

**AMENDED AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, JUNE 6, 2013, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Consent Agenda:
 - (a) Approval of the minutes of the regular meeting of the City Council held on May 9, 2013.
 - (b) Approval of the minutes of a special meeting of the City Council held on May 30, 2013.
 - (c) Acknowledgement of the receipt of a copy of the Asheboro ABC Board's adopted budget for fiscal year 2013-2014 in addition to copies of the minutes of the ABC Board meetings held on April 1, 2013, and May 8, 2013.
 - (d) In response to a request from the North Carolina Department of Transportation, authorize the execution of a temporary construction easement and a permanent drainage (storm sewer) easement across city-owned land located adjacent to Bridge No. 430 on SR 1163 (Tot Hill Farm Road).
 - (e) Approval of a resolution authorizing the disposal of a damaged police vehicle.
4. Public hearing on the proposed budget for fiscal year 2013-2014. The City Manager will provide an overview of the proposed budget, and public input, verbal or written, will be received.
5. Community Development Division items: (Mr. Nuttall will present this item.)
 - (a) Land Use Cases RZ-13-09, SUP-13-03, and SUB-13-01: Combined hearing on requests to rezone the property at 2513 Old Cedar Falls Road from R40 Low-Density Residential to R10 Medium-Density Residential, issue a Special Use Permit, and approve a subdivision sketch design.

- (b) Consideration of a recommendation from the Asheboro Redevelopment Commission concerning potential changes to the commission's membership roll.
- 6. Consideration of the annexation of city-owned property located at 1431 East Salisbury Street. (Mr. Leonard will present this item.)
 - (a) Public hearing
 - (b) Ordinance to extend the corporate limits of the City of Asheboro
- 7. Consideration of petitions received from the Asheboro Housing Authority, Sandhills Center for Mental Health, and Our Daily Bread Kitchen, Inc. requesting the annexation of approximately 2.956 acres of land located at the eastern terminus of East Pritchard Street. (Mr. Leonard will present this item.)
 - (a) Public hearing
 - (b) Ordinance to extend the corporate limits of the City of Asheboro
- 8. Public comment period.
- 9. Consideration of approval of Change Order #5 on the Sunset Theatre Renovation Project (Rehab Builders, Inc.) increasing the contract amount by \$19,021.00 to \$1,680,865, and increasing the contract time by 35 days to August 19, 2013. (Mr. Leonard will present this item.)
- 10. Introduction of Ms. Kerrin Lowe, Community Development Intern. (Mr. Nuttall will present this item.)
- 11. Discussion of enhancements related to how meeting agendas and related information is delivered to the City Council and the public. (Mr. Nuttall will present this item.)
- 12. Upcoming events:
 - Randolph County Economic Development Annual Meeting
Thursday, June 20, 2013, 8:00 a.m. at AVS.

Agenda
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June 6, 2013

- Retire Asheboro, NC Open House: Officially begins Saturday, June 22 at 9:00 AM at City Hall and includes a concert at 6:00 PM that evening in Bicentennial Park by the Sand Band.
- Special city council meeting on Thursday, June 27, 2013, at 12:30 PM to consider adoption of the budget for fiscal year 2013-2014.

13. Discussion of items not on the agenda.

14. Adjournment.

**SUMMARY STATEMENT/OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES**

TO: City of Asheboro
PO Box 1106
Asheboro, NC 27204

OFFER DATE: 5/17/13
TO: Lessee, if Applicable

TIP NO.: 076 SR1163
COUNTY Randolph
DESCRIPTION: Tot Hill Farm Road

WBS ELEMENT: 17BP.8.R.38
TIP/PARCEL NO.: 076 SR1163 001

Dear Property Owner:

The following offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. Please retain this form as it contains pertinent income tax information.

Value of Part Taken (Includes Land, Improvements and Appurtenances Considered as Realty)	\$	<u>200.00</u>
Damages, if any, to Remainder	\$	<u> </u>
Benefits, if any, to Remainder	\$	<u> minus </u>
TOTAL	\$	<u>200.00</u>

The total offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition:

Subject property described in Deed Book 1291, page 201, Randolph County Registry, contains approximately 25.9 acres of which .00 acres is being acquired as right of way, leaving 25.9 acres remaining on the left with access to Tot Hill Farm Road. Also being acquired is a temporary construction easement containing approximately 0.033 acres, a permanent Drainage Easement (PDE) containing approximately 0.017 acres.

(B) The offer for improvements considered as realty includes payment for the improvements and appurtenances described below:

N/A

Should you desire to retain these improvements, you may repurchase them for a retention value with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant/buildable lot, as explained to you by the Right of Way Agent, the **total** offer would be: \$ N/A

I will be available at your convenience to discuss this matter further with you. My telephone number is 336-689-3813, in Thomasville, North Carolina.

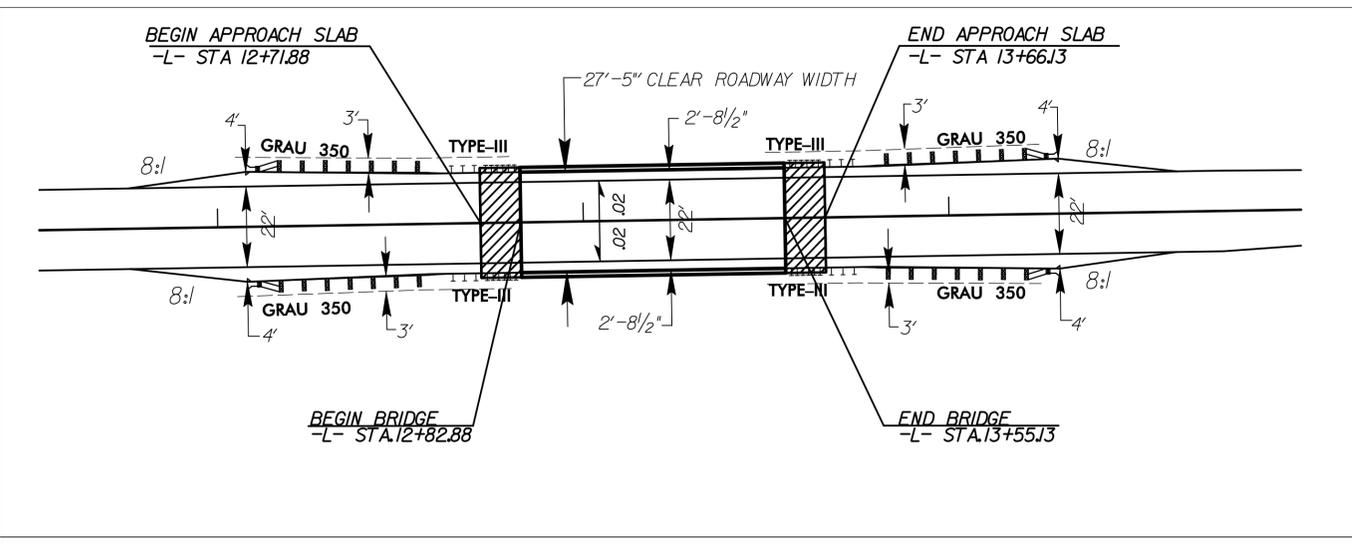
The original of this form was handed (if out of state owner, mailed), to City of Asheboro on May 21 20 13. Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

