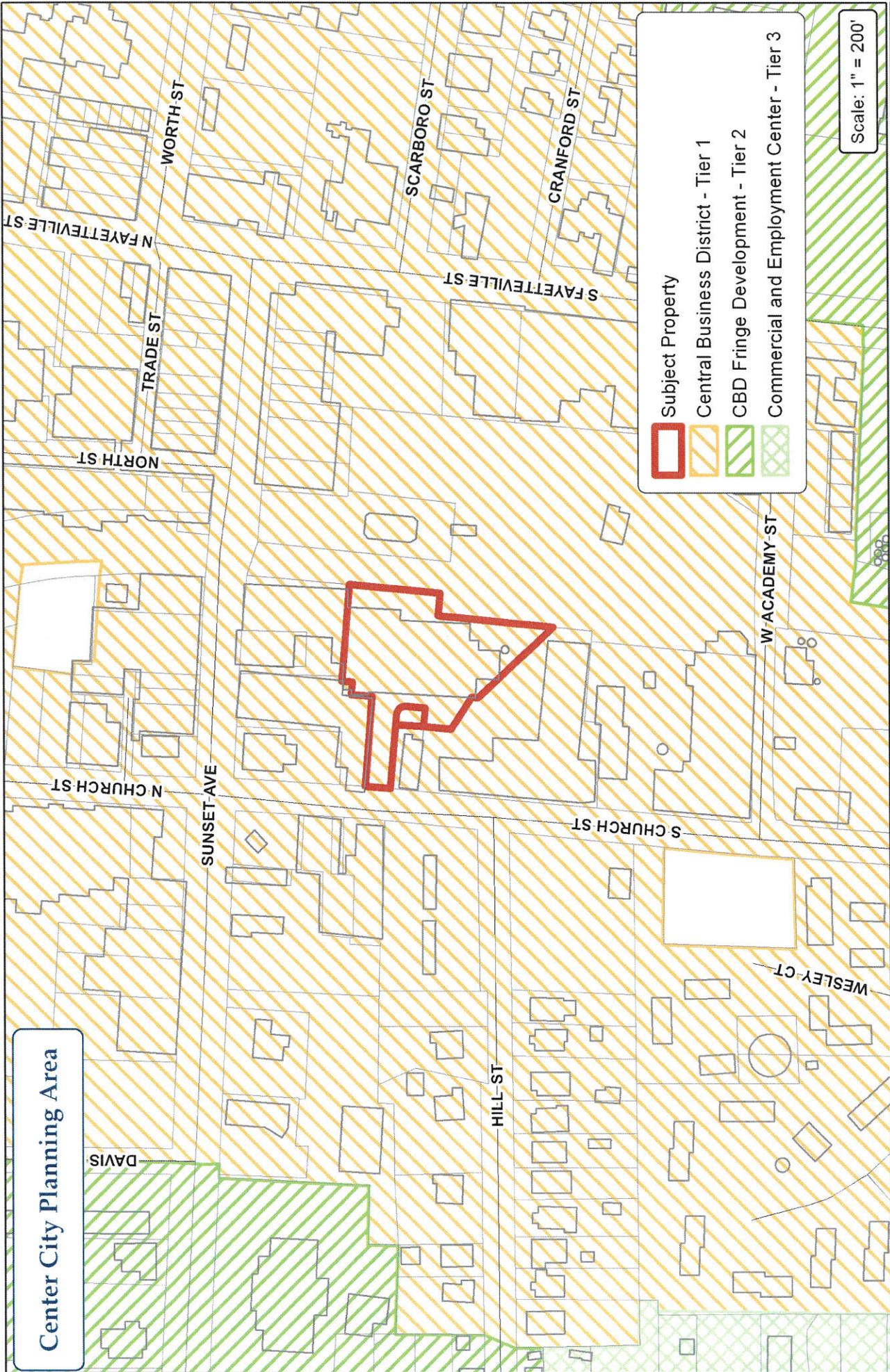
Scale: 1" = 200'



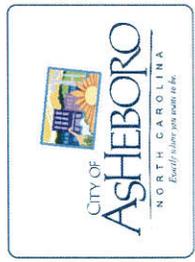
-  Subject Property
-  Adjoining Properties
-  Zoning
-  City Limits

