AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, AUGUST 9, 2018, 7:00 PM

1. Call to order.

2. Silent prayer and pledge of allegiance.

3. Consent agenda:

   (a) Approval of the meeting minutes for the city council's regular meeting on July 12, 2018.

   (b) Approval of a revised ordinance designating the exterior of the Asheboro Female Academy as a local historic landmark (the revision corrects a typographical error in the previously adopted ordinance).

   (c) Approval of the temporary closure of the streets and sections of streets shown on the attached map for Fall Festival XLVI from 12:01 a.m. on Saturday, October 6, 2018, until 11:00 p.m. on Sunday, October 7, 2018.

   (d) Request for approval to schedule for September 6, 2018, and to advertise, a public hearing pertaining to an application to rezone property located at 936 East Salisbury Street (Randolph County Parcel Identification Number 7761229036) from CU-OA6 (Conditional Use Office-Apartment) to O & I (Office & Institutional).

4. Community Development Director Trevor Nuttall will introduce the following items:

   (a) Combined quasi-judicial hearing: An application to rezone property from R10 (Medium-Density Residential), B2 (General Commercial), and I2 (General Industrial) to CU-I2 (Conditional Use General Industrial) and to issue a Conditional Use Permit for a transfer station, including ancillary manufacturing, processing, and assembly activities. This property is located at 2445 and 2455 North Fayetteville Street and 200, 204, and 208 Pineview Street (Randolph County Parcel Identification Numbers 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, and7753973059). **This case is continued from the July 12, 2018 City Council meeting.**

(b) Public hearing: An application to rezone property at 624 Brewer Street and 621 Franks Street (Randolph County Parcel Identification Number 7761146503) from RA6 (High-Density Residential) and CU-B2 (Conditional Use General Commercial) to O & I (Office & Institutional).

(c) Combined quasi-judicial hearing: An application to rezone property from R10 (Medium-Density Single-Family Residential) to CU-RA6 (Conditional Use High Density Residential) and to issue a conditional use permit, including the required subdivision sketch design review, for a residential planned unit development. This property is located on the north side of East Allred Street (Randolph County Parcel Identification Number 7762740259), west of 1591 East Allred Street.

(d) Quasi-judicial hearing: An application for a Special Use Permit for Manufacturing, Processing, and Assembly (Light) in a Conditional Use General Commercial (CU-B2) district located at 307 and 313 East Allred Street, more specifically identified as a portion of Randolph County Parcel Identification Number 7762112401.

(e) Public hearing: An application to rezone property at the western corner of East Dixie Drive and Arrowwood Road (including Randolph County Parcel Identification Numbers 7760177267 and 7760177187) from CU-B2 (Conditional Use General Commercial) to B2 (General Commercial).

(f) Consideration of appointments to the Redevelopment Commission and Planning Board:

(i) Planning Board vacancy
(ii) Redevelopment Commission vacancy
(iii) Re-appointment of Jonna Libbert to Redevelopment Commission

(g) Update on a potential CDBG Neighborhood Revitalization Grant.

(h) Acknowledgment of the city manager's execution of the URP18 Funding Agreement with the North Carolina Housing Finance Agency.

5. Public comment period.

6. Mayor Smith will lead a discussion of upcoming events and items not on the agenda.

7. Adjournment.

CITY OF
ASHEBORO
NORTH CAROLINA

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: Britten Nichole

Address: 1988 S. Lake Dr Asheboro, NC 27205

Phone: 336.301.4091 E-mail: asheboroafallfestival@randolphartsguild.com

Organization: Randolph Arts Guild

Address: 123 Sunset Ave Asheboro NC 27203

Phone: 336.629.0399

Date of Parade: Oct 6+7 Start Time: SAT 12:00am End Time: SUN 8:00pm

Number of Persons: 2,000+ Number of Vehicles: N/A

Streets Involved: Fayetteville, Sunset, Worth, North

Special officials and/or guests:

Insurance Company & Policy Number: Travelers Ins 1-660-179R7697-TCT

Any additional Information: I appreciate all your help!

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: Britten Nichole

Internal Use Only

Police Department Recommendation:

City of Asheboro Approval By: Johnny Cross Date: 7/31/2018

Fall Festival Road Closure Map

RANDO-D OP ID: MS

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 08/01/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Insurance Assoc. of the Triad
PO Box 10
Asheboro, NC 27204
Matthew R. Smith

CONTACT NAME: Matthew R. Smith
PHONE (A/C, No, Ext): 336-626-3030 FAX (A/C, No): 336-629-1406
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Hartford Underwriters Ins. Co.	
INSURER B : Cincinnati Indemnity Company	23280
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Randolph Arts Guild
P.O. Box 1033
Asheboro, NC 27204

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR			ENP0383435	05/22/2018	05/22/2019	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 1,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 1,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N	N / A		22WBCEI7519	05/22/2018	05/22/2019	E.L. EACH ACCIDENT	$ 500,000
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 500,000
							E.L. DISEASE - POLICY LIMIT	$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

for customer's reference

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Matthew R. Smith

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RZ-CUP-18-08: Request to rezone from R10 (Medium-Density Residential), B2 (General Commercial), and I2 (General Industrial) to CU-I2 (Conditional Use General Industrial) and Conditional Use for a Transfer Station, including ancillary manufacturing, processing, & assembly activities.

(2445 & 2455 North Fayetteville Street and 200, 204, and 208 Pineview Streets: Randolph County Parcel Identification Numbers 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, & 7753973059)

Staff Note: This case is continued from the July 12, 2018 Council meeting.

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-18-08**

Date 7-9-18 Planning Bd.

Applicant Covanta Environmental Solutions

Legal Description

The properties of Covanta Environmental Solutions, LLC, Anthony A. Purguson & Gregory C. Russell, and P &R Development LLC, located at 2445 & 2455 N. Fayetteville St., and 200, 204, & 208 Pineview St. totaling approximately 5.19 acres +/- and more specifically identified by Randolph Co. Parcel #s 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, & 7753973059

Requested Action Rezone from I2 (General Industrial), B2 (General Commercial) and R10 (Medium-Density Residential) to CU-I2 (Conditional Use General Industrial)

Existing Zone I2/B2/R10

Land Development Plan See Rezoning Staff Report

Planning Board Recommendation

1. Approve the requested rezoning of PINs 7753978243, 7763070038, 7753978029, 7753977009 and 7753976059.
2. Deny the requested rezoning of PINs 7753975069, 7753974069 and 7753973059.

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # **RZ-18-08**

Date 6/4/2018 Planning Bd.
7/12/2018 - Council, Continued 8/9/2018

General Information

Applicant Convanta Environmental Solutions

Address 2242 Carl Drive

City Asheboro NC 27203

Phone 336-683-0911

Location 2445 & 2455 N. Fayetteville Street, 200, 204, and 208 Pineview Street

Requested Action Rezone from R10 (Medium-Density Residential), B2 (General Commercial) and I2 General Industrial) to CU-I2 (Conditional Use General Industrial)

Existing Zone R10/B2/I2

Existing Land Use Commercial/Single-family dwellings/Undeveloped

Size 5.19 acres +/-

Pin # 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, 7753973059

Applicant's Reasons as stated on application

Create one contiguous industrial property, job & tax growth, Pineview Street being expanded for more industrial traffic growth. Increase job opportunities and tax growth. Continuation and growth of historical business in Asheboro. Formerly Garco, Inc.- Good corporate company. Working well with city.

Surrounding Land Use

North Industrial

East Commercial/Industrial

South Legal non conforming junkyard/SF residential

West Single-family residential

Zoning History N/A

Legal Description

The properties of Covanta Environmental Solutions, LLC, Anthony A. Purguson & Gregory C. Russell, and P &R Development LLC, located at 2445 & 2455 N. Fayetteville St., and 200, 204, & 208 Pineview St. totaling approximately 5.19 acres +/- and more specifically identified by Randolph Co. Parcel #s 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, & 7753973059

Analysis

1. The property is located inside the city limits.
2. North Fayetteville Street is a state-maintained major thoroughfare at this location. Pineview Street is a state-maintained minor thoroughfare at this location that connects North Fayetteville Street with I-73/I-74. This section of Pineview Street is proposed to be widened from two lanes in each direction to three lanes (two lanes in each direction plus a center turn lane), with construction occurring in Winter, 2020 (Project U-5711).
3. The applicant is also requesting a Conditional Use Permit for a "Transfer Station" which is defined by the zoning ordinance as follows: "A use of land where nonhazardous or nontoxic waste such as residential, commercial or industrial is temporarily deposited for the purpose of a break in bulk and further shipment to a landfill or other appropriate destination." The Conditional Use Permit request will be reviewed by City Council.
4. The Zoning Ordinance description of the underlying I2 General Industrial 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."
5. The Land Development Plan's Proposed Land Use Map has three separate designations for the subject properties. A map showing these designations is attached.
6. The property is located within an Opportunity Zone. These zones, comprised of lower income census tracts, provide certain federal tax incentives for qualifying economic investments.

Rezoning Staff Report

RZ Case # **RZ-18-08**

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	Employment Center/Commercial/Neighborhood Residential
Small Area Plan	Northeast
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Land Development Plan Compliance (applies to PIN 7753978243, 2455 N. Fayetteville Street.)

Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance (Section 210). Applies to PINs 7753978243, 7763070038, 7753978029, 7753977009 and 7753976059

Checklist Item 5: Complies with Growth Strategy Map (applies to entire property)

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

Policy 1.1.1 The City will utilize its zoning processes and provisions of infrastructure to further opportunities for citizens in designated North Carolina Department of Commerce State Development Areas (applies to entire property)

Rezoning Staff Report

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Land Development Plan Map Compliance (applies to properties except for PIN 7753978243, 2455 N. Fayetteville St.)

Checklist Item 3. The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance. *(Sec. 210)* Applies to PINs 7753975069, 7753974069 and 7753973059.

Goal 2.2: Development that is located in appropriate locations. Applies to PINs 7753975069, 7753974069 and 7753973059.

Policy 2.1.5: The City will ensure development regulations provide appropriate transitional land uses, such as office & institutional, between high-intensity industrial/commercial and low-intensity residential uses.

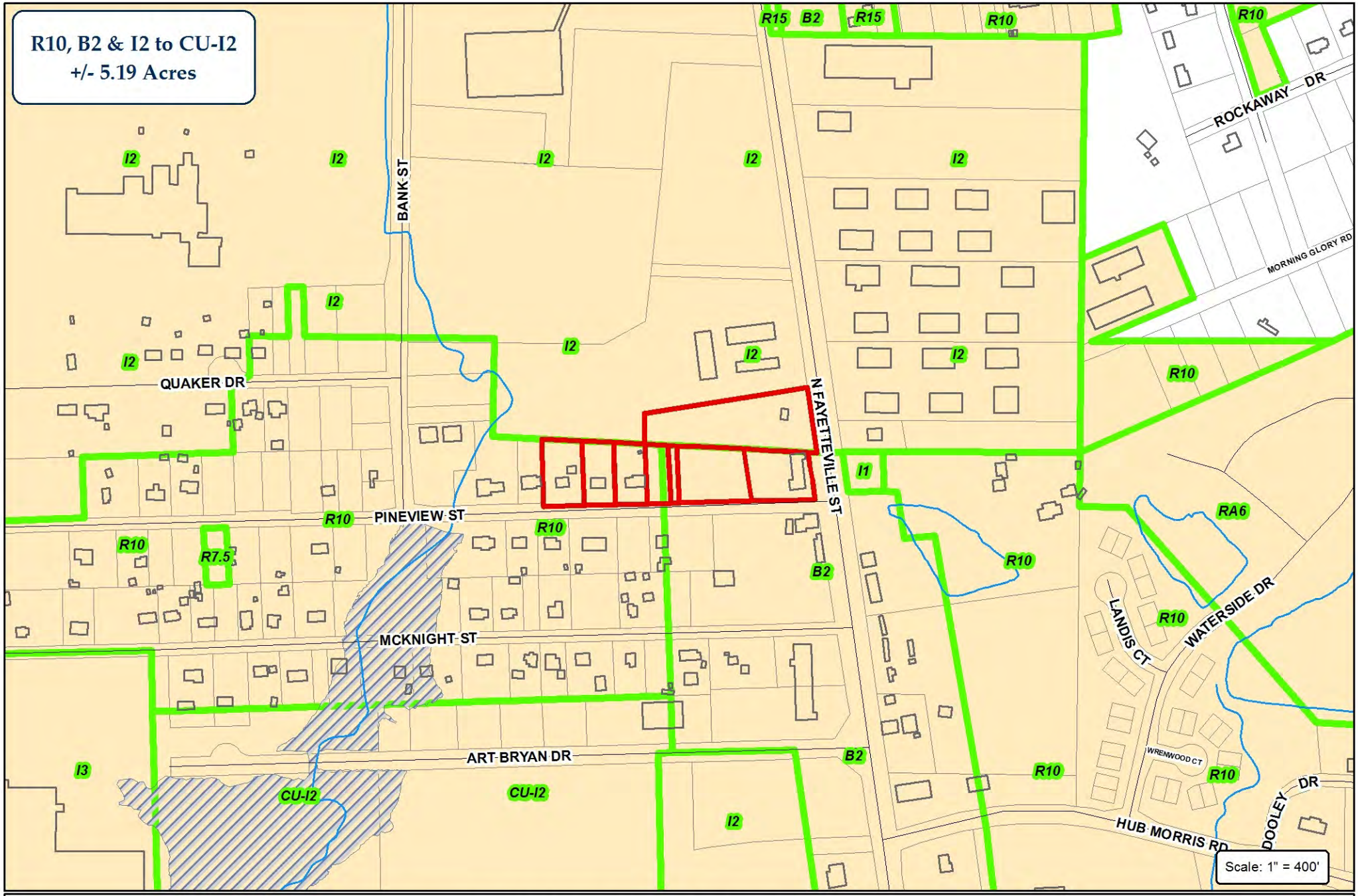
Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The Land Development Plan's Proposed Land Use Map recommends development of an employment center on one of the parcels requested for rezoning (2455 N. Fayetteville St.). This designation supports accommodating industrial uses and expansions of existing businesses. Outside of the employment center, this map essentially recognizes the current zoning and suggests a continuation of the status quo in terms of future development. However, the existence of industrial uses to the east, north, and south of the subject properties, combined with the planned road improvements to Pineview Street and several supportive Land Development Plan goals and policies, make the request to rezone the applicant's B2 zoned parcels to a conditional use industrial zoning district reasonable and in the public's interest.

The requested rezoning of the applicant's residentially zoned parcels to a conditional use industrial zoning district are less supported by the Land Development Plan and would result in the expansion of industrial zoning into a residentially zoned area with no transition. While the conditional use permitting process can help to mitigate compatibility concerns and the planned road improvements will have an effect of the existing residential character of the area, staff does not believe the Land Development Plan offers sufficient support to find this portion of the request reasonable and in the public interest.

Recommendation

In light of the above analysis, staff's recommendation is to approve the requested rezoning of PINs 7753978243, 7763070038, 7753978029, 7753977009 and 7753976059 but to deny the requested rezoning of PINs 7753975069, 7753974069 and 7753973059.