(Signed)

Ashley Q Brooks

Right of Way Agent

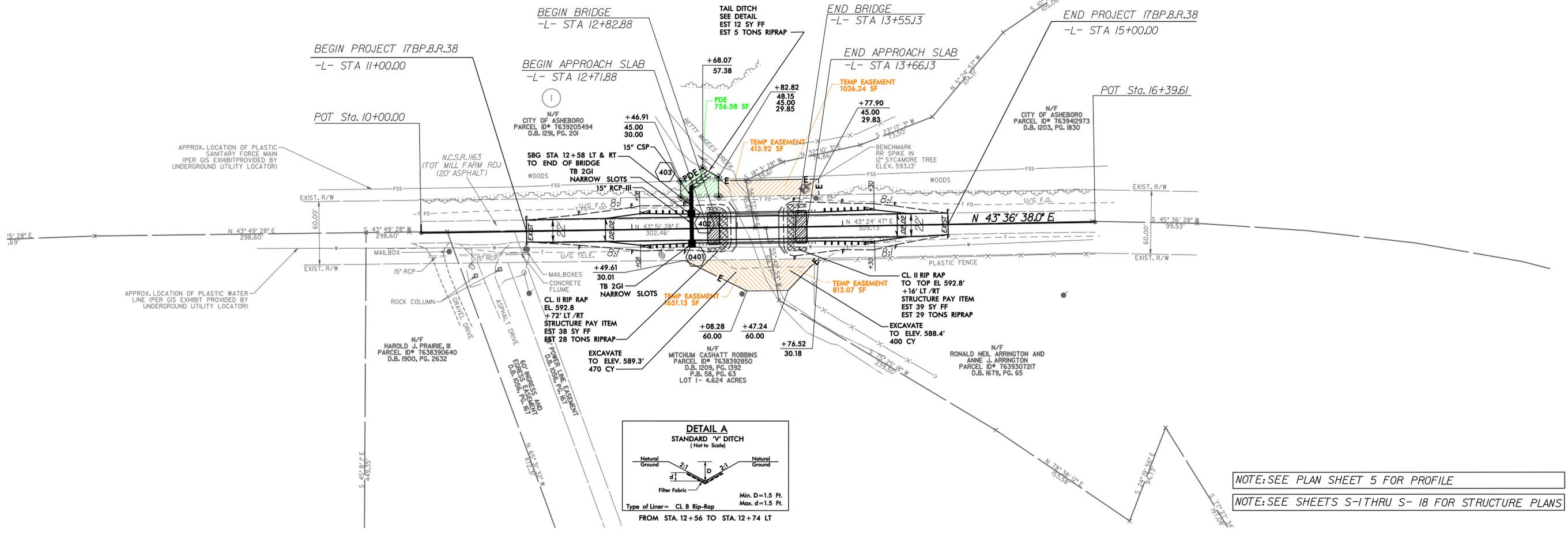
PROJECT REFERENCE NO. 17BP.8.R.38	SHEET NO. 4
R/W SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	



Sketch showing Dimensions of Pavement and Shoulder in Relation to the Proposed Bridge

