



Asheboro Planning Board
Monday, July 7, 2014
7:00 PM
AGENDA

- I. Call to Order
- II. Approval of Minutes (June 5, 2014)
- III. Review of 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)
- 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)
- 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, JUNE 2, 2014
7:00 p.m.

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

Six (6) 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 (May 4, 2014)

Mr. Rich inquired to the Board if the May 5, 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 presented the rezoning case before the board. He stated that during the initial Planning Board meeting held on April 7, 2014, the board was presented with staff's analysis and voted to continue this request to allow the owner additional time to contemplate amending the request to a conditional use district. He stated that at the May 5, 2014 board meeting the Planning Board again continued the case at the request of the applicant. He then gave a brief overview of the case as no changes were made to the request. He also mentioned that at any time between the current June Planning Board meeting and the June City Council meeting, the applicant could submit a written request to amend the rezoning application. Mr. Whitaker questioned that if the case was denied as it was could the applicant then amend the request and go before the City Council with a different zoning request. Mr. Evans stated that this was correct. Mr. Whitaker made a motion to deny the request based on staff's recommendation and with concerns for increased traffic. Mr. Henderson seconded the motion and the motion carried with six (6) voting to deny the request with Ms. Garner voting to approve the request.

V. APPEARANCE BY MS. OFILIA KINDLEY PROPOSING CONSIDERATION OF FENCE REQUIREMENTS

Ms. Kindley made a request to the Planning Board to consider an ordinance amendment that would put regulations on fences. She stated that she was a resident at Saddlewood Court and that there was a particular neighbor who had put up a fence that was erected in poor form. She stated that one neighbor has put her house on the market and

a realtor had told them that the fence would detract potential buyers. She stated that she would like to see permits issued from the Zoning Department for fences. She stated that after a permit was issued, the fence should then be erected. Ms. Lynette Garner asked Ms. Kindley if there were any subdivision restrictions. Ms. Kindley stated that there were not. Mr. Thomas Rush asked if she had talked with the owner of the fence about this problem she was having. She stated that there were other problems besides the fence that restricted her from making contact with said property owner.

After Ms. Kindley's presentation, Mr. Justin Luck gave a presentation on preliminary findings that the staff had acquired on fences. He stated that the City of Asheboro currently has no regulation on fences. Mr. Luck stated that the absence of fence regulations is not unusual for local governments. He cited a 2012 NC School of Government survey which indicated that only 11 percent of the 300 local government respondents regulated fence locations or materials. He stated that the most common questions asked about fences were questions related to where fences can be placed and if a permit is required. He then stated that less commonly there were complaints about fences. He stated that typically when asked about fences, staff would let the inquirer know to make sure the fence was on their property and that it did not block any sight distance. He then stated how the ordinance could be amended, either by a private citizen or through a staff amendment recommended by the Planning Board and approved by the City Council, which would be a 60 to 90 day process regardless of who processes the amendment.

After some discussion on who would initiate an amendment and also discussion on public nuisances, Mr. Whitaker made a motion not to proceed with a staff initiated amendment on fence regulations and if a private citizen wanted to apply for an amendment that they could when they so choose. Mr. Rush seconded the motion and the motion carried with five (5) approving and Ms. Garner and Mr. Buffkin opposed.

VI. ITEMS NOT ON THE AGENDA

Mr. Nuttall reminded the board that on July 23, 2014, there would be a service luncheon to recognize recently retired Planning Board members.

VII. 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.

Bradley W. Morton, Secretary, Planning Board

Van Rich, Planning Board Chair



RZ-14-05: Rezone from R10 (Medium-Density Residential) and I3 (Limited Industrial) to I2 (General Industrial)

(527 West Central Avenue: Green Light Holdings LLC)

Staff Report

Rezoning Staff Report

RZ Case # **RZ-14-05**

Date 7/7/2014 PB

8/7/2014 CC

General Information

Applicant Green Light Holdings LLC

Address 2906 Old Lexington Road

City Asheboro NC 27203

Phone 336-465-1870

Location 527 West Central Avenue (also includes property on the north side of West Central Avenue)

Requested Action Rezone from R10 (Medium-Density Residential) and I3 (Limited Industrial) to I2 (Limited Industrial)

Existing Zone R10/I3

Existing Land Use Single-family residence (south side of W. Central Ave.)

Size 14.5 acres (+/-)

Pin # 7752891801

Applicant's Reasons as stated on application

Industrial Warehousing. Proposed land use map designates property for industrial use and employment center.

Staff Note: As this is a general district rezoning request, rezoning the property to I2 would allow any uses permitted by right in that district.

Surrounding Land Use

North Single-family residential/Industrial

East North Asheboro Park

South Single-family residential

West Railroad/Undeveloped/Single-family residential

Zoning History N/A

Legal Description

The property of Jewel H. Rich, located at 527 West Central Avenue (including property on the north side of West Central Avenue), totaling approximately 14.5 acres (+/-) and more specifically identified by Randolph County Parcel Identification Number 7752891801.

Analysis

1. The property is inside the city limits. All city services are available.
2. The property is split by West Central Avenue, a state-maintained minor thoroughfare. The property is also adjacent to Sewell Avenue, a local city-maintained street.
3. The Zoning Ordinance states that the I2 District is intended to *to produce areas for intensive manufacturing, warehousing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts*. Examples of uses permitted in the I2 district include warehousing and manufacturing. Such uses require a Type D buffer/screen when adjoining single-family residential uses. The Type D buffer is a minimum of 30' wide while the Type D screen (consisting of opaque vegetation, fences, etc.) is a minimum of 15' wide. There are also some commercial uses permitted in the I2 district that require a lesser degree of buffering/screening.
5. The area includes a mix of uses including single-family residential uses, North Asheboro Park and industrial uses north of the property and to the east along West Central Avenue.
5. The existing R10 residential district permits single or two-family dwellings. The small portion of the property zoned I3 permits industrial and some commercial uses.
6. The Land Development Plan (LDP) proposed land use map proposes industrial use on the southern portion of the property and an employment center on the northern portion of the property. The LDP describes employment centers as *mixed-use, medium- to large-scale employment centers along major transportation corridors and at key intersections and interchanges to serve the community and region*.

