



**Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)**

Monday, July 8, 2019

7:00 PM

AGENDA

- I. Call to Order
- II. Approval of Minutes from June 3, 2019
- III. Review of Cases
- IV. RZ-19-10: Request to rezone property located at 531 Rock Crusher Road (Randolph County Parcel Identification Number 7761658018) from B1 (Neighborhood Commercial) to M (Mercantile)
- V. Items Not on the Agenda
- VI. Adjournment

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**MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, JUNE 3, 2019
7:00 p.m.**

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

Van Rich) - Chair
Lynette Garner) - Vice Chair

Ritchie Buffkin)
David Henderson)
Michael O'Kelley) - Members Present
Thomas Rush)

Pamela Vuncannon) – Members Absent

John Evans, Assistant Community Development Division Director
Justin Luck, Planning and Zoning Administrator
Brad Morton, Planning Technician/Deputy City Clerk
Trevor Nuttall, Community Development Division Director
Jeff Sugg, City Attorney

Two (2) citizens were present at this meeting.

CALL TO ORDER

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

APPROVAL OF MINUTES FROM MAY 6, 2019

Mr. Rich inquired if there were any corrections or additions that needed to be made to the May 6, 2019 regular Planning Board meeting. Hearing no corrections or additions the minutes were approved as presented.

REVIEW OF CASES

Mr. Justin Luck informed the board of the zoning related cases that were heard at the regular May meeting of the Asheboro City Council.

RZ-19-09: REQUEST TO REZONE PROPERTY LOCATED ON NORTH SIDE OF VISION DRIVE AND ALONG NOTTINGHAM ST., SOUTH AND EAST OF 1595 NOTTINGHAM ST. (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBERS 7752655565, 7752547146, 7752640158) FROM R15 (LOW-DENSITY SINGLE-FAMILY RESIDENTIAL), RA6 (HIGH-DENSITY RESIDENTIAL), AND CU-I3 (CONDITIONAL USE LIMITED INDUSTRIAL) TO CU-I2 (CONDITIONAL USE GENERAL INDUSTRIAL)

Mr. John Evans gave a visual presentation on the aforementioned rezoning case. He stated that the applicant was John Thompson, JB Davis, and Jerry Holder (Osott, LLC). He stated that the size of the property in total was 62.34 acres +/- . He stated that the existing land use is undeveloped. He showed overview, rezoning, topographic/utilities, as well as showing aerial maps of the subject property and photographs from all directions. He then gave the property analysis:

- Vision Drive is a state-maintained boulevard with fully controlled access at this location. Nottingham Street is a state-maintained road. The property also is adjacent to I-73/I-74, an interstate highway.
- The I2 description in the zoning ordinance states the intent of the district “is 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.” In the requested CU-I2 district, City Council must approve all proposed development.
- A portion of the property is located within the Watershed Balance area, which restricts the coverage of impervious surfaces (i.e. buildings, parking) for non-residential uses to 12 percent of a property’s land area, unless City Council approves a Special Intensity Allocation (SNIA) which may allow up to 70 percent impervious coverage on a zoning lot.
- Along with a Conditional Use Permit (CUP) for an Industrial Development with Multiple Uses and Structures, the applicant’s CUP request includes a request for a SNIA
- A small portion of the property closest to Vision Drive is located in a Special Hazard Flood Area.

He then gave the LDP recommendations as follows:

Proposed Land Use Map:

Parcel Number 7752655565 – Urban Residential
 Parcel Number 7752547146 – Employment Center
 Parcel Number 7752640158 – Employment Center

Growth Strategy Map:

Parcel Number 7752655565 – Primary Growth (City Limits)
 Parcel Number 7752547146 – Economic Development (ETJ)
 Parcel Number 7752640158 – Economic Development (ETJ)

Goals/Policies Supporting Request (5):

- Checklist Item 1: LDP Map compliance (portion)
- Checklist Item 3: Fits district intent in zoning ordinance
- Checklist Item 5: Complies with Growth Strategy Map
- Checklist Item 7: Complies with Northeast Small Area Plan
- Checklist Item 10: Property is consistent with Land Category Descriptions

Goals/Policies Not Supporting Request (5):

- Checklist Item 1: Does not comply with LDP proposed land use map (portion)
- Checklist Items 12-14: Located within area of steep slopes, within watershed/flood areas.
- Policy 2.1.5: Transitional land use between high intensity industrial uses and lower intensity uses.