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-08

Conditional Use Permit: CUP-18-08

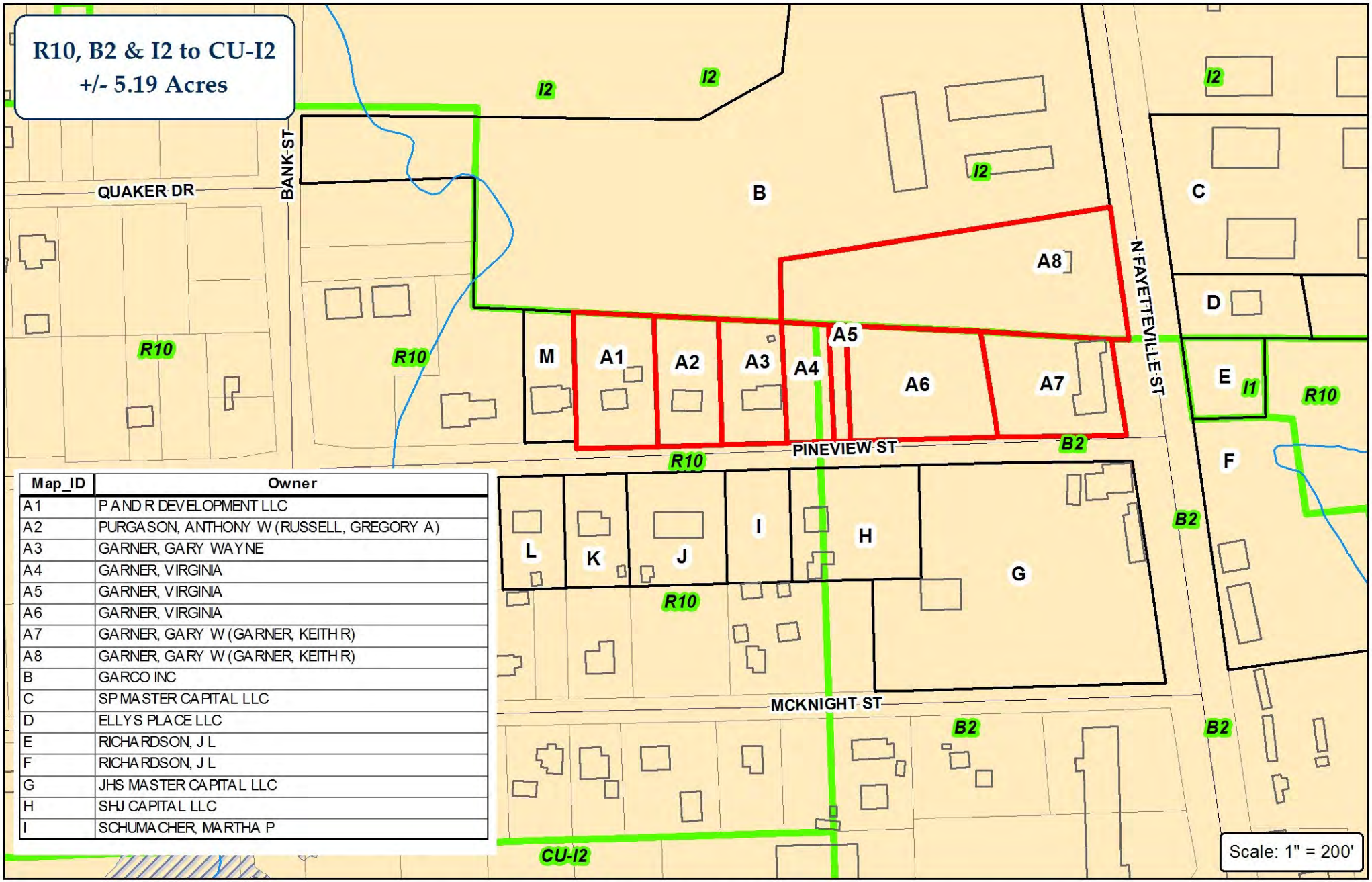
Parcel: 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069 & 7753973059

City Limits

ETJ

Subject Property

Zoning



Map_ID	Owner
A1	P AND R DEVELOPMENT LLC
A2	PURGASON, ANTHONY W (RUSSELL, GREGORY A)
A3	GARNER, GARY WAYNE
A4	GARNER, VIRGINIA
A5	GARNER, VIRGINIA
A6	GARNER, VIRGINIA
A7	GARNER, GARY W (GARNER, KEITH R)
A8	GARNER, GARY W (GARNER, KEITH R)
B	GARCO INC
C	SP MASTER CAPITAL LLC
D	ELLYS PLACE LLC
E	RICHARDSON, J L
F	RICHARDSON, J L
G	JHS MASTER CAPITAL LLC
H	SHJ CAPITAL LLC
I	SCHUMACHER, MARTHA P

City of Asheboro
North Carolina
Exactly where you want to be

City Limits
ETJ

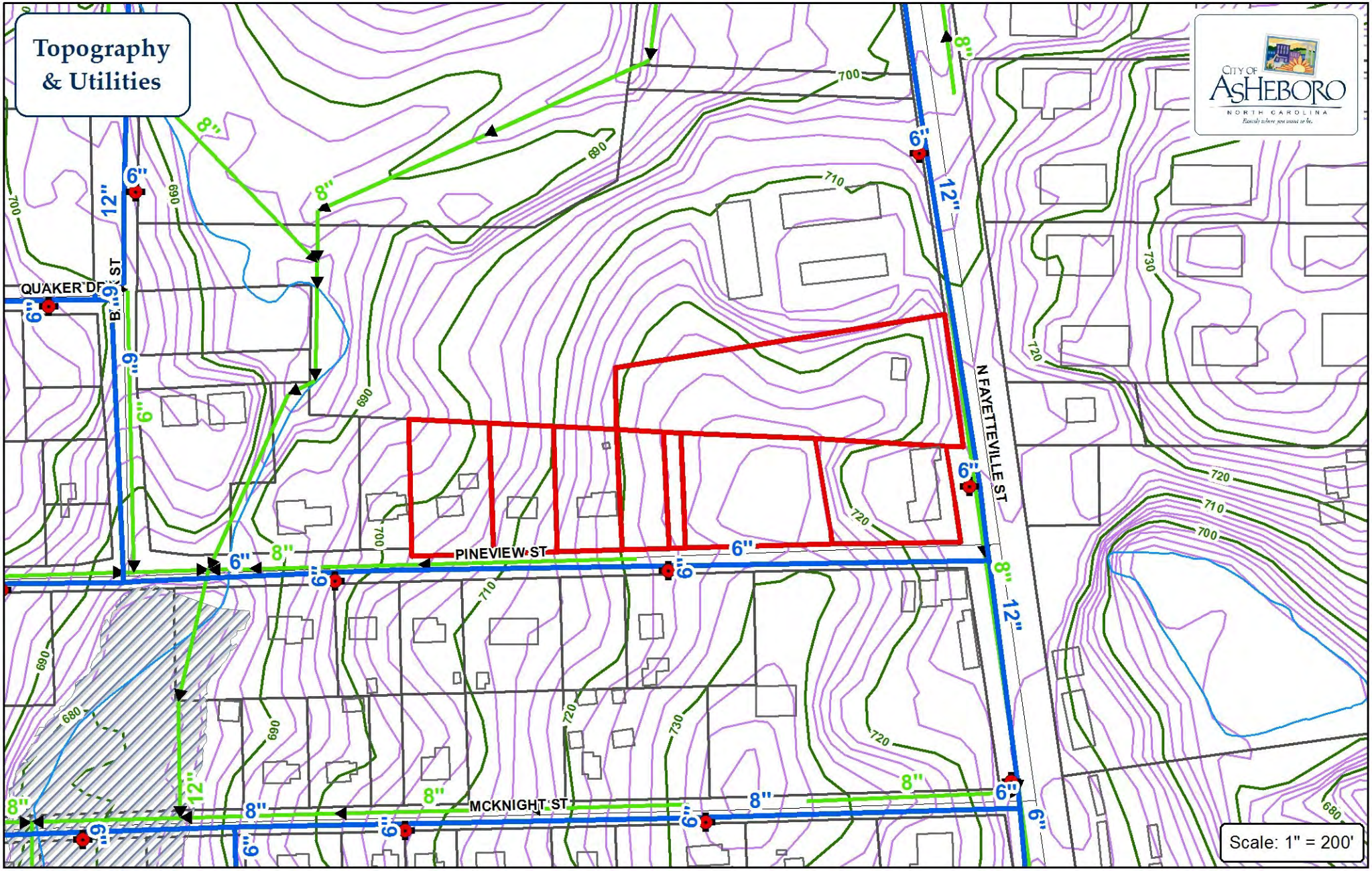
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-08
Conditional Use Permit: CUP-18-08

Parcel: 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069 & 7753973059

Subject Property
Adjoining Properties
Zoning

N
W
E
S



Water Main

Sewer Main

Force Main

Fire Hydrant

Pump Station

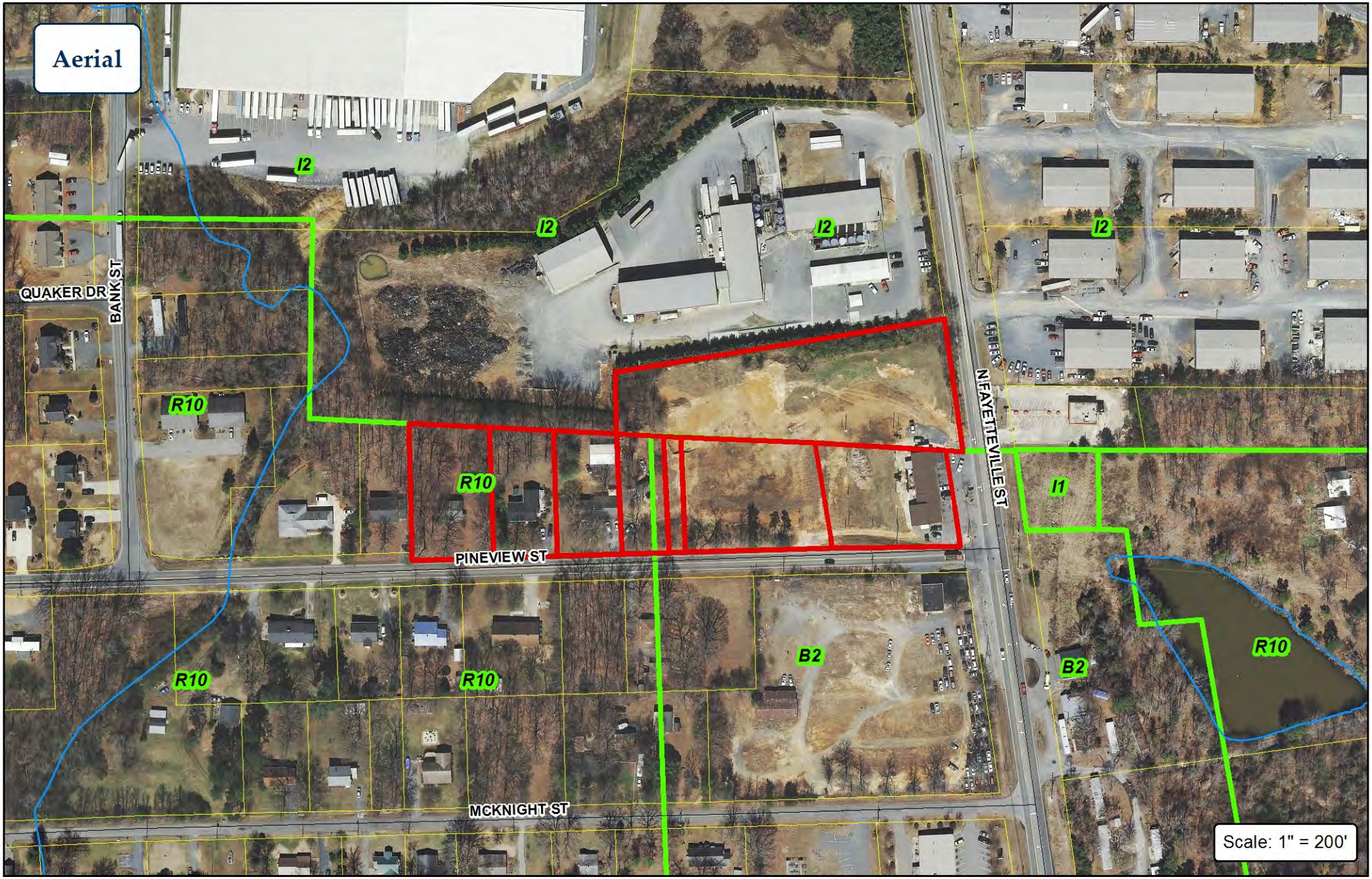
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-08

Conditional Use Permit: CUP-18-08

Parcel: 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069 & 7753973059

Subject Property



CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-08

Conditional Use Permit: CUP-18-08

Parcel: 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069 & 7753973059

Subject Property

Zoning

N W E S

Conditional Use Permit Staff Report

CUP Case No. CUP-18-08 8/9/2018 CC

General Information

Name Covanta Environmental Solutions

Address 2423 Carl Drive
Asheboro NC 27203

Phone 336-683-0911

Pin # 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, 7753973059

Location 2445 & 2455 N. Fayetteville Street, 200, 204, and 208 Pineview Street

RequestedAction: Special Use Permit for a Transfer Station and Ancillary Manufacturing, Processing, and Assembly

Existing Zone I2/B2/R10

Existing Land Use Commercial (formerly retail shoppers' goods), two single-family dwellings, undeveloped (residential and industrial)

Size 5.19 acres +/-

Applicant's Reason as stated on application

Similar to 2005 request, to Masterplan the future growth of the previously known Garco, Inc., now known as Covanta Environmental Solutions, LLC site at N. Fayetteville St. and Pineview St.

Surrounding Land Use

North Industrial

East Commercial/Industrial

South Legal non conforming junkyard/SF

West Single-family residential

Zoning History N/A on subject property. A special use permit was issued for a transfer station on the adjoining property in 2001, and amended in 2002 and 2005 (Cases SUP-02-03, SUP-02-07, SUP-05-05).

Growth Strategy Map Primary Growth

Proposed L D P Map Employment Center/Commercial/Neighborhood Residential

Legal Description

The properties of Covanta Environmental Solutions, LLC, Anthony A. Purguson & Gregory C. Russell, and P &R Development LLC, located at 2445 & 2455 N. Fayetteville St., and 200, 204, & 208 Pineview St. totaling approximately 5.19 acres +/- and more specifically identified by Randolph Co. Parcel #s 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, & 7753973059

Analysis

1. The request is for a transfer station. A transfer station is defined as "a use of land where non hazardous or nontoxic waste such as residential, commercial or industrial is temporarily deposited for the purpose of a break in bulk and further shipment to a landfill or other appropriate destination." The request also includes ancillary manufacturing, processing, and assembly activities.
2. If the rezoning request is not approved in its entirety, the site plan as submitted will have to be revised and resubmitted to Council for consideration at a later date.
3. There is a transfer station on the the adjoining property located at 2501, 2503, and 2505 North Fayetteville Street. Although there is a vehicular connection to the existing transfer station proposed, the adjoining property is not part of this request.
4. The request includes the addition of a shredding/process building that is approximately 24,000 SF (120' x 200'), parking areas, a guardhouse, open storage, and a future office.
5. Standards applicable to Transfer Stations are found on p. 3 of this report.
6. One entrance is proposed from Pineview Street and one entrance is proposed from North Fayetteville Street.

LDP Conformity Issues

Conditional Use Permit Staff Report

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

Staff Comments

Suggested Conditions

Draft Conditions as of 8-2-18:

(A) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing the following approvals:

i.) Driveway permit from NCDOT

ii.) Erosion control approval from NC Department of Environmental Quality

(B) Prior to issuing a zoning compliance permit, the applicant shall submit additional detail concerning the following items on a revised site plan:

(i) Outdoor lighting consistent with Performance Standards in Industrial Zoning Districts (Section 317A)

(ii) Number of employees in largest shift and number of facility vehicles to determine compliance with minimum number of parking spaces required by Table 400-1

(iii) Screening of open storage consistent with the requirements of Section 305A

(iv) Front yard landscaping consistent with requirements Section 308A

(v) Buffer "D" adjacent to Michael T. Davis property (DB 1578, PG 551)

The revised 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.

