

**AGENDA  
REGULAR MEETING  
CITY COUNCIL, CITY OF ASHEBORO  
THURSDAY, SEPTEMBER 11, 2014, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Receipt of a Proclamation issued by Governor Pat McCrory for Pigs & Pedals BBQ cook-off.
4. Recognition of Police Lieutenant T. Scott Maness for his dedicated service to the City of Asheboro.
5. Consent Agenda:
  - (a) Approval of the minutes of the city council's regular meeting that was held on August 7, 2014.
  - (b) Approval of the general account of a closed session conducted pursuant to Section 143-318.11(a)(4) of the North Carolina General Statutes during the City Council's regular meeting on August 7, 2014.
  - (c) Approval of a resolution to seal the general account of the closed session held on August 7, 2014.
  - (d) Approval of the findings, conclusions, and order entered by the City Council under Community Development Division File No. CUP-14-09.
  - (e) Acknowledgement of the receipt of the minutes of the Asheboro ABC Board meeting held on August 4, 2014.
  - (f) Approval of the temporary closing of the following streets for a tractor parade on Saturday, October 11, 2014, from 10:00 am to 11:30 am: Hoover Street, Davis Street, N. Church Street from Hoover Street to Sunset Avenue, Sunset Avenue from Church Street to S. Fayetteville Street, S. Fayetteville Street from Sunset Avenue to West Academy Street, and West Academy Street from S. Fayetteville Street to S. Church Street.
  - (g) Approval of the temporary closing of North Street, Trade Street, and Sunset Avenue between Church Street and Fayetteville Street for the Cultural and Recreation Services Division's Halloween event ("Trick or Treat in the Park") from 6:00 pm to 9:00 pm on Friday, October 31, 2014.

Agenda

Page 2

September 11, 2014

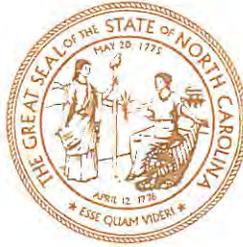
6. Trevor Nuttall will lead the discussion on the following community development items:
  - (a) A legislative hearing on zoning case no. RZ-14-07 that pertains to an application filed by Clyde Foust, on behalf of George Washington Carver College, to rezone property located at 950 Martin Luther King Jr. Drive from R7.5 (Medium-Density Residential) and B1 (Neighborhood Commercial) to B2 (General Commercial).
  - (b) Presentation of the Piedmont Triad Rural Planning Organization's Regional and Division transportation projects receiving local input points in conjunction with the NCDOT Strategic Transportation Investments Law.
  - (c) Consideration of a resolution authorizing a public hearing to be held during the October 2014 council meeting in order to receive evidence of a potential public health nuisance subject to abatement under Section 160A-193 of the North Carolina General Statutes.
7. Public comment period.
8. Michael Leonard, PE will present updates on the following public construction/repair projects:
  - (a) Update on the progress, including a schedule, for the grandstand renovation project at McCrary Ballpark.
  - (b) Update on the bidding process for the Fire Station No. 1 Roof and Gutter Replacement Project.
9. Chief Wright will present an update on the process to purchase a new fire truck.
10. Upcoming events:
  - North Tower Band concert in Bicentennial Park, Sunday, September 14, 2014, 7:00 pm.
  - Annual Cereal Sale and United Way Campaign kick-off, Saturday September 20, 2014, 10:00 am at Randolph Mall, hosted by MOM Brands.

Agenda

Page 3

September 11, 2014

- Elected Officials Picnic Wednesday, September 24, 2014, 6:00 pm hosted by City of Ramseur.
  - Fall Festival Saturday and Sunday, October 4-5, 2014, 10:00 am - 6:00 pm.
  - North Carolina League of Municipalities Annual Conference October 11-14, 2014, Greensboro, NC.
  - Asheboro/Randolph Chamber of Commerce Annual Planning Retreat, November 6-8 2014, in Wilmington, NC.
11. Mayor Smith will entertain a motion to enter into closed session in order to discuss potential economic development projects.
  12. Discussion of items not on the agenda.
  13. Adjournment



# State of North Carolina

**PAT McCRORY**

GOVERNOR

**PIGS & PEDALS BBQ COOK-OFF**

2014

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

## A PROCLAMATION

**WHEREAS**, 2014 marks the first annual Pigs & Pedals BBQ Cook-off, sponsored by Randolph County Tourism Development Authority and the City of Asheboro; and

**WHEREAS**, the event is a Kansas City Barbeque Society (KCBS) sanctioned cook-off and rally for all ages to enjoy; and

**WHEREAS**, competitors and KCBS judges from across the nation will compete and judge in the categories of chicken, pork ribs, pork and beef brisket; and

**WHEREAS**, this event shall be classified as a North Carolina State Barbecue Championship, and will increase tourism and have a positive economic impact by drawing more visitors to Asheboro; and

**WHEREAS**, the Grand Champion of the Pigs & Pedals BBQ Cook-Off will receive an invitation to the Jack Daniel's World Championship Cook-Off;

**NOW, THEREFORE**, I PAT McCRORY, Governor of the State of North Carolina, do hereby proclaim August 1-2, 2014, in recognition of the "**PIGS & PEDALS BBQ COOK-OFF**" in North Carolina, and commend its observance to all citizens.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in Raleigh the twenty-sixth day of August in the year of our Lord two thousand and fourteen, and the Independence of the United States of America the two hundred and thirty-ninth.





Pat McCrory  
Governor

**REGULAR MEETING  
ASHEBORO CITY COUNCIL  
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING  
THURSDAY, AUGUST 7, 2014  
7:00 p.m.**

This being the time and place for a regular meeting of the Asheboro City Council, a meeting was held with the following elected officials and staff members present:

- David H. Smith            ) – Mayor Presiding
- Talmadge S. Baker        )
- Clark R. Bell             )
- Edward J. Burks         )
- Linda H. Carter         ) – Council Members Present
- Walker B. Moffitt        )
- Charles A. Swiers        )
- Michael W. Hunter       ) – Council Member Absent

John N. Ogburn, III, City Manager  
 Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal  
 Leigh Anna Johnson, Public Information Officer  
 Mark T. Lineberry, Police Captain  
 Trevor L. Nuttall, Community Development Director  
 Deborah P. Reaves, Finance Director  
 Michael D. Rhoney, Water Resources Director  
 Jeffrey C. Sugg, City Attorney

**1. Call to order.**

A quorum thus being present, Mayor Smith called the meeting to order for the transaction of business, and business was transacted as follows.

**2. Silent prayer and pledge of allegiance.**

After a moment of silence was observed in order to allow for private prayer or meditation, Mayor Smith asked everyone to stand and repeat the pledge of allegiance.

**3. Resolutions presented by the Mayor:**

**(a) Celebrating the 40<sup>th</sup> Anniversary of the North Carolina Zoological Park.**

Mayor Smith presented a resolution honoring the 40<sup>th</sup> anniversary of the North Carolina Zoological Park.

Upon motion by Mr. Bell and seconded by Ms. Carter, Council voted unanimously to adopt the following resolution by reference. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**21 RES 8-14**

**RESOLUTION**

***Honoring the 40<sup>th</sup> Anniversary of the North Carolina Zoo Asheboro, North Carolina***

WHEREAS, in 1967 the North Carolina legislature created the NC Zoological Garden Study Commission to examine the feasibility of a state zoo; and

WHEREAS, the results of the study caused the formation of the North Carolina Zoological Society in 1968 with the goal of raising funds and public support for the zoo project; and

WHEREAS, Randolph County was selected from 6 potential zoo sites following a 2-year search by the zoo commission and following site selection, 1371 acres in Randolph County were donated to the state for the zoo; and

WHEREAS, the North Carolina Zoo officially opened on August 13, 1974 with their first two animals being a pair of Galapagos Tortoises; and



**4. Consent agenda:**

Upon motion by Ms. Carter and seconded by Mr. Burks, Council voted unanimously to approve the following consent agenda items. Council Members Baker, Bell, Burks, Carter, Moffitt and Swiers voted in favor of the motion.

- (a) **The minutes of the City Council's regular meeting on July 10, 2014.**
- (b) **The general account of a closed session conducted pursuant to Section 143-318.11(a)(4) of the North Carolina General Statutes during the City Council's regular meeting on July 10, 2014.**
- (c) **A resolution to seal the general account of the closed session that was held on July 10, 2014.**

**RESOLUTION NUMBER** \_\_\_\_\_ **23 RES 8-14**

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**SEALED GENERAL ACCOUNT OF A CLOSED SESSION**

**WHEREAS**, Section 143-318.10(e) of the North Carolina General Statutes provides, in pertinent part, that the "minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session;" and

**WHEREAS**, pursuant to Section 143-318.11(a)(4) of the North Carolina General Statutes, the City Council of the City of Asheboro properly conducted a closed session during a regular meeting on July 10, 2014, in order to discuss matters relating to the location or expansion of industries or other businesses in the City of Asheboro;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro that the general account of the closed session held by the City Council on July 10, 2014, is to be sealed so long as public inspection of the records would frustrate the purpose of the closed session; and

**BE IT FURTHER RESOLVED** that the city manager is hereby authorized to act as the Asheboro City Council's agent with the authority to unseal these records when the purpose of the closed session would no longer be frustrated by making the records available for public inspection or when the unsealing of the said general account is otherwise required by law.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7<sup>th</sup> day of August, 2014.

\_\_\_\_\_  
/s/David H. Smith  
David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

\_\_\_\_\_  
/s/Holly H. Doerr  
Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina

- (d) **Acknowledgement of the receipt of the minutes of the Asheboro ABC Board meeting held on July 7, 2014.**

[A copy of the above-referenced minutes received from the Asheboro ABC Board is on file in the City Clerk's office.]

- (e) **The temporary closing of the streets for Fall Festival XLII.**

The Randolph Arts Guild submitted the request (a parade permit application) to temporarily close the downtown area streets for Fall Festival XLII. The specific streets and sections of streets to be closed for the event that runs from the evening of October 3, 2013 through October 5, 2013 are identified on a street map submitted by the Arts Guild. With the approval of the consent agenda, this request was approved without modification. A copy of the approved street closure map is on file in the City Clerk's office.

- (f) **A resolution authorizing the City Manager to enter into a utility agreement between the City of Asheboro and the N.C. Department of Transportation to relocate a water line near the intersection of N.C. Highway 49 South and Mack Road for the proposed U.S. Highway 64/MackRoad connector road, wherein the estimated cost to the city is \$17,319.00.**

**RESOLUTION NUMBER** 24 RES 8-14

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**UTILITY AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the North Carolina Department of Transportation (hereinafter referred to as the "NCDOT") has prepared and adopted plans to make certain street and highway improvements under Project U5305; and

**WHEREAS**, the adopted plans pertain to improvement of the intersection of North Carolina Highway 49 with North Carolina Secondary Road 1144 (Mack Road) and the Connector Road as well as realignment with United States Highway 64 West; and

**WHEREAS**, city staff members have concluded, and the City Council concurs, that it would be advisable for the city to enter into an agreement with the NCDOT for the adjustment and relocation of city-owned utility lines/infrastructure during the course of this project by the NCDOT's contractor(s) with full reimbursement by the city for the cost of such work; and

**WHEREAS**, the attached UTILITY AGREEMENT (hereinafter referred to as the "Agreement"), which is attached hereto as ATTACHMENT A and is hereby incorporated into this Resolution by reference as if copied fully herein, has been presented to the city as the legal instrument that must be used in order to procure the proposed utility work;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that the said Agreement is hereby approved; and

**BE IT FURTHER RESOLVED** that the Mayor, City Clerk, and all other necessary city officials are hereby authorized to execute duplicate originals of the attached Agreement.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7<sup>th</sup> day of August, 2014.

/s/David H. Smith  
David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

/s/Holly H. Doerr  
Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina

[Attachment A that is referred to in the above resolution is on file in the City Clerk's office.]

- (g) **An ordinance amending Section 130.01 of the Code of Asheboro, which pertains to the regulation of the use of firearms, to harmonize the text of the city ordinance with the state statutory provisions.**

**ORDINANCE NUMBER** 19 ORD 8-14

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**AMNEDMENT OF SECTION 130.01 OF THE CODE OF ASHEBORO**

**WHEREAS**, Section 160A-189 of the North Carolina General Statutes provides, in pertinent part, as follows:

A city may by ordinance regulate, restrict, or prohibit the discharge of firearms at any time or place within the city except when used in defense of person or property or pursuant to lawful direction of law enforcement officers, and may regulate the display of firearms on the streets, sidewalks, alleys, or other public property; and

**WHEREAS**, the regulation of the discharge of firearms within the City of Asheboro is addressed by Section 130.01 of the Code of Asheboro; and

**WHEREAS**, the Asheboro City Council has concluded that the said Section 130.01 of the Code of Asheboro should be amended in order to align the ordinance text more closely with the text found in the enabling statute for the regulation of the discharge of firearms;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Asheboro, North Carolina as follows:

**Section 1.** Section 130.01 of the Code of Asheboro is hereby rewritten to provide as follows:

**§ 130.01 REGULATION OF USE OF FIREARMS OR ANY DEVICE DESIGNED OR USED TO PROJECT PELLETS, ARROWS, OR OTHER PROJECTILES.**

(A) Subject to the exceptions listed in division (B), it is unlawful for a person to discharge any pistol, rifle, gun, or other type of firearm within the city or within the boundary lines of any city-owned property that is located beyond the city limits.