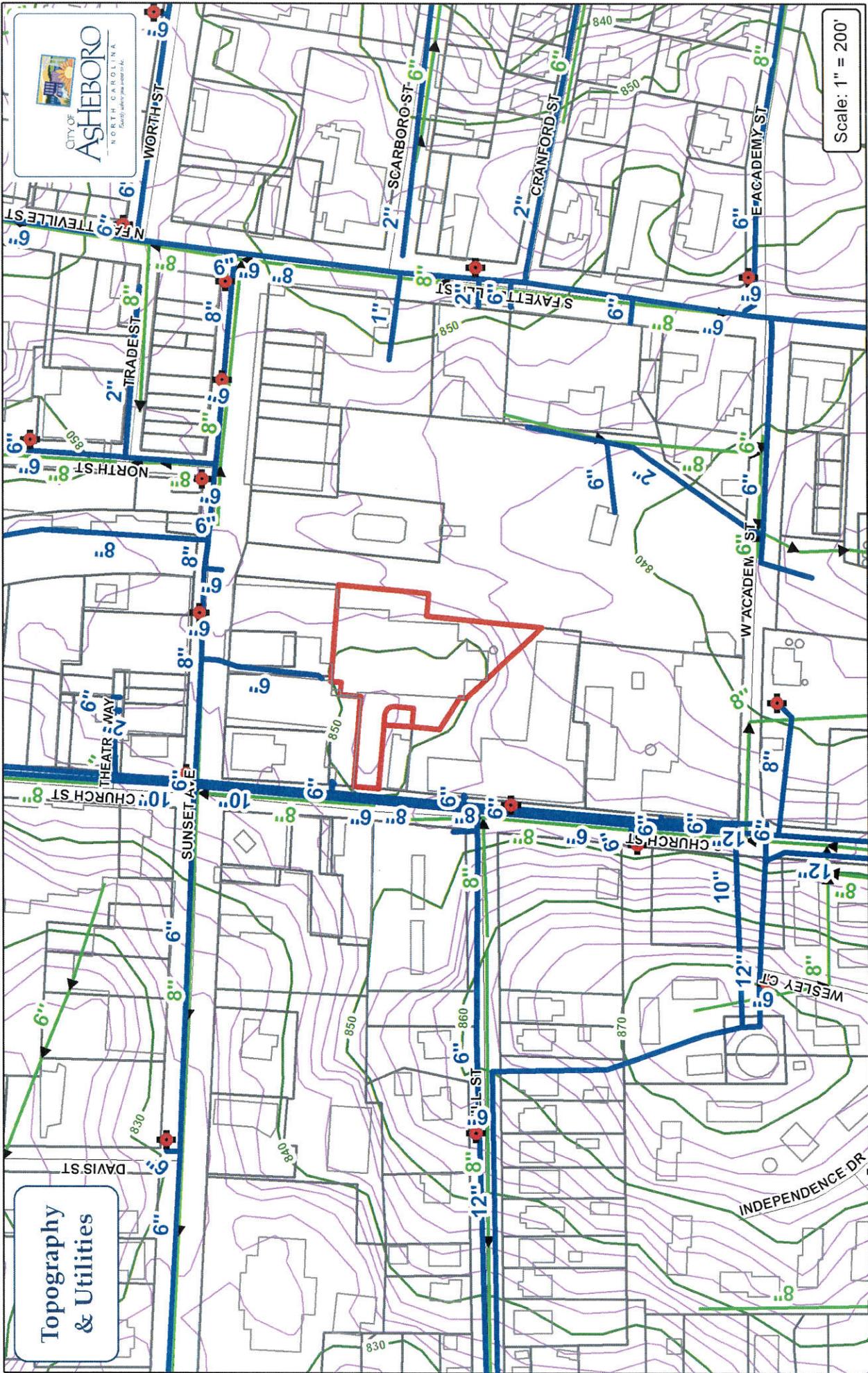
**City of Asheville**  
**Planning & Zoning Department**  
**Rezoning Case: RZ-16-15**  
**Parcel: 7751725531 & 7751726479**



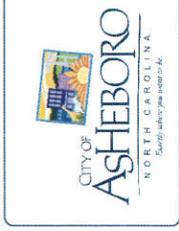


City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-16-02  
 Parcel: 7751725531 & 7751726479

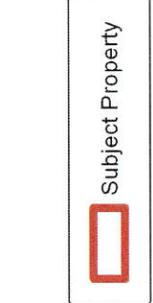




**Topography  
& Utilities**



Scale: 1" = 200'



City of Asheville  
 Planning & Zoning Department  
 Rezoning Case: RZ-16-15  
 Parcel: 7751725531 & 7751726479

	Water Main		Fire Hydrant
	Sewer Main		Pump Station
	Force Main		



Scale: 1" = 200'



Subject Property  
Zoning

City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-16-15  
 Parcel: 7751725531 & 7751726479



Aerial



**SUB-12-01: Olde Towne Village, Phase 2**

Final Plat Certification for public right-of-way, common area and  
Lots 35, 36, and 41