He then gave a statement of consistency with adopted plans, reasonableness, and public interest:

- Compliance of request with “Employment Center” designation (majority of property)
- Transportation corridor proximity (I-73/I-74, Rail)
- Supported by Small Area Plan’s designation of employment center near I-73/I-74 & Vision Drive
- Other non-residential uses in area conducive to Employment Center
- Conditional Use Permitting process (specific uses, site design, concerns over environmental sensitivity & proximity to schools)

He stated that staff recommends approval of the proposed rezoning case. He stated that the next step will be for the City Council to consider the rezoning request at their regular meeting held on Thursday, July 11, 2019 at 7 p.m. He stated that if the board had any questions he would answer them at this time.

Mr. Henderson inquired if the applicant could obtain a permit from NCDOT to access Vision Drive along their property, to which Mr. Evans stated that after a discussion with NCDOT, they have stated that the area is a fully controlled access area and that they would not be likely to grant access from Vision Drive. He also stated that based off of the information that was given to staff by NCDOT, the only access would likely be from Nottingham Street. Mr. Henderson noted that the Nottingham Street access resembled a driveway, to which Mr. Evans stated that the applicant would also need to work with the Norfolk Southern Railroad to be allowed to cross the railroad's property. There were no more questions for Mr. Evans at this time.

Mr. John Thompson stated that there are three parcels involved in the rezoning proposal and access would be coming across Nottingham and creating a new entrance into a portion of the property, making it a wider road instead of accessing from the narrow existing access. He stated that having the railroad nearby will allow for future growth and expansion.

Mr. O'Kelley asked if the rail line was a main line, to which Mr. Thompson stated that it was a main line. There were no further questions for Mr. Thompson. No one spoke in opposition to the case.

Mr. Henderson moved to approve case RZ-19-09 based on staff's recommendation. Mr. O'Kelley seconded the motion and the motion carried unanimously.

ITEMS NOT ON THE AGENDA

Mr. Nuttall reported that staff will be investigating and initiating the process for an update to the Land Development Plan. He stated that staff is hopeful that the process will start at the beginning of the next fiscal year, and there will be public participation sessions as well as opportunities for feedback by the board.

ADJOURNMENT

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

Bradley Morton, Planning Board Secretary

Van Rich, Planning Board Chair



RZ-19-10

531 Rock Crusher Rd. (Randolph County Parcel Identification Number 7761658018) from B1 (Neighborhood Commercial) to M (Mercantile)

Staff Report

Rezoning Staff Report

RZ Case # RZ-19-10

Date 7/8/2019 Planning Board

General Information

Applicant Benjamin A. Zenetella

Address PO Box 2562

City Asheboro NC 27204

Phone 336-653-1226

Location 531 Rock Crusher Road

Requested Action Rezone from B1 Neighborhood Commercial to M Mercantile

Existing Zone B1

Existing Land Use Last approved use was a Place of Worship.

Size 18.6 acres +/-

Pin # 7761658018

Applicant's Reasons as stated on application

The rezoning will allow for additions to the building. The Land Development Plan proposes commercial use on the property. The request will allow additional investment into the property.

Surrounding Land Use

North Undeveloped Commercial

East Single-Family Residential & Undeveloped Commercial

South Industrial (primarily undeveloped)

West Low-Density Residential/Agricultural & Proposed Solar Farm

Zoning History The property was rezoned to CU-B1 in 1996 with a Church and related activities approved including a SUP for a medium day care center. The property was rezoned to B1 in 2003 (Case No. RZ 03-34).