(B) The prohibition listed above in division (A) does not apply to the following situations:

- (1) The discharge of a firearm at a shooting gallery or range that is operating in compliance with the Asheboro Zoning Ordinance.
- (2) The discharge of a firearm by a sworn law enforcement officer.
- (3) The discharge of a firearm by a person in self-defense, in the lawful defense of others, in the lawful defense of property, pursuant to lawful directions of law enforcement officers, and/or pursuant to a duty established by federal, state, or local statute or ordinance, specifically including by way of illustration and not limitation the discharge of a firearm by a duly appointed animal control officer or his or her designee.
- (4) Upon receipt of written permission from the Chief of Police or his or her designee, blank cartridges may be discharged during historical reenactments, military or similar displays, or during theatrical, athletic, or like performances. Such written permission from the Chief of Police or his or her designee cannot be granted unless and until the applicant establishes that the proposed activity for which the use of blank cartridges is requested will occur with the consent of the property owner and in compliance with the city's noise ordinance and zoning ordinance.
- (5) A person 21 years of age or older may use an exploding device or similar scare device for the purpose of dispersing birds, fowl, or other wildlife on the condition that the device does not have the capacity to physically harm such bird, fowl, or other wildlife and on the additional condition that the use of the device conforms with all federal and state laws as well as the regulations adopted by the North Carolina Wildlife Resources Commission. The person utilizing such a device shall exercise due care in the use of the device so as not to cause injury to persons or damage to another person's property. Prior to the utilization of such a device, the person using the device shall notify his or her adjacent property owners (or lessees) and the Asheboro Police Department of the intended use of such a device, including the location, the date, and the approximate time of day of such use. Such a device shall not be used between the hours of 11:00 p.m. and 8:00 a.m. on any day of the week.
- (6) The use of a firearm for hunting ducks and dark geese (includes Canada geese and white-fronted geese) is permitted at Lake Reese when such hunting is undertaken in compliance with Chapter 91 of the Code of Asheboro.

(C) Subject to the exceptions listed in division (D), it is unlawful for a person to shoot or project any arrow, shot, pellet, stone, rock, or other hard substance by means of a bow, air rifle, pellet gun, paintball gun, popgun, slingshot, bean shooter, or other similar type of device or contrivance within the city or within the boundary lines of any city-owned property that is located beyond the city limits.

(D) The prohibition listed above in division (C) is subject to the following exceptions:

- (1) Archery is permitted at an archery range that is operating in compliance with the Asheboro Zoning Ordinance.
- (2) The discharge of air rifles, pellet guns, paintball guns, and similar devices is permitted at shooting galleries or ranges that are operating in compliance with the Asheboro Zoning Ordinance.
- (3) Activities undertaken by a person in self-defense, in the lawful defense of others, in the lawful defense of property, pursuant to lawful directions of law enforcement officers, and/or pursuant to a duty established by federal, state, or local statute or ordinance, specifically including by way of illustration and not limitation the use of a device that

would otherwise fall within the scope of division (C) by a duly appointed animal control officer or his or her designee.

**Section 2.** All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

**Section 3.** This Ordinance shall be in full force and effect upon and after the date of its adoption.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 7<sup>th</sup> day of August, 2014.

\_\_\_\_\_  
/s/David H. Smith  
David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

\_\_\_\_\_  
/s/Holly H. Doerr  
Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina.

- (h) **A resolution authorizing city staff to publish legal notice of the intent of the city council to approve a lease of space on a city water tank to ALLTEL Communications of North Carolina Limited Partnership d/b/a Verizon Wireless.**

**RESOLUTION NUMBER** \_\_\_\_\_ **25 RES 8-14**

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**PUBLICATION OF INTENT TO APPROVE THE LEASE OF SPACE  
ON A CITY-OWNED ELEVATED WATER TANK**

**WHEREAS**, Section 160A-272(a) of the North Carolina General Statutes provides as follows:

Any property owned by a city may be leased or rented for such terms and upon such conditions as the council may determine, but not for longer than 10 years (except as otherwise provided herein) and only if the council determines that the property will not be needed by the city for the term of the lease. In determining the term of a proposed lease, periods that may be added to the original term by options to renew or extend shall be included. Property may be rented or leased only pursuant to a resolution of the council authorizing the execution of the lease or rental agreement adopted at a regular council meeting upon 10 days' public notice. Notice shall be given by publication describing the property to be leased or rented, stating the annual rental or lease payments, and announcing the council's intent to authorize the lease or rental at its next regular meeting; and

**WHEREAS**, the city currently leases space on its South Church Street elevated water tank to ALLTEL Communications of North Carolina Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") for electronic communications equipment, and the current lease agreement is nearing the end of its term; and

**WHEREAS**, the legal staffs for the city and Verizon Wireless have been engaged in negotiations to craft a new lease agreement that is acceptable to both parties; and

**WHEREAS**, the city attorney anticipates a new lease agreement, which will contain terms and conditions that are consistent with the material terms and conditions of other previously approved leases of space for electronic communications equipment on elevated water tanks, will be ready for review and approval during the City Council's regular meeting in September 2014; and

**WHEREAS**, the city attorney has requested permission for the city clerk to publish in a timely manner the notice prescribed by Section 160A-272(a) of the North Carolina General Statutes; and

**WHEREAS**, the Asheboro City Council has concluded that it is appropriate to grant the requested authorization;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that the city clerk is hereby authorized to publish the notice specified in Section 160A-272(a) of the North Carolina General Statutes if and when the city attorney advises her that the legal staffs for the city and Verizon Wireless have agreed upon a draft lease agreement for review and approval by the City Council.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7<sup>th</sup> day of August, 2014.

/s/David H. Smith  
David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

/s/Holly H. Doerr  
Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina

**5. Community Development Items:**

- (a) **Zoning Case No. RZ-14-05: A legislative hearing on the application filed by Gary Richardson on behalf of Green Light Holdings, LLC to rezone property located at 527 West Central Avenue (including property north of West Central Avenue) from R10 (Medium-Density Residential) and I3 (Limited Industrial) to I2 (General Industrial).**

Mayor Smith opened the public hearing on the following request.

The requested rezoning pertains to approximately 14.5 acres of land. The property of Ms. Jewel H. Rich is located at 527 West Central Avenue (including property on the north side of West Central Avenue) and is more specifically identified by Randolph County Parcel Identification Number 7752891801.

Mr. Nuttall presented the Community Development Division staff's analysis of the request submitted by Green Light Holdings, LLC to rezone the above-described property from R10 (Medium-Density Residential) and I3 (Limited Industrial) to I2 (General Industrial).

The staff report noted that the property is located inside the city's corporate limits, and that all city services are available. The area in which the property is located includes a mix of uses including single-family residential uses, industrial uses, and North Asheboro Park. 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.*

The Zoning Ordinance states that the I2 District is intended 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 feet wide while the Type D screen (consisting of opaque vegetation, fences, etc.) is a minimum of 15 feet wide.

The Planning Board concurred with the following Community Development Division staff's analysis and recommended approval of the requested rezoning:

"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.

The Applicant, Mr. Gary Richardson of Green Light Holdings, presented comments in support of the request.

Mr. Franke Beach had questions and concerns regarding the amount of buffering between adjoining properties and any future development as well as concerns about vehicular traffic that would be traveling along Sewell Drive if the above-referenced property is rezoned.

Ms. Beverly Garner echoed the concerns regarding the potential for heavy traffic on Sewell Drive if the above-referenced property is rezoned to the General Industrial zoning district.

Mr. Kenneth Hicks was concerned about what may be developed, specifically including hazardous materials, on the property if it is rezoned.

There being no further comments, Mayor Smith transitioned to the deliberative phase of the public hearing.

In response to the speakers' concerns, information about the provisions of the Asheboro Zoning Ordinance that address these concerns was provided. If and when a plan of development is submitted, the Council Members requested, and staff agreed, to explore the possibility of closing a segment of roadway in order to alleviate potential traffic concerns.

Upon motion by Mr. Bell and seconded by Mr. Moffitt, Council voted unanimously to adopt the recommendation/analysis of the Community Development Division staff and the Planning Board and approved the requested rezoning as well as adopting the following consistency statement that was initially proposed in the staff report:

After considering the above factors (the excerpt from the staff report that is quoted above), the zoning map amendment will allow a reasonable use of the property and ensure consistency with the Land Development Plan.

- (b) **Zoning Case No. RZ-14-06: A legislative hearing on the application filed by Carol Burrow (Agent for Richard S. Stockner) to rezone property located at 609 and 617 N.C. Highway 42 North from R10 and R7.5 (Medium-Density Residential) to O&I (Office and Institutional).**

Mayor Smith opened the public hearing on the following request.

The requested rezoning pertains to approximately 1.66 acres of land. The property of Ms. Iris B. Stockner is located 617 N.C. Highway 42 North and is more specifically identified by Randolph County Parcel Identification Numbers 7761321382 and 7761322224. The property of Richard S. Stockner and Robin S. Stockner is located at 609 N.C. Highway 42 North and is more specifically identified by Randolph County Parcel Identification Number 7761322047.

Mr. Nuttall presented the Community Development Division staff's analysis of the request to rezone the above described property from R7.5 and R10 (Medium-Density Residential) to O&I (Office and Institutional). The staff's analysis is as follows:

- a. The property is inside the city limits. All city services are available.
- b. N.C. Highway 42 North is a state-maintained major thoroughfare.
- c. 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.*
- d. The west side of N.C. Highway 42 consists primarily of residential uses in this area except for two churches. On the east side of N.C. Highway 42 is Triangle Park, a 4-acre office and commercial complex.
- e. The existing R7.5 and R10 residential districts permit single or two-family dwellings.
- f. The O&I district permits non-residential structures with 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 21,692 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.
- g. 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.

The Planning Board concurred with the following Community Development Division staff's analysis and recommended approval of the requested rezoning:

“The staff analysis for this case is similar to RZ-14-04 (the previously rejected request for OA6 zoning) 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 N.C. Highway 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 N.C. Highway 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.”

There being no further comments and no opposition from the public, Mayor Smith transition to the deliberative phase of the public hearing.

Upon motion by Mr. Moffitt and seconded by Mr. Baker, Council voted unanimously to adopt the recommendation/analysis of the Community Development Division staff and the Planning Board and approved the requested rezoning as well as adopting the following consistency statement that was initially proposed in the staff report:

After considering the above factors (the excerpt from the staff report that is quoted above), the placement of the above-identified property into the requested O&I zoning district will allow a reasonable use of the property and ensure consistency with the Land Development Plan.

**(c) A combined quasi-judicial hearing concerning an application for authorization to develop a residential planned unit development located at the terminus of Springwood Road (The application was filed by Larry McKenzie individually and on behalf of Mc-Mc Properties, LLC).**

Mayor Smith opened the combined public hearing on the application for a Special Use Permit (later converted to a Conditional Use Permit application under file no. CUP-14-09) and a sketch design approval that is needed in order for the developer, Larry McKenzie of Mc-Mc Properties, LLC, to proceed with the development of a Residential Planned Unit Development on approximately 6.75 acres of land located at the end of Springwood Road. This property is more specifically identified by Randolph County Parcel Identification Number 7750423717.

Mr. Nuttall was sworn in and presented the Community Development Division staff’s analysis of the Special Use Permit (file no. SUP-14-01) and sketch design approval (file no. SUB-14-01) sought by the developer for this project referred to as the Townhomes on Springwood Planned Unit Development.

The proposed use is a residential planned unit development consisting of 24 townhome units in 12 buildings with two (2) dwelling units per structure, which equates to approximately 3.6 dwelling units per acre. The maximum gross floor area of a residential development in the CU-RA6 district equals approximately 64,686 square feet. The applicant is proposing a development of 35,580 square feet.

In order to address concerns that were identified during the process of preparing a staff analysis, the Community Development Division staff recommended to the City Council the attachment of the following conditions to any Special Use Permit that may issued for the proposed development:

- a. All permits from the North Carolina Department of Environment and Natural Resources shall be obtained as required.
- b. Significant existing vegetation (as indicated on the site plan) shall be preserved where possible. Clearing and grading shall be permitted where necessary for the installation of infrastructure and required

- improvements, and building of any structure(s) associated with the Special Use Permit.
- c. Fire hydrant location(s) shall be coordinated with the Fire Department.
  - d. A declaration of restrictive covenants prohibiting recreational vehicle (including boat) parking as required by the subdivision ordinance shall be submitted and recorded with the final plat.
  - e. All roads, driveways, parking areas, storm sewer systems, and other improvements shall be maintained by the homeowners' association.
  - f. The site plan depicts a concrete pad within the public right-of-way of Springwood Road in front of the proposed community mailbox, which is located outside of the public right-of-way. The concrete pad within the public right-of-way shall, at a minimum, provide an area that is adequate for one (1) drop off space for a motor vehicle including maneuvering area located outside of the area depicted on the site plan as "existing pavement" on the public right-of-way of Springwood Road. Such drop off area shall be designed in accordance with commonly accepted traffic engineering practices. Construction of this area shall be the responsibility of the developer and is subject to approval of the City of Asheboro Public Works Division and/or Engineering Department. Alternatively, should the developer choose to construct the community mailbox and any associated vehicular areas in a location completely on private property, this shall not be considered a modification of the Special Use Permit, subject to Section 606 of the Asheboro Zoning Ordinance.
  - g. A clerical error was identified on the combined subdivision sketch design plat and Special Use Permit site plan dated July 22, 2014. The error pertains to the labeling of the dimension of the 25' setback and vegetative buffer adjacent to the U.S. Highway 220 Bypass I-73/I-74. The revised plat/site plan shall be submitted to staff members of the Asheboro Community Development Division for staff review and inclusion in the file without further review by the City Council.
  - h. Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute, and deliver to the Zoning Administrator 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.