Rezoning Staff Report

RZ Case # RZ-14-05

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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.

Growth Strategy Map Designation	Primary Growth
Proposed Land Use Map Designation	Industrial (southern) /Employment Center (northern)
Small Area Plan	Northwest

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. (*Art. 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 #12, #13, and #15: 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area. 15.) Rezoning is not located on poor soils

Rezoning Staff Report

RZ Case # RZ-14-05

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LDP Goals/Policies Which Do Not Support Request

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

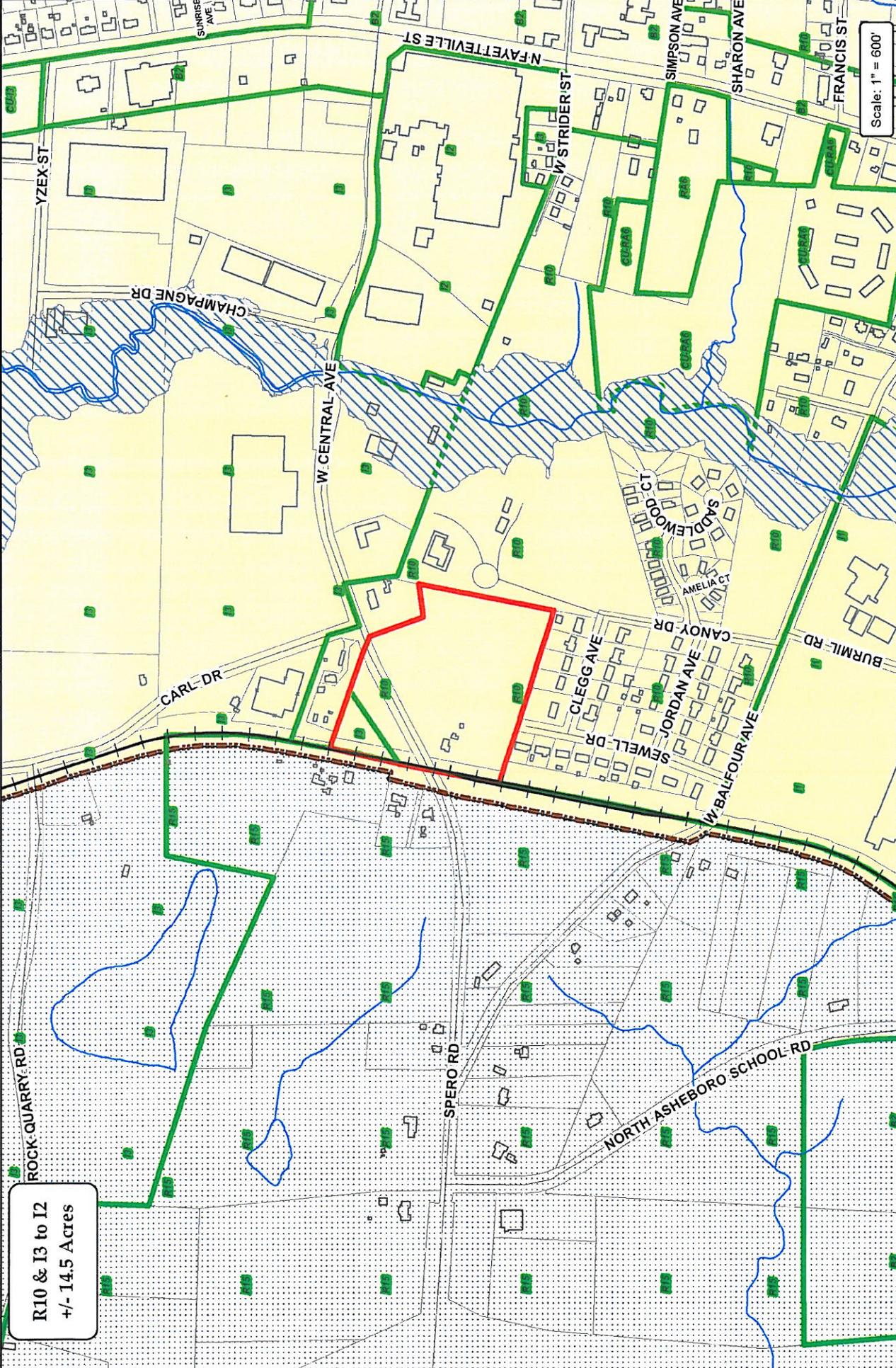
Approve

Reason for Recommendation

The Land Development Plan recommends industrial use for the majority of the property (south of W. Central Avenue) and an Employment Center for the portion of the property north of West Central Avenue. The Industrial designation is consistent with the I2 district. The LDP description and intent of the Employment Center includes development along major transportation corridors and at key interchanges, and encourages appropriately located industrial development. These factors, coupled with the property's location along a primarily industrial corridor, with rail access and within relative proximity to I-73/I-74 makes the I2 zoning district a suitable zoning designation.

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.