Legal Description

The property of Benjamin A. Zentella, Gomez Gonzalez, and Sonia Del Carmen, totaling approximately 18.6 acres +/-, and more specifically identified by Randolph County Parcel Identification Number (PIN #) 7761658018

Analysis

1. The property is outside the city limits but within the city's extraterritorial zoning jurisdiction (ETJ).
2. East Presnell St. is a state-maintained minor thoroughfare. Rock Crusher Road is a state-maintained road.
3. The zoning ordinance describes the requested Mercantile (M) District as follows: "...Intended to provide for a greater number of potential business activities than the B1 Zoning District. The Mercantile District is distinguished from the B2 General Commercial District by excluding certain uses permitted in the B2 District that are likely to create the greatest external impact (traffic, noise, lighting, etc.) and by its additional standards that address compatibility with adjoining residential neighborhoods. These districts should be located in nodes along minor thoroughfares or higher classification streets." Heavier commercial uses such as sales of motor vehicles and manufactured homes, are not permitted in the M District.
4. Tax records indicate that a structure built in 1980 contains 4,838 heated SF. The current B1 zoning district allows a maximum of 3,000 SF for all structures on a zoning lot, rendering the current size of the structure on the property a legal non conforming situation. The requested M Mercantile District allows a total of up to 6,000 SF for all structures on a zoning lot, subject to meeting other zoning requirements.
5. Available records indicate that property was last approved for use as a place of worship.
6. Other components of development, such as drive through services and open storage, are restricted in the Mercantile District.

Rezoning Staff Report

RZ Case # RZ-19-10

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Consistency with the 2020 LDP Growth Strategy designations

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

Proposed Land Use Map Designation	Commercial
Small Area Plan	East
Growth Strategy Map Designation	Economic Development

LDP Goals/Policies Which Support Request

Checklist Item 1: Complies with LDP proposed land use map

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

Checklist Item 5: Complies with Growth Strategy Map

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

Checklist Items 12-13: 12.) Property is located outside of watershed 13.) Property is located outside of Special Hazard Flood Area.

Rezoning Staff Report

RZ Case # RZ-19-10

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LDP Goals/Policies Which Do Not Support Request

Checklist Items 14: Property is located on steep slopes of greater than 20%.