The average lot size of the 24 lots within the proposed subdivision is two thousand one hundred twenty-five (2,125) square feet. A Special Use Permit and sketch design for a similar Planned Unit Development (consisting of 22 lots) was approved in 2005. Since no activity has occurred and modifications (including an increase in the number of lots) have occurred, a new sketch design review is required.

An intermittent stream is located on the property. FIRM maps do not identify any floodplain, and no stream buffer is required since the property is not in a city-designated watershed. The city has a 40 foot easement on the property, and no structures or plantings should be located within the easement. Additionally, the property's only access is Springwood Road.

The written analysis prepared by city staff as part of the sketch design review process commented on the following:

- i. Staff is verifying that street names are acceptable with Emergency Services.
- ii. Engineering Department will need to approve concrete pad adjacent to the community mailbox, since the concrete pad is inside the public right-of-way.
- iii. Staff notes that the first unit on the right upon entering the complex is very close to the city's sewer easement. Staff would recommend providing the maximum distance practical from this unit to the easement since a 10 inch force main is located within the easement.
- iv. Homeowners' association (HOA) documents will need to be recorded with the final plat.
- v. HOA documents will need to be recorded prohibiting parking of recreational vehicles. The plat indicates these vehicles will be prohibited from the development.
- vi. There is a labeling error indicating a 20' instead of the required 25' buffer along U.S. Highway 220/I-73/I-74. The error is solely in reference to the labeling. The plat shows the correct buffer dimension.
- vii. Fire Prevention Bureau: Since the proposal is for less than 30 units, the fire code does not require secondary point of access.

- viii. Fire Dept. Hydrant loations will need to be reviewed with preliminary plat.

With these comments, city staff and the Planning Board recommended approval of the sketch design plat.

The Applicant, Mr. Larry McKenzie of Mc-Mc Properties, LLC, was placed under oath and testified in support of his request for a Special Use Permit and sketch design approval.

Mr. Charles Howe and Mr. Don Morrison, both residents of Springwood Road expressed general concerns with the additional traffic on Springwood Road during the construction phase of the project.

There being no further comments, Mayor Smith transitioned to the deliberative phase of the public hearing.

**(i) Special Use Permit/Conditional Use Permit Authorizing a Residential Planned Unit Development:**

Upon motion by Mr. Moffitt and seconded by Mr. Bell, Council voted unanimously to approve the requested Special Use Permit. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion. This approval is based on the four standard tests being met.

The formal findings of fact, conclusions of law, and order for this Special Use Permit will be entered by the Council in regular session on September 11, 2014. The adopted order includes the previously listed conditions.

**(ii) Subdivision Sketch Design Case:**

With regard to the subdivision sketch design review, upon motion by Mr. Bell and seconded by Mr. Swiers, Council Members voted unanimously to approve, with the above-stated comments, the sketch design plat for the Townhomes on Springwood. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**(d) Recognition of Ed Brown's recent honor as the North Carolina Association of Zoning Officials' 2014 Zoning Official of the Year.**

Mr. Nuttall reported to the Council Members that Code Enforcement Officer Ed Brown received the 2014 Zoning Official of the Year award from the North Carolina Association of Zoning Officials.

**6. Public comment period.**

Mayor Smith opened the floor for comments from the public.

Mr. Ralph Ward, a resident of the Asheboro Mill Lofts Apartments, commented that he enjoyed watching, from his apartment, the parking and movement of the railroad freight cars and hoped that this sight would continue into the future.

Mr. Hal Hodgin had questions about the new fee that has been added to the utility customers' bill for trash collection and recycling. Mr. Ogburn referred to the budget process as a guide for the policy decisions that had to be made.

There being no further comments from the public, Mayor Smith closed the public comment period.

**7. Resolutions that are needed for projects to be undertaken by the Water Resources Division:**

**(a) A resolution enabling the city to apply for state loan assistance (a no interest loan spread over 20 years) to fund the Water Treatment Plant Filter Replacement Project.**

Mr. Rhoney presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Mr. Burks and seconded by Mr. Baker, Council voted unanimously to adopt the following resolution by reference.

**DRINKING WATER STATE REVOLVING FUND  
RESOLUTION BY GOVERNING BODY OF APPLICANT**

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water treatment works, and
- WHEREAS, The City of Asheboro has need for and intends to construct a drinking water treatment works project described as Water Treatment Plant Filters Replacement, and
- WHEREAS, The City of Asheboro intends to request state loan assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ASHEBORO:**

That City of Asheboro the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Asheboro to make scheduled repayment of the loan, to withhold from the City of Asheboro any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That John N. Ogburn III, City Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a (loan or grant) to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 7<sup>th</sup> day of August at City Hall in Asheboro, North Carolina.

/s/David H. Smith

(Signature of Chief Executive Officer)

David Smith, Mayor

(Name and Title)

- (b) A resolution enabling the city to apply for a state technical assistance grant to fund a wastewater collection system study project.**

Mr. Rhoney presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Mr. Baker and seconded by Ms. Carter, Council voted unanimously to adopt the following resolution by reference. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**27 RES 8-14**

**DENR TECHNICAL ASSISTANCE GRANT (TAG)  
RESOLUTION BY GOVERNING BODY OF APPLICANT**

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants

to aid eligible units of government in financing the cost of a study wastewater collection system, and

WHEREAS, The City of Asheboro has need for and intends to study a wastewater collection system project described as Penwood Branch Partial Sewer Evaluation & PER, and

WHEREAS, The City of Asheboro intends to request state grant assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ASHEBORO:**

That City of Asheboro, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State Technical Assistance Grant (TAG) award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Asheboro to make scheduled repayment of the loan, to withhold from the City of Asheboro any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That John N. Ogburn, III, City Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 7<sup>th</sup> of August, 2014 at City Hall in Asheboro, North Carolina.

/s/David H. Smith

(Signature of Chief Executive Officer)

David Smith, Mayor

(Name and Title)

**(c) A resolution authorizing the selection of Sturgill Engineering, PA to provide electrical engineering services at the Wastewater Treatment Plant.**

Mr. Rhoney presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Mr. Moffitt and seconded by Mr. Swiers, Council voted unanimously to adopt the following resolution by reference. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**RESOLUTION NUMBER 28 RES 8-14**

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**EXEMPTION OF THE NITRIFICATION PUMP STATION AND TRICKLING FILTERS EQUIPMENT UPGRADE PROJECT FROM G.S. 143-64.31**

**WHEREAS**, Section 143-64.31 of the North Carolina General Statutes requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

**WHEREAS**, the City of Asheboro proposes to enter into a contract for electrical engineering services in order to procure design services needed at the city's wastewater treatment plant for the Nitrification Pump Station and Trickling Filters Equipment Upgrade Project; and

**WHEREAS**, Section 143-64.32 of the North Carolina General Statutes authorizes units of local government to exempt contracts for design services from the statutorily prescribed qualification-based selection requirements if the estimated fee is less than \$50,000; and

**WHEREAS**, Sturgill Engineering, PA has previously provided high quality electrical engineering services for the city's water resources division; and

**WHEREAS**, the estimated fee for design services for the above-referenced project is less than \$50,000;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that, effective upon the adoption of this Resolution, the above-described project is exempted from the qualification-based selection process prescribed in Chapter 143, Article 3D of the North Carolina General Statutes; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Asheboro, North Carolina that the city manager is hereby authorized to execute, in accordance with the city's standard contracting procedures, all documents necessary to procure from Sturgill Engineering, PA the electrical engineering services needed to undertake the Nitrification Pump Station and Trickling Filters Equipment Upgrade Project.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 7<sup>th</sup> day of August, 2014.

\_\_\_\_\_  
/s/David H. Smith  
David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

\_\_\_\_\_  
/s/Holly H. Doerr  
Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina

**8. A resolution expressing the Council's concurrence with an amendment to the City of Asheboro Personnel Policies and Procedures Manual that is designed to improve the city's ability to recruit experienced personnel.**

Mr. Ogburn presented and recommended adoption, by referenced, of the aforementioned resolution.

Upon motion by Mr. Bell and seconded by Ms. Carter, Council voted unanimously to adopt the following resolution by reference. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**RESOLUTION NUMBER** \_\_\_\_\_ **29 RES 8-14**

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**CONCURRENCE WITH AMENDMENTS TO THE CITY OF ASHEBORO PERSONNEL POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, the City of Asheboro Personnel Policies and Procedures Manual (hereinafter referred to as the "Manual") was originally promulgated by the city manager and approved by resolution of the Asheboro City Council on March 4, 2004; and

**WHEREAS**, the city manager has concluded that the city's ability to recruit qualified job candidates with experience in local and/or state government would be enhanced by updating, effective October 1, 2014, the sick leave transfer policy that is found in Article V, Section 15 of the Manual; and

**WHEREAS**, the Asheboro City Council has concluded that the city manager's decision to revise the Manual is consistent with the City Council's adopted mission statement "to provide the citizens of Asheboro with excellence in leadership, fiscal management, and municipal services and to create meaningful and appropriate opportunities for citizen participation to improve the quality of life for all;"

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina as follows:



**9. A resolution authorizing the entry of the city into a contract to purchase land previously used for the Asheboro Hosiery Mills.**

Mr. Sugg presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Mr. Baker and seconded by Mr. Burks, Council voted unanimously to adopt the following resolution by reference. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**RESOLUTION NUMBER 30 RES 8-14**

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**AUTHORIZATION TO ENTER INTO AN AGREEMENT TO PURCHASE THE ASHEBORO HOSIERY MILLS PROPERTY**

**WHEREAS**, in furtherance of the city's on-going efforts to foster the vitality of downtown Asheboro, informal discussions have been conducted about the possibility of the city purchasing the land at 133 South Church Street that was previously used for the Asheboro Hosiery Mills; and

**WHEREAS**, these informal discussions have progressed to the point that city staff members have presented for the City Council's consideration the potential acquisition of approximately 1 acre of Asheboro Hosiery Mills real property in downtown Asheboro at a purchase price of \$125,000; and

**WHEREAS**, the 1 acre, more or less, of Asheboro Hosiery Mills property available for purchase by the city at a price of \$125,000 is shown on a preliminary plat of survey that is attached to this Resolution as EXHIBIT 1 and is incorporated into this Resolution by reference as if copied fully herein (this real property will be hereinafter referred to as the "Asheboro Hosiery Mills Property"); and

**WHEREAS**, if the City Council authorizes the acquisition of the said real property, the contemplated closing date for the land transaction is September 30, 2014; and

**WHEREAS**, after considering the benefits that can be achieved for the city by continuing to improve the downtown area, the City Council has decided to authorize the contemplated land transaction;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that, effective upon adoption of this Resolution, the purchase of the Asheboro Hosiery Mills Property at a purchase price of \$125,000 is hereby approved; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Asheboro, North Carolina that the closing date for this land transaction shall be on or before September 30, 2014; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Asheboro, North Carolina that the above-stated terms and conditions for the purchase of the said property, along with the other standard terms and conditions utilized by the city for land transactions, shall be placed in a written contractual agreement that conforms with all of the legal requirements and standards imposed upon the city when it undertakes a land purchase transaction; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Asheboro, North Carolina that the Mayor and/or the City Manager, along with any other necessary city officials, are hereby authorized to execute and deliver any and all legal instruments necessary to successfully acquire the Asheboro Hosiery Mills Property in fee simple and in accordance with the other terms and conditions prescribed by this Resolution.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 7<sup>th</sup> day of August, 2014.

/s/David H. Smith  
David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

/s/Holly H. Doerr  
Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina

[The plat of survey identified as EXHIBIT 1 in the preceding resolution is on file in the City Clerk's office.]

**10. Upcoming events that were announced by Mayor Smith:**

- **The Southeast Regional American Legion Baseball Tournament at McCrary Park, August 7 – 11, 2014.**
- **The Annual Employee Appreciation Luncheon on Wednesday, August 27, 2014 from 11:00 a.m. until 1:00 p.m. at the Public Works Conference Room.**
- **Labor Day Holiday Schedule Changes:**
  - **Redevelopment Commission meeting on Monday, September 8, 2014 at 9:00 a.m.**
  - **Planning Board meeting on Monday, September 8, 2014 at 7:00 p.m.**
  - **Regular City Council meeting on Thursday, September 11, 2014 at 7:00 p.m.**
- **The NCLM Annual Conference, October 12 – 14, 2014 in Greensboro, NC.**

**11. Closed session.**

Mayor Smith entertained a motion to go into closed session pursuant to the statutory provisions found in Section 143-318.11(a)(4) of the North Carolina General Statutes in order to discuss matters relating to the location or expansion of industries or other businesses in the area served by the City of Asheboro, including agreement on a tentative list of economic development incentives that may be offered by the city in negotiations.