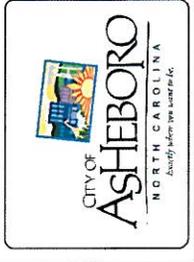


**R10 & I3 to I2
+/- 14.5 Acres**



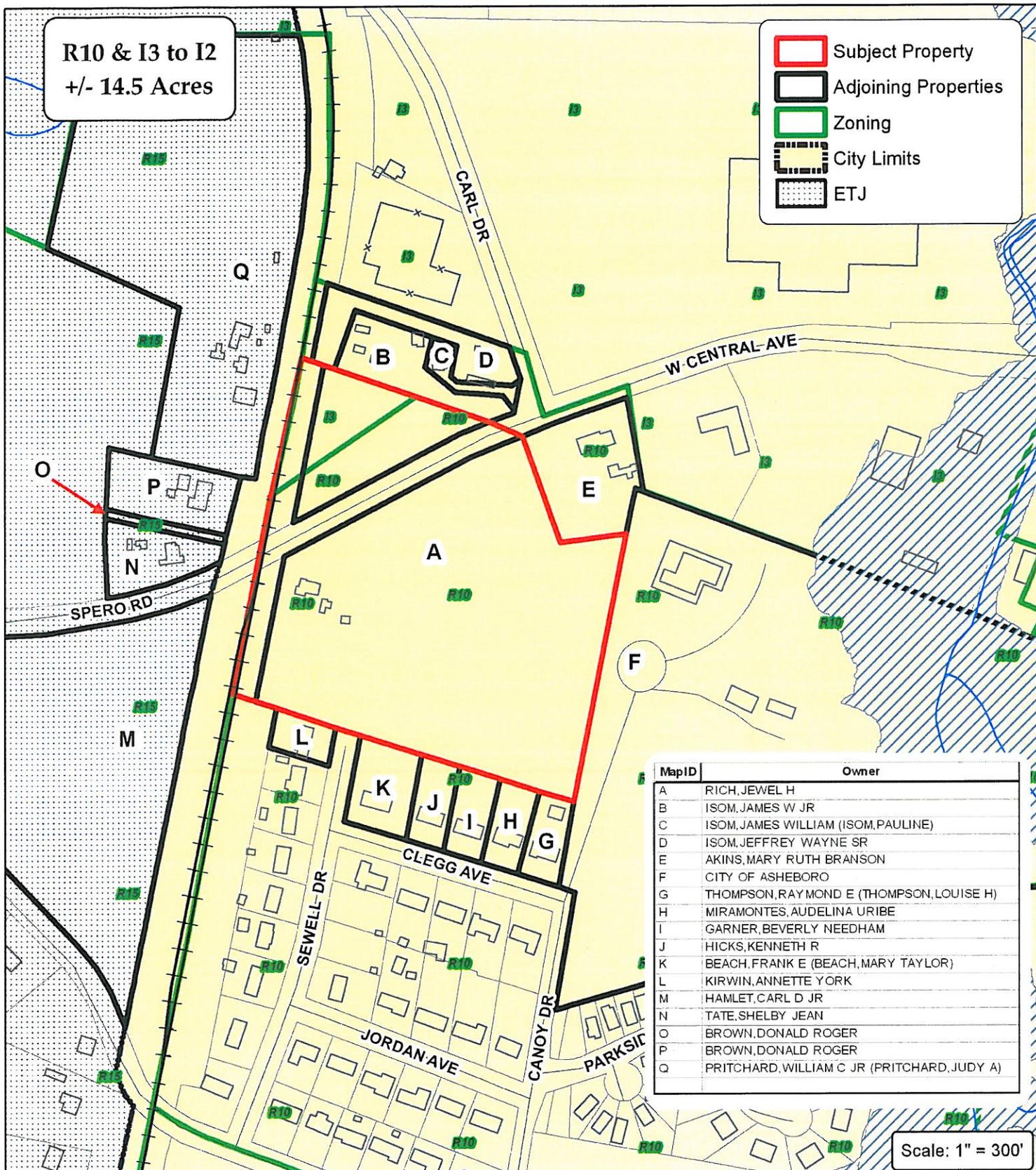
Subject Property
 Zoning
 City Limits
 ETJ

City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-14-05
Parcels: 7752891801