(C) The following items shall be approved by the Asheboro Fire Department prior to the issuance of a Zoning Compliance Permit:

(i) Additional fire hydrant(s) within the zoning lot as determined necessary by the Fire Chief.

(ii) Determination that proposed access gate(s) meet requirements of NC Fire Prevention Code.

(iii) A Spill Prevention, Control, and Countermeasures Plan approved by Fire Department.

(D) Building materials on facade(s) facing North Fayetteville St. may be any material as permitted by Article 300A, Section 316A.C.

(E) The applicant shall be responsible for ensuring compliance with all state and federal permitting requirements.

(F) 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.

For Conditional Use Permit Hearings:

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

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted an approved.
2. That the use meets all required conditions and specifications of the Asheboro Zoning Ordinance.
3. That the use will not substantially injure the value of adjoining or abuting property, or that the use is a public necessity,
4. That the location and character of the use if developed according to the plan as submitted and approved is 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.

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

643.Transfer Stations
Transfer Stations may be permitted in I1, I2, and I3 districts subject to the following requirements:
643.1 A site plan meeting the requirements of Section 1005 shall be submitted as part of the application for this permit. The plans shall also incorporate such additional information as required to indicate compliance with other requirements of this section.
643.2 The use shall be located on a minor thoroughfare or higher classification street or within an industrial development with direct access to such street (direct access shall mean without having to travel residential streets) (Amended 2-4-2016).
643.3 Actual transfer activities shall be conducted within an enclosed structure.
643.4 All access and maneuvering areas shall have a paved surface meeting the requirements of Article 400.
643.5 Stormwater control meeting all local, State and Federal requirements shall be submitted as part of the required plans.
643.6 If the property adjoins residential districts, in addition to the required buffering and screening, a setback of 100 feet for all activities shall be observed.
643.7 At the close of each business day, the facility shall be left in a clean and sanitary manner. Written plans indicating compliance with this requirement shall be submitted as part of the application.
643.8 Evidence of compliance with all applicable requirements of the Zoning Ordinance shall be submitted as part of the application.

CITY OF ASHEBORO NOTES:

PARKING & LOADING (I2)	TOTAL NUMBER OF REQUIRED PARKING SPACES IS 1 SPACE PER EMPLOYEE PLUS 1 SPACE PER FACILITY VEHICLE 39 SPACES PROVIDED (3 HANDICAP) AND 3-12'x30' LOADING ZONE. AS REQUIRED BY SECTION 400-1.
PAVING:	SHALL BE IN COMPLIANCE WITH SECTION 408-E.
NOISE:	NOISE FROM THE PROPOSED DEVELOPMENT SHALL MEET SECTION 316A.
GRADING:	SHALL BE DONE PER AN APPROVED GRADING AND EROSION CONTROL PLAN.
GRADE:	GRADE SEPARATION OF BUILDING AND PARKING AREAS SHALL BE REQUIRED BY SECTION 409 B.1. (4" MIN.)
WATER: & SEWER	WATER & SEWER SHALL BE PROVIDED FROM THE CITY OF ASHEBORO UTILITY SYSTEM.
LIGHTING:	ALL AREA LIGHTING SHALL BE FULL CUT-OFF TYPE DESIGNATED TO LIMIT THE FOOT CANDLES AT ALL PROPERTY LINES TO A VALUE NOT TO EXCEED 2.0 FOOT-CANDLE AT THE LOT LINE AND OTHER REQUIREMENTS OF 316A.
SIGNS:	LOCATION AND SIZE OF ANY SIGNS WILL BE DETERMINED BY OWNER IN ACCORDANCE WITH ARTICLE 500.
BUFFER:	BUFFER AS PER ARTICLE 300A, SECTION 304A.4A. AS WELL AS SECTION 643.6.
LANDSCAPING:	LANDSCAPING AS REQUIRED BY ARTICLE 300A.
SCREENING OF MECH. EQUIP.:	MECHANICAL EQUIPMENT SHALL BE SCREENED AS PER ARTICLE 306A.
SCREENING OF SOLID WASTE AREAS:	SOLID WASTE SCREENING SHALL COMPLY WITH ARTICLE 307A.

PERFORMANCE STANDARD: AS PER SECTION 316A.

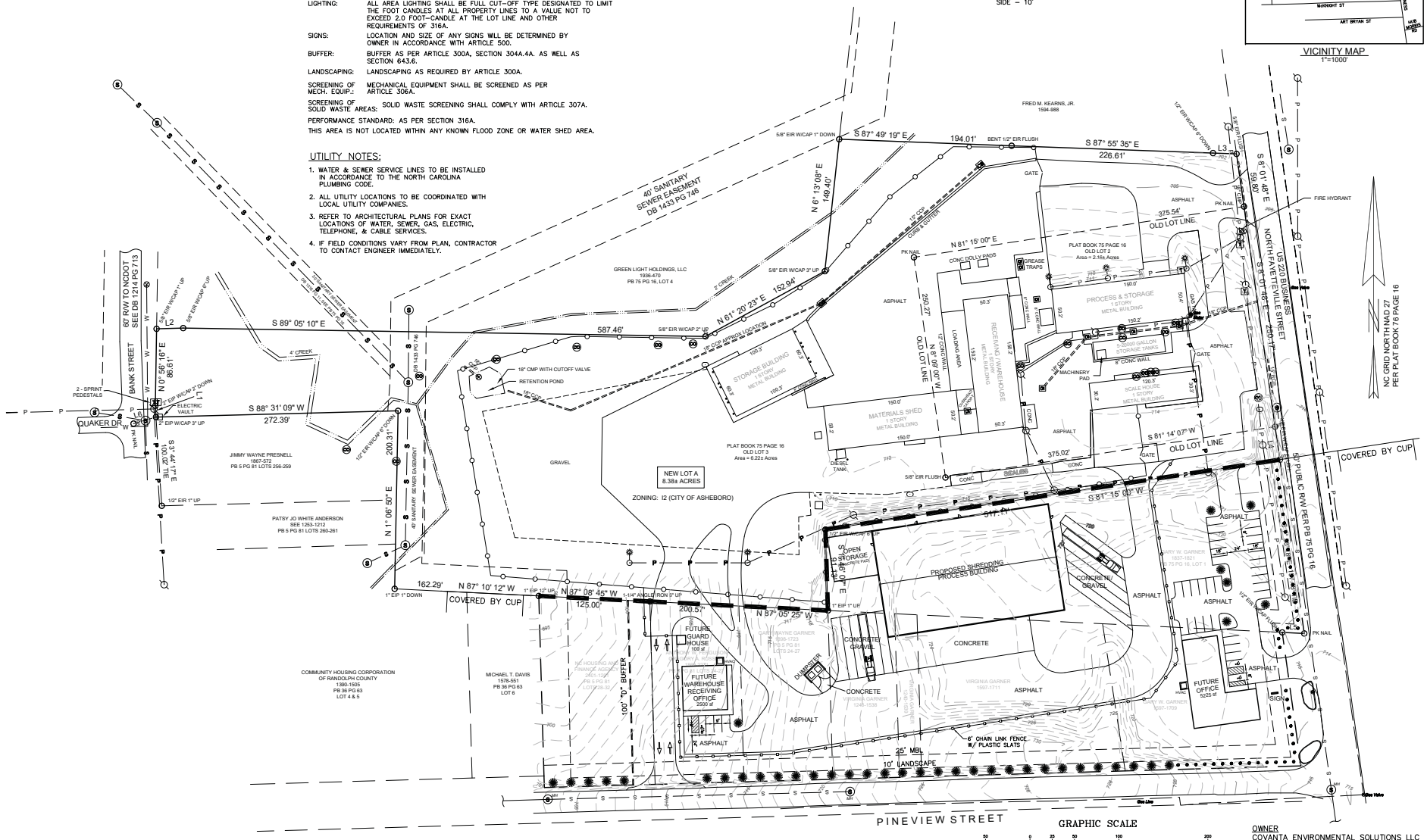
THIS AREA IS NOT LOCATED WITHIN ANY KNOWN FLOOD ZONE OR WATER SHED AREA.

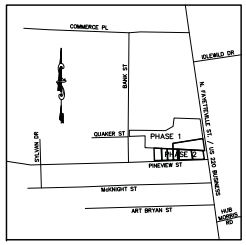
UTILITY NOTES:

1. WATER & SEWER SERVICE LINES TO BE INSTALLED IN ACCORDANCE TO THE NORTH CAROLINA PLUMBING CODE.
2. ALL UTILITY LOCATIONS TO BE COORDINATED WITH LOCAL UTILITY COMPANIES.
3. REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, & CABLE SERVICES.
4. IF FIELD CONDITIONS VARY FROM PLAN, CONTRACTOR TO CONTACT ENGINEER IMMEDIATELY.

GENERAL SITE NOTES

1. BOUNDARY & TOPOGRAPHIC INFORMATION TAKEN FROM SURVEY BY CHARLIE MORGAN SURVEYING.
2. TOTAL AREA = 5.27 ACRES ±
3. PIN: 7753978243, 7753070038, 7753978029, 7753977009, 7753976059, 7753975069, 7753974069, 7753973059.
4. DEED REFERENCE: DB 2586 PG 907, DB 2586 PG 911, DB 2586 PG 909, DB 2600 PG 517, DB 2471 PG 867
5. EXISTING ZONING: I2, B2, & R10 ASHEBORO
6. PROPOSED ZONING: CU/I2 ASHEBORO
7. SETBACKS: FRONT – 10'
   REAR – 10'
   SIDE – 10'





VICINITY MAP
1"=1000'

OWNER
COVANTA ENVIRONMENTAL SOLUTIONS LLC
160 MINE LAKE CT SUITE 200
RALEIGH, NC 27615
PHONE (336) 683-0911

Summey Engineering Associates, PLLC
Engineering - Land Planning - Consulting
PO Box 944
Asheboro, NC 27204
Phone: 336-318-0904 Fax: 336-318-0922
E-mail - sea@windstream.net
NC Professional Engineering Firm License No. F-0934

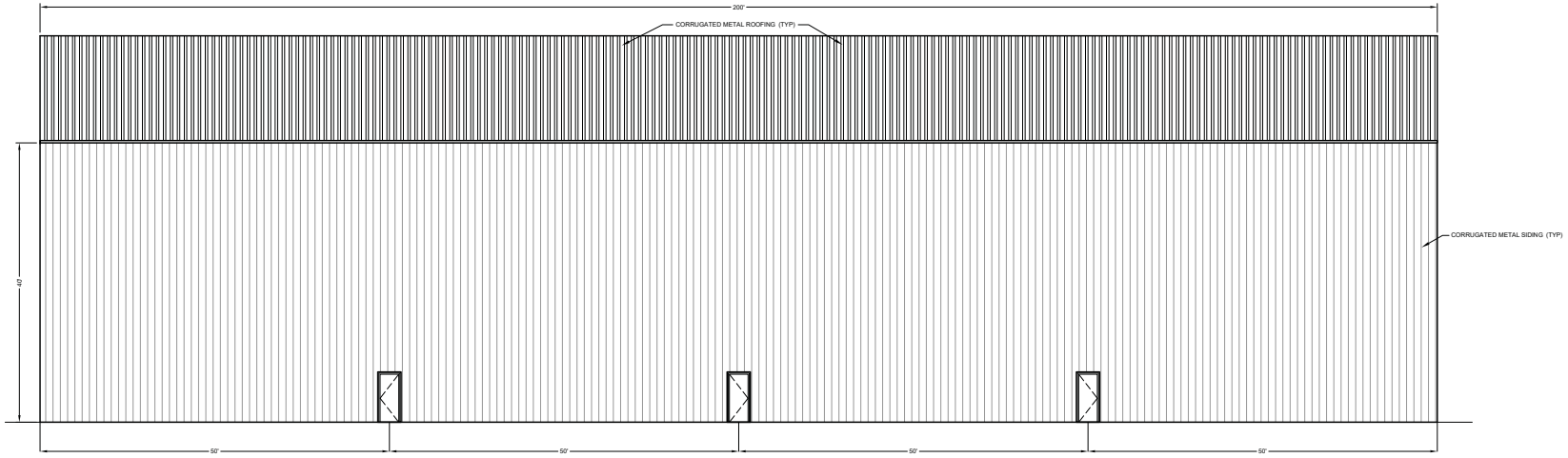
No.	Date:	Description:	By:

CONDITIONAL USE PERMIT PLAN
COVANTA SITE EXPANSION

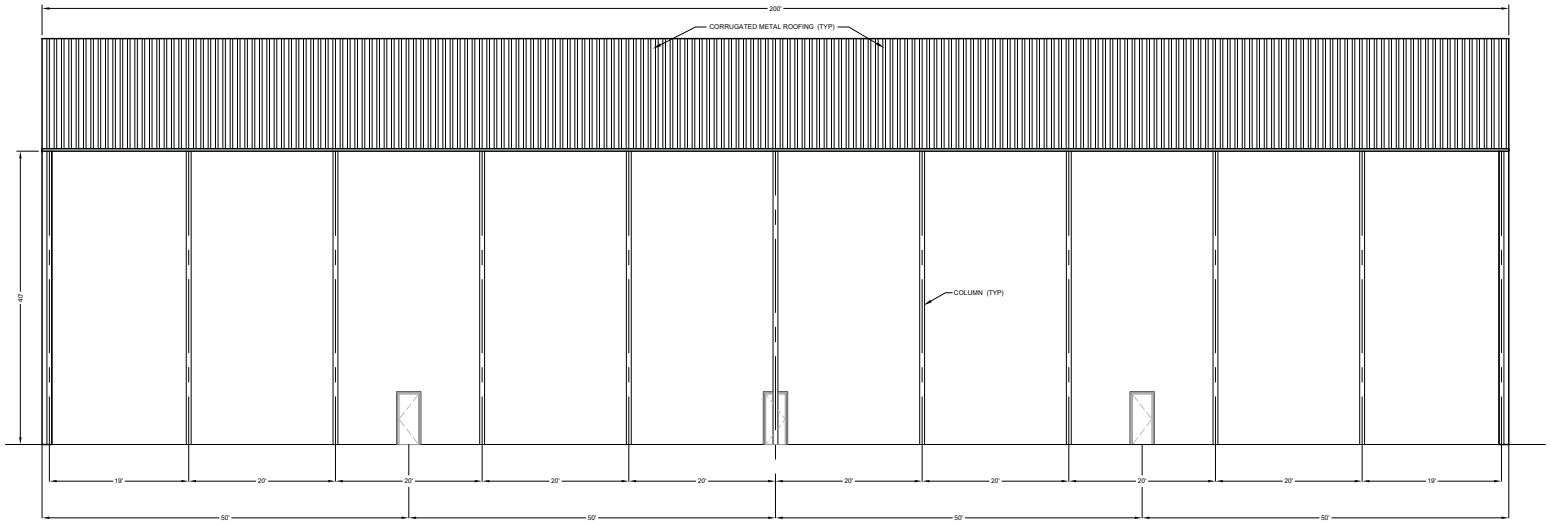
PINEVIEW STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	NONE
Date:	JULY 2018
Drawn By:	JCP
Checked By:	PWS
Job No.:	E-2040