Upon motion by Mr. Bell and seconded by Mr. Swiers, Council voted unanimously to go into closed session for the above-stated reason and pursuant to the above-cited statutory authority. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

A separate general account of the closed session held pursuant to Section 143-318.11(a)(4) of the North Carolina General Statutes has been prepared and filed in the City Clerk's office.

**12. Return to open session.**

After returning to open session, there were no action items to be discussed.

There being no further business, the meeting was adjourned at 9:15 p.m.

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Holly H. Doerr, CMC, NCCMC, City Clerk

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David H. Smith, Mayor

**RESOLUTION NUMBER \_\_\_\_\_**

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**SEALED GENERAL ACCOUNT OF A CLOSED SESSION**

**WHEREAS**, Section 143-318.10(e) of the North Carolina General Statutes provides, in pertinent part, that the “minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session;” and

**WHEREAS**, pursuant to Section 143-318.11(a)(4) of the North Carolina General Statutes, the City Council of the City of Asheboro properly conducted a closed session during a regular meeting on August 7, 2014, in order to discuss matters relating to the location or expansion of industries or other businesses in the City of Asheboro;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro that the general account of the closed session held by the City Council on August 7, 2014, is to be sealed so long as public inspection of the records would frustrate the purpose of the closed session; and

**BE IT FURTHER RESOLVED** that the city manager is hereby authorized to act as the Asheboro City Council’s agent with the authority to unseal these records when the purpose of the closed session would no longer be frustrated by making the records available for public inspection or when the unsealing of the said general account is otherwise required by law.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 11<sup>th</sup> day of September, 2014.

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David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

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Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina

Case No. CUP-14-09  
City Council  
City of Asheboro

IN THE MATTER OF THE APPLICATION BY LARRY McKENZIE AND Mc-Mc  
PROPERTIES, LLC FOR A CONDITIONAL USE PERMIT AUTHORIZING A  
RESIDENTIAL PLANNED UNIT DEVELOPMENT

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING, WITH  
CONDITIONS, THE REQUESTED CONDITIONAL USE PERMIT

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THIS MATTER came before the Asheboro City Council (hereinafter referred to as the “Council”) for a properly advertised quasi-judicial public hearing on the question of whether to approve an application for a Conditional Use Permit. The public hearing was opened and sworn testimony received during a regular meeting of the Asheboro City Council that was held on August 7, 2014. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby enter the following:

FINDINGS OF FACT

1. Larry W. McKenzie properly submitted to the City of Asheboro an application in his individual capacity and as a manager of Mc-Mc Properties, LLC (Larry McKenzie and Mc-Mc Properties, LLC shall be hereinafter collectively referred to as the “Applicant”) for a Conditional Use Permit authorizing a land use identified in the Asheboro Zoning Ordinance as a Residential Planned Unit Development (this land use shall be hereinafter referred to as a “PUD”). The said application was initially processed and brought before the Council as a Special Use Permit due to the regulation of planned unit developments as special uses. Ultimately, for the reasons set forth herein, the application was treated as an application for a Conditional Use Permit and the case was converted from Community Development Division File No. SUP-14-01 to File No. CUP-14-09.

2. The Applicant has submitted a site plan showing the proposed PUD on a single parcel of land in which the Applicant has an ownership interest and that is located within the corporate limits of the City of Asheboro at the western terminus of Springwood Road. The said parcel of land is identified by Randolph County Parcel Identification Number 7750423717 (this parcel of land shall be hereinafter referred to as the “Zoning Lot”).

3. Pursuant to Article 200 of the Asheboro Zoning Ordinance (the Asheboro Zoning Ordinance shall be hereinafter referred to as the “AZO”), in order to be properly permitted under the AZO, a PUD land use must be permitted by means of the issuance of a Special Use Permit.

4. General standards for special uses along with specific requirements for the respective land uses that require a Special Use Permit are prescribed by Article 600 of the AZO.

5. Subsection A of Section 630 of the AZO prescribes the following regulations for the requested PUD:

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 (where) 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 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.*

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 (of the AZO) 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 areas, 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.*

8. *Buffers and/or screening shall be installed and maintained based on the types of individual uses contained within the development as per Article 304A (of the AZO).*

9. *Signs will be regulated as per Article 500 (of the AZO).*

10. *Off street parking shall be provided as per Article 400 (of the AZO).*

11. *General landscaping shall be installed and maintained. Plans indicating all required and non-required landscaping shall be submitted as part of the application.*

6. The Zoning Lot is 6.75 acres, more or less, in size.

7. The Zoning Lot is located within a Conditional Use RA6 zoning district.

8. Pursuant to Section 102 of the AZO, only those uses specifically permitted in the zoning district to which the conditional use district corresponds, in this case the RA6 zoning district, are permitted. Furthermore, no use is permitted within a conditional use district except as authorized by means of the Council issuing a Conditional Use Permit that specifies the land use or uses approved for a particular lot.

9. With regard to land uses, such as the requested PUD, that are permitted by means of the issuance of a Special Use Permit, Section 102 of the AZO provides as follows:

*The authorization of a Conditional Use Permit in any CU District for any use which is permitted only as a Special Use in the district which corresponds to the CU District shall preclude any requirement for obtaining a Special Use Permit for any such use from the City Council.*

10. The Zoning Lot is currently undeveloped property.

11. The surrounding land uses are as follows:

**North:** Undeveloped, Residential

**East:** Single-Family Residential

**South:** Industrial

**West:** I-73/I-74 (U.S. Highway 220 Bypass)

12. With regard to the city's comprehensive development plans, the Growth Strategy Map identifies the area in which the Zoning Lot is located as a primary growth area, and the proposed land development plan map designates the area as neighborhood residential.

13. In 2005, a different applicant applied for and received a Conditional Use Permit (Case No. CUP-05-25) authorizing a residential planned unit development with 22 attached dwelling units in structures with either 2 or 3 units per structure.

14. After the quasi-judicial hearing conducted under case number CUP-05-25, the following finding was entered by the Council:

*Jim Wright, a real estate appraiser, offered credible testimony that the proposed development would not detrimentally impact the value of adjoining properties, especially in light of the fact that the proposed development was more desirable in terms of the value of adjoining properties than industrial development.*

15. During the quasi-judicial hearing held on August 7, 2014, in connection with the current case, Larry McKenzie, who is an experienced real estate developer, offered a favorable comparison to another residential planned unit development that he successfully undertook and that is known as “Fairway Townhomes” in support of his contention that the Applicant’s proposed PUD will not detrimentally impact the value of adjoining properties.

16. The Applicant’s current proposal is for 24 units in 12 buildings with 2 dwelling units per structure. This design proposal yields approximately 3.6 dwelling units per acre. In addition to changing the design from 3 to 2 units per building, the Applicant has changed the building design from 2-story buildings to 1-story buildings.

17. Under the AZO, the maximum gross floor area of a residential development in the Conditional Use RA6 zoning district is 64,686 square feet. The Applicant’s proposal specifies a development of 35,580 square feet.

18. The Zoning Lot is located within the AZO’s United States Highway 220 Overlay District. Consequently, the City of Asheboro Planning Board is required to review the proposed development to ensure that the proposal protects the “existing natural character of the view” from the United States Highway 220 Bypass (I-73/I-74). The City of Asheboro Planning Board did review the Applicant’s proposal during a meeting held on August 4, 2014, and, for the purpose of the overlay district, approved the proposal.

19. In an effort to ensure the compatibility of the proposed land use with the surrounding land uses and to advance the public interest, the Applicant worked with staff members in the city’s Community Development Division to reach agreement on conditions that city staff members and the Applicant could recommend to the Council for attachment to the requested Conditional Use Permit. The permit conditions recommended by city staff, and accepted by the Applicant during the hearing of this case, are as follows:

*a. All permits from the North Carolina Department of Environment and Natural Resources shall be obtained as required.*

*b. Significant existing vegetation (as indicated on the site plan) shall be preserved where possible. Clearing and grading shall be permitted where necessary for the installation of infrastructure, required improvements, and the building of any structures associated with the Conditional Use Permit.*

c. *Fire hydrant locations shall be coordinated with the Asheboro Fire Department.*

d. *A declaration of restrictive covenants prohibiting recreational vehicle parking, including boats, as required by the City of Asheboro Subdivision Ordinance shall be submitted and recorded with the final plat.*

e. *All roads, driveways, parking areas, storm sewer systems, and other improvements shall be maintained by the homeowners' association.*

f. *The site plan depicts a concrete pad within the public right-of-way of Springwood Road in front of the proposed community mailbox, which is itself located outside of the public right-of-way. The concrete pad within the public right-of-way shall, at a minimum, provide an area that is adequate for 1 drop-off space for a motor vehicle, including maneuvering area, located outside of the area depicted on the site plan as "existing pavement" on the public right-of-way of Springwood Road. Such drop-off area shall be designed in accordance with commonly accepted traffic engineering practices. Construction of this area shall be the responsibility of the Applicant and is subject to approval by the City of Asheboro Public Works Division and Engineering Department. Alternatively, if the Applicant chooses to construct the community mailbox and any associated vehicular areas in a location completely on private property, such a decision will not be considered a modification of the Conditional Use Permit.*

g. *A clerical error was identified on the combined subdivision sketch design plat and Conditional Use Permit site plan dated July 22, 2014. The error pertains to the labeling of the dimension of the 25' setback and vegetative buffer adjacent to the United States Highway 220 Bypass (I-73/I-74). A revised plat/site plan reflecting the correction of this error shall be submitted to staff members in the City of Asheboro Community Development Division for staff review and inclusion in the file without further review by the Council.*

h. *Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the Zoning Administrator, 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 Conditional Use Permit in the chain of title for the Zoning Lot.*

20. During the hearing of this case, testimony was offered by two witnesses who had generalized concerns about the adequacy of Springwood Road as a point of access to the proposed development. However, no analytically sound evidence was introduced during the hearing to establish that police, fire, or any other type of public service vehicle would be unable to reasonably access and provide service to Springwood Road and the PUD proposed for the western terminus of the road. Furthermore, no traffic count or any other type of traffic study was introduced to indicate that Springwood Road would be unable to handle within acceptable parameters the traffic flow that may be generated by the proposed PUD.

21. The totality of the evidence entered during the hearing of this matter established that, with the suggested conditions, the site plan for the proposed PUD meets the technical specifications of the AZO.

22. The evidence produced during the course of the hearing of this case did not raise any concern about the redesigned PUD possessing a design feature that would call into question, in any material sense, the findings and conclusions relied upon by the Council to approve a residential planned unit development for the Zoning Lot as early as 2005.

Based on the foregoing findings of fact, the Council hereby enters the following:

#### CONCLUSIONS OF LAW

With the proposed conditions described hereinabove, the requested Conditional Use Permit is to be issued on the basis of the following conclusions:

1. The proposed development will not materially endanger the public health or safety if the proposed land use is located where proposed and developed according to the plan as submitted and approved;

2. The evidence received during the public hearing established that the proposed land use does meet all of the required conditions and specifications of the Asheboro Zoning Ordinance;

3. The evidence presented during the course of the hearing of this matter established that the proposed land use will not substantially injure the value of the adjoining or abutting property; and

4. The location and character of the Applicant's proposed land 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.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

## ORDER

Subject to the following conditions, a Conditional Use Permit authorizing the above-described residential planned unit development on the said Zoning Lot is hereby approved and issued to the Applicant and the Applicant's heirs, successors, and assigns. The continuing validity of this Conditional Use Permit is hereby made expressly contingent upon the Applicant and the Applicant's heirs, successors, and assigns complying at all times with the applicable provisions of the Asheboro Zoning Ordinance, the site plan presented and approved during the hearing of this matter, and the following supplementary conditions:

a. All permits from the North Carolina Department of Environment and Natural Resources shall be obtained as required.

b. Significant existing vegetation (as indicated on the site plan) shall be preserved where possible. Clearing and grading shall be permitted where necessary for the installation of infrastructure, required improvements, and the building of any structures associated with the Conditional Use Permit.

c. Fire hydrant locations shall be coordinated with the Asheboro Fire Department.

d. A declaration of restrictive covenants prohibiting recreational vehicle parking, including boats, as required by the City of Asheboro Subdivision Ordinance shall be submitted and recorded with the final plat.

e. All roads, driveways, parking areas, storm sewer systems, and other improvements shall be maintained by the homeowners' association.

f. The site plan depicts a concrete pad within the public right-of-way of Springwood Road in front of the proposed community mailbox, which is itself located outside of the public right-of-way. The concrete pad within the public right-of-way shall, at a minimum, provide an area that is adequate for 1 drop-off space for a motor vehicle, including maneuvering area, located outside of the area depicted on the site plan as "existing pavement" on the public right-of-way of Springwood Road. Such drop-off area shall be designed in accordance with commonly accepted traffic engineering practices. Construction of this area shall be the responsibility of the Applicant and is subject to approval by the City of Asheboro Public Works Division and Engineering Department. Alternatively, if the Applicant chooses to construct the community mailbox and any associated vehicular areas in a location completely on private property, such a decision will not be considered a modification of the Conditional Use Permit.

g. A clerical error was identified on the combined subdivision sketch design plat and Conditional Use Permit site plan dated July 22, 2014. The error pertains to the labeling of the dimension of the 25' setback and vegetative buffer adjacent to the United States Highway 220 Bypass (I-73/I-74). A revised plat/site plan reflecting the correction of this error shall be submitted to staff members in the City of Asheboro Community Development Division for staff review and inclusion in the file without further review by the Council.

h. Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the Zoning Administrator, 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 Conditional Use Permit in the chain of title for the Zoning Lot.