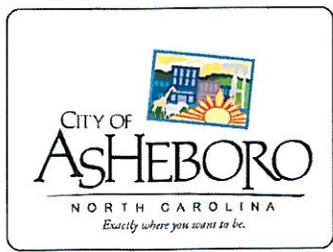
R10 & I3 to I2
+/- 14.5 Acres

Subject Property
 Adjoining Properties
 Zoning
 City Limits
 ETJ

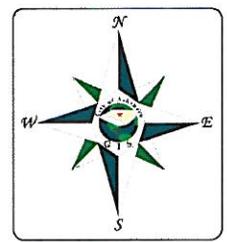


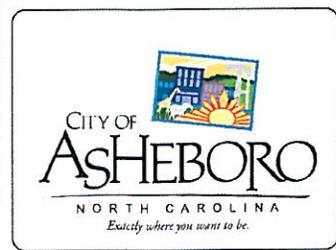
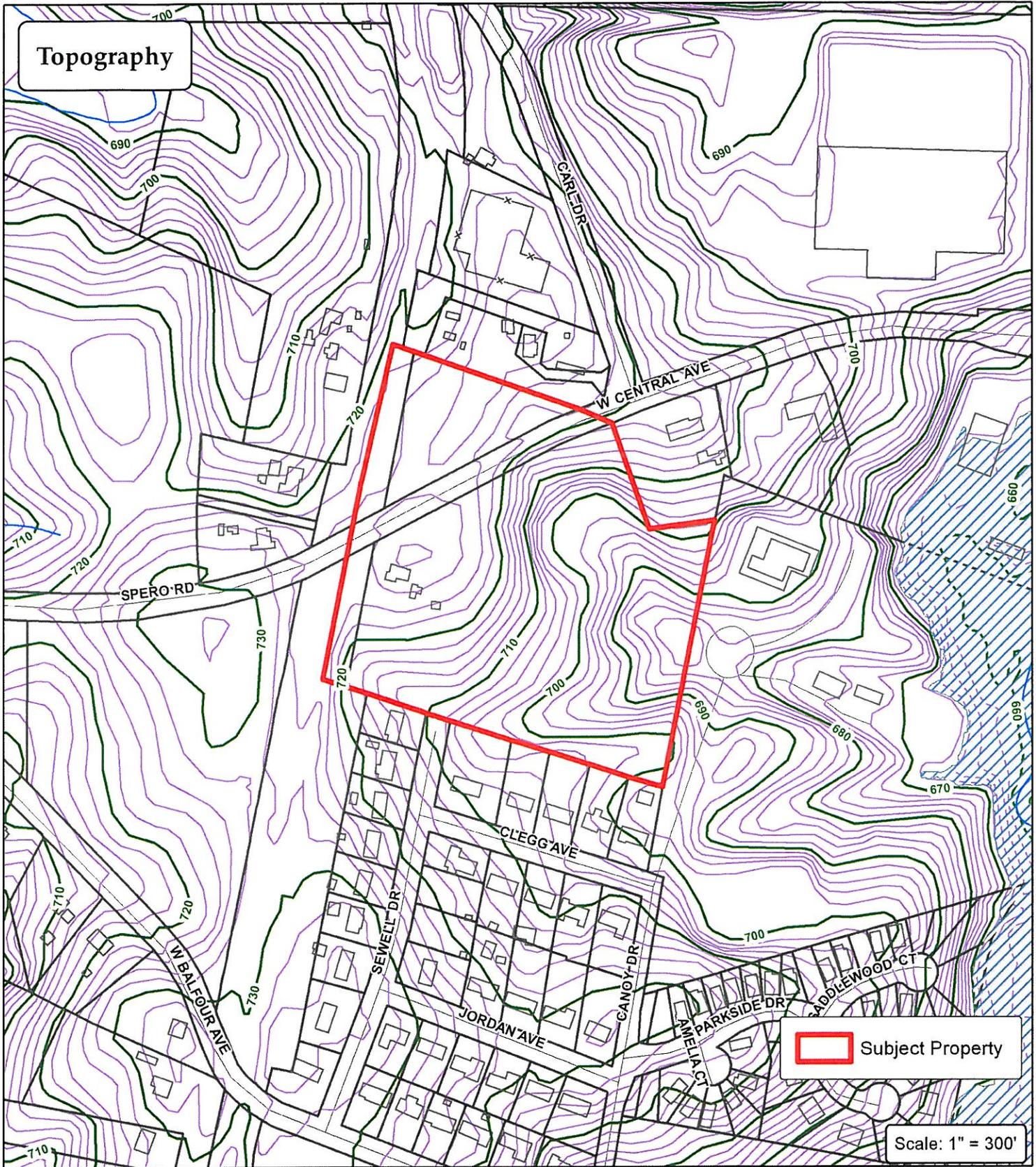
MapID	Owner
A	RICH, JEWEL H
B	ISOM, JAMES W JR
C	ISOM, JAMES WILLIAM (ISOM, PAULINE)
D	ISOM, JEFFREY WAYNE SR
E	AKINS, MARY RUTH BRANSON
F	CITY OF ASHEBORO
G	THOMPSON, RAYMOND E (THOMPSON, LOUISE H)
H	MIRAMONTES, AUDELINA URIBE
I	GARNER, BEVERLY NEEDHAM
J	HICKS, KENNETH R
K	BEACH, FRANK E (BEACH, MARY TAYLOR)
L	KIRWIN, ANNETTE YORK
M	HAMLET, CARL D JR
N	TATE, SHELBY JEAN
O	BROWN, DONALD ROGER
P	BROWN, DONALD ROGER
Q	PRITCHARD, WILLIAM C JR (PRITCHARD, JUDY A)

Scale: 1" = 300'



City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-14-05
Parcels: 7752891801