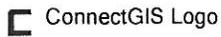


REVISIONS
11/07/2012 CTR: REVISED PDE FOR DRAINAGE DITCH -L- STA 12+56 TO 12+74 LT

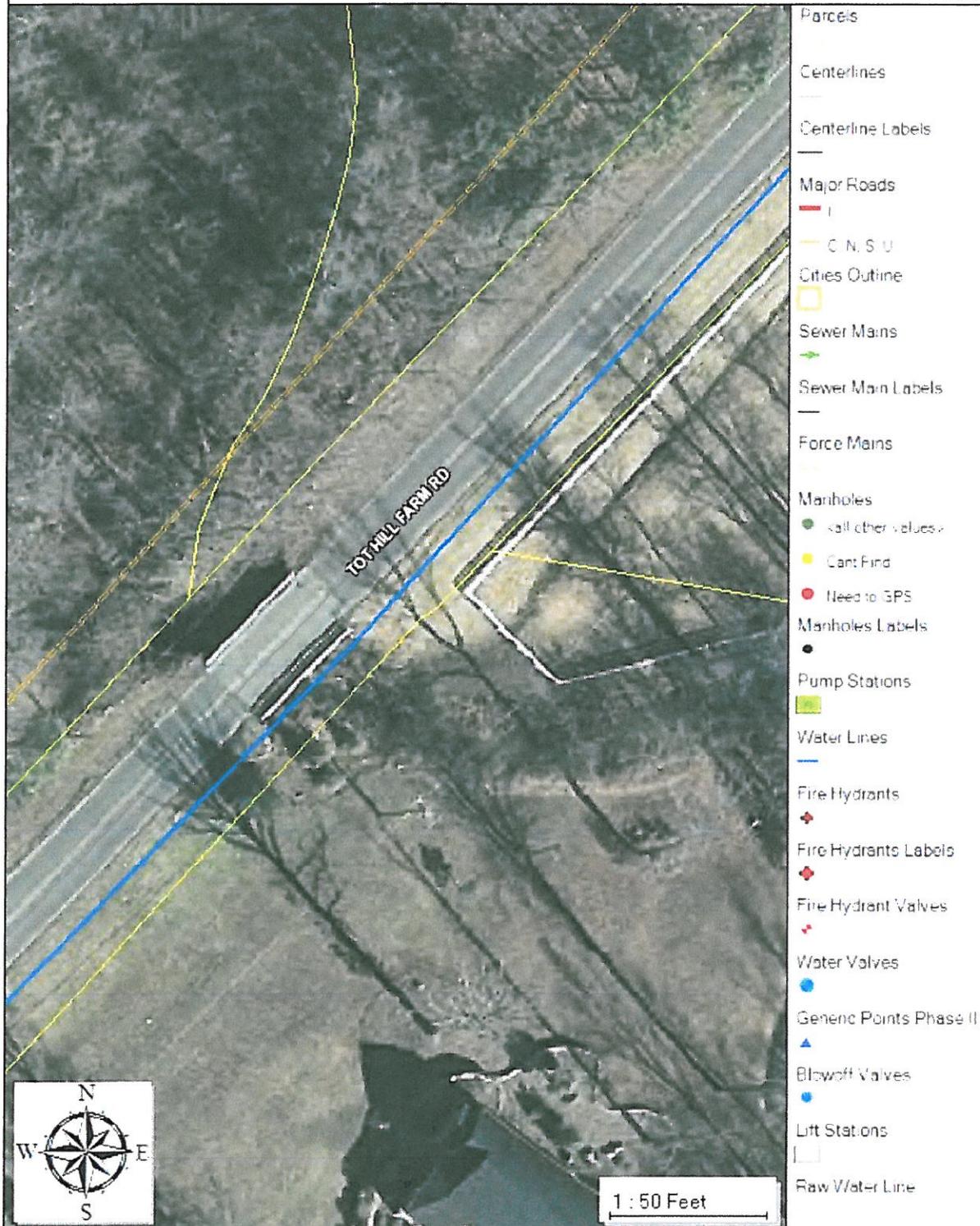


NOTE: SEE PLAN SHEET 5 FOR PROFILE
NOTE: SEE SHEETS S-1 THRU S-18 FOR STRUCTURE PLANS

CUSTOMER'S COPY TO BE RETURNED TO THE ENGINEER'S OFFICE WITHIN 30 DAYS OF THE DATE OF ISSUANCE OF THIS SET OF PLANS.



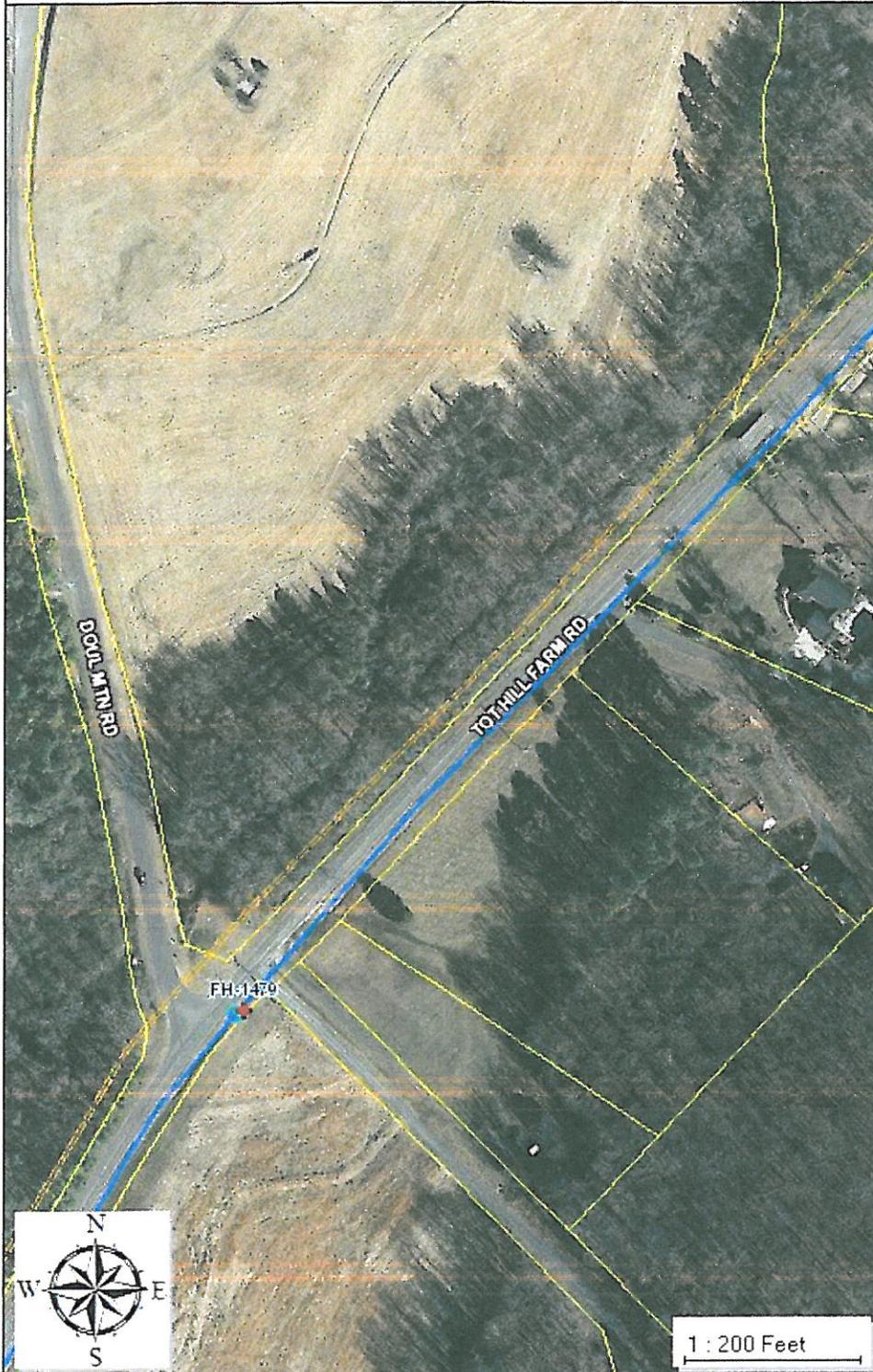
Asheboro2
Printed May 31, 2013
See Below for Disclaimer



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Asheboro2
Printed May 31, 2013
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- Parcels
- Centerlines
- Centerline Labels
- Major Roads
 - I
 - C N S U
- Cities Outline
- Sewer Mains
 - Sewer Main Labels
- Force Mains
- Manholes
 - Call other values
 - Can't Find
 - Need to GPS
- Manholes Labels
- Pump Stations
- Water Lines
- Fire Hydrants
 - Fire Hydrants Labels
 - Fire Hydrant Valves
- Water Valves
- Generic Points Phase II
- Blowoff Valves
- Lift Stations
- Raw Water Line

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RZ-13-09 (Rezone from R40 Low-Density Residential to R10 Medium-Density Residential: 2513 Old Cedar Falls Road)

(Brian Thomas)

Planning Board Recommendation and Staff Report

Planning Board Recommendation & Comments to City Council

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

Case # RZ-13
-09

Date 5/6/2013 PB

Applicant Brian Thomas

Legal Description

The property of Phyllis E. Thomas consisting of approximately 106.13 acres, located at 2513 Old Cedar Falls Road and more specifically identified by Randolph Parcel Identification Number 7772117810.