The above-listed findings, conclusions, and order were adopted by the Asheboro City Council in open session during a regular meeting held on the 11<sup>th</sup> day of September, 2014.

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David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

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Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina

82

## Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on August 4, 2014

The Asheboro ABC Board met on August 4, 2014, at 5:00 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC.

Present were Chair Brooke Schmidly, Board Member Steve Knight, Board Member Bob Morrison and General Manager Rodney Johnson (GM). A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after the Chair and both Board members voiced having no conflict, and there being no objection, the agenda was adopted.

The Board reviewed and there being no objection, approved and signed the Minutes from the July 7, 2014, regular meeting.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent.

Each Board Member is required to complete ethics training within one year of appointment or reappointment to the board. The Chair has completed the required ethics training and the documentation will be sent to the ABC Commission. Steve Knight has also been reappointed to the Board and has 12 months from August 14, 2014, to complete the required training.

The Board reviewed grant requests for Alcohol Education and Rehabilitation funds for 3<sup>rd</sup> and 4<sup>th</sup> Quarter 2014 funds. After discussion, the Chair moved and the Board approved distributing \$500.00 to South Asheboro Middle School with the remainder of 3<sup>rd</sup> and 4<sup>th</sup> Quarter 2014 funds being distributed to Randolph Fellowship Homes.

The Board heard reports from the General Manager concerning the following issues:

1. The Change-Fund Report ending July 31, 2014, was reviewed with nothing remarkable noted.
2. Asheboro ABC sales statistics comparing:
  - July 2014 sales with the previous month indicate:
    - An overall +4.8% change (all sales and tax collections)
  - July 2014 sales with sales from the same month last year indicate:
    - Retail Sales +1.7%
    - Mixed Beverage Sales: +4.3%
    - Sales Tax Collections: +1.9%

- Overall Collections: +2.0%
- July 2014 bottle sales with bottle sales from the same month last year indicate:
  - Retail Bottle Sales: +3.1%
  - Mixed Beverage Bottle Sales: +4.6%
  - Overall Bottle Sales: +3.2%

Charts reflecting sales histories were handed out to Board members for review and discussion.

The next regular Asheboro ABC Board meeting will be held Monday, September 2, 2014, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 9-2-14   
GM

*J. Brooke Schmidt*  
*Stephen R Knight*  
*Robt Moore*



APPLICATION FOR PARADE PERMIT

In accordance with the Asheboro City Code, Section 97.04, application is hereby made for a parade permit. This permit must be received fourteen (14) days prior to the day of the parade.

Contact Name: Qua Wood

Address: 1016 Redwood Dr. Asheboro, NC 27205

Phone: 336-625-9352 E-mail: qua.wood@gmail.com

Organization: Mid-State Tractor Heritage Assoc.

Address: P.O. Box 2447 Asheboro, NC 27204

Phone: 336-625-9352

Date of Parade: Oct 11, 2014 Start Time: 10:00 End Time: 11:30

Number of Persons: \_\_\_\_\_ Number of Vehicles: 100

Streets Involved: all of Hoover, Davis, part of Church, Sunset Fayetteville and Academy

Special officials and/or guests: not known @ this time

Insurance Company & Policy Number: Erie (931-1600645 Every Participant signs a waiver and release form

Any additional Information: We need Hoover and Davis Streets closed at 7am on 10-11-14

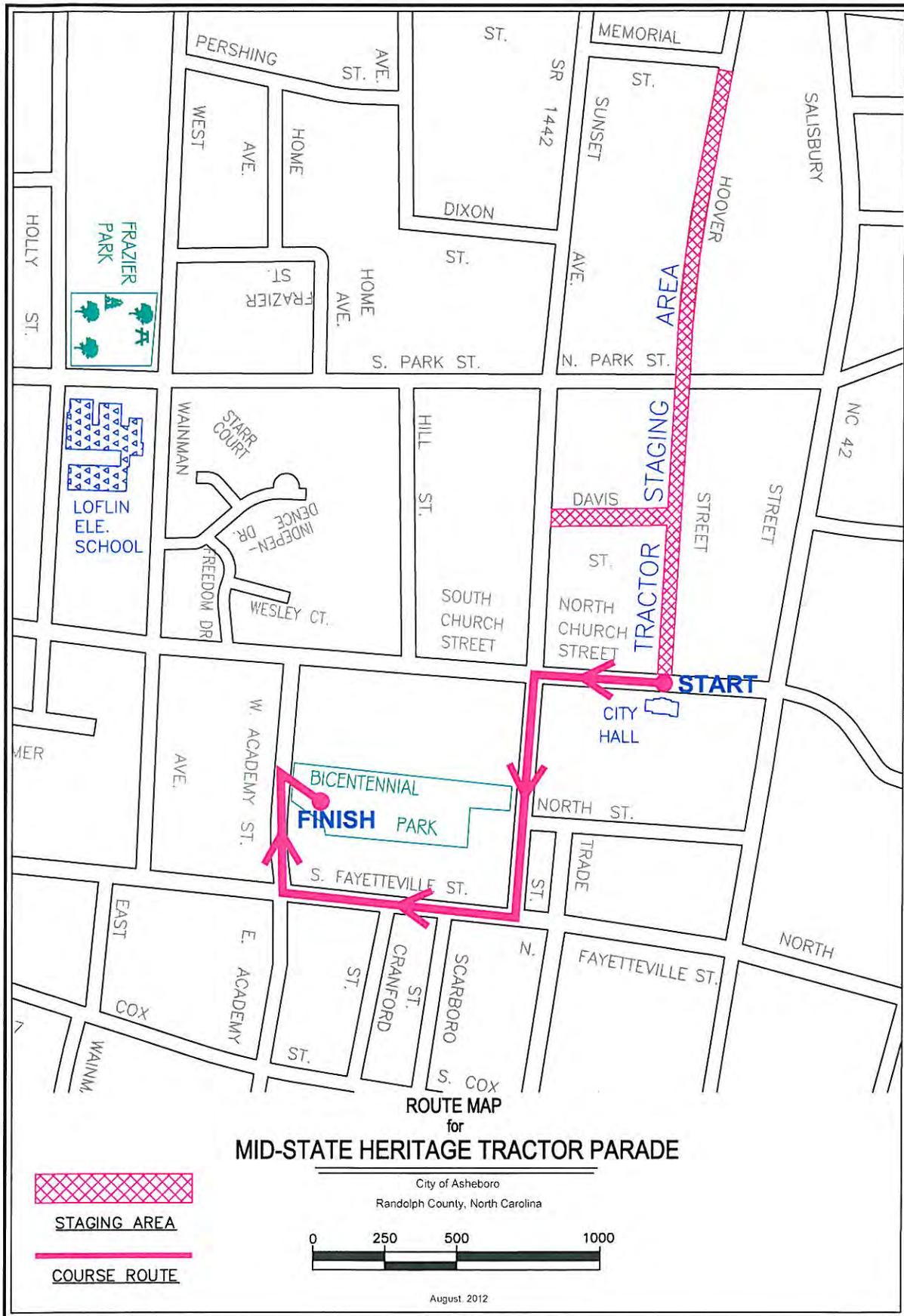
The undersigned agrees to hold the City of Asheboro and its officers, employees and agents free and harmless from and against any and all claims, losses, damages and settlements arising out of or relating to this parade. The undersigned agrees to investigate and provide defense for and defend any such claims at his/her (?) sole expense and agrees to bear all other costs and expenses related thereto, even if the claims are groundless or false.

Signature of Authorized Representative: Qua S. Wood

Internal Use Only

Police Department Recommendation: \_\_\_\_\_

City of Asheboro Approval By: [Signature] Date: 2/7/2014

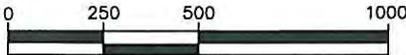


**ROUTE MAP**  
for  
**MID-STATE HERITAGE TRACTOR PARADE**

City of Asheboro  
Randolph County, North Carolina

 STAGING AREA

 COURSE ROUTE





APPLICATION FOR PARADE PERMIT

In accordance with the Asheboro City Code, Section 97.04, application is hereby made for a parade permit. This permit must be received fourteen (14) days prior to the day of the parade.

Contact Name: Jennifer R. Staley (City of Asheboro Cultural & Recreation Services)

Address: 241 Sunset Ave Asheboro, NC 27203

Phone: 336-626-1240 x4 E-mail: jstaley@ci.asheboro.nc.us

Organization: Asheboro Cultural & Recreation Services

Address: 241 Sunset Ave, Asheboro, NC 27203

Phone: 336-626-1240 x4

Date of Parade: October 31, 2014 Start Time: 6:00 pm End Time: 9:00 pm

Number of Persons: 6000 Number of Vehicles: 0

Streets Involved: Sunset to Fayetteville St. and Fayetteville St. to Cox St. Trade st block & Nor

Special officials and/or guests:

Insurance Company & Policy Number:

Any additional information: At this point this is only a city event not sure if TDA at old court house will be involved and will need an officer at stop light in front old Gyro Business. We are requesting police presence at this event. Request for Road closer will be in September Council Meeting.

The undersigned agrees to hold the City of Asheboro and its officers, employees and agents free and harmless from and against any and all claims, losses, damages and settlements arising out of or relating to this parade. The undersigned agrees to investigate and provide defense for and defend any such claims at his/her (?) sole expense and agrees to bear all other costs and expenses related thereto, even if the claims are groundless or false.

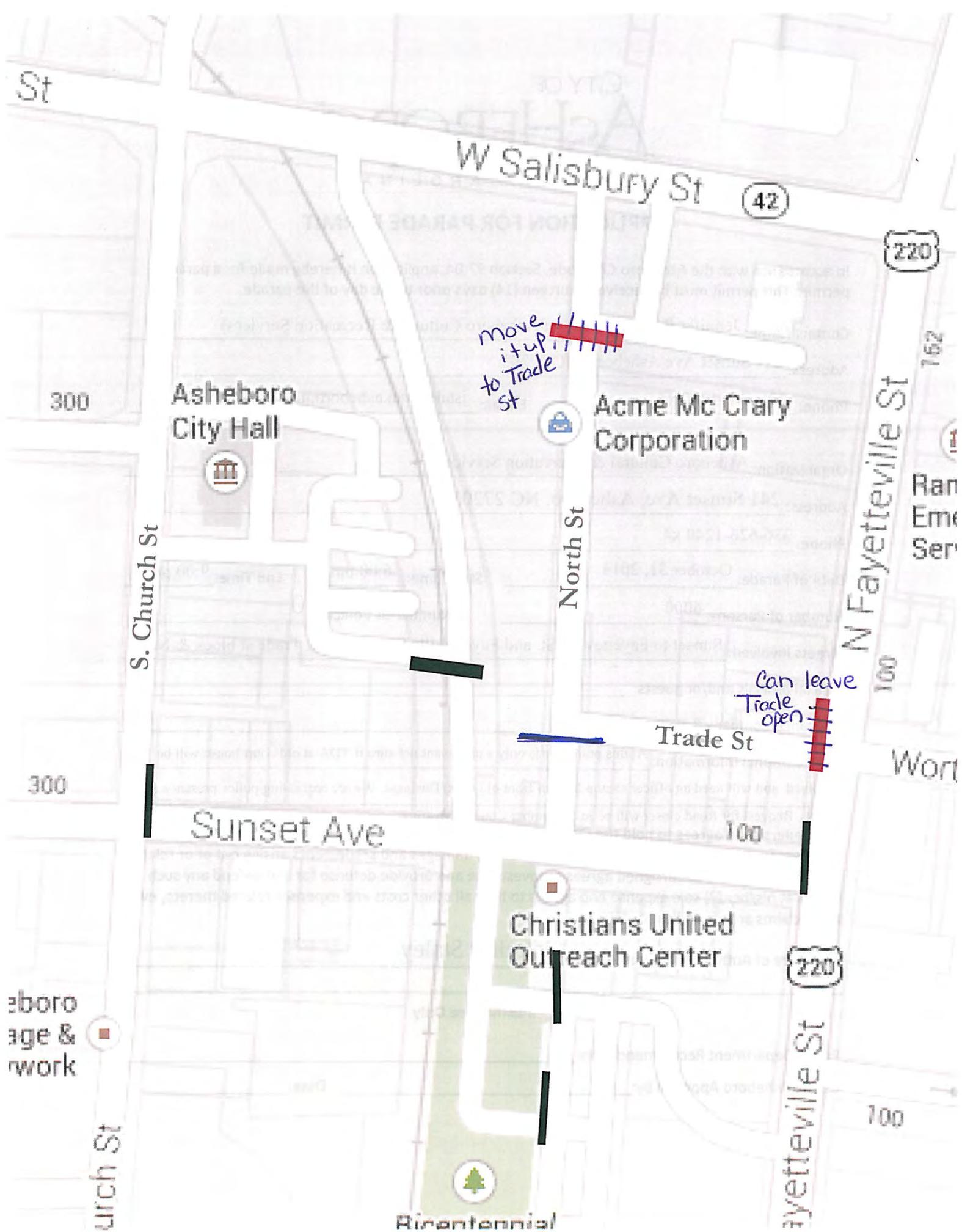
Signature of Authorized Representative: Jennifer Staley

Digitally signed by Jennifer Staley
DN: cn=Jennifer Staley, o=City of Asheboro, ou, email=jstaley@ci.asheboro.nc.us
c=US
Date: 2013.08.19 11:24:11 -0400

Internal Use Only

Police Department Recommendation:

City of Asheboro Approval By: Date:



St

W Salisbury St

42

220

162

300

Asheboro City Hall



move it up to Trade St



Acme Mc Crary Corporation

North St

N Fayetteville St

Ran Em Ser

S. Church St

Can leave Trade open

Trade St

100

300

Sunset Ave

100

Wor

Asheboro age & work

Christians United Outreach Center

220

Church St

Fayetteville St

100

Bicentennial





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

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

**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-14**  
**-07**

Date 8/4/2014 PB

Applicant Clyde Foust

### Legal Description

The property of George Washington Carver College, located at 950 Martin Luther King Jr. Dr., totaling approximately 1.94 acres (+/-) and more specifically identified by Randolph County Parcel Identification Number. 7761332561.