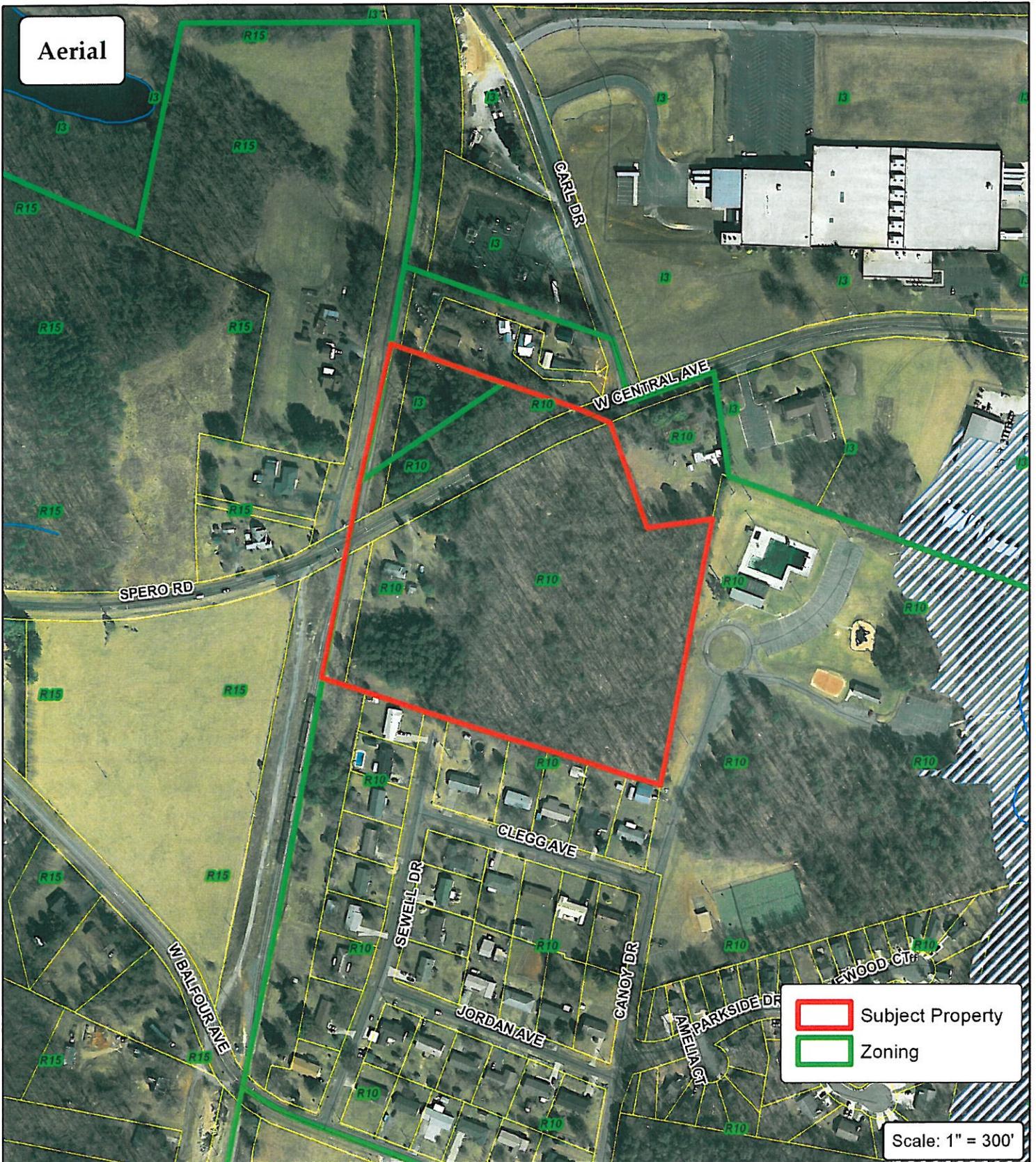




City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-14-06
Parcels: 7752891801



Aerial



Subject Property
Zoning

Scale: 1" = 300'



City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-14-05
Parcels: 7752891801





RZ-14-06 Rezone from R7.5 and R10 (Medium-Density Residential) to O & I (Office & Institutional)

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

Staff Report

Staff Note: The City Council considered a different request (to rezone this property to OA6) on June 5, 2014. City Council voted to deny this request. The zoning ordinance does not require a waiting period before the applicant files a different request. Not more than two (2) applications may be filed for rezoning all or part of the same property within any twelve (12) month period

Rezoning Staff Report

RZ Case # RZ-14-06

Date 7/7/2014 PB

8/7/2014 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 O&I (Office and Institutional)

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 Office and Institutional district is intended to produce moderate intensity office and institutional development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designed [sic] O & I 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 O&I district permits non-residential structures with a FAR of up to 30 percent. If this rezoning is approved, all non-residential uses permitted by right would be allowed, with a gross floor area of up to approximately 23,391 square feet. Examples of uses permitted 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 O & I district.
7. The request to rezone the property to OA6 (Office-Apartment) was denied in June, 2014. Although the zoning ordinance requires a one year waiting period to file an identical request, there is no waiting period for the applicant to file a different request, such as to the O&I district.

Rezoning Staff Report

RZ Case # RZ-14-06

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.

Growth Strategy Map Designation	Primary Growth
Proposed Land Use Map Designation	Neighborhood Residential
Small Area Plan	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-14-06

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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

Approve

Reason for Recommendation

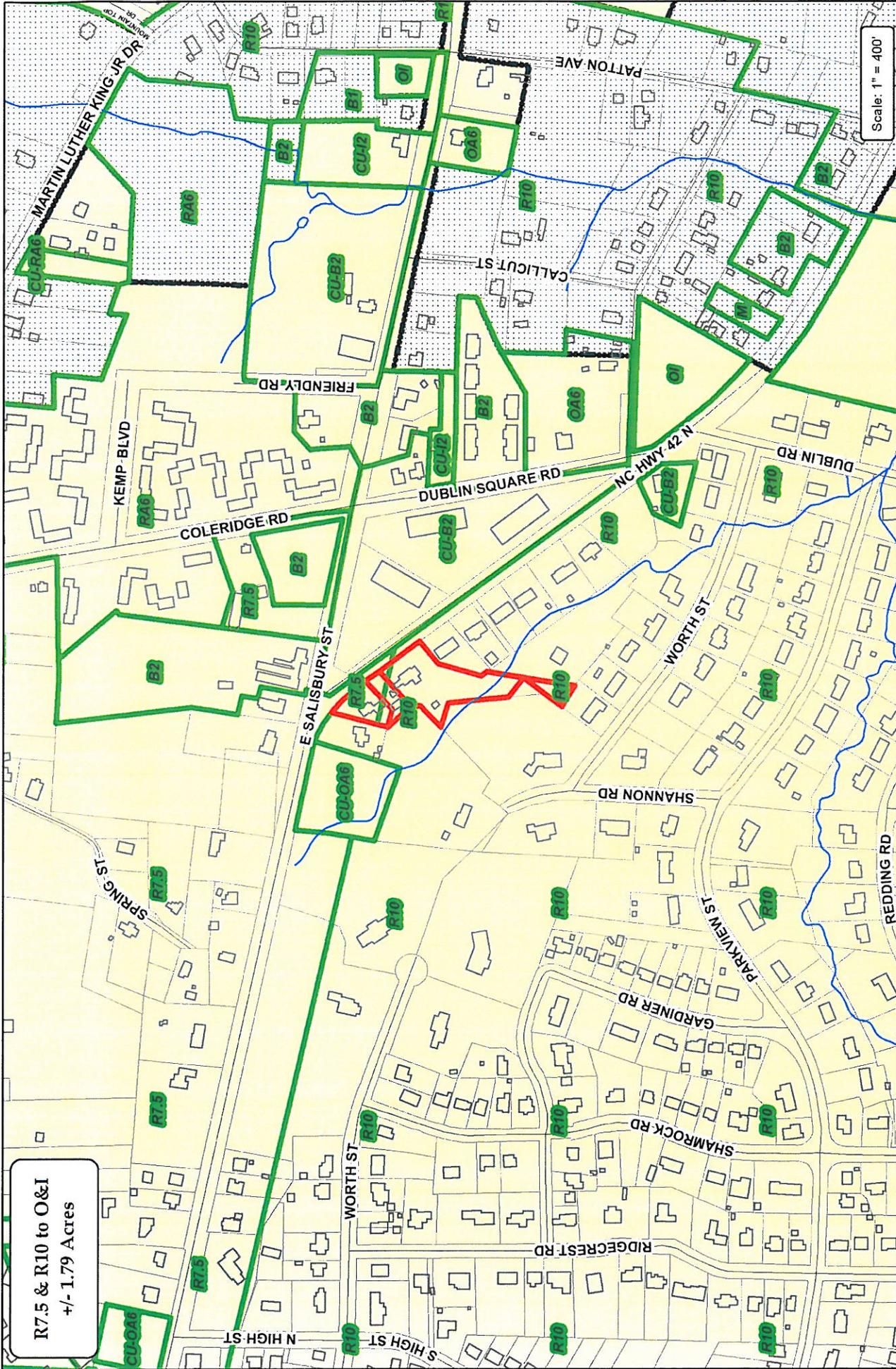
The staff analysis for this case is similar to RZ-14-04 with one exception. During Council's review of that case, there appeared to be general consensus that the Land Development Plan's recommendation that this area of NC Hwy 42 develop consistent with Neighborhood Residential uses was out of date due to changing land use patterns and traffic volumes since the Plan's adoption in 2000.