Sheet No. 1 of 6



1 SHREDDING PROCESS BUILDING NORTH ELEVATION
SCALE: 1/8"=1'-0"



2 SHREDDING PROCESS BUILDING SOUTH ELEVATION
SCALE: 1/8"=1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION

Summey Engineering Associates, PLLC
Engineering - Land Planning - Consulting
PO Box 944
Asheboro, NC 27204
Phone: 336-318-0903 Fax: 336-318-0922
E-mail - ses@windstream.net
NC Professional Engineering Firm License No. F-0934

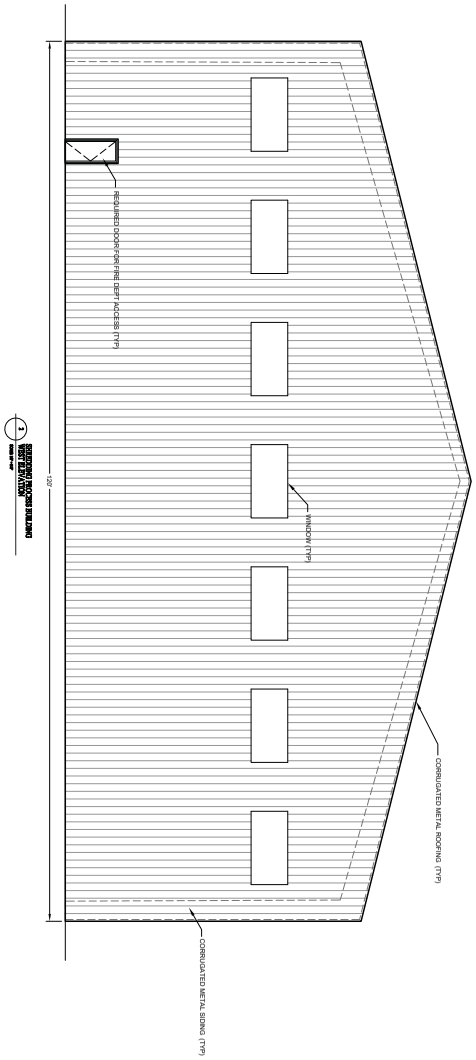
No.	Date:	Description:	By:

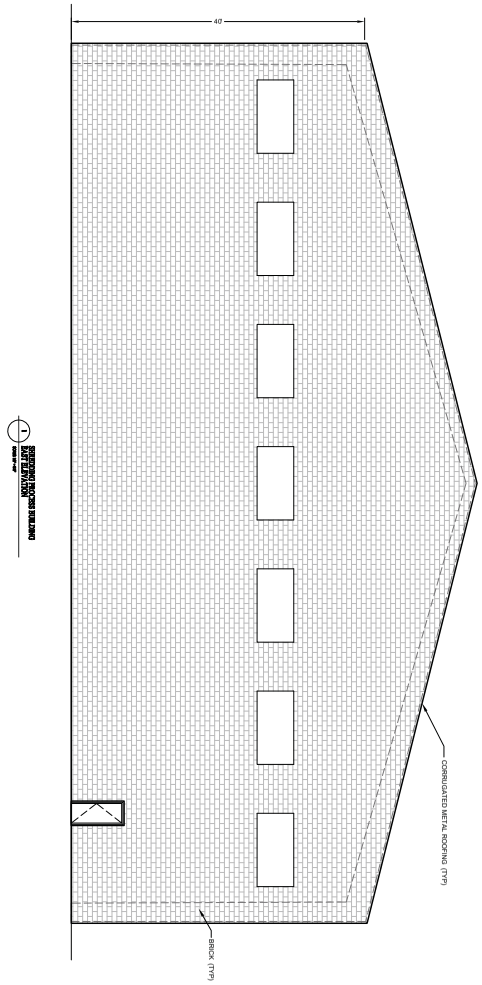
CONDITIONAL USE PERMIT PLAN
COVANTA SITE EXPANSION
8 NEVIEW STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	AS NOTED
Date:	JULY 2018
Drawn By:	JCP
Checked By:	HWSJ
Job No.:	E-5040

Sheet No. 2 of 6

\\SUMMEY-FSERVER\Projects\E-5040 Covanta Environmental - Site Plans - Asheboro\dwg\Elevations-CUP.dwg, 7/31/2018 11:16:19 AM, Jay

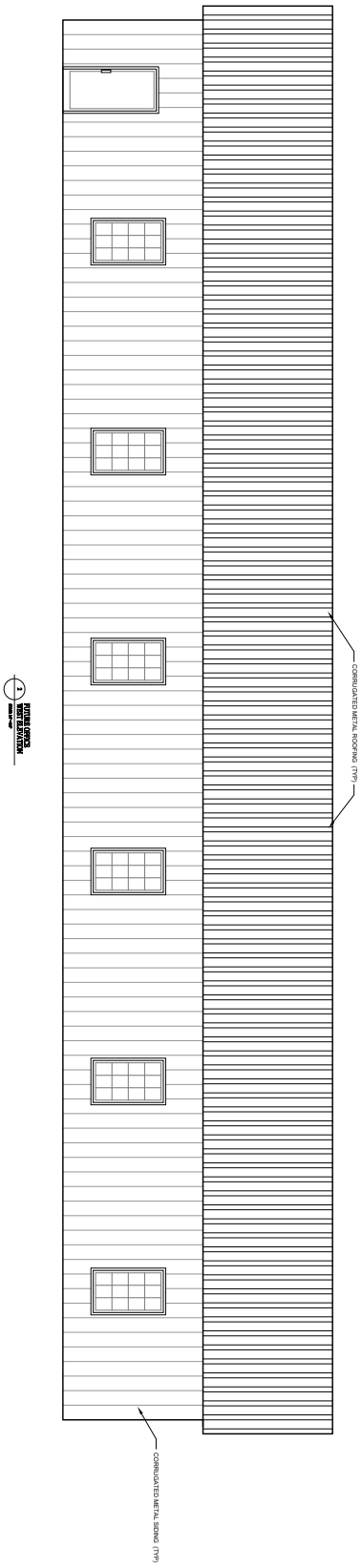


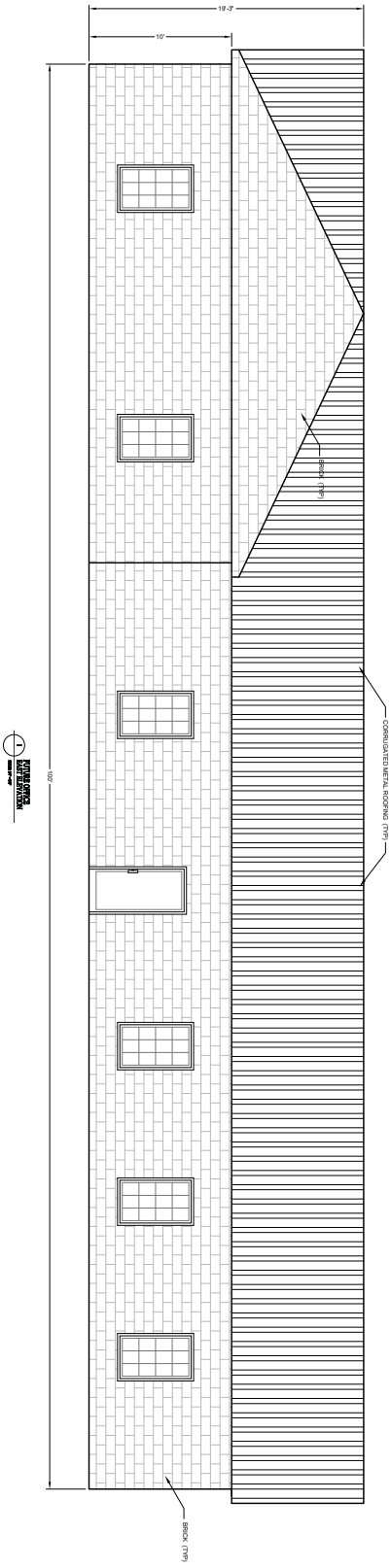


PRELIMINARY - NOT FOR CONSTRUCTION

Sheet No. 3 of 6	Scale: AS NOTED	CONDITIONAL USE PERMIT PLAN	No.	Date:	Description:	By:	Summey Engineering Associates, PLLC
	Date: JULY 2018	COVANTA SITE EXPANSION					Engineering - Land Planning - Consulting
	Drawn By: JCP	PINEVIEW STREET					PO Box 960
	Checked By: HWSJ	RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA					Asheboro, NC 27204
	Job No.: E-5040						Phone: 336-328-0902 Fax: 336-328-0922
							Email - mail@asheboro.com
							NC Professional Engineering Firm License No. P-0336

\\SERVER\Projects\E-5040 Covanta Environmental - Site Plans - Asheboro\dwg\Elevations-CUP.dwg, 7/31/2018 11:16:49 AM, Jay





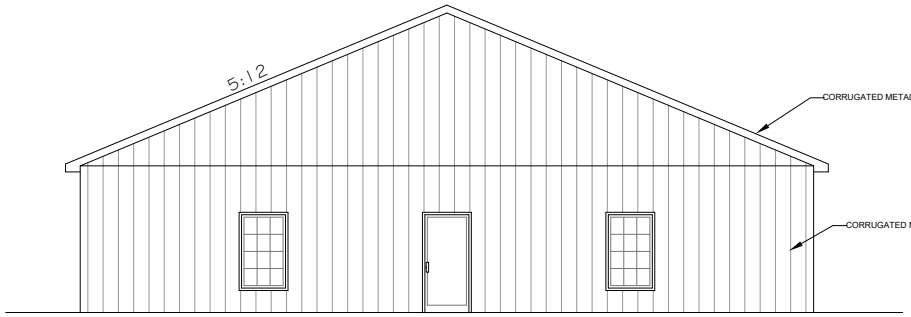
PRELIMINARY - NOT FOR CONSTRUCTION

Sheet No. 4 of 9	Scale: AS NOTED	CONDITIONAL USE PERMIT PLAN	No.	Date:	Description:	By:	Summey Engineering Associates, PLLC
	Date: JULY 2018	COVANTA SITE EXPANSION					Engineering - Land Planning - Consulting
	Drawn By: JCP	PINEVIEW STREET					PO Box 960
	Checked By: HWSJ	RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA					Asheboro, NC 27204
	Job No.: E-5040						Phone: 336-328-0902 Fax: 336-328-0922
							Email - mail@asheboro.com
							NC Professional Engineering Firm License No. P-0336

\\SUMMEY-FSERVER\Projects\E-5040 Covanta Environmental - Site Plans - Asheboro\dwg\Elevations-CUP.dwg, 7/31/2018 11:17:19 AM, Jay

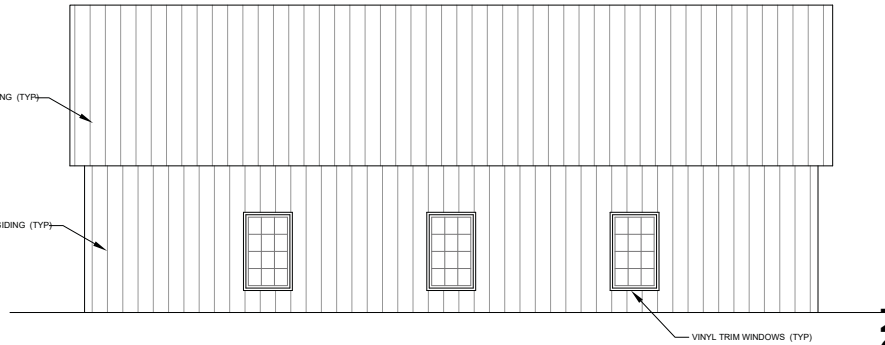
PRELIMINARY - NOT FOR CONSTRUCTION

Sheet No. 5 of 6	Scale: AS NOTED	CONDITIONAL USE PERMIT PLAN	No.	Date:	Description:	By:	Summey Engineering Associates, PLLC
	Date: JULY 2018	COVANTA SITE EXPANSION					Engineering - Land Planning - Consulting
	Drawn By: JCP	PINEVIEW STREET					PO Box 960
	Checked By: HWSJ	RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA					Asheboro, NC 27204
	Job No.: E-5040						Phone: 336-328-0902 Fax: 336-328-0922
							Email - mail@asheboro.com
							NC Professional Engineering Firm License No. P-0336



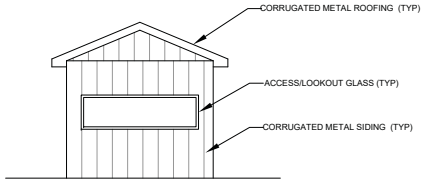
1 FUTURE WAREHOUSE /RECEIVING NORTH & SOUTH ELEVATIONS

SCALE: 1/8" = 1'-0"



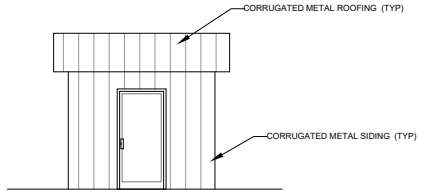
2 FUTURE WAREHOUSE /RECEIVING EAST & WEST ELEVATIONS

SCALE: 1/8" = 1'-0"



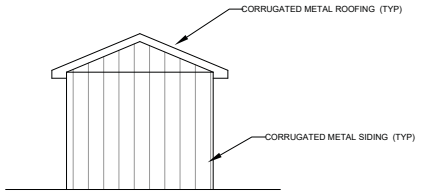
3 FUTURE GUARDHOUSE EAST ELEVATION

SCALE: 1/8" = 1'-0"



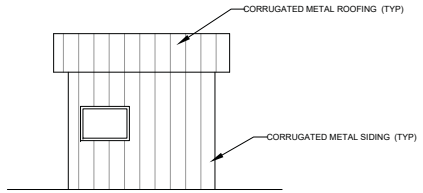
5 FUTURE GUARDHOUSE NORTH ELEVATION

SCALE: 1/8" = 1'-0"



4 FUTURE GUARDHOUSE WEST ELEVATION

SCALE: 1/8" = 1'-0"



6 FUTURE GUARDHOUSE SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION

Summey Engineering Associates, PLLC
Engineering - Land Planning - Consulting
PO Box 944
Asheboro, NC 27204
Phone: 336-318-0902 Fax: 336-318-0922
E-mail - sea@windstream.net
NC Professional Engineering Firm License No. F-0934

No.	Date:	Description:	By:

CONDITIONAL USE PERMIT PLAN

COVANTA SITE EXPANSION

8 NEVIEW STREET

RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	AS NOTED
Date:	JULY 2018
Drawn By:	JCP
Checked By:	HWS
Job No:	E-5040

Sheet No. 6 of 6

RZ-18-11: Request to rezone from RA6 (High-Density Residential) and CU-B2 (Conditional Use General Commercial) to O & I (Office and Institutional)

(624 Brewer Street and 621 Franks Street)

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-18-11**

Date 7-9-18 Planning Bd.

Applicant Eastside Improvement Association, Inc. c/o Deneal McNair

Legal Description

The property of Eastside Improvement Association, Inc., located at 624 Brewer Street, more specifically identified by Randolph County Parcel Identification Number 7761256503 and totaling approximately 3.32 acres +/-.

Requested Action Rezone from RA6 (High-Density Residential) and CU-B2 (Conditional Use General Commercial) to O&I (Office & Institutional)

Existing Zone RA6/CU-B2

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-18-11** **Date** 8/9/18 City Council

General Information

Applicant Eastside Improvement Association, Inc.

Address PO Box 423

City Asheboro NC 27203

Phone 336-328-7277

Location 624 Brewer Street and 621 Brewer Street

Requested Action Rezone from RA6 (High-Density Residential) and CU-B2 (Conditional Use General Commercial) to O & I (Office & Institutional)

Existing Zone RA6/CU-B2 **Existing Land Use** Last approved use: Child Care/Membership organization

Size 3.32 acres +/- **Pin #** 7761146503

Applicant's Reasons as stated on application

See attached

Surrounding Land Use

North Single family res./Eastside Park **East** Undeveloped (Residential)

South Undeveloped (Residential) **West** Multi-family residential (Eastside Homes)

Zoning History See #3-#6 of Analysis below.