**Requested Action** Rezone from R7.5 (Medium-Density Residential) and B1 (Neighborhood Commercial) to B2 (General Commercial)

**Existing Zone** R7.5/B1

**Land Development Plan** See rezoning staff report

### Planning Board Recommendation

Approve

### Reason for Recommendation

The Planning Board concurred with staff reasoning.

### Planning Board Comments

# Rezoning Staff Report

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

Date 8/4/2014 PB  
9/11//2014 CC

## General Information

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

**Existing Zone** R7.5/B1  
**Existing Land Use** Undeveloped property  
**Size** 1.94 acres (+/-)  
**Pin #** 7761332561

## Applicant's Reasons as stated on application

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

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

## **Surrounding Land Use**

**North** Single/Two-family residential  
**East** Single-family residential  
**South** Commercial  
**West** Single-family residential

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

## **Legal Description**

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

## **Analysis**

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

# Rezoning Staff Report

RZ Case # RZ-14-07

Page 2

## Consistency with the 2020 LDP Growth Strategy designations

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

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

## LDP Goals/Policies Which Support Request

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

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

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

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

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

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

# Rezoning Staff Report

RZ Case # RZ-14-07

Page 3

## LDP Goals/Policies Which Do Not Support Request

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

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

## Recommendation

Approve

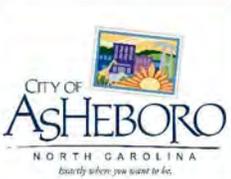
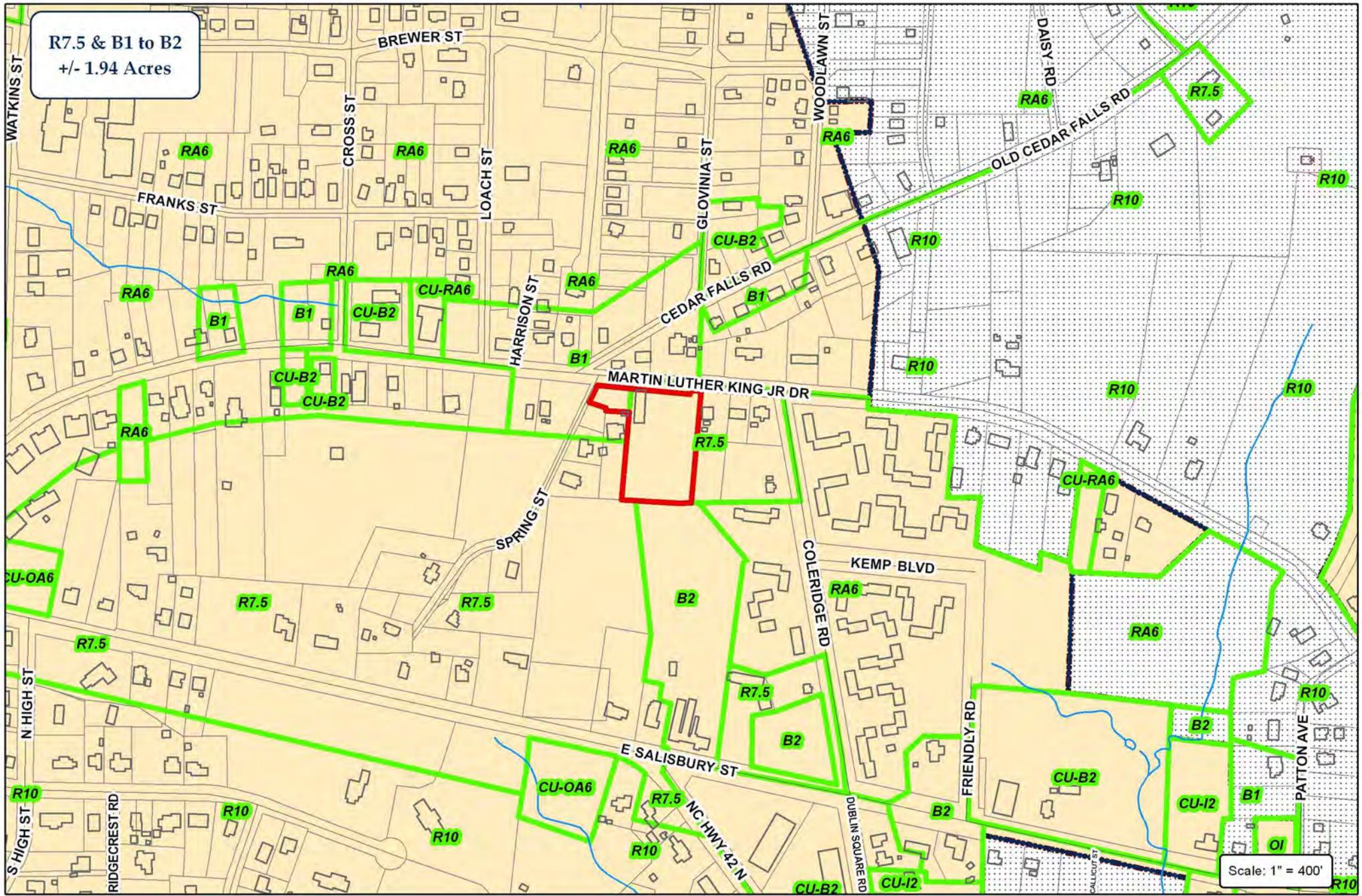
## Reason for Recommendation

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

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

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

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



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

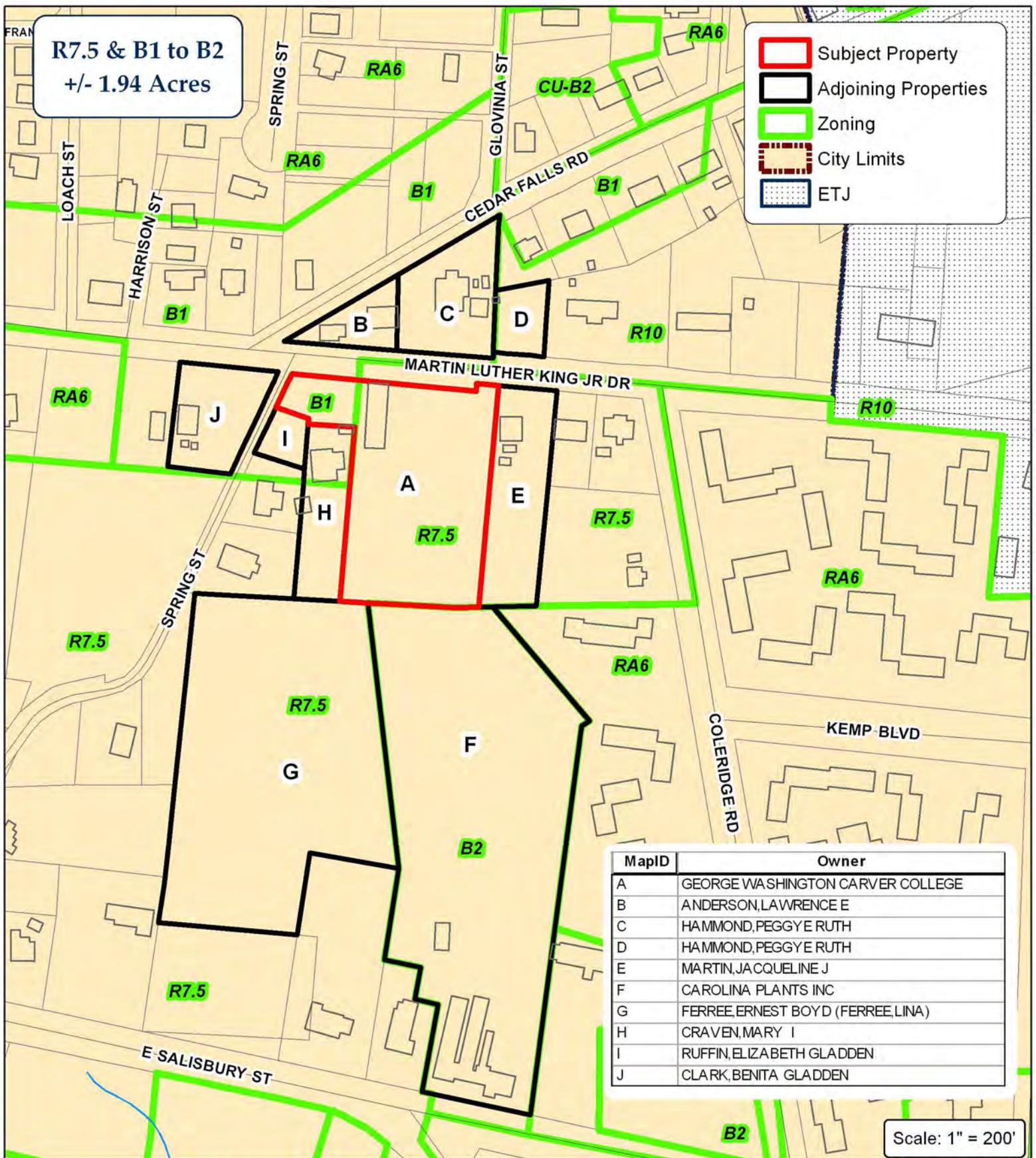
	Subject Property
	Zoning
	City Limits
	ETJ



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

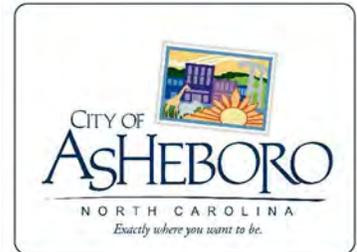
**Legend**

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



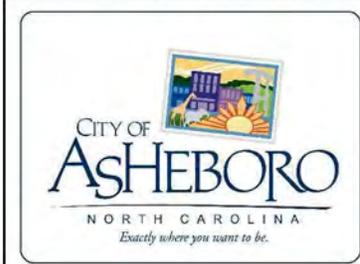
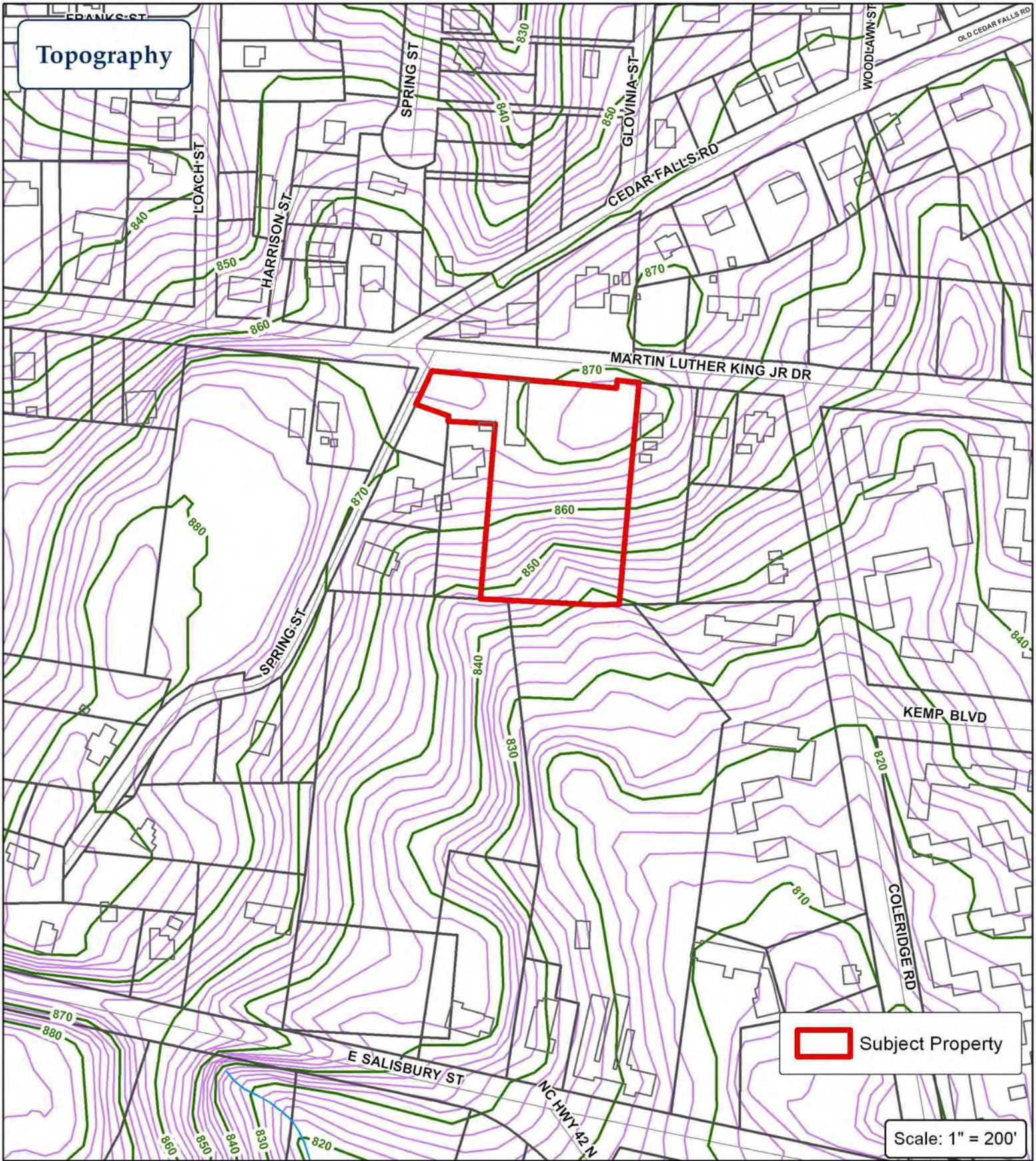
MapID	Owner
A	GEORGE WASHINGTON CARVER COLLEGE
B	ANDERSON, LAWRENCE E
C	HAMMOND, PEGGY E RUTH
D	HAMMOND, PEGGY E RUTH
E	MARTIN, JACQUELINE J
F	CAROLINA PLANTS INC
G	FERREE, ERNEST BOYD (FERREE, LINA)
H	CRAVEN, MARY I
I	RUFFIN, ELIZABETH GLADDEN
J	CLARK, BENITA GLADDEN