During the public hearing for RZ-14-04, multi-family residential use permitted by the OA6 district was identified as a greater concern than non-residential uses in reference to traffic and driveway access. Multi-family development is not permitted in the O&I district, eliminating this possibility.

While staff still has concerns about the impact single, non-residential driveways will have on growing traffic congestion along NC Hwy 42 and recognizing that an O&I designation will render continued residential use of the existing structures legal non-conforming, the subject properties are directly across the street from a 4.5 acre office park and one property removed from an existing CU-OA6 zoning district. Furthermore, other Land Development Plan goals and policies are supportive of the O&I application.

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

After considering the above factors, staff believes placing the property in the O&I zoning district will allow a reasonable use of the property and ensure consistency with the Land Development Plan.



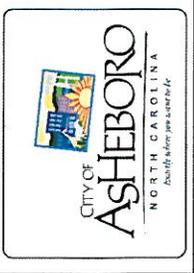
R7.5 & R10 to O&I
 +/- 1.79 Acres

Scale: 1" = 400'

Subject Property
 Zoning
 City Limits
 ETJ

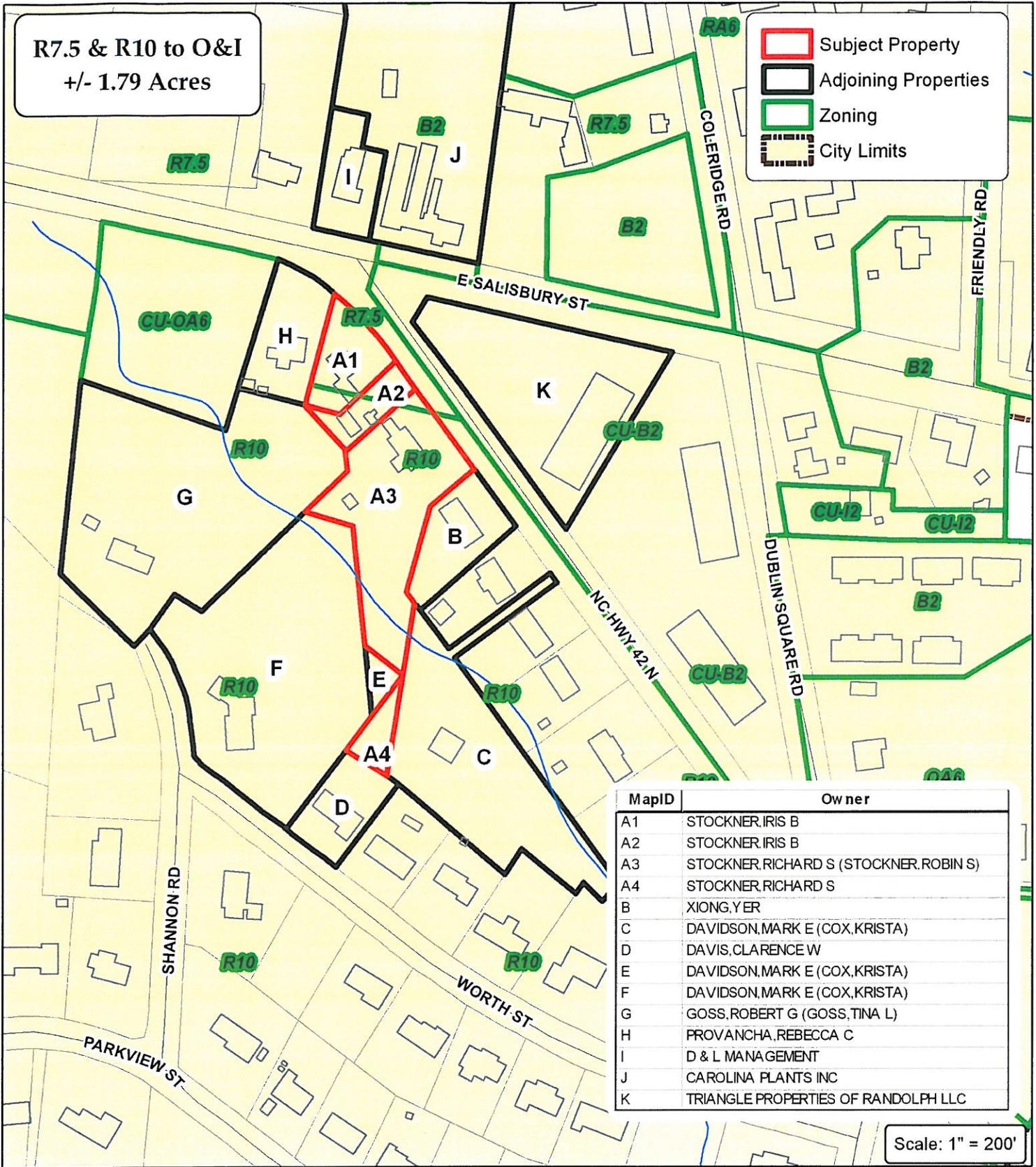
City of Asheboro
 Planning & Zoning Department
 Rezoning Case: RZ-14-06