Requested Action Rezone from R40 (Low-Density Residential) to R10 (Medium-Density Residential)

Existing Zone R40 (Low-Density Residential)

Land Development Plan See staff

Planning Board Recommendation

Approve

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # **RZ-13-09**

Date 5/6/2013 PB
6/6/2013 CC

General Information

Applicant Brian Thomas
Address 276 Bayside Drive
City Clearwater Beach FL 33767
Phone 727-243-0887
Location 2513 Old Cedar Falls Road
Requested Action Rezone property from R40 (Low-Density Residential) to R10 (Medium-Density Residential)

Existing Zone R40

Existing Land Use Single-family residence

Size 106.13 acres (+/-)

Pin # 7772117810

Applicant's Reasons as stated on application

Aging population in the city and county is creating a market for quality, retirement type housing. Original plans for an RV resort park would be less dominate than a well planned retirement village. A retirement village available to the local citizens would better promote the public health, safety and welfare. Residential zoning is currently allowed at this project site. The request is to change to a slightly denser residential classification to allow for duplex housing at a level that would crate enough developable units for a marketable project. In the opinion of the applicant, the request will create a better use of the property by developing permanent residences rather than an ever changing situation of RV moving in and out of the property.

Surrounding Land Use

North Low-Density Residential/agricultural

East Low-Density Residential/agricultural

South Low-Density Residential/agricultural

West Low-Density Residential/agricultural

Zoning History **RZ-06-42:** Initial City zoning (12-7-06) due to annexation of property.
SUP-06-12: Special Use Permit for Recreational Vehicle resort (included adjoining property to NW) (815 sites).
SUP-07-06/SUP-11-01: Modified Special Use Permits for Recreational Vehicle resort (441 sites/198 sites)

Legal Description

The property of Phyllis E. Thomas consisting of approximately 106.13 acres, located at 2513 Old Cedar Falls Road and more specifically identified by Randolph Parcel Identification Number 7772117810.

Analysis

1. Old Cedar Falls Road (SR 2216) is a state-maintained major thoroughfare.
2. The subject property was annexed by the City Council on October 5, 2006 at the request of the property owner.
3. Currently, water and sewer do not extend to the property. Water and sewer mains would need to be extended to the site to provide these city services.
4. The LDP proposes development of a recreational greenway on these properties.
5. A small portion of the property (primarily in the northwestern quadrant) is located in a Special Hazard Flood Area.
6. A portion of the proposed Northeast Corridor (Thoroughfare Plan 2001) crosses the northeastern quadrant of the tract.
7. A Special Use Permit has been approved allowing a 198 site recreational vehicle (RV) resort (which allows sale of individual lots) with an agricultural tourism facility (including a banquet center) as an optional amenity to the RV resort.
8. The existing R40 district allows one single-family residence per 40,000 square feet and one two-family residences per 80,000 square feet. The proposed R10 district would allow one single-family residence 10,000 square feet and one two-family residence per 15,000 square feet.
9. The Zoning Ordinance Statement of Intent offers the following for the R10 district: *The R10 Residential District is intended to provide regulations which will produce a moderate intensity of residential uses, usually single family or two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living.*
10. The applicant is requesting a rezoning of the property to the R10 Medium-Density residential district. The applicant has also filed an application for a Special Use Permit authorizing a residential Planned Unit Development (PUD) consisting of two-family dwellings and an agricultural tourism use (which includes a banquet center). However, if the Special Use Permit is not granted or initiated, rezoning the property to R10 would allow any uses, including conventional subdivisions, permitted in the R10 district by right.

Rezoning Staff Report

RZ Case # RZ-13-09

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	Economic Development
Proposed Land Use Map Designation	Neighborhood Residential
Small Area Plan	East

LDP Goals/Policies Which Support Request

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

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 East Small Area Plan.

Checklist Item #12: Property is located outside of the watershed area.

Rezoning Staff Report

RZ Case # RZ-13-09

Page 3

LDP Goals/Policies Which Do Not Support Request

Checklist Item #3: The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance. (*Article 200, Section 210, Schedule of Statements of Intent*)

Checklist Item #13: The property is located within a Special Hazard Flood Area.