**Staff Report**

**SUBDIVISION STAFF REPORT**  
Final Plat

**CASE #** SUB-12-01

**Date** 11-7-2016 PB  
11-10-2016 CC

**GENERAL INFORMATION**

**Subdivision Name** Olde Towne Village Section II, Phase II  
**Requested Action** Final Plat Approval  
**Applicant** Venn Asheboro LLC  
**Address** 216 N. Spruce St. Suite 2A, Winston-Salem, NC 27101  
**Phone** 336-749-1012  
**Location** South side of Old Lexington Road

**PARCEL INFORMATION**

**PIN** 7741981618

**Size** 0.99 acres +/-

**Number of Lots** 3 + common area

**Existing Zoning** CU-R10

**Average Lot Size** 3,556 square feet (+/-)

**Existing Land Use** Residential PUD

**Surrounding Land Use**

**North** Low-density residential

**East** Low-density residential

**South** Undeveloped

**West** Low-density residential

**LAND DEVELOPMENT PLAN**

**Growth Strategy Map** Long-Range Growth

**Proposed Land Use Map** Suburban Residential

**Small Area Plan Map** Northwest

**Identified Activity Center?** No

**Development Issues**

1. The development includes detached single-family and attached single-family dwellings (two dwellings per structure).
2. City Council approved a Conditional Use Permit request for this development in June, 2012, and a preliminary plat in July, 2012.
3. A new preliminary plat was reviewed and approved in February, 2016 due to this substantial modification to the number and ratio of detached/attached dwellings for Section II of the development.
4. A subdivision variance was granted during the sketch design review allowing reduced right-of-way widths for public streets within the subdivision. No reduction in street widths is proposed.
5. Section II of the development includes a total of 16 lots, consisting of 4 attached dwellings (2 structures with 2 dwellings each) and 12 detached dwellings..
6. This final plat proposes dedication of public right-of-way, common area, and three (3) lots with detached dwellings. Once the public right-of-way is dedicated, the subdivision of additional lots may be reviewed by staff as a minor subdivision(s).

**SUBDIVISION STAFF REPORT**  
Final Plat

**DEPARTMENT COMMENTS**

**Engineering**      No plat comments.

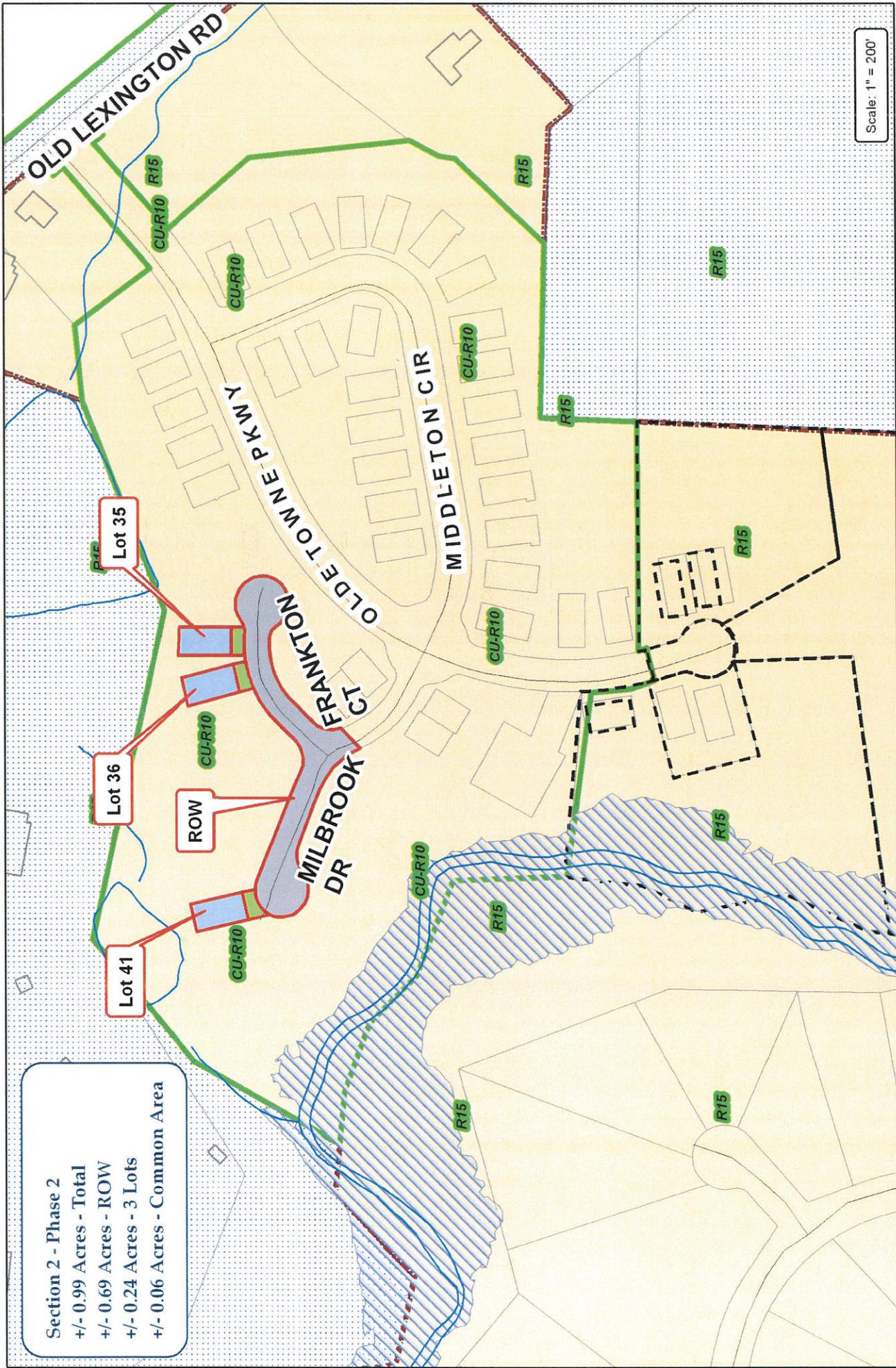
**Public Works**      Punchlist items (improvements) are pending.