Parcels: 7761321382, 7761322047, 7761312710 & 7761322224



R7.5 & R10 to O&I
 +/- 1.79 Acres

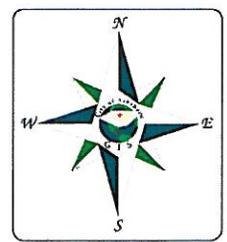
 Subject Property
 Adjoining Properties
 Zoning
 City Limits

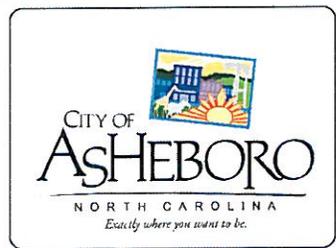
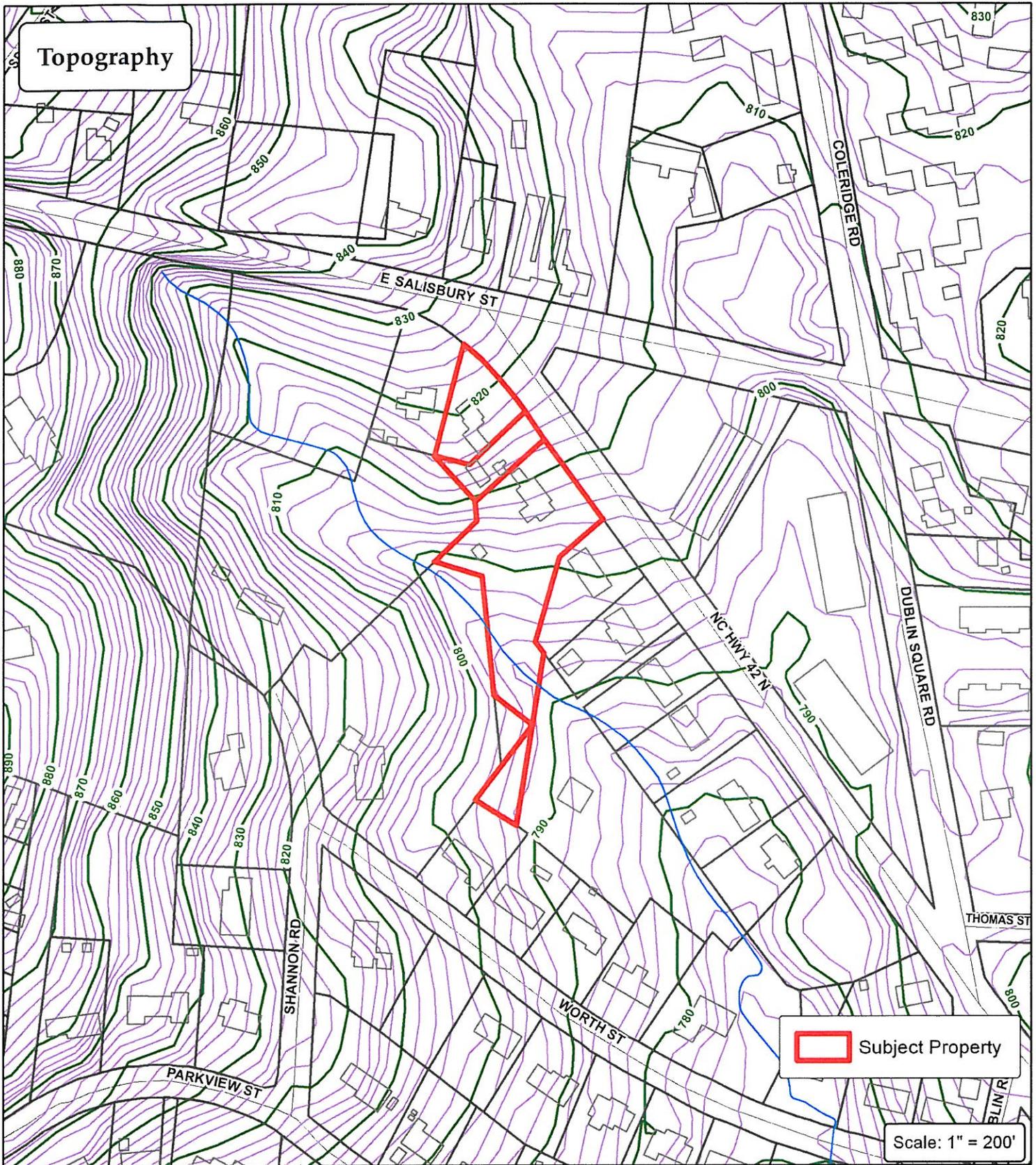