Recommendation

Approve

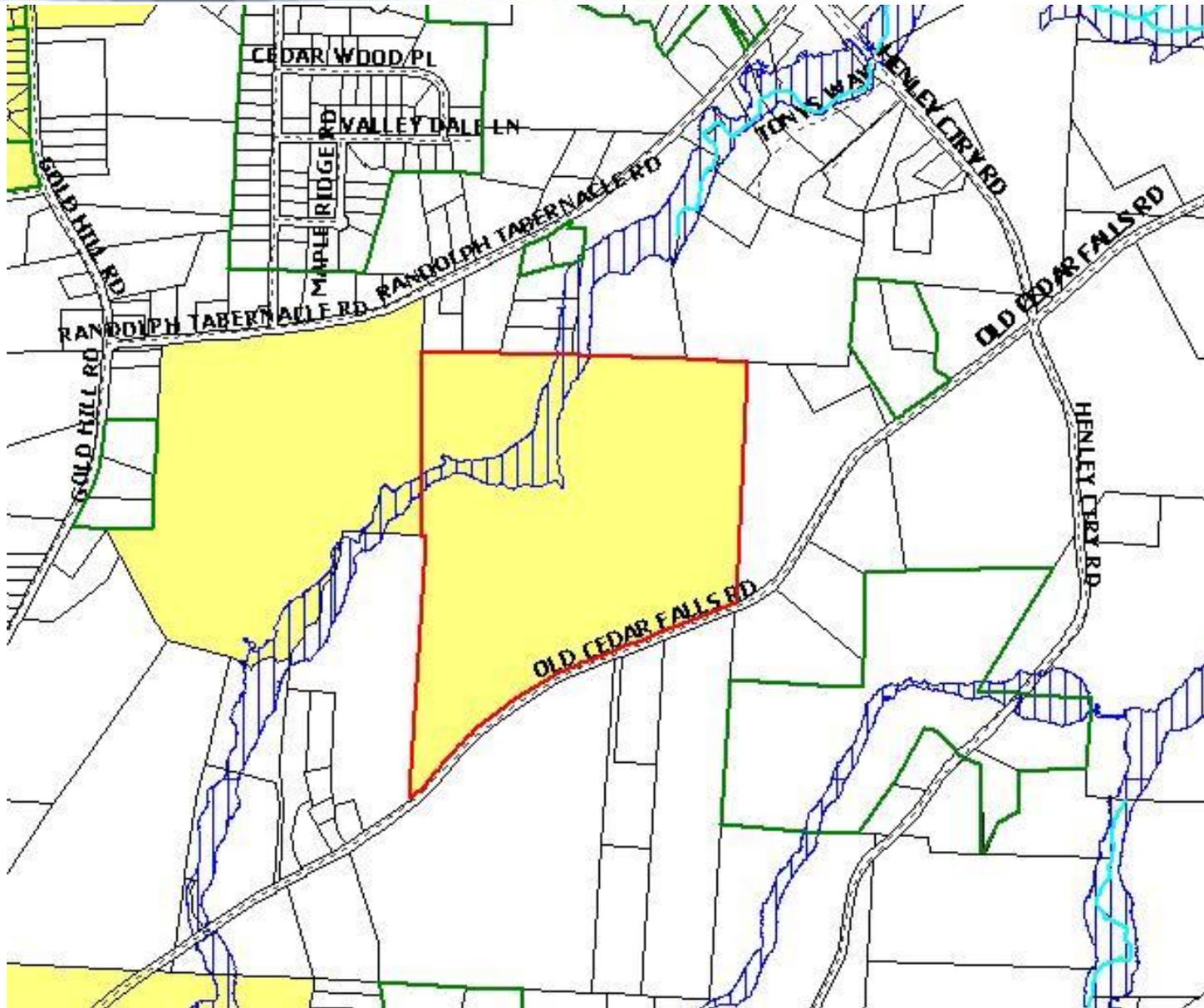
Reason for Recommendation

The existing R40 Low Density Residential district is primarily intended to accommodate property developed at lower densities due to lack of public water and sewer services, while annexation of the subject property creates the ability to extend public water and sewer services to the property consistent with R10 Medium-Density Residential land uses. The R10 designation, which allows single and two family dwellings at medium densities, is consistent with the LDP proposed land use map's "neighborhood residential" classification of the property. The East Small Area Plan envisions employment growth south of the subject property and provision of urban services in Economic Development Areas identified by the Land Development Plan and Economic Development Zones identified by the NC Department of Commerce (the property is located in both).

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.

Zoning Map

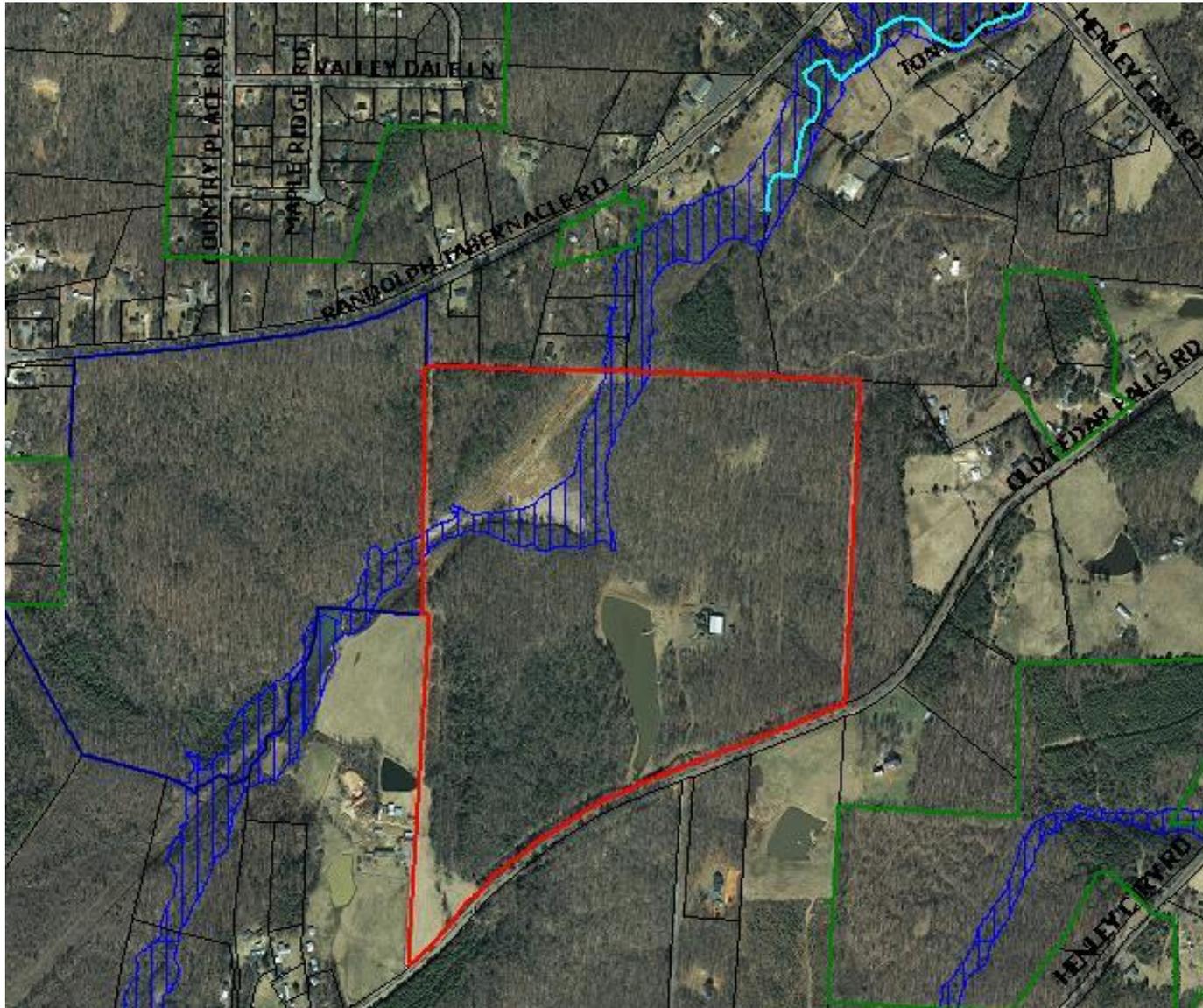


RZ-13-09

Rezone from R40 to R10

2513 Old Cedar Falls Road

Aerial Photo



RZ-13-09

Rezone from R40 to R10

2513 Old Cedar Falls Road



**SUP-13-03 (Special Use Permit for Residential Planned Unit Development:
2513 Old Cedar Falls Road)**
(Brian Thomas)

Staff Report

SPECIAL USE PERMIT STAFF REPORT

SUP Case No. SUP-13-03

6/6/2013 CC

General Information

Applicant Brian Thomas
Address 276 Bayside Drive
City Clearwater Beach FL 33767
Phone 727-243-0887
Location 2513 Old Cedar Falls Road

Requested Action Special Use Permit for Residential Planned Unit Development (including Agricultural Tourism Facility)

Existing Zone R40
Existing Land Use Single-family residence
Size 106.13 acres (+/-)
Pin # 7772117810

Applicants Reason as stated on application

To develop a retirement village by construction of duplex townhomes on private roads.