**Planning**      Homeowners' documents restricting RV parking as required by the Ordinance shall be submitted and recorded with the final plat.  
  
A guarantee on uncompleted improvements will be required prior to recordation of final plat.

**Other**

**Staff Recommendation**      Approve noting above comments.

**Planning Board Recommendation**      The Planning Board will consider this request during its regular meeting on November 7, 2016. A recommendation will be available after that time.



Scale: 1" = 200'

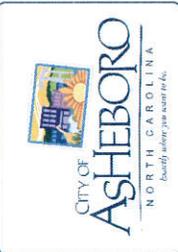


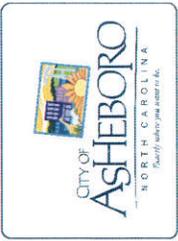
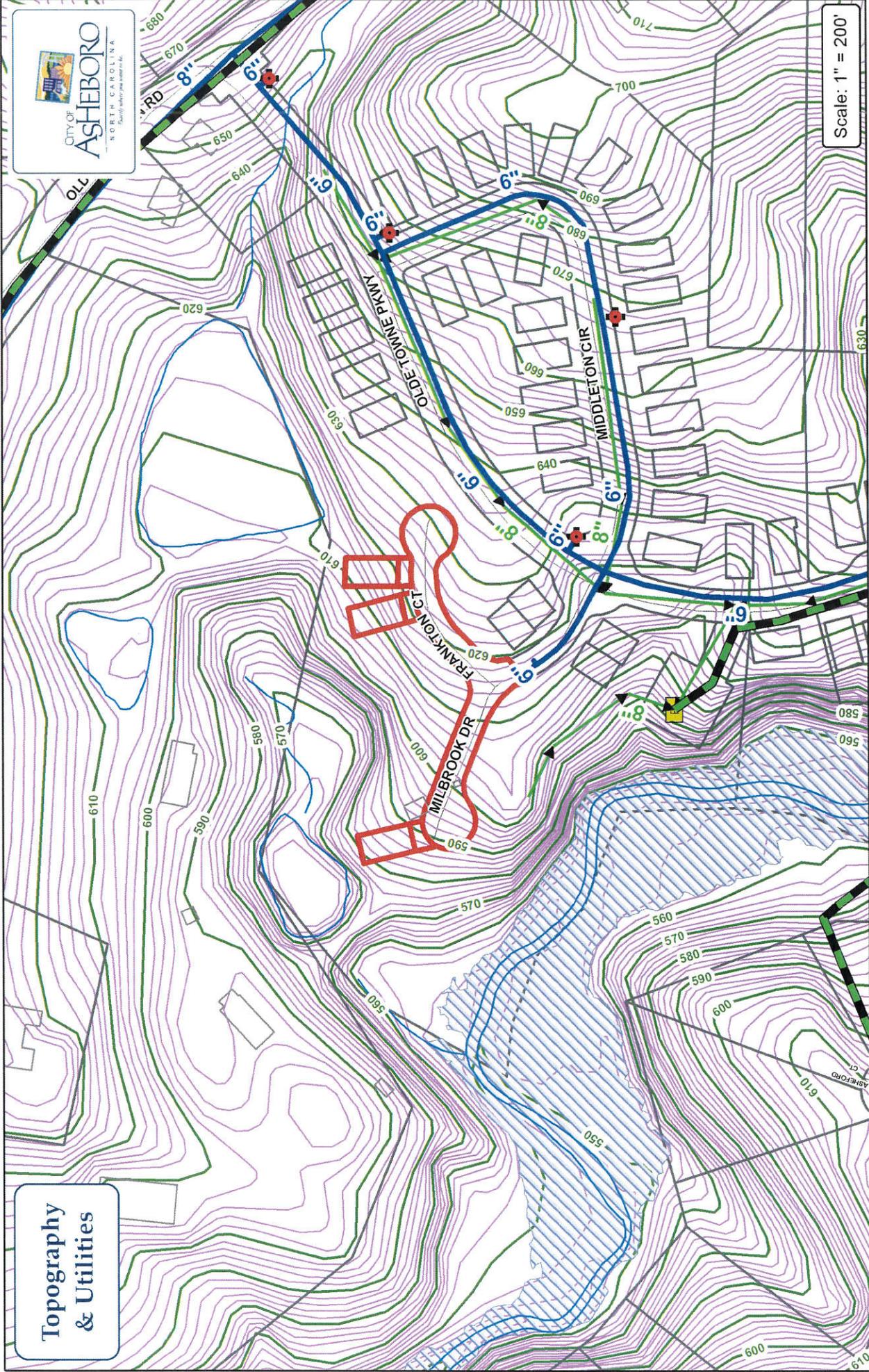
Subject Property  
 Zoning  
 City Limits  
 ETJ