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

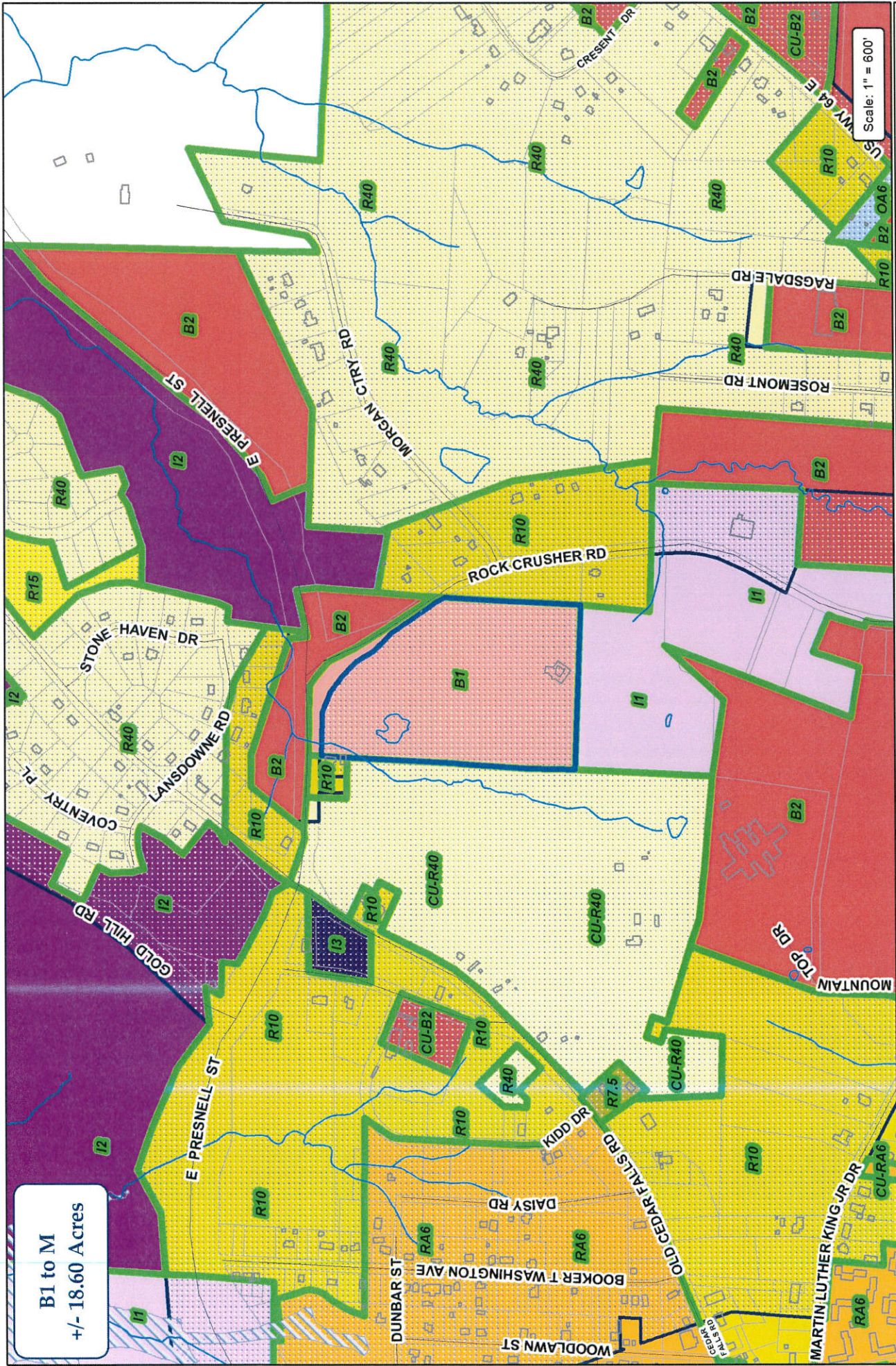
The Land Development Plan's designation of the property for commercial use and the growth strategy's designation of the property for Economic Development help support the rezoning. The East Small Area plan also discusses accommodating existing commercial uses and sites that have not been fully developed.

The requested Mercantile zoning district accommodates expansion of the existing structure, or construction of new structure(s) on the property, but also limits the size of development and restricts the most intense commercial uses. This reduces compatibility concern with the adjoining residentially zoned properties to the east and west. Limitation on the size of structures also helps mitigate the impact of development on a property, which has steep slopes in excess of a 20% grade on portions of the zoning lot.

Considering these factors, staff believes that the proposed zoning map amendment is reasonable and in the public interest

Recommendation

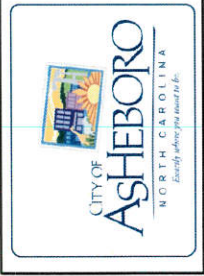
In light of the above analysis, staff's recommendation is to approve the M (Mercantile) district request.