MapID	Owner
A1	STOCKNER, IRIS B
A2	STOCKNER, IRIS B
A3	STOCKNER, RICHARD S (STOCKNER, ROBIN S)
A4	STOCKNER, RICHARD S
B	XIONG, YER
C	DAVIDSON, MARK E (COX, KRISTA)
D	DAVIS, CLARENCE W
E	DAVIDSON, MARK E (COX, KRISTA)
F	DAVIDSON, MARK E (COX, KRISTA)
G	GOSS, ROBERT G (GOSS, TINA L)
H	PROVANCHA, REBECCA C
I	D & L MANAGEMENT
J	CAROLINA PLANTS INC
K	TRIANGLE PROPERTIES OF RANDOLPH LLC

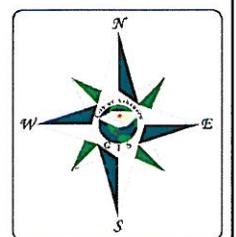
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City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-14-06
Parcels: 7761321382, 7761322047,
7761312710 & 7761322224

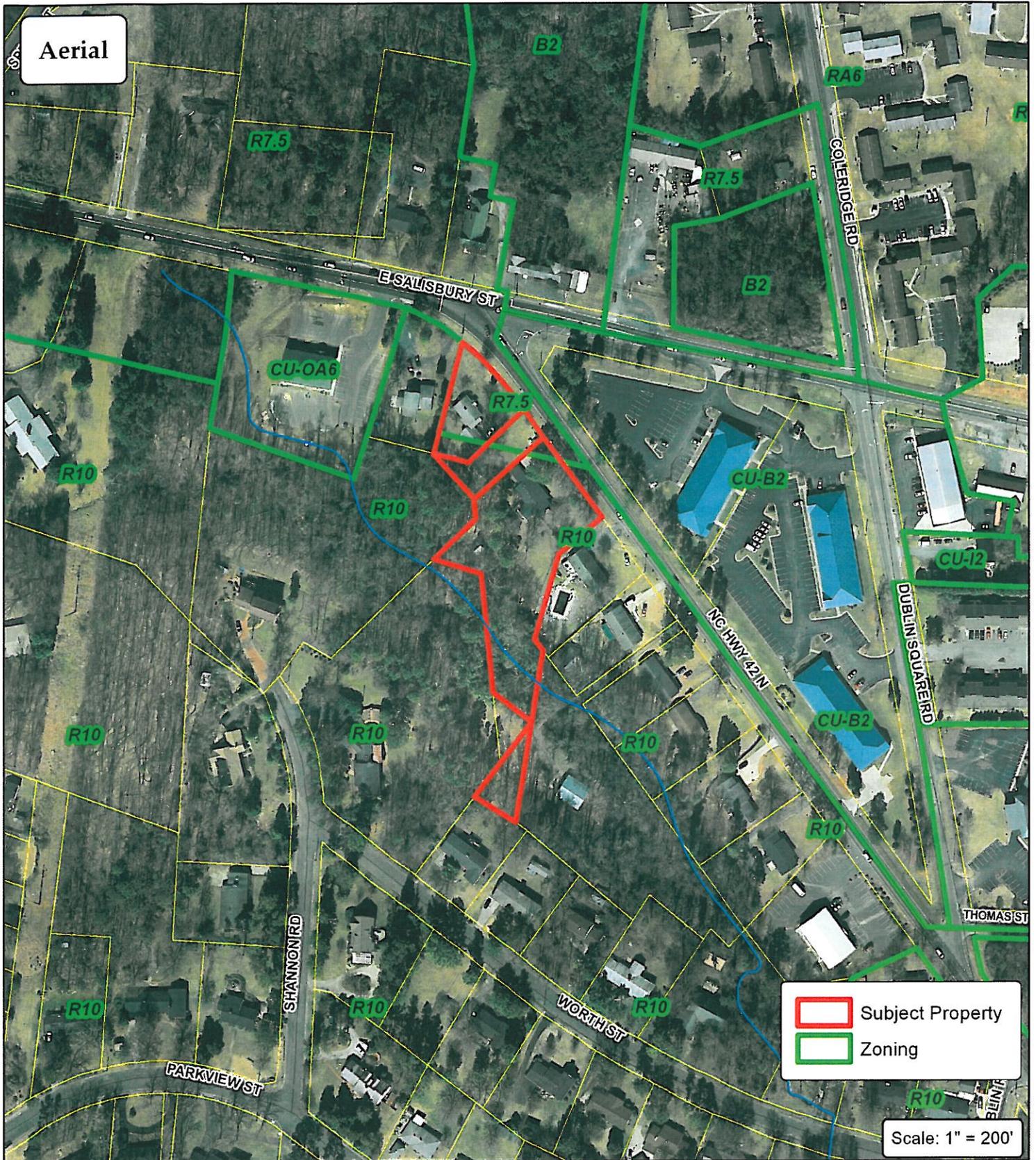




City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-14-06
Parcels: 7761321382, 7761322047,
7761312710 & 7761322224



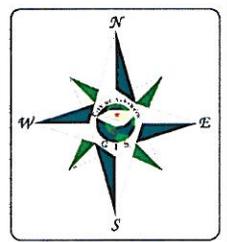
Aerial



 Subject Property
 Zoning

Scale: 1" = 200'

City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-14-06
Parcels: 7761321382, 7761322047,
7761312710 & 7761322224



You're Invited!

City of Asheboro
Service Luncheon

In Honor of Recently Retired Planning
Board Members and City Employees
Celebrating Milestone Years of Service

July 23rd, 2014
11:30 a.m.

Public Works Conference Room
1312 North Fayetteville Street
Asheboro, NC 27203

If attending, RSVP: 626-1201 ext. 212