**Section 2 - Phase 2**  
 +/- 0.99 Acres - Total  
 +/- 0.69 Acres - ROW  
 +/- 0.24 Acres - 3 Lots  
 +/- 0.06 Acres - Common Area

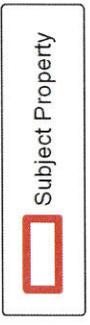
City of Asheboro  
 Planning & Zoning Department  
 Subdivision Case: SUB-12-01  
 Parcel: 7741981618 (pt)

Lot  
 ROW  
 Common Area  
 SUB-15-01





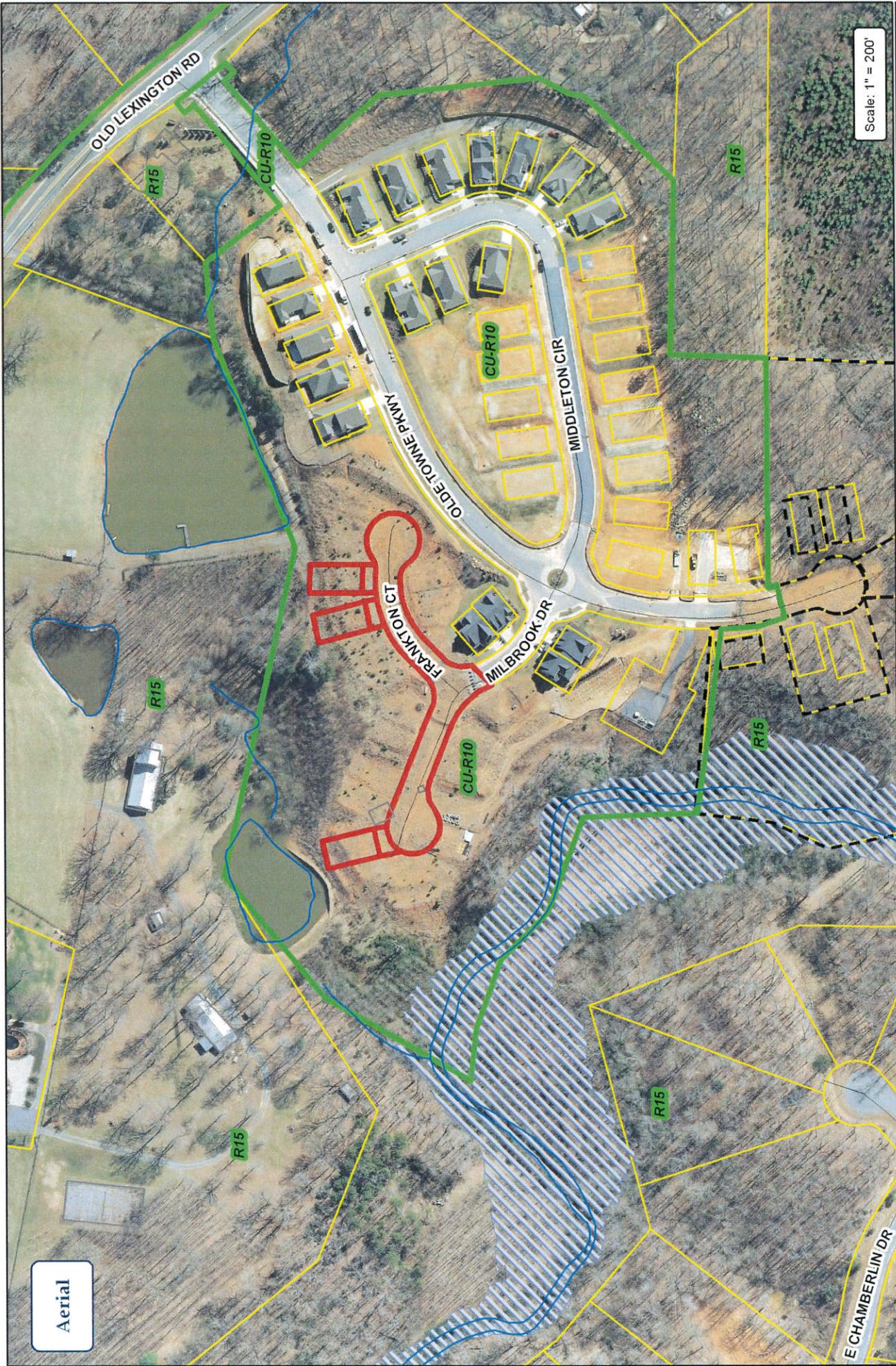
Scale: 1" = 200'