Scale: 1" = 200'



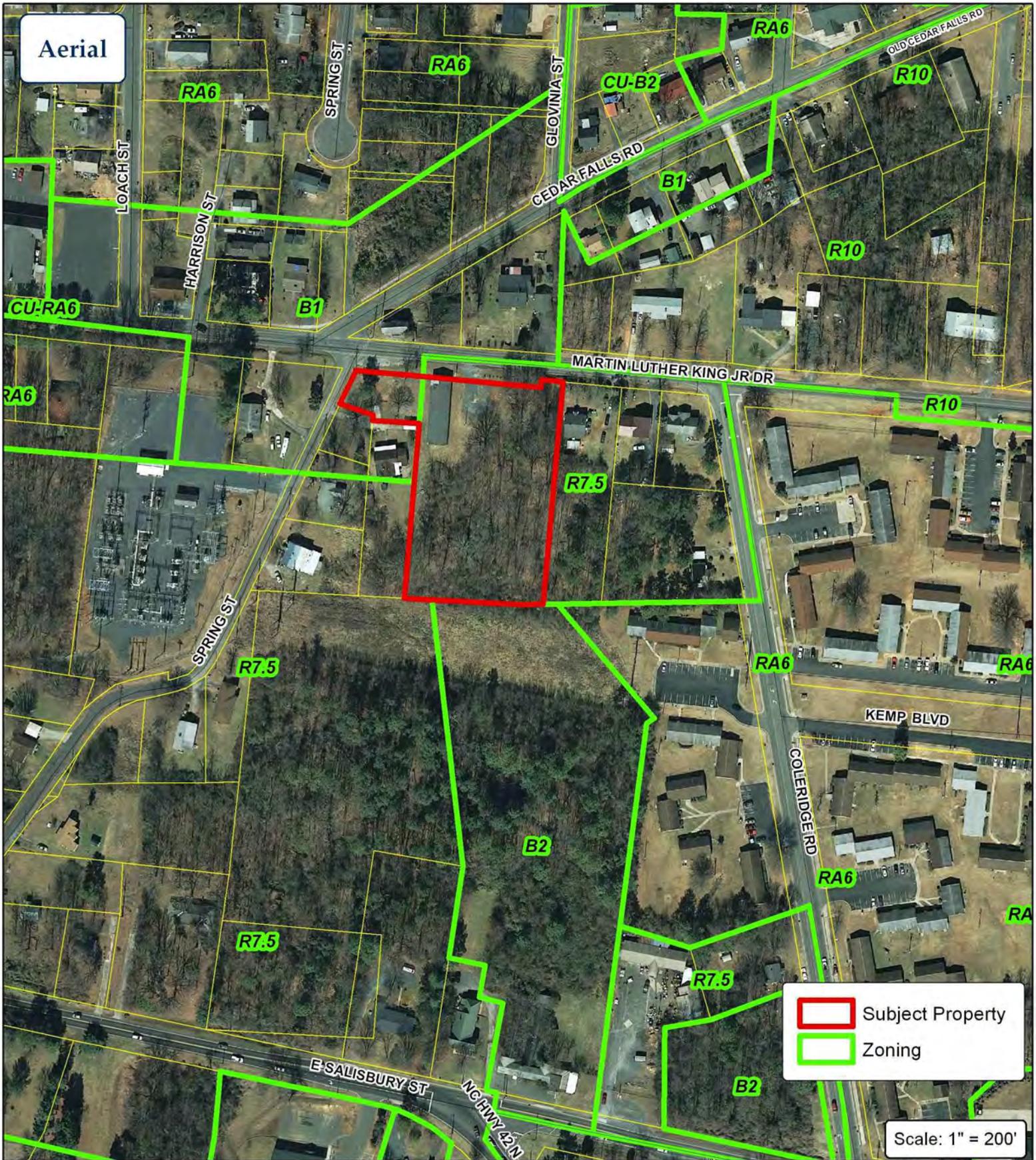
**City of Asheboro**  
**Planning & Zoning Department**  
**Rezoning Case: RZ-14-07**  
**Parcels: 7761332561**





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





Aerial

Subject Property  
 Zoning

Scale: 1" = 200'



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



Item 6 (b)

**Resolution of the Piedmont Triad Rural Planning Organization**  
**Affirming Adherence to the Identification and Scoring of Projects for Prioritization Policy**

*A motion was made by Alvin Foster and seconded by Stan Heywood for the adoption of the following resolution and upon being put to a vote was duly adopted.*

**WHEREAS**, the North Carolina Department of Transportation (NCDOT) created the Strategic Prioritization Process in response to a State mandate to create a professional data-driven approval process for transportation project selection; and

**WHEREAS**, significant changes to the process were made by House Bill 817 also known as the Strategic Transportation Investments (STI) which established funding tiers (Statewide, Regional, and Division) and funding allocations across all transportation modes; and

**WHEREAS**, the STI legislation requires that RPOs develop a ranking process to evaluate all eligible project categories (highway, non-motorized, public transportation, aviation, rail and ferry) and prioritize projects ranked by the RPO that fall in the "Regional" and "Division" levels; and

**WHEREAS**, RPOs were given the opportunity to assign points to projects; the points are part of the equation used by NCDOT's Strategic Planning Office to develop priorities for projects across the state; and

**WHEREAS**, the Piedmont Triad RPO has a pool of 1500 points at the Regional Level and a pool of 1500 points at the Divisional Level, with the maximum number of points that can be applied to any given project limited to 100; and

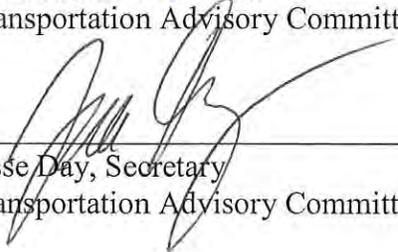
**WHEREAS**, RPO staff evaluated all Regional and Division Projects according to the TAC approved Identification and Scoring of Projects for Prioritization Policy; and

**WHEREAS**, the RPO and the NCDOT Division 7 and 8 coordinated and strategically assigned the allotted local input points, maximizing combination of points where possible; and

**WHEREAS**, RPO staff initiated a public review period beginning on June 20, 2014, ending on July 25, 2014 with projects published on the RPO's webpage.

**NOW, THEREFORE, BE IT RESOLVED** that the Transportation Advisory Committee of the Piedmont Triad RPO approves the lists of Regional and Division Aviation, Highway, Bicycle, Pedestrian and Public Transit projects receiving local input points in conjunction with the NCDOT Strategic Transportation Investment (STI) Adopted on this the 28<sup>th</sup> day of August, 2014.

  
\_\_\_\_\_  
Talmadge Baker, Chairman  
Transportation Advisory Committee

  
\_\_\_\_\_  
Jesse Day, Secretary  
Transportation Advisory Committee

Piedmont Triad RPO Division Needs Preliminary Points Assignments with NCDOT Scores

Adopted June 18, 2014 by the Piedmont Triad RPO TAC, Revised at the August 28, 2014 TAC Meeting

	SPOT ID	First Division	First County	Project Category	TIP	Route	From / Cross Street	To	Description	Specific Improvement Type	Cost to NCDOT	State Mobility Quant Score (Out of 100)	Regional Impact Quant Score (Out of 70)	Division Needs Quant Score (Out of 50)	PTRPO Local Score	PTRPO Points Assignment	NCDOT Points Assignment	Final Score
1	H141246	8	Randolph	Regional Impact		NC-159 Zoo Parkway	US 64/ Dixie Drive/Atlantic Ave		Construct left turn lanes and direct US 64/Dixie Drive westbound traffic onto Atlantic Avenue and 3rd Street. Install new signals and left turn lanes on 3rd St	10 - Improve Intersection	\$233,000	N/A	47.26	38.32	75	100	100	88.32
2	H141243	8	Randolph	Regional Impact		US-220-BUS-Fayetteville St	Presnell Street		Upgrade signalization and turning movements. Build one dedicated left turn lane on west Presnell Street and one dedicated left turn lane on Fayetteville St/US 220 Business	10 - Improve Intersection	\$465,000	N/A	47.47	38.08	75	100	100	88.08
3	H141248	8	Randolph	Regional Impact		NC-42	Dublin Rd	US 64	Widen to 4 lane divided with sidewalks, and re-align Dublin and Dublin Sq Rd	1 - Widen Existing Roadway	\$7,457,000	N/A	21.44	18.12	85	100	100	68.12
4	H141530	7	Rockingham	Regional Impact		NC-14 South Van Buren Road	Kings Highway		Upgrade at-grade intersection to diamond interchange	7 - Upgrade At-grade Intersection	\$7,130,000	N/A	30	17.67	80	100		67.67
5	B142049	7	Eden	Division Needs		Stadium Drive Sidewalk	Country Club Rd	Freedom Park	Construct sidewalk extension from existing sidewalk at the schools area to Freedom Park	5. Construct Sidewalk	\$300,000			19.67		100		44.67
6	B142025*	8	Montgomery	Division Needs		School Greenway	Arthur Dr	Eastern Middle and High School	Construct a Sidepath along US Business 220 to connect residential areas of Biscoe to the Middle and High School. RR right of way has been granted	2. Construct multi-use/sidepath	\$967,000			18.33	80	100		43.33
7	A130426	7	SIF - Rockingham County / NC Shiloh Airport	Division Needs		EXTEND RUNWAY TO 5,500'			Extend Runway from 5,200' to 5,500' to accommodate larger aircraft. Includes planning, design, land, and construction. (includes Project Request Numbers: 2122/2945)	520 - Permitting / Mitigation Preliminary Engineering	\$1,871,000			16.23	85	100		41.23
8	H090228	7	Rockingham	Regional Impact	R-3414	NC-65 , NC-87	West Old County Home Road	US 158-29 Business	West of SR 2371 (Old County Home Road) in Wentworth to US 158-29 Business (Freeway Drive) in Reidsville. Upgrade Existing Roadway.	16 - Modernize Roadway	\$33,744,000	N/A	20.04	15.34	80	100		40.34
9	A130430	8	43A - Mont County Airport	Division Needs		RUNWAY SAFETY AREA SLOPE IMP.			Improve slopes along the sides of Runway 3-21 so they can be maintained (includes Project Request Numbers: 3256 )	210 - Construct, expand, repair	\$619,000			10.8	70	100		35.8
10	A130432	8	HBI - Asheboro Municipal Airport	Division Needs		HANGAR DEVELOPMENT AREA AND TAXI LANES			Project includes: paving one taxilane and extending an existing taxilane; extension of an existing access road, and a new access road to the existing taxilanes and relocation of the existing airport entrance road new 10 Unit T-Hangar Building	2100 - Hangers and Economic Development	\$3,875,000			8.24	70	100		33.24
11	T130086	8	Rand/Mont	Regional Impact		Rand-Mont			Purchase additional 20' LTV w/ lift for fleet operations in Rand and Mont Co	Expansion Vehicle	\$60,100		4.67		n/a	100		29.67
Recommended Flex Projects (choose only 4)**	H141364	8	Randolph	Division Needs		SR 1712 Pineview St	0.1 West of Sylvan St at RR	US 220 Bus Fayetteville Street	Widen existing two lane road to 3 lanes with a center multi-directional turn lane at key locations	1 - Widen Existing Roadway	\$3,112,000			11.04	15	100	100	61.04
	B142028*	8	Randolph	Division Needs		Salisbury St	Elm St	Dublin Rd	Construct sidewalk on both sides of the street connecting medium density residential and shopping areas to existing sidewalk.	5. Construct sidewalk	\$950,000			27.36	65	100		52.36
	B142031*	8	Randolph	Division Needs		W Academy St	High Point St	Hilliary St	Construct Sidewalk on north side of W Academy St and connect schools area to downtown	5. Construct sidewalk	\$461,000			20.34	75	100		45.34
	B142079*	7	Rockingham	Division Needs		Jaycee Park Greenway Ext	Existing Greenway	Middle and High School	Construct 10' wide multi-use paved trail to connect with Middle and High School	2. Construct multi-use/sidepath	\$285,000			19.25	75	100		44.25

**About the Scores and Submission Requirements**

PTRPO Points Assignment – 100 points assigned will add 25 points (100pts x 25%) to the Division Needs Quantitative score **shaded in yellow**, the respective Division Engineer is responsible for the other 25 points (100 pts x 25%) or part thereof.