Legal Description

The property of Eastside Improvement Association, Inc., located at 624 Brewer Street and 621 Franks Street, more specifically identified by Randolph County Parcel Identification Number 7761256503 and totaling approximately 3.32 acres +/-.

Analysis

1. The property is inside the city limits.
2. Brewer and Franks Streets are both local streets. A sidewalk extends along Brewer Street in front of the property.
3. In 1982, a Special Use Permit was issued for a large child care facility (SUP-82-15) in the structure located at 624 Brewer St. The daycare has ceased operations and it is possible that the permit issued in 1982 is now deemed abandoned.
4. In 2001, a portion of the property, where the structure at 621 Franks Street is located, was rezoned from RA6 to CU-B2 (Conditional Use General Commercial), with a Conditional Use Permit (CUP-02-23) for a Membership organization.
5. In June, 2018, the applicant requested a Special Use Permit to change non conforming uses in a residential district (from a large child care center to professional services (counseling)). City Council denied this request. The Ordinance does allow the applicant to file a new request, as long as it is not the same as the request that was denied.
6. Available records show that the property has been used for non-residential purposes since at least the 1950's.
7. The zoning ordinance describes the O&I Commercial District as "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 designated O&I shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
8. The request would allow any use permitted by right in the O&I zoning district, including the membership organization within the gym structure at 613 Franks Street.

Rezoning Staff Report

RZ Case # **RZ-18-11**

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	Neighborhood Residential
Small Area Plan	Central
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

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

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

Checklist Item 2.1.2: The City will investigate the creation of an adaptive reuse program to aid infill development. The program will ensure that zoning and building codes are flexible to allow safe, affordable , and compatible reuse of existing buildings and guide business owners through the redevelopment process.

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Land Development Plan Map Compliance

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

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

After considering the property's land use history and current zoning, including the potential for the former special use permit authorizing a daycare to no longer be valid due to inactivity, staff believes the requested O&I district to be an appropriate district. The current RA6 district on a portion of the property is intended generally to permit high-density residential uses which does not match how this part of the property has been used historically and prevents most non-residential uses from occupying 624 Brewer Street. A new child care center would not be permitted by right or special use permit under the current zoning ordinance's RA6 standards. A cultural facility, place of worship and schools are permitted in the current zoning district but require the issuance of a special use permit. In addition, the sidewalk located along Brewer Street along the entire length of the property is a transportation element that is consistent with the O&I district.

Approval of the request would also remove the conditional use general commercial district from the property. The general commercial zoning district, from a land use perspective, is a more commercially intensive zoning district than the office and institutional zoning district. The requested O&I district would continue to permit the gymnasium which has been considered to be a membership organization.

Considering these factors, staff believes the requested O&I district is generally consistent with the Land Development Plan and therefore reasonable and in the public interest.

Recommendation In light of the above analysis, staff's recommendation is to approve the O&I district request

Ordinance Amendment Information Questions

1. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

- The current ordinance is inconsistent with the usage as has been the case for approximately 3 decades. The land, designated as RA6, has never been used as a residential facility nor is it planned to be used for that purpose. In the last 30 years, the property has been used to house childcare services, religious services, and public safety services. A conditional usage exception has been made during this period and this proposed amendment would align the proper ordinance with the historical and planned land usage.

2. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

- There are no confirmed conditions that are distinctive from those that existed 30 years ago when the original conditional usage was allowed for childcare services. In 2001, a portion of the property was approved as a CUB2 so as to facilitate a membership based organization (Boys & Girls Club) to have access aligned to the correct ordinance. In both of these instances, the conditions of the local residence, their lack of access to transportation, and their socio-economic status warranted the aforementioned services. The proposed amendment is consistent with the community demands the land usage as stated.

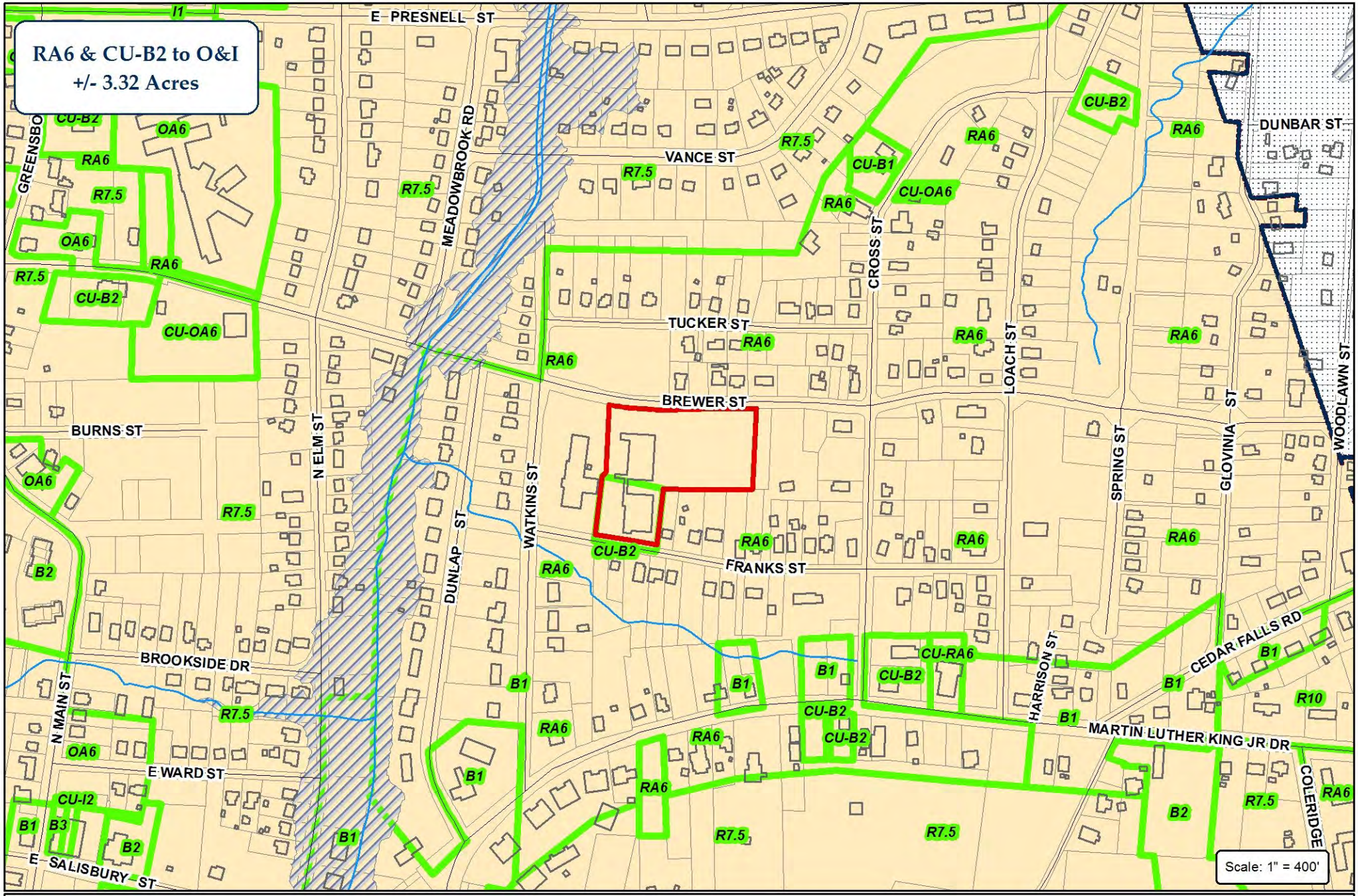
3. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

- This proposed change seeks to accommodate orderly growth and development of the eastside community consistent with the Asheboro Land Development Plan. In fact, this proposal is a proactive change providing a more strategic and future orientated land usage rather than the reactive basis in the past. It takes a positive stance for where the eastside community hopes to grow over time.

4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

-The proposed amendment is being offered in an effort to support the City of Asheboro's plan to bring outlining designations or districts into the proper code. Currently, the Eastside Gymnasium on the Frank Street Side is CUB2 zoned. By approving the proposed change of the Eastside Improvement Associations property loaded on the Brewer Street side from RA6 to ~~CUB2~~, the entire property will have consistent land usage.

NOM
O-I



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-11

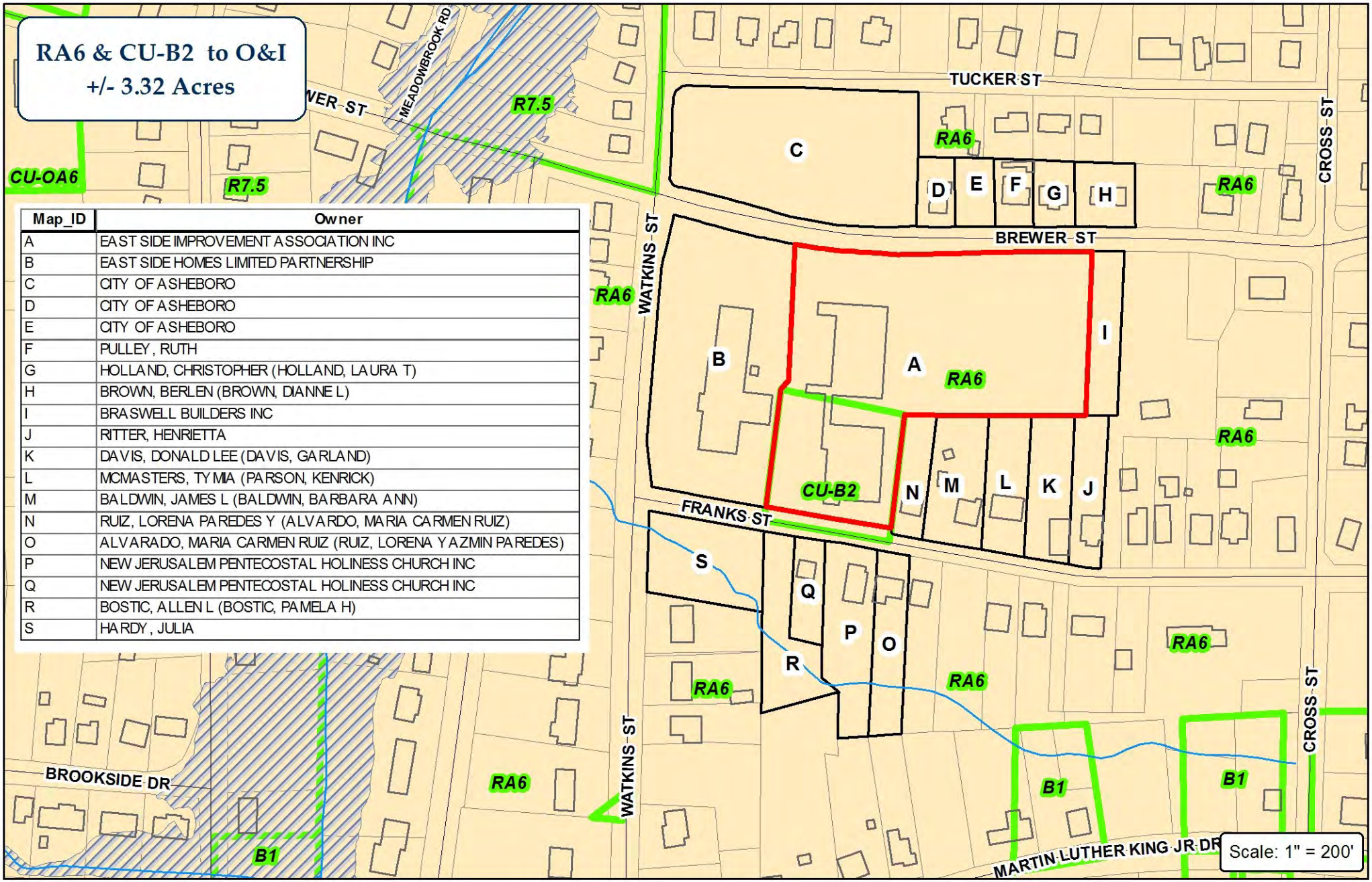
Parcel: 7761146503

City Limits

ETJ

Subject Property

Zoning



Map_ID	Owner
A	EAST SIDE IMPROVEMENT ASSOCIATION INC
B	EAST SIDE HOMES LIMITED PARTNERSHIP
C	CITY OF ASHEBORO
D	CITY OF ASHEBORO
E	CITY OF ASHEBORO
F	PULLEY, RUTH
G	HOLLAND, CHRISTOPHER (HOLLAND, LAURA T)
H	BROWN, BERLEN (BROWN, DIANNE L)
I	BRASWELL BUILDERS INC
J	RITTER, HENRIETTA
K	DAVIS, DONALD LEE (DAVIS, GARLAND)
L	MCMASTERS, TYMIA (PARSON, KENRICK)
M	BALDWIN, JAMES L (BALDWIN, BARBARA ANN)
N	RUIZ, LORENA PAREDES Y (ALVARDO, MARIA CARMEN RUIZ)
O	ALVARADO, MARIA CARMEN RUIZ (RUIZ, LORENA YAZMIN PAREDES)
P	NEW JERUSALEM PENTECOSTAL HOLINESS CHURCH INC
Q	NEW JERUSALEM PENTECOSTAL HOLINESS CHURCH INC
R	BOSTIC, ALLEN L (BOSTIC, PAMELA H)
S	HARDY, JULIA

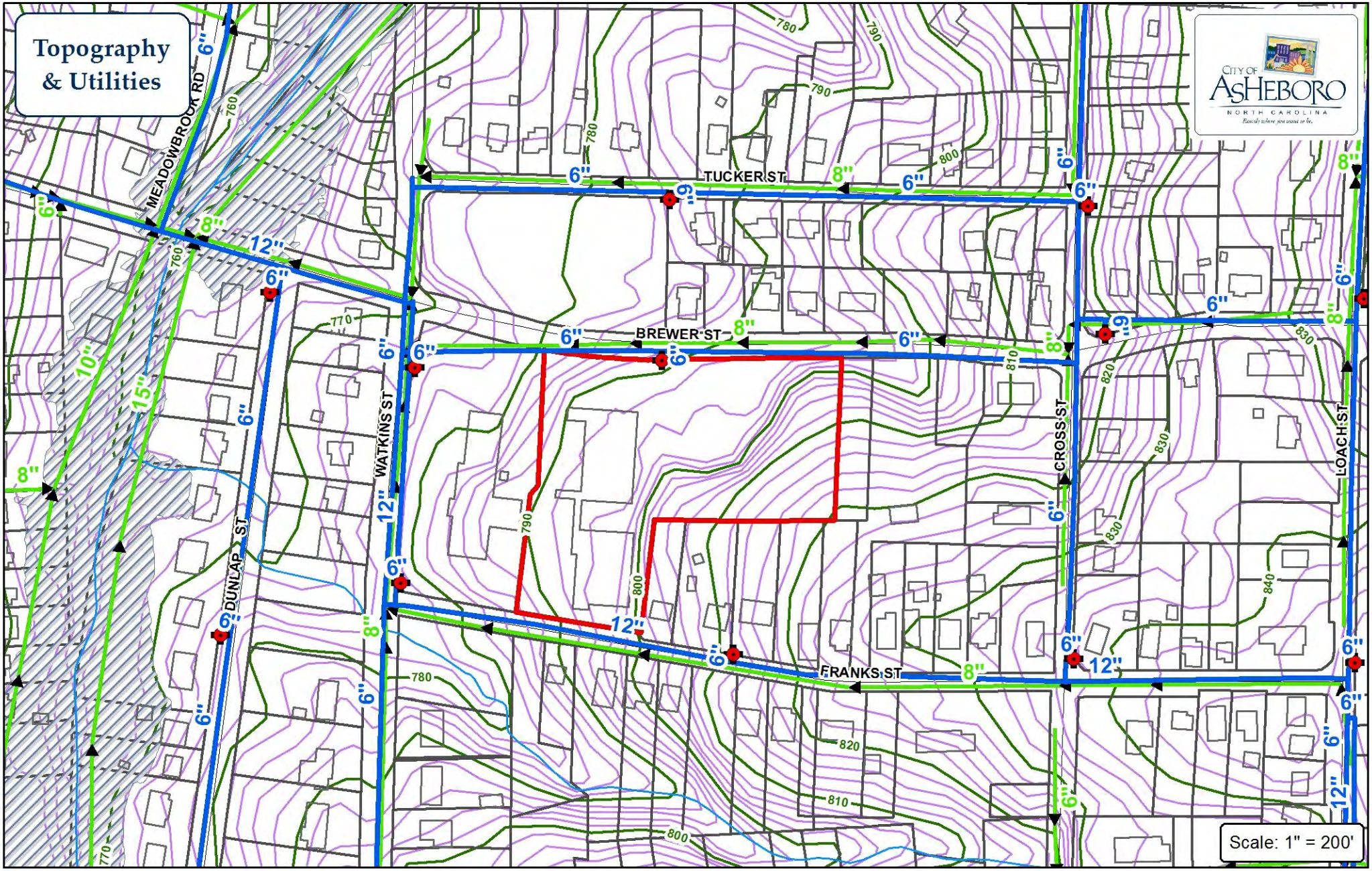
City Limits
ETJ

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-11

Parcel: 7761146503

Subject Property
Adjoining Properties
Zoning



Water Main

Sewer Main

Force Main

Fire Hydrant

Pump Station

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-11

Parcel: 7761146503

Subject Property

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-11

Parcel: 7761146503

Subject Property

Zoning

RZ/CUP-18-10/SUB-18-02

(North side of East Allred Street, west of 1591 E. Allred St.)