City of Asheboro  
 Planning & Zoning Department  
 Subdivision Case: SUB-12-01  
 Parcel: 7741981618 (pt.)

Topography  
& Utilities

	Water Main		Fire Hydrant
	Sewer Main		Pump Station
	Force Main		



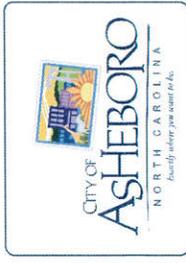
Scale: 1" = 200'



Subject Property  
Zoning

City of Asheboro  
 Planning & Zoning Department  
 Subdivision Case: SUB-12-01  
 Parcel: 7741981618 (pt)

Aerial



**CERTIFICATE OF ACCURACY**  
 I, STEWART W. SCOTT, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND DESCRIBED IN THE DESCRIPTION, RECORDED IN D.B. 2000 PG. 179. THAT THE BOUNDARIES NOT SHOWN ARE CLEARLY IDENTIFIED BY THE BOUNDARIES SHOWN IN THIS BOOK AS PAGE SHOWING THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+. THAT THE BOUNDARIES SHOWN IN ACCORDANCE WITH G.S. 47-2-30 AS AMENDED.  
 THIS SURVEY CREATES A SUBDIVISION OF LAND AND IS SUBJECT TO THE ZONING ORDINANCE OF THE MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.  
 NUMBER AND SEAL THIS WITHIN THE DAY OF OCTOBER, 2018 A.D.



PROFESSIONAL LAND SURVEYOR  
 32951  
 REGISTRATION NUMBER

**NOTES APPLICABLE TO CITY OF ASHEBORO WATER AND/OR SEWER REVISIONS**

- NO STRUCTURE, TREE, SHrub OR ANY OTHER TYPE OF IMPROVEMENT SHALL BE PLACED ON THIS WATER, SANITARY SEWER AND/OR STORM FACILITIES UNLESS THEY ARE MAINTAINED BY THE CITY OF ASHEBORO SHALL.
- NO CHANGING THAT MAY EXPOSE OR INTERFERE WITH THE WATER, SANITARY SEWER AND/OR STORM FACILITIES UNLESS THEY ARE MAINTAINED BY THE CITY OF ASHEBORO SHALL.
- ALL WATER LINES, HYDRANTS, WATER SERVICE LINES (BETWEEN WATER MAIN & WATER METER), SANITARY SEWER (BETWEEN SEWER MAIN & SEWER METER) SHALL BE MAINTAINED BY THE CITY OF ASHEBORO.
- ALL TRENCHES SHALL BE MAINTAINED BY THE CITY OF ASHEBORO.
- SEWER REVISIONS WILL BE MAINTAINED BY HOMEOWNERS ASSOCIATION.