Surrounding Land Use

North Low-Density Residential/agricultural **East** Low-Density Residential/agricultural
South Low-Density Residential/agricultural **West** Low-Density Residential/agricultural

Zoning History **RZ-06-42:** Initial City zoning (12-7-06) due to annexation of property.
SUP-06-12: Special Use Permit for Recreational Vehicle resort (included adjoining property to NW) (815 sites).
SUP-07-06/SUP-11-01: Modified Special Use Permits for Recreational Vehicle resort (441 sites/198 sites)

Growth Strategy Map Economic Development

Proposed LDP Map Neighborhood Residential

Legal Description

The property of Phyllis E. Thomas consisting of approximately 106.13 acres, located at 2513 Old Cedar Falls Road and more specifically identified by Randolph Parcel Identification Number 7772117810.

Analysis

1. The applicant is requesting a Special Use Permit for a Residential Planned Unit Development.
2. The applicant has also filed a rezoning request (RZ-13-09) to rezone the property from R40 (Low Density Residential) to R10 (Medium Density Residential).
3. The applicant's proposal is for a residential Planned Unit Development. The proposal consists of 160 attached dwelling units located within 80 residential structures. Also included are a manager's quarters, community store, and passive/active recreation space.
4. The applicant is also proposing an Agricultural Tourism Facility, a use requiring a Special Use Permit. The feature characterizing the agricultural tourism use is a 500 seat banquet facility related to genuine agricultural uses occurring on the property.
5. Private streets are proposed. The applicant is proposing a gatehouse, restricting visitor access to the property.
6. The applicant is also proposing four accessory residential structures.

See following pages for zoning ordinance requirements concerning Residential Planned Unit Development/Agricultural Tourism Facilities and Proposed Conditions.

LDP Conformity Issues

Staff has suggested incorporation of easements for a future greenway into the suggested conditions.

SPECIAL USE PERMIT STAFF REPORT

Page 2

SUP Case No.

SUP-13-03

NOTE: Applicant shall certify to Council mailings to all adjoining property owners.

Staff Comments

THE CITY COUNCIL SHALL FIND THAT THE FOUR STANDARD TESTS ARE IN FAVOR OF THE APPLICANT TO APPROVE THIS REQUEST. THIS DETERMINATION SHALL BE BASED ON EVIDENCE SUBMITTED IN SWORN TESTIMONY. The following conditions are suggested:

NOTE: If any Special Use is discontinued for a period of 180 days; or the permit is not initiated within 180 days; or replaced by a use otherwise permitted in the zoning district, it shall be deemed abandoned and the Special Use Permit shall be null and void and of no effect.

Suggested Conditions

Proposed conditions are included on separate pages of this report.

SPECIAL USE PERMIT STAFF REPORT

SUP No. SUP-13-03

Page 3

For Special Use Permit Hearings:

The following tests shall be found in favor of the applicant by the City Council.

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
2. That the use meets all required conditions and specifications of the Asheboro Zoning Ordinance.
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and,
4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

SUP Requirements

Ordinance requirements are included on separate pages of this report.

SUP-13-03: 2531 Old Cedar Falls Road (Residential Planned Unit Development) Proposed Conditions (as of May 31, 2013)

(A) The approved site plan depicts an agricultural tourism facility within the exterior common area of the Residential Planned Unit Development. Due to the fact that the total acreage of the Zoning Lot was utilized by the Applicant to comply with, and in fact exceed, the acreage requirements established in Section 630.A of the zoning ordinance as a baseline for any Residential Planned Unit Development land use, the proposed agricultural tourism facility was not reviewed or approved by the Council as a stand-alone land use. Instead, the agricultural tourism facility depicted on the site plan is hereby expressly approved under this special use permitting process as an optional amenity located within the exterior common area of the approved Residential Planned Unit Development land use. As an optional amenity in the exterior common area, the continuing ownership and maintenance responsibilities/obligations associated with the proposed agricultural tourism facility must be addressed by the Applicant in an integrated and comprehensive manner with the ownership and maintenance responsibilities/obligations established for the entirety of the common area located throughout the Residential Planned Unit Development. The transfer or conveyance of the proposed agricultural tourism facility as a stand-alone land use will be deemed to be a modification of this permit that requires a new Special Use Permit.

(B) While optional amenities located in the exterior common area such as the proposed agricultural tourism facility do not have to be constructed as a condition precedent to the recordation of a final plat for Phase One of the Residential Planned Unit Development, the entirety of the acreage utilized for exterior common area must be included as part of Phase One on the final plat.

(C) The Applicant can continue to engage in the land use activities that are noted on the approved site plan and for which a Special Use Permit is not required so long as such uses are conducted in strict compliance with the zoning ordinance. Any alteration or expansion of these uses that complies with the zoning ordinance will not be deemed to be a modification that requires a new Special Use Permit.

(D) The construction/use of the residential accessory structures noted on the site plan is subject to continuing strict scrutiny. Failure to comply with the requirements of the zoning ordinance shall result in enforcement action, including without limitation the pursuit of equitable relief to authorize the demolition of said structures.

(E) Prior to the issuance of a Certificate of Zoning Compliance for the Residential Planned Unit Development, all required amenities in Phase One, as shown on the approved site plan, shall be built. This requirement pertains to, but is not limited to, recreation courts, pools, and the clubhouse shown on

SUP-13-03: 2531 Old Cedar Falls Road (Residential Planned Unit Development) Proposed Conditions (as of May 31, 2013)

the site plan. Such areas shall be properly graded, stabilized, and seeded for the purpose so indicated.

(F) Prior to the issuance of a Certificate of Zoning Compliance for Phase One, homeowners' association documents, which contain provisions consistent with this order, shall be recorded in the office of the Randolph County Register of Deeds. Such homeowners' documents shall include, but not be limited to, maintenance responsibilities of the association (including specifying maintenance responsibilities for all residential structures and the agricultural tourism facility use within the common area) and a prohibition of on-street parking within the development.

(G) The proposed gravity sewer service line along and across Old Cedar Falls Road, which is proposed for maintenance by the City of Asheboro, must be constructed to City of Asheboro standards and specifications and receive approval from the NCDOT and NCDENR Division of Water Quality. A manhole or cleanout shall be provided on the property line of the Zoning Lot at the street right-of-way to separate the maintenance responsibilities of the City of Asheboro from the perpetual maintenance obligations of the property owner and any successors in interest. The sanitary sewer infrastructure within the Zoning Lot, which includes all of the low-pressure sewer facilities, is not publicly owned and/or maintained and shall be maintained by the property owner and successors in interest.

(H) Due to the fact that the water line to be constructed along Old Cedar Falls Road, as well as the master water meter for the Residential Planned Unit Development area and the banquet facility area, are proposed for eventual ownership and maintenance by the City of Asheboro, this infrastructure must be constructed to City of Asheboro standards and specifications, and receive approval from the NCDOT and NCDENR Public Water Supply Section. Maintenance easements for the water meter must be granted to the City of Asheboro.