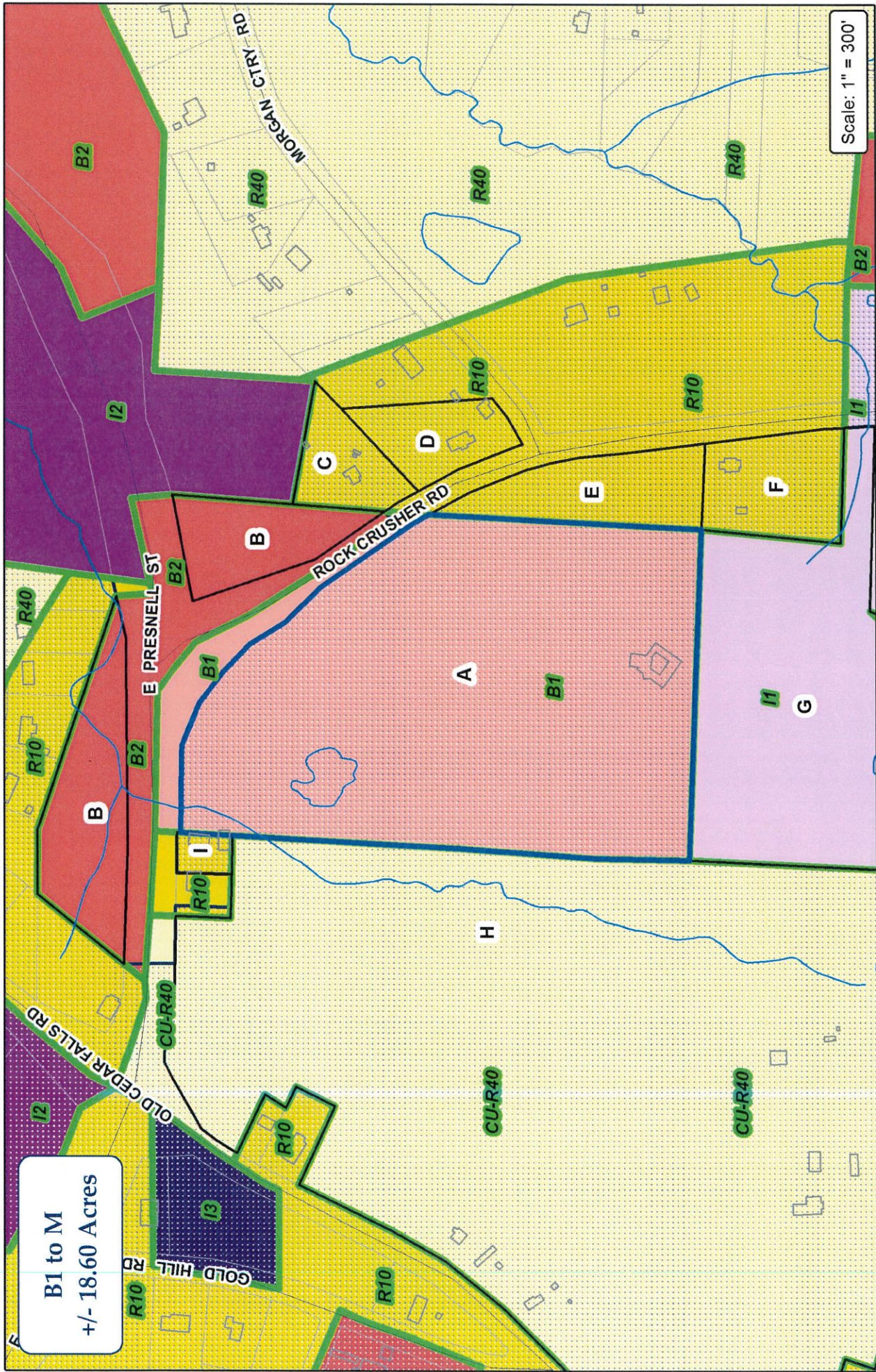


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-10
Conditional Use Permit: CUP-19-10

Parcel: 7761658018





B1 to M
 +/- 18.60 Acres

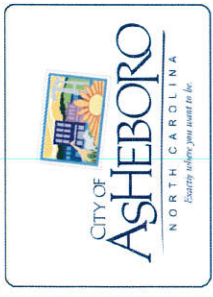
City of Asheboro Planning & Zoning Department