OFFICE OF WATER OPERATIONS  
 COUNTY OF RANDOLPH

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_  
 REVIEW APPROVES OF RANDOLPH COUNTY, N.C. CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

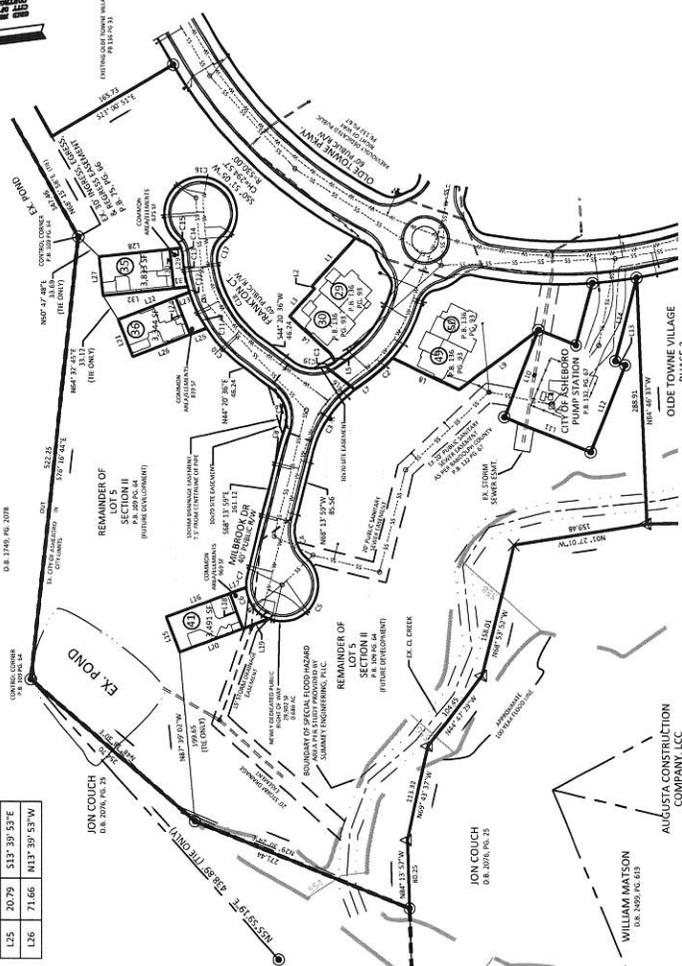
CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF REQUIRED IMPROVEMENTS  
 I HEREBY CERTIFY THAT THE DESIGN AND INSTALLATION IMPROVEMENTS HAVE BEEN INSTALLED OR PROVIDED FOR INSTALLATION IN AN ACCEPTABLE MANNER AND ACCORDING TO THE STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ PUBLIC WORKS DIRECTOR  
 OWNER \_\_\_\_\_

Line #	Length	Direction
L1	75.95	N40°26'07"W
L2	4.80	S49°33'53"W
L3	44.00	N40°26'07"W
L4	65.00	S49°33'53"W
L5	10.85	S67°06'07"W
L6	43.43	S45°54'47"W
L7	21.40	N28°56'08"W
L8	86.52	S32°51'41"W
L9	117.52	N38°59'47"W
L10	110.00	S60°37'33"E
L11	110.00	S29°22'27"W
L12	110.00	S60°37'33"E
L13	12.74	N29°22'27"E
L14	101.02	S67°41'34"E

Line #	Length	Direction
L15	44.00	N77°06'55"E
L16	79.33	S12°53'05"E
L17	20.41	S12°53'05"E
L18	44.00	S77°06'55"W
L19	32.99	N12°53'05"W
L20	79.33	N12°53'05"W
L21	46.67	N76°20'07"E
L22	71.66	S13°39'53"E
L23	17.35	S13°39'53"E
L24	46.67	S76°20'07"W
L25	20.79	S13°39'53"E
L26	71.66	N13°39'53"W

Line #	Length	Direction
L27	46.00	S88°23'06"E
L28	83.33	S1°30'54"W
L29	13.45	S1°30'54"W
L30	46.00	N88°23'06"W
L31	16.46	S1°30'54"W
L32	83.33	N1°30'54"E



**Curve Table**

Curve #	Chord Length	Bearing	Radius
C1	12.73	S07°16'13"E	42.25
C2	36.31	N35°05'59"W	170.00
C3	87.43	N48°35'07"W	130.00
C4	44.10	S80°42'50"W	42.75
C5	84.09	S09°46'38"E	42.75
C6	45.76	S61°09'24"W	42.75
C7	13.56	N77°21'28"W	42.75
C8	16.23	N65°29'50"W	170.00
C9	50.50	N60°47'28"E	42.50
C10	58.66	S54°16'40"W	170.00
C11	46.79	S72°07'21"W	170.00
C12	6.32	S81°05'51"W	170.00
C13	37.04	S88°24'56"W	170.00
C14	9.07	N85°10'29"E	27.50
C15	11.65	N65°22'21"E	27.50
C16	58.06	N8°27'50"E	42.75
C17	25.21	N61°34'59"W	27.50
C18	103.25	S67°44'27"W	130.00
C19	39.80	S16°29'41"W	42.09