PTRPO Local Score -At the June 18' 2014 PTRPO TCC and TAC meeting, 5 highway projects from each PTRPO County were designated 30 points towards the PTRPO Local Score. See prioritization policy pgs. 13 and 14 for more details on how the local score was calculated: [www.ptrc.org/ptrpo](http://www.ptrc.org/ptrpo)

Projects Highlighted in **Green** have a good chance of getting programmed according to estimates of available funding and submitted projects.

Final Points Submission – Points assignment by the PTRPO must be completed and submitted to NCDOT by August 29, 2014.

\*No Local Funding Commitment

\*\*These projects were recommended for consideration at the August 20, 2014 TAC meeting as flex projects.

**Piedmont Triad RPO Regional Impact Preliminary Points Assignments with NCDOT Scores** Adopted June 18, 2014 by the Piedmont Triad RPO TAC, Revised at the August 28, 2014 TAC Meeting

Regional Impact Rank	SPOT ID	First Division	First County	Project Category	TIP	Route	From / Cross Street	To	Description	Specific Improvement Type	Cost to NCDOT	Statewide Mobility Quant Score (Out of 100)	Regional Impact Quant Score (Out of 70)	Division Needs Quant Score (Out of 50)	PTRPO Local Score	PTRPO Points Assignment	NCDOT Points Assignment	Final Score
1	H141243	8	Randolph	Regional Impact		US-220-BUS-Fayetteville St	Presnell Street		Upgrade signalization and turning movements. Build one dedicated left turn lane on west Presnell Street and one dedicated left turn lane on Fayetteville St/US 220 Business	10 - Improve Intersection	\$465,000	N/A	47.47	38.08	75	100	100	77.47
2	H141246	8	Randolph	Regional Impact		NC-159 Zoo Parkway	US 64/ Dixie Drive/Atlantic Ave		Construct left turn lanes and direct US 64/Dixie Drive westbound traffic onto Atlantic Avenue and 3rd Street. Install new signals and left turn lanes on 3rd St	10 - Improve Intersection	\$233,000	N/A	47.26	38.32	75	100	100	77.26
3	H141388*	7	Rockingham	Regional Impact		NC-87	Wentworth Street/Sandy Cross Road		Construct one lane roundabout and remove traffic signal	10 - Improve Intersection	\$775,000	N/A	45.36	32.77	10	50	100	67.86
4	H141530	7	Rockingham	Regional Impact		NC-14 South Van Buren Road	Kings Highway		Upgrade at-grade intersection to diamond interchange	7 - Upgrade At-grade Intersection	\$7,130,000	N/A	30	17.67	80	100	100	60
5	H090307	7	Rockingham	Statewide Mobility		I-73 Future, US-220	US 311/NC 135		Widen Bridge on US 311/NC 135 Over Future I-73/US 220 and Upgrade interchange.	8 - Improve Interchange	\$2,175,000	29.77	25.67	17.74	65	100	100	55.67
6	H141519*	7	Caswell	Regional Impact		NC-86	Walter's Mill Road		Construct a left turn lane from NC 86 onto Walter's Mill Road	10 - Improve Intersection	\$233,000	N/A	23.14	16.68	25	100	100	53.14
7	H090061-DB	8	Randolph	Statewide Mobility	R-2220DB	US-64	Proposed Asheboro Bypass	NC 49	Widen to Multi-Lanes.	1 - Widen Existing Roadway	\$21,900,000	22.62	21.59	15.79	70	100	100	51.59
8	H141248	8	Randolph	Regional Impact		NC-42	Dublin Rd	US 64	Widen to 4 lane divided with sidewalks, and re-align Dublin and Dublin Sq Rd	1 - Widen Existing Roadway	\$7,457,000	N/A	21.44	18.12	85	100	100	51.44
9	H090228	7	Rockingham	Regional Impact	R-3414	NC-65 , NC-87	West Old County Home Road	US 158-29 Business	West of SR 2371 (Old County Home Road) in Wentworth to US 158-29 Business (Freeway Drive) in Reidsville. Upgrade Existing Roadway.	16 - Modernize Roadway	\$33,744,000	N/A	20.04	15.34	80	100	100	50.04
10	H090273	7	Rockingham	Regional Impact	R-4402	NC-14 , NC-87	NC 700/770 (Meadow Road) in Eden	Virginia State Line	NC 700/770 (Meadow Road) in Eden to the Virginia State Line. Widen to Multi-Lanes.	1 - Widen Existing Roadway	\$61,135,000	N/A	18.52	12.92	65	100	100	48.52
11	H090113*	8	Montgomery	Statewide Mobility	R-2527	NC 24-NC27	NC 73	Troy Bypass	Widen to Multi-Lanes	1 - Widen Existing Roadway	\$44,650,000	14.25	15.77	10.95	30	100	100	45.77
12	H111119	8	Randolph	Regional Impact		US-220-BUS-	US 311 Extension	SR 2123 Caudle Road	Widen Roadway to Four Lanes with a Median	1 - Widen Existing Roadway	\$6,287,000	N/A	19.63	16.43	75	75		30.88
13	H090598	8	Montgomery	Regional Impact		NC-109	NC 73 (Main Street)	NC 24/27	NC 73 in Mt. Gilead to NC 24-27 West of Troy. Widen Existing; Add Shoulders; install Turn Lanes at Traffic Generators and Signalization.	16 - Modernize Roadway	\$22,230,000	N/A	8.98	7.38	75	100		23.98
14	H090023-B	8	Montgomery	Statewide Mobility	I-4406B	I-73 , US-220 , I-74	South of NC 211	North of SR 1500 (Post office Road)	South of Steeds to North of Emery. Upgrade to interstate Standards. Section B: South of NC 211 to North of SR 1500 (Post office Road)..	17 - Upfit to Interstate Standards	\$10,820,000	13.09	11.31	8.24	70	75		22.56
15	T130084	8	Rand/Mont	Regional Impact		Rand-Mont			Purchase additional 20' LTV w/ lift for fleet operations in Rand and Mont Co	Expansion Vehicle	\$60,100		4.67		n/a	100		19.67
16	H090023-D	8	Montgomery	Statewide Mobility	I-4406D	I-73 , US-220 , I-74	North of NC 24/27	North of SR 1002 (Spies Road)	South of Steeds to North of Emery. Upgrade to interstate Standards. Section D: North of NC 24/27 to North of SR 1002 (Spies Road)..	17 - Upfit to Interstate Standards	\$10,970,000	11.44	9.92	6.76	70	50		17.42
17	H090023-C	8	Montgomery	Statewide Mobility	I-4406C	I-73 , US-220 , I-74	North of SR 1500 (Post office Road)	North of NC 24/27	South of Steeds to North of Emery. Upgrade to interstate Standards. Section C: North of SR 1500 (Post office Road) to North of NC 24-27.	17 - Upfit to Interstate Standards	\$8,270,000	10.43	9.03	5.58	65	50		16.53

**About the Scores and Submission Requirements**

PTRPO Points Assignment – The 100 points assigned will add 15 points (100pts x 15%) to the Regional Impact Quantitative score **shaded in yellow**, the respective Division Engineer is responsible for the other 15 points (100 pts x 15%) or part thereof.

PTRPO Local Score -At the June 18' 2014 PTRPO TCC and TAC meeting, 5 highway projects from each PTRPO County were designated 30 points towards the PTRPO Local Score. See prioritization policy pgs. 13 and 14 for more details on how the local score was calculated: [www.ptcr.org/ptrpo](http://www.ptcr.org/ptrpo)

Projects Highlighted in **Green** have a good chance of getting programmed according to estimates of available funding and submitted projects.

Final Points Submission – Points assignment by the PTRPO must be completed and submitted to NCDOT by August 29, 2014.

\*These projects were not initially scored at the June 18, 2014 meeting and were recommended for funding at the August 20 and 28, 2014 meeting; primarily to get more projects to a funding level.

**RESOLUTION NUMBER \_\_\_\_\_**

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**RESOLUTION SETTING THE DATE, TIME, AND PLACE FOR A QUASI-JUDICIAL HEARING ON THE QUESTION OF ABATING A POTENTIAL PUBLIC HEALTH NUISANCE**

**WHEREAS**, Section 160A-193 of the North Carolina General Statutes authorizes the city to remove, abate, or remedy everything in the city limits, or within one mile thereof, that is dangerous or prejudicial to the public health or public safety; and

**WHEREAS**, this authority can be exercised by the Asheboro City Council upon adequate notice, right to a quasi-judicial hearing, and the right to appeal to the General Court of Justice; and

**WHEREAS**, the former Value Inn at 901 Albemarle Road in Asheboro has been closed by the owners, and no one appears to be exercising control over the abandoned, open swimming pool that is located on the premises; and

**WHEREAS**, the City of Asheboro has received a letter dated August 15, 2014, from the Randolph County Health Director indicating, on the basis of observations made by health department employees, she had formed the opinion that the abandoned pool is a public health nuisance that should be abated;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro that all necessary staff members are hereby directed to gather evidence relevant to the question of whether the pool at the former Value Inn, 901 Albemarle Road, Asheboro, North Carolina 27203 is a public health nuisance that should be abated by the city; and

**BE IT FURTHER RESOLVED** that a quasi-judicial hearing on the question of whether the pool at the former Value Inn is a public health nuisance that should be abated by the city is hereby called and set to be held before this Council during the Council's next regular meeting that will begin at 7:00 p.m. on October 9, 2014, in the Council Chamber at Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203; and

**BE IT FURTHER RESOLVED** that the city clerk is to cause notice of this hearing to be published in *The Courier-Tribune*, a newspaper having general circulation in the City of Asheboro, at least ten (10) days prior to the date of the public hearing; and

**BE IT FURTHER RESOLVED** that the city clerk is further directed (a) to cause notice of the said hearing to be mailed to the parties that are identified by means of searching the public records as having a potential property interest in the premises of the former Value Inn and (b) to

cause the prominent posting of the said hearing notices on the premises where the abandoned pool is located.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 11<sup>th</sup> day of September, 2014.

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David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

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Holly H. Doerr, CMC, NCCMC, City Clerk  
City of Asheboro, North Carolina



Upcoming Event  
Information

317 East Dixie Drive • Asheboro, North Carolina 27203 • Phone: (336) 626-2626

**Executive Committee**

Art Martinez, Chairman  
Nationwide Insurance

Jerry Moore, VP - Internal Affairs  
Carolina Pharmacy, Seagrove

Michael Moore, VP - Community Development  
Sentry Fire Protection Co.

John Revell, VP - Business and Industry  
Oliver Rubber Company

Shelley Greene, VP - Governmental Affairs  
Randolph Community College

Russ Williams, Treasurer  
North Carolina Zoological Society

Reynolds Lisk, Past Chairman  
Insurance Associates of the Triad

George Gusler, President

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David Smith  
City of Asheboro

Mark Strider  
Game On Athletic Center LLC

Jill Vanness  
Randolph Electric Membership Corp.

**Area Chamber Representative**

Jeff Freeman  
Randleman Chamber of Commerce

August 26, 2014

The Honorable David Smith, Mayor City of Asheboro  
And Members of the Asheboro City Council  
City Hall  
146 North Church Street  
Asheboro, NC 27203

Dear Mayor Smith and Members of the City Council,

It has been brought to our attention that this year's Asheboro/Randolph Chamber of Commerce annual Planning Retreat is slated to begin the night of your regularly held Council Meeting. This makes your full participation and attendance in Wilmington a bit of a logistical challenge.

The Planning Retreat's official Welcome is actually the day following your Council Meeting: at 1:00PM on Friday, November 7<sup>th</sup>. There will be breakout sessions earlier that morning (10AM) in which we'll do a quick review of all Chamber of Commerce events for the year. We'll be asking folks to identify the value the events provide Chamber Members, the Community, and the Chamber itself. The results will be shared with the group during the Welcome session later that afternoon. We have a feedback tool planned that will enable anyone unable to attend the morning session to provide any thoughts that may be contrary to those developed in the breakouts.

We hope to see some, if not all, of you at the Planning Retreat in Wilmington. Your voice is important, and your insight and knowledge about our community are invaluable. Our shared goal is to make Asheboro and Randolph County a great place to live, work, and do business. The City of Asheboro has been our greatest partner in doing all we can to bring that goal to life. We regret the inconvenience the timing on this year's Planning Retreat may cause. Please know that we will communicate more directly with the City when scheduling these critical events in the future.

Very truly yours,

Jerry Moore, 2015 Board Chairman

Linda Brown, President