(I) Significant existing vegetation shall be preserved. Clearing and grading shall be permitted where strictly necessary for construction of the parking areas, installation of water and sewer lines, and/or other infrastructure required for improvements authorized by the Special Use Permit, including the approved site plan.

(J) The proposed buffer plantings as shown on the landscaping plan and located along the Donald Henley property shall be installed as part of Phase One.

(K) An engineering study of storm water runoff shall be made of the Zoning Lot. If this study indicates that post development runoff will exceed predevelopment conditions, plans for runoff control shall be designed and

SUP-13-03: 2531 Old Cedar Falls Road (Residential Planned Unit Development) Proposed Conditions (as of May 31, 2013)

certified by a professional engineer. Such controls shall be designed to reduce the runoff during the occurrence of a 10-year storm to predevelopment volumes and rates. Prior to the issuance of a certificate of occupancy, a professional engineer shall provide certification that the storm water controls were built according to the plans. Any open water retention or drainage areas shall be sprayed regularly for mosquito control. The continued maintenance of all runoff control measures shall be the responsibility of the property owner and any successors in interest.

(L) The access road to the accessory residential dwellings shown on the site plan shall, at a minimum, be 20 feet wide and provide all-weather driving capabilities.

(M) The site plan depicts two entrances into the Residential Planned Unit Development. Construction of the second entrance shall be required prior to a the issuance of a Certificate of Occupancy for any phase in which the total number of units for the development as a whole exceeds thirty (30). The final location of these entrances is subject to NCDOT approval and City of Asheboro approval as it relates to the 2012 Fire Code.

(N) Maintenance of all water lines and fire hydrants shown on the approved site plan shall be the responsibility of the property owner and any successors in interest. Fire hydrants must be maintained as required by the manufacturer's recommendations for the brand of hydrant installed.

(O) Maintenance of all recreation areas, parking lots, roads, and drainage facilities that are not specifically labeled on the approved site plan as publicly owned and maintained shall be the responsibility of the property owner and any successors in interest.

(P) The Land Development Plan 2020 (LDP) identifies a future greenway on these properties. A 20-foot wide greenway/recreation easement shall be provided in the location recommended by the LDP prior to the final approval of Phase One. These required greenway/recreation easements shall be conveyed to the City by means of instrument(s) approved by the City Attorney. Upon receipt of approval from the City Attorney, the said easements shall be filed with the Zoning Administrator for recordation in the office of the Register of Deeds for Randolph County prior to the recordation of any Final Plat.

(Q) Prior to the issuance of a Zoning Compliance Permit, detailed plans concerning solid waste disposal shall be submitted to city staff and approved by the City of Asheboro Environmental Services Department. Individual can pick-up by the City is not available on privately maintained streets. The

SUP-13-03: 2531 Old Cedar Falls Road (Residential Planned Unit Development) Proposed Conditions (as of May 31, 2013)

number of dumpsters provided for the number of units developed in each phase shall be subject to approval by the Environmental Services Department.

(R) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall submit a revised site plan to city staff including the following:

i.) Location of area(s) for solid waste disposal

ii) Corrections to omission including labeling of sidewalks connecting all residential units, parking areas, recreation facilities, and trash facilities extending to Old Cedar Falls Road.

iii.) Corrections to clerical errors labeling lot requirements, number of lots and removal of "unsubdivided lots" information and references to RV resort

iv.) Additional information regarding building elevations to ensure compliance with residential design standards detailed in the Asheboro Zoning Ordinance

v.) Notation on plan that outdoor storage of recreational vehicles is prohibited.

vi.) Corrections incorporating inclusion of the secondary access drive to the townhouse portion of the Residential Planned Unit Development as shown on the Master Sketch Plan.

(S) In order to remove any ambiguity as to the land use regulations and restrictions applicable to development activities occurring on the Zoning Lot, the Applicant and owners of the Zoning Lot must agree, without reservation, that the only Special Use Permit site plan approval and supplemental conditions applicable to the Zoning Lot as of the issuance date of the requested Special Use permit are the approval and conditions found under case number SUP 13-03. The Applicant and the owners of the Zoning Lot shall explicitly abandon and relinquish any claim to development rights granted under earlier Special Use Permits, specifically including the permit issued under case number SUP 11-01.

(T) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the City Attorney for the purpose of placing notice of the conditions attached to this Special Use Permit in the chain of title for the Zoning Lot.

Asheboro Zoning Ordinance: Special Use Permit requirements

Requirements of Residential Planned Unit Development

Article 600, Section 630

630 Planned Unit Development

Planned Unit Developments may be permitted in all districts subject to the following requirements:

A. Residential Planned Unit Developments

1. Residential Planned Unit Developments may be permitted in any R40, R15, R10 R7.5, RA6 or OA6 zoning district as long as the proposed development contains a minimum of 2 acres. Those uses ordinarily permitted by right, by SUP, or as an accessory within the district the development is to be located may be included in the development.
2. Review of an application for a PUD SUP shall occur simultaneously with a review of plats submitted in compliance with the Asheboro Subdivision Ordinance. If the PUD requires review as a “major” subdivision the Sketch Design Plat shall be properly submitted, reviewed and recommended by the Planning Board for the City Council’s consideration at the same meeting as the PUD SUP. The Sketch Design Plat and the site plan required for the SUP may be combined on one plat so long as the requirements for each are met. If the PUD requires a “minor subdivision the required subdivision plat shall be properly submitted for approval. Approval shall be subject to any conditions of the PUD SUP and granted only after approval of the SUP by the City Council. (9/02)
3. Residential PUDs may have direct access to City streets or State roads which are not major or minor thoroughfares, provided such access will not create safety hazards due to design or congestion.
4. Streets within a PUD may be public or private according to the regulations of the Asheboro Subdivision Ordinance.
5. The yard and height regulations set forth in Table 200-1 may be modified for a PUD, provided that, for such development as a whole, excluding public street right-of-ways or the area dedicated to private streets but including individual lots, common area, parks and other permanent open spaces, there shall not be less than the required area per dwelling unit for the district in which such development is located.
6. Utilities shall be planned and installed according to the Asheboro Subdivision Ordinance.
7. Provisions and plans for garbage and waste collection shall be included with the application.

Requirements of Agricultural Tourism Facility

650 Agricultural Tourism Facility (Revised 8/2010)

When a special use permit is required, an agricultural tourism facility shall be subject to the following regulations:

650.1 An agricultural tourism facility shall contain at least five (5) acres.

650.2 No structure or off-street parking (including access, parking spaces and maneuvering areas) shall be located less than 100 feet from any residentially zoned lot line.

650.3 All structures shall maintain the character and appearance of a residential use and meet the requirements of Design Standards for the respective district in which they are located.