1. Request to rezone from R10 (Medium-Density Residential) to CU-RA6 (Conditional Use High-Density Residential) (RZ-18-10)
2. Request for Conditional Use Permit for Residential Planned Unit Development, including required sketch design approval (CUP-18-10/SUB-18-02)

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-18-10**

Date 7-9-18 Planning Bd.

Applicant McDowell Timber Company c/o Ken McDowell

Legal Description

The property of McDowell Timber Company located on the north side of E. Allred St., immediately west of 1591 E. Allred St. This property contains approximately 4.02 acres (+/-) and is more specifically identified by Randolph County Parcel ID No. 7762740259.

Requested Action Rezone from R10 (Medium-Density Residential) to CU-RA6 (Conditional Use High-Density Residential)

Existing Zone R10

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-18-10**

Date 7/9/2018 Planning Bd.
8/9/2018 City Council

General Information

Applicant McDowell Timber Company

Address 1926 Old Humble Mill Rd

City Asheboro NC 27205

Phone 336-902-9225

Location North side of East Allred Street, west of Gold Hill Road

Requested Action Rezone from R10 (Medium-Density Residential) to Conditional Use High Density Residential (CU-RA6)

Existing Zone R10 **Existing Land Use** Undeveloped

Size **4.04 acres +/-** **Pin #** 7762740259

Applicant's Reasons as stated on application

Surrounding areas are becoming more densely residential; this site development will complement the direction this area is heading...this will allow for more housing options & types while ensuring it's developed to surrounding areas.

Surrounding Land Use

North Medium-Density Residential **East** Medium-density residential

South Undeveloped Residential **West** Medium-Density Residential

Zoning History The property was rezoned from R10 Medium-Density Residential to CU-RA6 and a conditional use permits was issued for a residential Planned Unit Developments in 2001 (RZ/CUP-01-26).
Due to a lack of activity, the city initiated rezoning it back to R10 in 2015 (RZ-15-06 effective 7-16-2015).

Legal Description

The property of McDowell Timber Company located on the north side of E. Allred St., immediately west of 1591 E. Allred St. This property contains approximately 4.04 acres (+/-) and is more specifically identified by Randolph County Parcel ID No. 7762740259.

Analysis

1. This property is inside of the city limits.
2. East Allred Street is a state-maintained minor thoroughfare.
3. As stated in the "Zoning History" above, this property was rezoned in 2001 and 2002. Conditional Use Permits were also issued for two Residential Planned Unit Developments but never initiated. In 2015, the city rezoned the property back to the general R10 district in accordance with the provisions of the Asheboro Zoning Ordinance.
4. The current R10 district allows a single-family dwelling on a lot with at least 10,000 SF and a two-family dwelling on a property with at least 15,000 SF. The RA6 district allows single, two-family and multi-family dwellings.
5. The western portion of the property (approximately 1.6 acres) is located within a flood hazard area.
6. Along with the rezoning application, the applicant has filed a request for a Conditional Use Permit for a Residential Planned Unit Development, consisting of 11 dwelling units.
7. The zoning ordinance describes the RA6 Residential District as "intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land designated RA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."

Rezoning Staff Report

RZ Case # **RZ-18-10**

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	Neighborhood Residential
Small Area Plan	East
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

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

Checklist Item 11: Rezoning will promote the type of development described in Design Principles

Checklist Item 12: Property is located outside of watershed

Goal 4.1.6: **T**he City will participate the National Flood Insurance Program and utilize its Flood Damage Prevention regulations to strongly discourage development in high-risk areas**.**

Rezoning Staff Report

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Rezoning is not compliant with the Proposed Land Use Map.

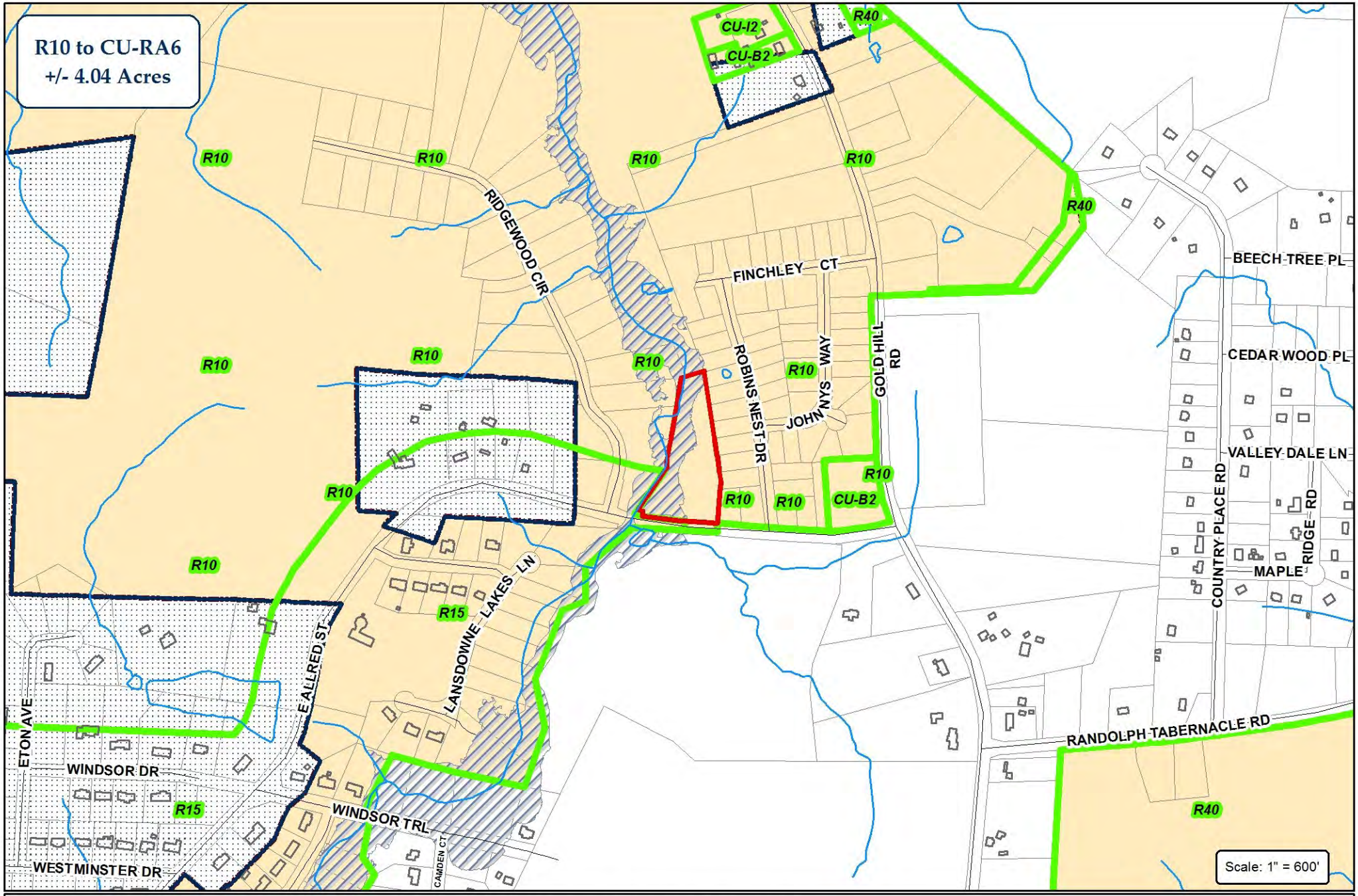
Checklist Items 13-14: 13.) The property is located within Special Hazard Flood Area. 14.) Rezoning is located on steep slopes of greater than 20%.

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

Prior to the city-initiated rezoning of the property in 2015, the property had been in the CU-RA6 district. City staff took action to rezone the property to R10 due to inactivity of the conditional use permits as prescribed by the zoning ordinance. The current request does include a corresponding Conditional Use Permit and site plan review that can best ensure the property is developed in harmony with surrounding uses and also incorporate design elements promoted by the Land Development Plan's Neighborhood Residential designation. Such elements include sidewalks, open space and recreation area that typically are not required in conventional subdivisions.

Additionally, the CU-RA6 district and conditional use permitting process can lead to less disturbance of flood area, steep slopes, and other environmentally sensitive features that are unique to this property. Considering these factors, staff believes that the requested CU-RA6 district is consistent with the Land Development Plan and therefore reasonable and in the public interest.

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

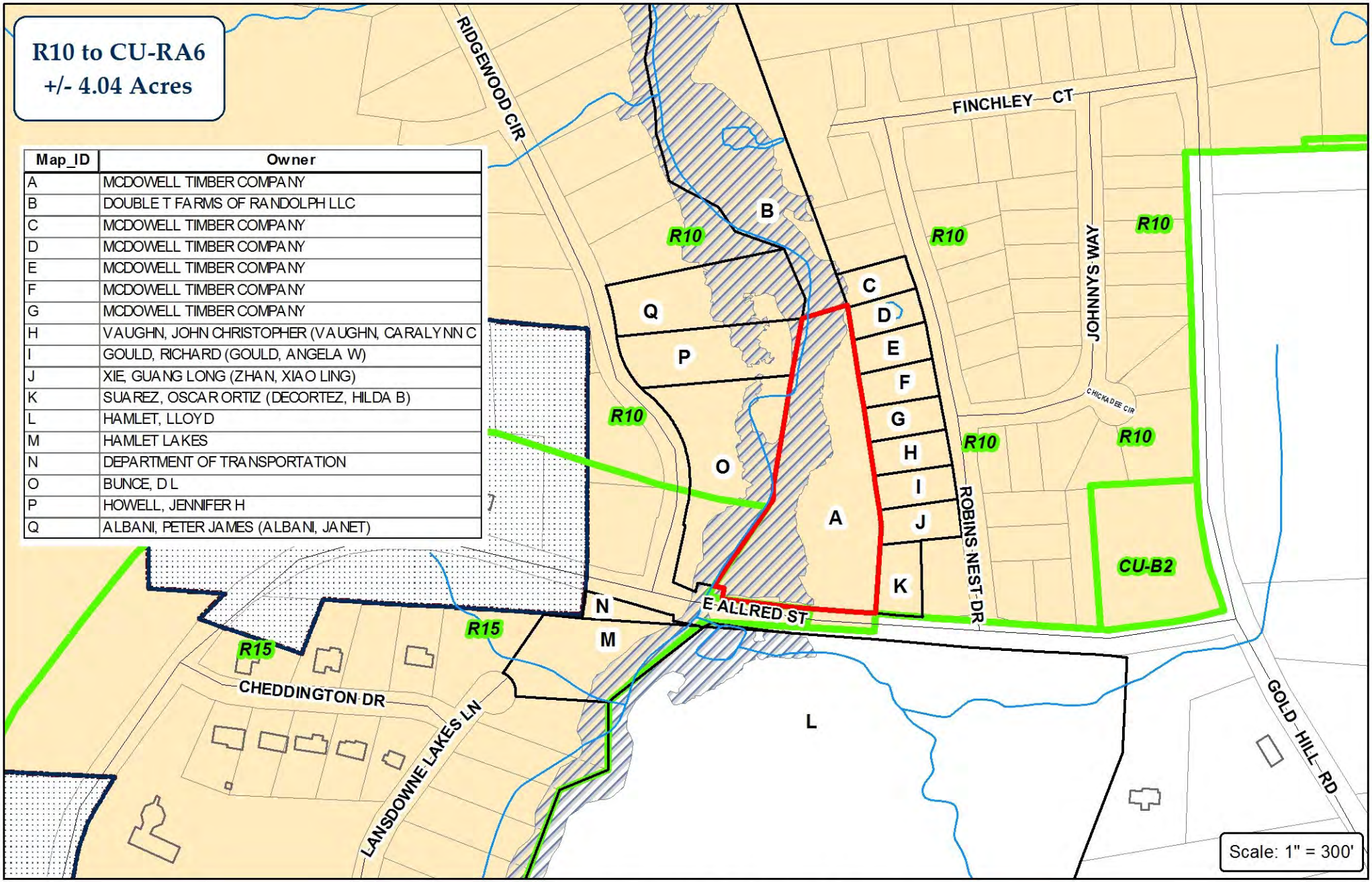


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-10
Conditional Use Permit: CUP-18-10
Subdivision Case: SUB-18-02
Parcel: 7762740259

City Limits
ETJ

Subject Property
Zoning



Map_ID	Owner
A	MCDOWELL TIMBER COMPANY
B	DOUBLE T FARMS OF RANDOLPH LLC
C	MCDOWELL TIMBER COMPANY
D	MCDOWELL TIMBER COMPANY
E	MCDOWELL TIMBER COMPANY
F	MCDOWELL TIMBER COMPANY
G	MCDOWELL TIMBER COMPANY
H	VAUGHN, JOHN CHRISTOPHER (VAUGHN, CARALYNN C
I	GOULD, RICHARD (GOULD, ANGELA W)
J	XIE, GUANG LONG (ZHAN, XIAO LING)
K	SUAREZ, OSCAR ORTIZ (DECORTEZ, HILDA B)
L	HAMLET, LLOYD
M	HAMLET LAKES
N	DEPARTMENT OF TRANSPORTATION
O	BUNCE, D L
P	HOWELL, JENNIFER H
Q	ALBANI, PETER JAMES (ALBANI, JANET)