**FINAL PLAT**  
**OLDE TOWNE VILLAGE SECTION II - PHASE II**  
**BUILDING 35, 36, 41 & PUBLIC RIGHT OF WAY ONLY**

OWNER: JENN ASHEBORO, LLC  
 206 NORTH SPRUCE ST., SUITE 2A  
 WINSTON-SALEM, NC 27101 (336) 749-1012  
 TOWNSHIP: BACK CREEK  
 SCALE: 1"=100'  
 DATE: 10/18/2018



**PROPERTY LINES**  
 1. TAX PIN REF.: PARCEL 7741981018  
 2. DEED REF.: D.B. 2000 PG. 179  
 3. AREA AND LOT DEDICATION PLAT: 3  
 AREA DEDICATED TO RIGHT OF WAY: 29,802 SF (0.686 AC.)  
 AREA DEDICATED TO LOTS: 10,666 SF (0.245 AC.)  
 AREA DEDICATED AS COMMON AREA: 2,483 SF (0.057 AC.)  
 TOTAL AREA: 43,003 SF (0.986 AC.)  
 LINEAR FEET OF STREET (THIS SECTION): 338 LF

No attempt has been made as a part of this map to obtain or show data concerning encumbrances, liens, or mortgages or public utility service facilities. For information regarding these matters or for other information, please contact the appropriate authority. The existence of utility service lines to the property surveyed are unknown and are not shown.

BUILDING ADDRESSES	
35	1519 FRANKTON CT.
36	1523 FRANKTON CT.
41	1417 MILLERSON DR.

**NOTES:**  
 1. AREA COMPUTED BY D.M.D. METHOD.  
 2. RATIO OF PRECISION IS 1:10,000+.  
 3. THE SURVEYOR HAS NOT PERFORMED A TITLE SEARCH, THEREFORE, THIS MAP IS SUBJECT TO ANY AND ALL PAST AN ACCURATE TITLE SEARCH MAY REVEAL.  
 4. THIS MAP IS SUBJECT TO ANY AND ALL R.O.W.'S, EASEMENTS, ENCUMBRANCES, LIENS, OR MORTGAGES WHICH ARE VISIBLE OR APPARENT AT THE TIME OF THE SURVEY.  
 5. RANDOLPH COUNTY, N.C. PARCEL 7741981018 FROM BOUNDARY CO. P.B. 109 PG. 64, INTERIOR CORNER BEARINGS AND DISTANCES ARE AS SHOWN ON PLAT 138 WEST MOUNTAIN STREET SURVEYED BY SCOTT LAND SURVEYING, INC.  
 6. ALL BEARINGS ARE GRID BEARINGS (NAD 83) (SEE PG. 109, PG. 64) CORNER FACTOR = 0.999898886 (SEE PG. 109, PG. 64).  
 7. CURRENT ZONING SECTION II: CU R-10  
 8. ALL COMMON AREA/ELEMENTS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.  
 9. ALL LAND LOCATED OUTSIDE PUBLIC RIGHT OF WAY (EXCEPT FOR PLATTED AND FUTURE LOTS OF COMMON AREA) SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

SCOTT LAND SURVEYING, INC.  
 STEWART W. SCOTT, PROFESSIONAL LAND SURVEYOR  
 NORTH CAROLINA L-3951, C-2457, 138 WEST MOUNTAIN STREET  
 KERNERSVILLE, NC 27284 (336) 992-4545 FAX (336) 993-5826  
 DRAWN BY: SWS  
 PROJ. NO.: OLDE TOWNE VILLAGE  
 REF. NO.:  
 RANDOLPH CO.  
 NORTH CAROLINA



### **Consideration of 2017 Meeting Dates**

Staff Note: These proposed dates are being presented to the Planning Board during its November 7, 2016 meeting. No action will be requested until the Planning Board's regular meeting on December 5, 2016

## **Planning Board Proposed 2017 Meeting Dates**

Monday, January 9, 2017\*

Monday, February 6, 2017

Monday, March 6, 2017

Monday, April 3, 2017

Monday, May 1, 2017

Monday, June 5, 2017

Monday, July 10, 2017\*\*

Monday, August 7, 2017

Monday, September 11, 2017\*\*\*

Monday, October 2, 2017

Monday, November 6, 2017

Monday, December 4, 2017

\*City Hall is closed on January 2, 2017 in observance of New Year's Holiday

\*\*This date is selected due to July 3, 2017 immediately preceding the July 4, 2017 Independence Day Holiday.

\*\*\*City Hall is closed on September 4, 2017 in observance of Labor Day