650.4 Buffering and screening shall be provided to screen any parking areas, structures and facilities related to the operation of the agricultural tourism facility. Such screening shall consist of opaque screening equivalent to or exceeding a Type D screen as defined by Article 300A, Section 304A.

650.5 When located within two hundred (200) feet from a public right-of-way, parking shall be located to the rear or side, but not in front of, the principal structure utilized for an agricultural tourism facility. Parking located more than two hundred (200) feet from a public right-of-way may be located on any side of the principal structure as long as the requirements of Section 650.4 above are met.

650.6 Signage shall be limited to one identification sign no more than six (6) feet in height and twenty-five (25) square feet in area when located less than forty feet from the public right-of-way and forty (40) feet in area when located more than forty feet from the public right-of-way.

650.7 Applications for permits under this Section shall be accompanied by a site plan or plat in accordance with Article 1000.



**SUB-13-01 (Subdivision Sketch Design: Reserves at the Vineyards/Chateau at
the Vineyards)**
(Brian Thomas)

Staff Report

SUBDIVISION STAFF REPORT
Sketch Design

CASE # SUB-13-01

Date 6-3-13 PB
6-6-13 CC

GENERAL INFORMATION

Subdivision Name Reserves at the Vineyards
Requested Action Sketch Design
Applicant Brian Thomas
Address 276 Bayside Dr., Clearwater Beach, FL 33767
Phone 727-243-0887
Location 2513 Old Cedar Falls Road

PARCEL INFORMATION

PIN 7772117810

Size 106.13 acres (+/-)

Number of Lots 160 + common area

Average Lot Size 3,360 square feet

Existing Zoning R-40

Existing Land Use Low-density residential

Surrounding Land Use

North Low-density residential

East Low-density residential

South Low-density residential

West Low-density residential

LAND DEVELOPMENT PLAN

Growth Strategy Map Economic Development

Proposed Land Use Map Neighborhood Residential

Small Area Plan Map East

Identified Activity Center? No

Development Issues

1. The developed proposes a gatehouse and private streets, restricting access to visitors.
2. The Land Development Plan identifies a public greenway on this property. The Land Development Plan recommends accommodating this facility during the development process.
3. A Special Use Permit is simultaneously being requested on this property for a Residential Planned Unit Development and Agricultural Tourism Facility (SUP-13-03.)

SUBDIVISION STAFF REPORT
Sketch Design

DEPARTMENT COMMENTS

- Engineering**
1. NC Department of Transportation (NCDOT) does not allow water and/or sewer lines and appurtenances within the public right-of-way.
 2. The HOA and/or property owners will be responsible for maintaining the low pressure sewer system, pumps, and all related appurtenances.
 3. The HOA and/or property owners will be responsible for maintaining the private water line (and related appurtenances) and all private streets/drives.

Public Works N/A

Planning The Land Development Plan identifies a public greenway on this property. The LDP recommends accommodating this facility during the development process.

RV storage can either be prohibited by Homeowners Association documents recorded with final plat or a separate, screened area will need to be provided

Plat Corrections (as of 5-31-2013)

Other

Fire Dept. and Fire Prevention Bureau:

1. Hydrant locations will be further reviewed with the preliminary plat.
2. Street radii may need to increase in certain locations.
3. A secondary access from Old Cedar Falls Road must be constructed when number of residential units exceeds 30.

Staff Recommendation Approve subject to above comments and corrections.

**Planning Board
Recommendation**

Change Order Work Sheet

REHAB BUILDERS, INC.

Project: Sunset Theatre

Change Order No 5

Location: Asheboro, NC

Date: 4/12/2013

<u>Code</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit type</u>	<u>Material Unit</u>	<u>Material Total</u>	<u>Labor Unit</u>	<u>Labor Total</u>	<u>Subc. Unit</u>	<u>Subc. Total</u>	<u>Eq. Unit</u>	<u>Eq Total</u>	<u>Notes</u>
	Dutch Door	1	ea	709	709	LS	200		0		0	Increase cost for Dutch door requested
	Electrical Panel	1	ea	0	0		0	1417.89	1,418		0	Cost from JME to move panel and add junction box,-6 homeruns were too short and had to be re-wired
	Plumbing adds	1	LS		0		0	2177	2,177		0	added plumbing and sink and revised hub drain. Hot water was also added concrete floor demo
	Add 4000 PSI Pea gravel grout	1	LS	1,000	1,000		0	0	0		0	Not enough height for stone fill, so changed product
	Delete washed stone fill	1	LS	-950	-950		0	0	0		0	Credit material
	Less concrete yardage	1	LS	-800	-800		0					Did not have to pour concrete behind counter
	Structural repairs for Termite damage	1	LS	450	450		1,050	0	0		0	Repair Termite damage at concession area, sistered floor joists
	HC ramp handrail	1	LS		0		0	1375	1,375		0	not shown on prints required both sides of ramp
	Added Soffits at concession ceiling perimeter	1	LS	150	150		250					Soffits were added for aesthetic look
	Delete VCT behind counter	1	LS						-335			
	Add concrete sealer and stain	1	LS						300			
	layout and engineering	20	Hr		0	35	700		0		0	
	Sound booth window	1			0		0	375	375		0	Add window to sound booth
	Delete paint rooftop units	1	LS		0		0	-275	-275		0	
	Delete stage ladder	1	LS		0		0	-400	-400		0	Stage ladder changed to stairs
	Add Stage Stairs and railing	1	LS		0		0	1,625	1,625		0	add metal stairs and guardrails to right side of stage. Only ladder was shown on dwgs
	Chandelier wiring	1	LS		0		0	288	288		0	cost is only \$287.63 if it is not tied into the dimming panel with lighting controls
	Chandelier fixture and installation	1	LS		0		0	1,737	1,737		0	Fixture price and installation of added chandeliere in lobby outside bathrooms
	HVAC transfer Duct	1	LS		0		0	750	750		0	Transfer duct for return air to gas unit in B3 area because of added security door at stairwell
	Power vent to library furnace	1	LS		0		0	1,200	1,200		0	Existing vent did not work because of door relocation, and added power vent per Engineer
	Change telcom conduits	1	LS		0		0	-450	-450		0	Change quantity and size from 3" to 1.5" Telcom Conduit
	Add 150 amp panel	1	LS		0		0	2875.39	2,875		0	Service to the B3 building
SUB TOTALS					559		2,200		12,660		0	
Taxes and Insurance					39		902					
SUB TOTALS					598		3,102		12,660		0	

TOTAL MLSE	16,360
O&P	2,454
Sub Total	18,814
1.1% Bond	207
GRAND TOTAL	19,021

4-5 Weeks time extension is requested.

lead time on revised items and unforeseen changes during construction are the reason for the time extension. Final finish selections and misc hardware revisions added additional procurement time as well. revisions to the light fixture package will be reconciled on future change order