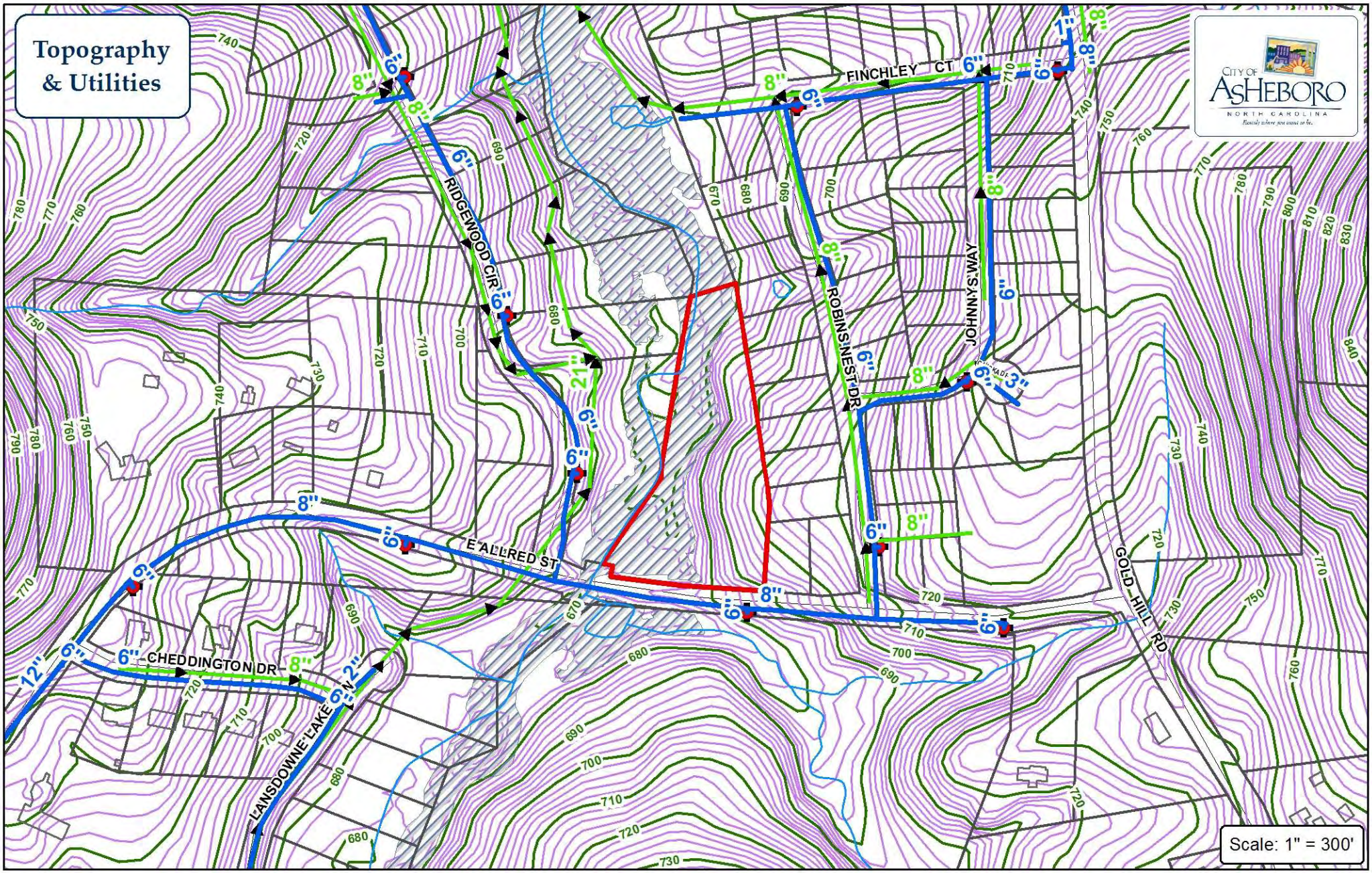
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-10
Conditional Use Permit: CUP-18-10
Subdivision Case: SUB-18-02

Parcel: 7762740259

City Limits
ETJ

Subject Property
Adjoining Properties
Zoning



Force Main

Water Main

Sewer Main

Fire Hydrant

Pump Station

City of Asheboro Planning & Zoning Department

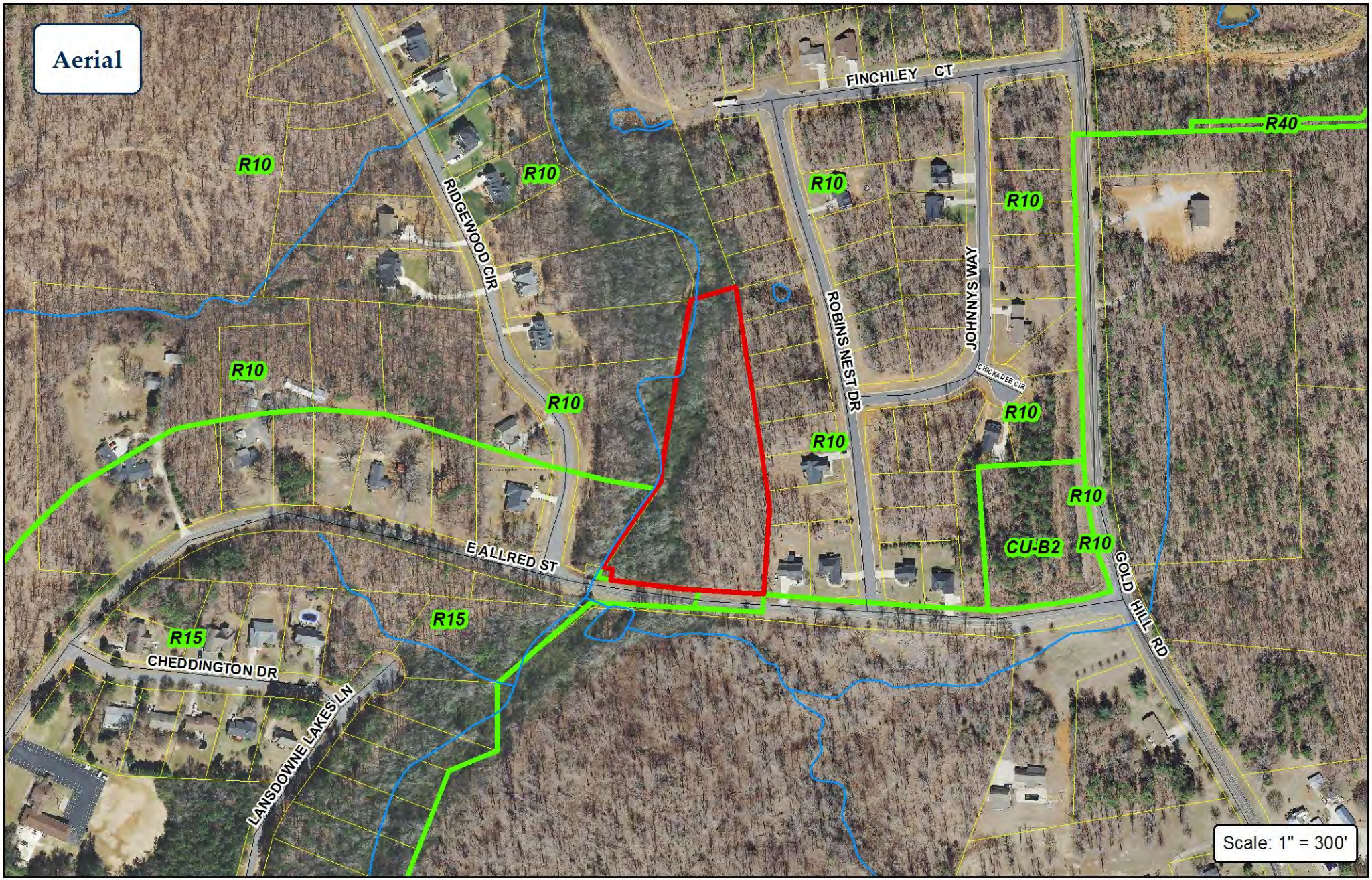
Rezoning Case: RZ-18-10

Conditional Use Permit: CUP-18-10

Subdivision Case: SUB-18-02

Parcel: 7762740259

Subject Property



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-10

Conditional Use Permit: CUP-18-10

Subdivision Case: SUB-18-02

Parcel: 7762740259

Subject Property

Zoning

Conditional Use Permit Staff Report

CUP Case No. CUP-18-08 8/9/2018 CC

General Information

Name Covanta Environmental Solutions

Address 2423 Carl Drive
Asheboro NC 27203

Phone 336-683-0911

Pin # 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, 7753973059

Location 2445 & 2455 N. Fayetteville Street, 200, 204, and 208 Pineview Street

RequestedAction: Special Use Permit for a Transfer Station and Ancillary Manufacturing, Processing, and Assembly

Existing Zone I2/B2/R10

Existing Land Use Commercial (formerly retail shoppers' goods), two single-family dwellings, undeveloped (residential and industrial)

Size 5.19 acres +/-

Applicant's Reason as stated on application

Similar to 2005 request, to Masterplan the future growth of the previously known Garco, Inc., now known as Covanta Environmental Solutions, LLC site at N. Fayetteville St. and Pineview St.

Surrounding Land Use

North Industrial

East Commercial/Industrial

South Legal non conforming junkyard/SF

West Single-family residential

Zoning History N/A on subject property. A special use permit was issued for a transfer station on the adjoining property in 2001, and amended in 2002 and 2005 (Cases SUP-02-03, SUP-02-07, SUP-05-05).

Growth Strategy Map Primary Growth

Proposed L D P Map Employment Center/Commercial/Neighborhood Residential

Legal Description

The properties of Covanta Environmental Solutions, LLC, Anthony A. Purguson & Gregory C. Russell, and P &R Development LLC, located at 2445 & 2455 N. Fayetteville St., and 200, 204, & 208 Pineview St. totaling approximately 5.19 acres +/- and more specifically identified by Randolph Co. Parcel #s 7753975069, 7753976059, 7753977009, 7753978029, 7753978243, 7763070038, 7753974069, & 7753973059

Analysis

1. The request is for a transfer station. A transfer station is defined as "a use of land where non hazardous or nontoxic waste such as residential, commercial or industrial is temporarily deposited for the purpose of a break in bulk and further shipment to a landfill or other appropriate destination." The request also includes ancillary manufacturing, processing, and assembly activities.
2. If the rezoning request is not approved in its entirety, the site plan as submitted will have to be revised and resubmitted to Council for consideration at a later date.
3. There is a transfer station on the the adjoining property located at 2501, 2503, and 2505 North Fayetteville Street. Although there is a vehicular connection to the existing transfer station proposed, the adjoining property is not part of this request.
4. The request includes the addition of a shredding/process building that is approximately 24,000 SF (120' x 200'), parking areas, a guardhouse, open storage, and a future office.
5. Standards applicable to Transfer Stations are found on p. 3 of this report.
6. One entrance is proposed from Pineview Street and one entrance is proposed from North Fayetteville Street.

LDP Conformity Issues

Conditional Use Permit Staff Report

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

Staff Comments

Suggested Conditions

Draft Conditions as of 8-2-18:

(A) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing the following approvals:

i.) Driveway permit from NCDOT

ii.) Erosion control approval from NC Department of Environmental Quality

(B) Prior to issuing a zoning compliance permit, the applicant shall submit additional detail concerning the following items on a revised site plan:

(i) Outdoor lighting consistent with Performance Standards in Industrial Zoning Districts (Section 317A)

(ii) Number of employees in largest shift and number of facility vehicles to determine compliance with minimum number of parking spaces required by Table 400-1

(iii) Screening of open storage consistent with the requirements of Section 305A

(iv) Front yard landscaping consistent with requirements Section 308A

(v) Buffer "D" adjacent to Michael T. Davis property (DB 1578, PG 551)

The revised 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.

(C) The following items shall be approved by the Asheboro Fire Department prior to the issuance of a Zoning Compliance Permit:

(i) Additional fire hydrant(s) within the zoning lot as determined necessary by the Fire Chief.

(ii) Determination that proposed access gate(s) meet requirements of NC Fire Prevention Code.

(iii) A Spill Prevention, Control, and Countermeasures Plan approved by Fire Department.

(D) Building materials on facade(s) facing North Fayetteville St. may be any material as permitted by Article 300A, Section 316A.C.

(E) The applicant shall be responsible for ensuring compliance with all state and federal permitting requirements.

(F) 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.

For Conditional Use Permit Hearings:

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

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted an approved.
2. That the use meets all required conditions and specifications of the Asheboro Zoning Ordinance.
3. That the use will not substantially injure the value of adjoining or abuting property, or that the use is a public necessity,
4. That the location and character of the use if developed according to the plan as submitted and approved is 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.

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

643.Transfer Stations
Transfer Stations may be permitted in I1, I2, and I3 districts subject to the following requirements:
643.1 A site plan meeting the requirements of Section 1005 shall be submitted as part of the application for this permit. The plans shall also incorporate such additional information as required to indicate compliance with other requirements of this section.
643.2 The use shall be located on a minor thoroughfare or higher classification street or within an industrial development with direct access to such street (direct access shall mean without having to travel residential streets) (Amended 2-4-2016).
643.3 Actual transfer activities shall be conducted within an enclosed structure.
643.4 All access and maneuvering areas shall have a paved surface meeting the requirements of Article 400.
643.5 Stormwater control meeting all local, State and Federal requirements shall be submitted as part of the required plans.
643.6 If the property adjoins residential districts, in addition to the required buffering and screening, a setback of 100 feet for all activities shall be observed.
643.7 At the close of each business day, the facility shall be left in a clean and sanitary manner. Written plans indicating compliance with this requirement shall be submitted as part of the application.
643.8 Evidence of compliance with all applicable requirements of the Zoning Ordinance shall be submitted as part of the application.

SUBDIVISION STAFF REPORT
Sketch Design

CASE #	SUB-18-02	**Date**	8/9/2018 City Council

GENERAL INFORMATION

Subdivision Name	Cane Creek Townhomes
Requested Action	Subdivision Sketch Design
Applicant	McDowell Timber
Address	1926 Old Humble Mill Rd., Asheboro, NC 27205
Phone	336-902-9225
Location	north side of East Allred Street

PARCEL INFORMATION

PIN	7762740259		
Size	4.04 acres +/-	**Number of Lots**	10 + common area
Existing Zoning	R10	**Average Lot Size**	Pending
Existing Land Use	Undeveloped		

Surrounding Land Use

North	Medium-Density Residential	**East**	Medium-Density Residential
South	Undeveloped Residential	**West**	Medium-Density Residential

LAND DEVELOPMENT PLAN

Growth Strategy Map	Primary Growth
Proposed Land Use Map	Neighborhood Residential
Small Area Plan Map	East
Identified Activity Center?	No

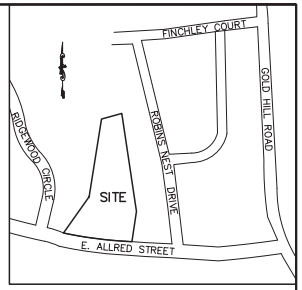
Development Issues

1. The development (Residential Planned Unit Development) also requires a Conditional Use Permit and rezoning from R10 (Medium-Density Residential) to CU-RA6 (Conditional Use High-Density Residential) due to having more than two dwellings per structure. These requests are scheduled to be heard by City Council during its August 9, 2018 meeting.
2. A portion of the property is within a Special Hazard Flood Area.
3. The length of the proposed street is 457 linear feet and includes public service vehicle turnaround. The length meets the requirement that permanent dead end streets not exceed 500 feet unless topography or property configuration necessitates their use. Staff has reviewed the proposal and believes the presence of extensive flood plain and adjacent development patterns support the subdivision proposal's street layout.
4. One recreational area is proposed to the rear of some of the units adjoining the creek on the west side of the property.