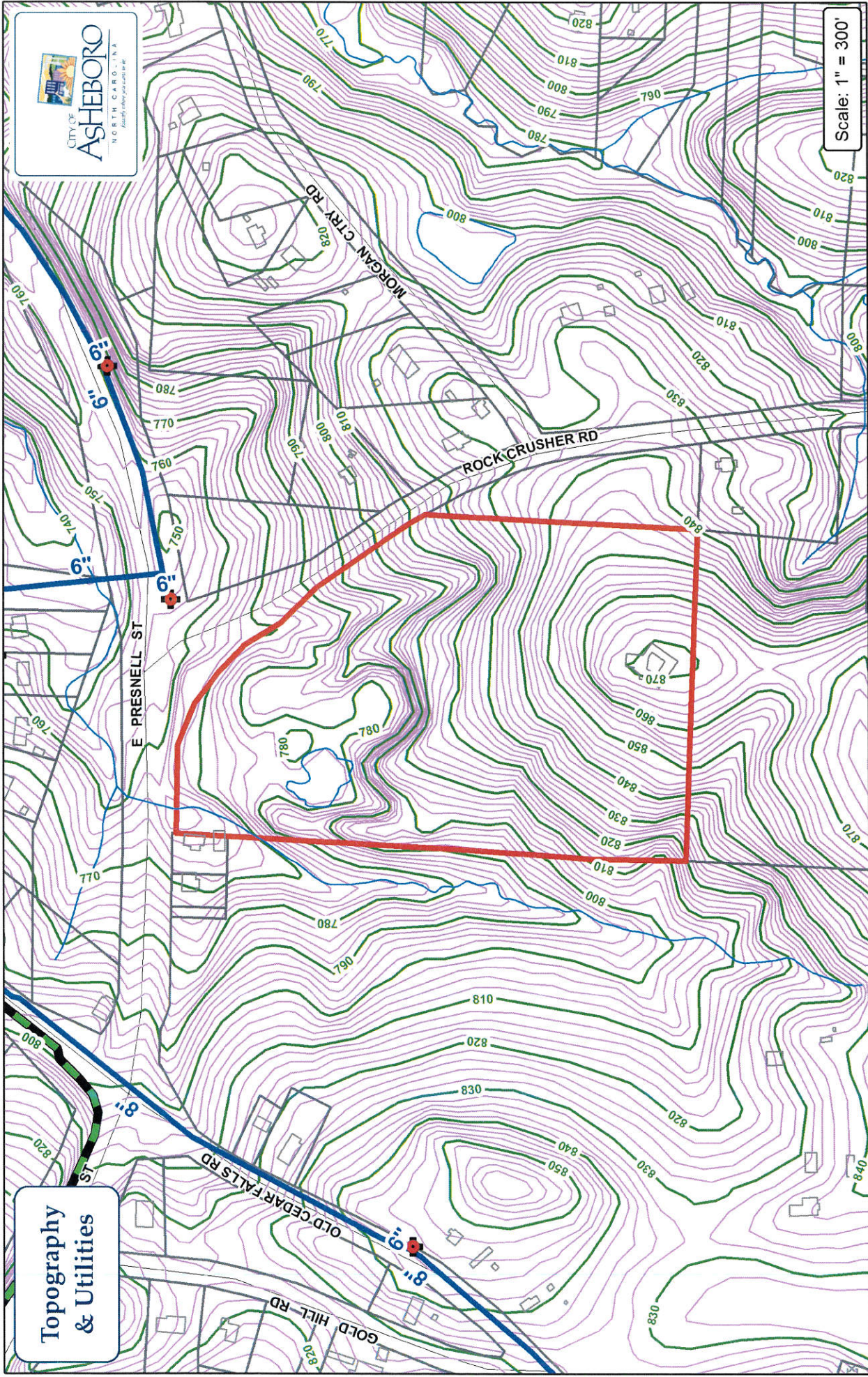
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Legend:

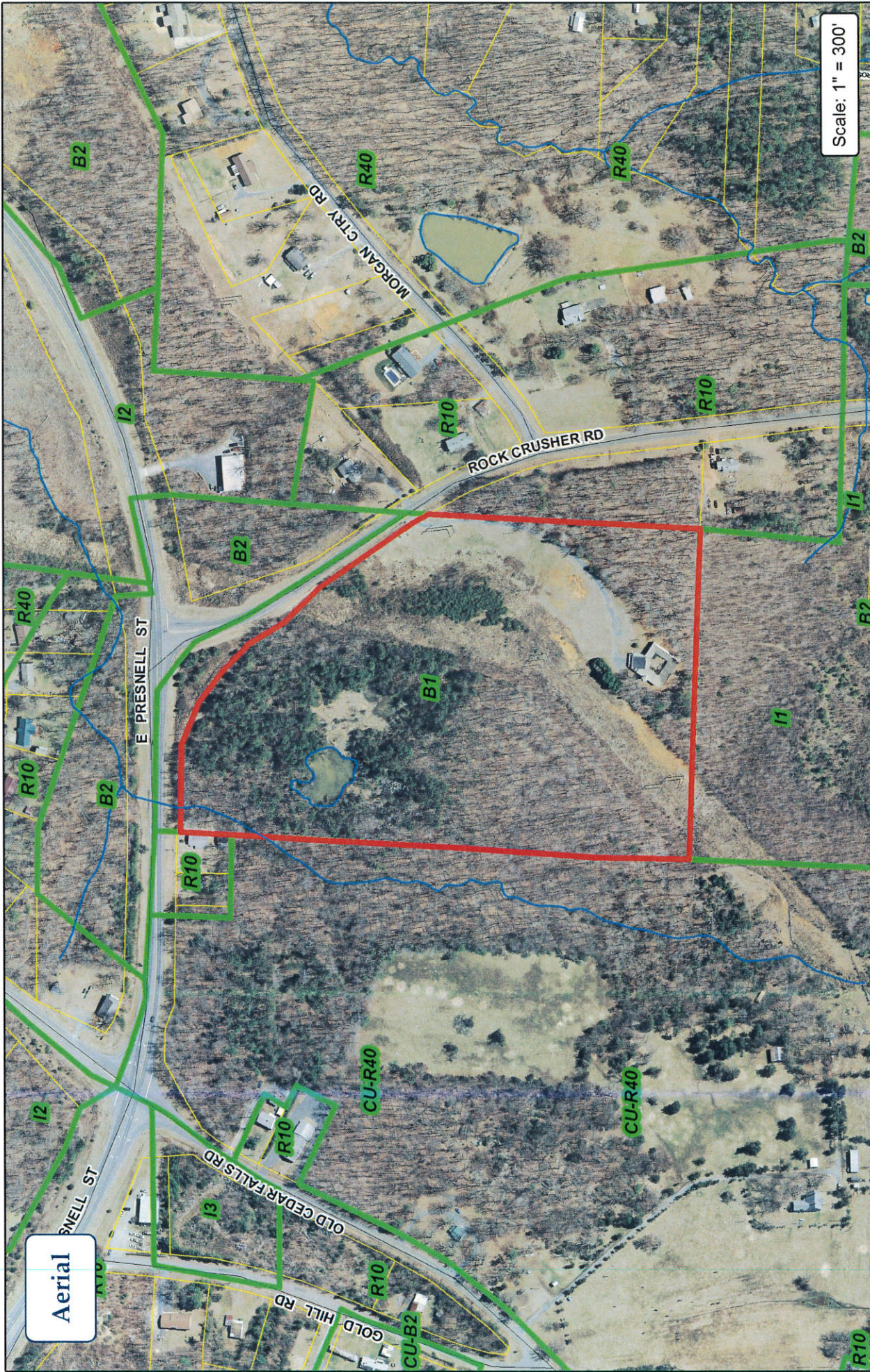
- Subject Property
- Adjoining Properties
- Zoning





City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-19-10
Conditional Use Permit: CUP-19-10
Parcel: 7761658018

	Water Main		Fire Hydrant
	Sewer Main		Pump Station
	Force Main		



Aerial

Scale: 1" = 300'

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-10
Conditional Use Permit: CUP-19-10

Parcel: 7761658018

Subject Property
Zoning