SUBDIVISION STAFF REPORT
Sketch Design

DEPARTMENT COMMENTS

Engineering	Plat comments/corrections have been addressed.
Public Works	Plat comments/corrections have been addressed. More detailed information on utilities will be reviewed with the Preliminary Plat.
Planning	Plat comments/corrections have been addressed. Homeowners documents are required to be recorded with the final plat, which must include maintenance mechanisms for the common area, and restrictions concerning recreational vehicle (RV) parking.
Other	The proposal was shared with Asheboro City Schools. Their office has returned no comments or concerns.
Staff Recommendation	Approve subject to noted conditions and comments.
Planning Board Recommendation	Approve subject to noted conditions and comments.



VICINITY MAP
N.T.S.

SITE NOTES:

SITE AREA FOR P.U.D.: 4.04 ACRES (176,022 SF)

TOTAL # OF LOTS: 10 LOTS PLUS COMMON AREA

LOT 1=	3,016 SF	LOT 6=	2,692 S.F.
LOT 2=	2,690 SF	LOT 7=	2,663 S.F.
LOT 3=	2,688 SF	LOT 8=	2,990 S.F.
LOT 4=	2,969 SF	LOT 9=	2,589 S.F.
LOT 5=	3,000 SF	LOT 10=	2,297 S.F.

TOTAL COMBINE LOT AREAS: 27,594 S.F. (0.63 AC)
TOWNHOMES COMMON AREA: 147,659 SF = (3.39 AC)
BUA IN COMMON AREA: 935 SF = (0.02 AC) = <1%
TOTAL BUA: 36,805 SF = (0.85 AC)

ALL COMMON AREA INCLUDING RECREATION AREA & LANDSCAPING TO BE HELD/MAINTAINED BY HOMEOWNERS ASSOCIATION.

OPEN SPACE AREA RATIO (52% MIN): 79.0% (139,217 S.F.)
RECREATIONAL SPACE REQ'D (3.33% OF 52% OF TOTAL AREA): (3,048 SF)
(3,075 SF REC AREA SHOWN)

PROPERTY USE: CURRENT ZONING = R10
CURRENT USE: VACANT
PROPOSED ZONING = CU-RA6 FOR P.U.D. ONLY
PROPOSED UNITS = 10 TOWNHOUSES (1,200 S.F HEATED SF/UNIT MINIMUM)

LINEAR FEET OF STREETS: PUBLIC 28' WITH C&G – 457 LF; PRIVATE NONE

PROPOSED NAME OF STREET: CANE CREEK LANE

LANDSCAPING: CANOPY & UNDERSTORY TREES PLACED AROUND PERIMETER UNLESS OTHERWISE SHOWN
TRASH DISPOSAL PLAN: TRASH CAN USE ONLY
RV STORAGE: NOT ALLOWED ON SITE

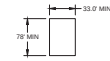
NOTES:
1. H.O.A. DOCUMENTS WILL BE REQUIRED PRIOR TO FINAL PLAT APPROVAL.
2. DETAILED GRADING PLAN WILL BE SUBMITTED WITH ENGINEERING PLANS.
3. ALL BUILDINGS ARE CITY OF ASHEBORO WATER AND SEWER UTILITIES.
4. MAIL TO BE DELIVERED TO EACH INDIVIDUAL UNIT.

FIRE HYDRANT NOTE
FIRE HYDRANT LOCATIONS ARE TENTATIVE SUBJECT TO APPROVAL BY FIRE CHIEF.

BUILDING SETBACK NOTE
SINGLE-FAMILY HOMES WILL TYPICALLY HAVE A SETBACK OF 20' IN THE FRONT ALONG CANE CREEK LANE BUT NO LESS THAN 15'

PERMIT NOTE
CONDITIONAL USE PERMIT AND REZONING FOR PLANNED UNIT DEVELOPMENT (P.U.D.) ONLY.

CITY OF ASHEBORO NOTES
1. 20' WIDE CITY OF ASHEBORO SANITARY SEWER EASEMENT WILL BE PROVIDED ALONG ALL 8" SANITARY SEWER LINES NOT IN PUBLIC R/W.
2. 20' WIDE CITY OF ASHEBORO WATER LINE EASEMENT WILL BE PROVIDED ALONG ALL WATER LINES CONNECTING TO THE CITY OF ASHEBORO WATER SYSTEM TO THE FIRE HYDRANTS AND METERS THAT ARE NOT IN PUBLIC R/W.
3. ALL STORM SEWERS NOT IN PUBLIC R/W WILL BE MAINTAINED BY HOMEOWNERS' ASSOCIATION.



TYP. PROPOSED LOT DIM

MAINTENANCE RESPONSIBILITY
City of Asheboro Maintained
1. Streets & sidewalks within public street right-of-way.
2. Sanitary sewer lines within public street right-of-way.
3. Water lines supplying hydrants & meters and storm sewer system within public street right-of-way.

Homeowners Association to Maintain
1. Sanitary sewer lines between public street right-of-way and buildings.
2. Common areas not within public street right-of-way.
3. Ponds and creeks
4. Storm sewer not located in public street right-of-way.
5. Water lines between meters and buildings.
6. Sidewalks not within public street right-of-way.

GENERAL SITE NOTES
1. BOUNDARY & TOPOGRAPHIC INFORMATION TAKEN FROM ASHEBORO CONNECT GIS & RANDOLPH COUNTY GIS.
2. NO SURVEY TAKEN BY THIS OFFICE AS OF 3/16/18.
3.
4. PIN: 7762740259
5. DEED REFERENCE: DB 2406 PG 1000
   PLAT REFERENCE: PB 70 PG 73
6. EXISTING ZONING: R-10 ASHEBORO
   PROPOSED ZONING: CU-R-A6 ASHEBORO
7. SETBACKS:
   FRONT - 30' (ALLRED ST) 15' (CANE CREEK LN)
   REAR - 0'
   SIDE - 0'
   (UNLESS OTHERWISE SHOWN)
8.
9. TOTAL UNITS: 10
10. ALL ROADWAY SECTIONS TO BE CONSTRUCTED PER NCDOT STANDARDS
    NCDOT DRIVEWAY PERMIT REQ'D
11. MONUMENT SIGN TO BE 40 SQ FT MAX. AREA MIN. OF 10' FROM RIGHT OF WAY
12. MAIL WILL BE DELIVERED TO EACH INDIVIDUAL UNIT.

OWNER - DEVELOPER
KEN McDOWELL
1926 OLD HUMBLE MILL ROAD
ASHEBORO, NC
PHONE (336) 302-9225

DRAWING LEGEND
PROPERTY LINE
ADJOINING PROPERTY LINE
PROPOSED RIGHT OF WAY
PROPOSED LOT LINE
100 YR FLOODPLAIN
REGULATORY FLOODWAY
PROPOSED TREELINE
EXISTING SANITARY SEWER
PROPOSED SANITARY SEWER
WATER LINE
SAN. SEWER MANHOLE
FIRE HYDRANT

LANDSCAPE NOTES

TYPE "A" BUFFER REQUIREMENTS:	TYPE "A" SCREEN PROPOSED:
15' MIN WIDTH, 1 CANOPY TREE, 3 UNDERSTORY TREES, AND 6 SHRUBS PER 100 LF WHERE EXISTING VEGETATION DOES NOT MEET OR EXCEED ABOVE REQUIREMENTS, LANDSCAPE SHOULD BE ADDED TO THE CANOPY TREES AT THE RATE OF 6 SHRUBS AND 3 UNDERSTORY TREES PER 100 LF	A ROW OF EVERGREEN SHRUBS PLACED NOT MORE THAN FIVE FEET APART ON CENTER TO FORM A CONTINUOUS OPAQUE HEDGE A MINIMUM OF SIX FEET IN HEIGHT ABOVE FINISHED GRADE

*THE USE WILL COMPLY WITH PERFORMANCE STANDARDS OF ASHEBORO ZONING ORDINANCE, SECTION 318A.

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

SEA
Summey Engineering Associates, PLLC
Engineering - Land Planning - Consulting
PO Box 968
Asheboro, NC 27204
Phone 336-328-0902 Fax 336-328-0922
E-mail: mail@sealasheboro.com
NC Professional Engineering Firm License No. P-0336

No.	Date:	Description:	By:

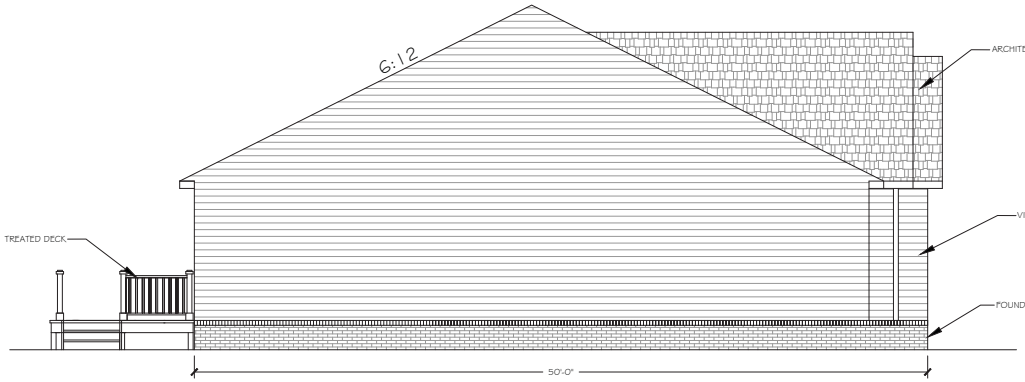
PROPOSED SITE PLAN

CANE CREEK TOWNHOMES

EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	1" = 40'
Date:	JULY 2018
Drawn By:	ZKG
Checked By:	HWSJ
Job No.	E-4848

Sheet No. — of —



1 LEFT ELEVATION
SCALE: 1/4" = 1'-0"

2 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

3 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

4 REAR ELEVATION
SCALE: 1/4" = 1'-0"

BUILDING ORIENTATION MAY BE MIRRORED DUE TO FIELD CONDITIONS.

PRELIMINARY - NOT FOR CONSTRUCTION

Summey Engineering Associates, PLLC
Engineering - Land Planning - Consulting
PO Box 968
Asheboro, NC 27204
Phone: 336-328-0902 Fax: 336-328-0922
E-mail: mail@asheboro.com
NC Professional Engineering Firm License No. P-0336

No.	Date:	Description:	By:

PROPOSED ELEVATIONS

CANE CREEK TOWNHOMES

EAST ALLRED STREET
RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

Scale:	1/4"=1'-0"
Date:	JULY 2018
Drawn By:	CV
Checked By:	HWS
Job No.	E-4849

Sheet No. — of 1

<u>SUP-18-03:</u> Special Use Permit for Manufacturing, Processing, and Assembly (Light) in a Conditional Use General Commercial (CU-B2) district, including the continuation of a non-conforming mobile home

(307 and 313 East Allred Street)

Staff Report

SPECIAL USE PERMIT STAFF REPORT

SUP Case No. **SUP-18-03** **8/9/2018**

General Information

Applicant Antonio Caliz, Abraham Caliz, Juan Caliz, and Brayan Caliz Betsy T. Moody, Agent (Applicants)

Address 2454 N. Fayetteville Street

City Asheboro NC 27203

Phone 336-301-1956

Location 307 & 313 E. Allred St.

Requested Action Special Use Permit for Manufacturing, Processing, and Assembly (Light) within a Conditional Use General Commercial (CU-B2) zoning district

Existing Zone CU-B2

Size 6.7 acres +/-

Existing Land Use Manufactured home/Former manufacturing, processing, and assembly

Pin # 7762112401 (portion)

Applicants Reason as stated on application

To be able to operate a granite and marble business.

Surrounding Land Use

North Mobile home park

East Two manufactured homes (B2 General Commercial zone)

South Undeveloped residential/commercial

West Undeveloped Commercial

Zoning History SUP-87-04: Property rezoned to CU-B2 and SUP for light manufacturing granted.

Growth Stategy Map Primary Growth

Proposed LDP Map Commercial

Legal Description

The property of Kathryn H. Allred, located at 307 & 313, E. Allred St., more specifically identified by a portion of Randolph County Parcel Identification Number 7762112401 (excluding 401 E. Allred St.) and totaling approximately 6.7 acres +/-.

Analysis

1. The property is inside the city limits.
2. East Allred St. is a state-maintained minor thoroughfare.
3. The request is for a Conditional Use Permit for manufacturing, processing, and assembly- light. This use is allowed in the CU-B2 zoning district with a Conditional Use Permit. The proposal is to use existing buildings.
4. There are currently two access driveways on the property. One is to serve the proposed use. The second driveway serves the existing manufactured (mobile) home.
5. A Special Use Permit was previously issued for manufacturing, processing, and assembly-light for construction of accessory buildings (i.e. storage sheds, etc.). The Zoning Ordinance requires a new SUP when there is deemed to be a significant change in "manufacturing, processing, and assembly-light" activities.
6. The existing manufactured home is a legal non-conforming use. This use may continue subject to meeting code requirements.
7. Certain legal non-conforming situations exist on the property, such as a lack of paved parking and deficiency in front yard landscaping. The applicant proposes retaining existing vegetation along the west and north side of the property, which is non required by the zoning ordinance. The applicant's site plan proposes retaining existing vegetation in the front yard and adding five trees. The applicant proposes to maintain access drives and parking areas as required by the Fire Department.

LDP Conformity Issues

Although the property is designated for "commercial" use by the LDP, previous history of the property should be considered.

SPECIAL USE PERMIT STAFF REPORT

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

Staff Comments

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

Suggested Conditions

Draft conditions as of 8-2-2018:

(A) Prior to occupancy of the proposed land use, the following items shall be approved and completed:

(i) Final Decision Document approving the requested Special Use Permit.

(ii) Approvals related to a Change of Occupancy application

(iii) One or more instrument(s) drafted to establish in fact the boundary lines shown on the submitted site plan shall be properly executed and recorded in the Office of the Randolph County Register of Deeds. Notice of such recordation shall be provided in a timely manner to the City of Asheboro Zoning Administrator.

(iv) Construction of fire access road at least 20 feet in width consisting of an all weather surface in the location shown on the approved site plan and repairs to existing access/driveway surfaces as required by Asheboro Fire Chief and Asheboro Fire Marshal for emergency services.

(v) Van accessible handicapped parking space as labeled on the approved site plan

(B) The site plan identifies one mobile (manufactured) home on the property. Subject to Article 800 (Nonconformities), should this structure be replaced by another manufactured home, this shall not be considered a modification requiring a new Special Use Permit.

(C) Removal of structure(s) on the property not required for the proposed land use shall not be considered a modification requiring a new conditional use permit.

(D) Along with meeting the requirements of Conditions (A)(iv) and (A)(v) above, parking spaces serving customer(s) and employee(s) consistent with Table 400-1 shall be provided and clearly marked, with wheel stops or similar means of marking spaces. Subject to other Permit conditions and regulator requirements, if the applicant relocates the designated parking space and this shall not be considered a modification of the Special Use Permit.

(E) If the applicant choses to either pave these parking areas (including parking spaces, access, and maneuvering areas) or loading spaces, which is optional, this shall not be considered a modification of the Special Use Permit.

(F) Access gate(s) shall be subject to the approval of the Asheboro Fire Department

(G) Existing vegetation on the north side of the property shall be retained to the maximum extent possible, with the exception of grading and placement of require infrastructure. Existing vegetation within the front yard shall be maintained. Should any vegetation within the required front yard be removed, the removed vegetation shall be replaced consistent with the requirements of Section 308A.

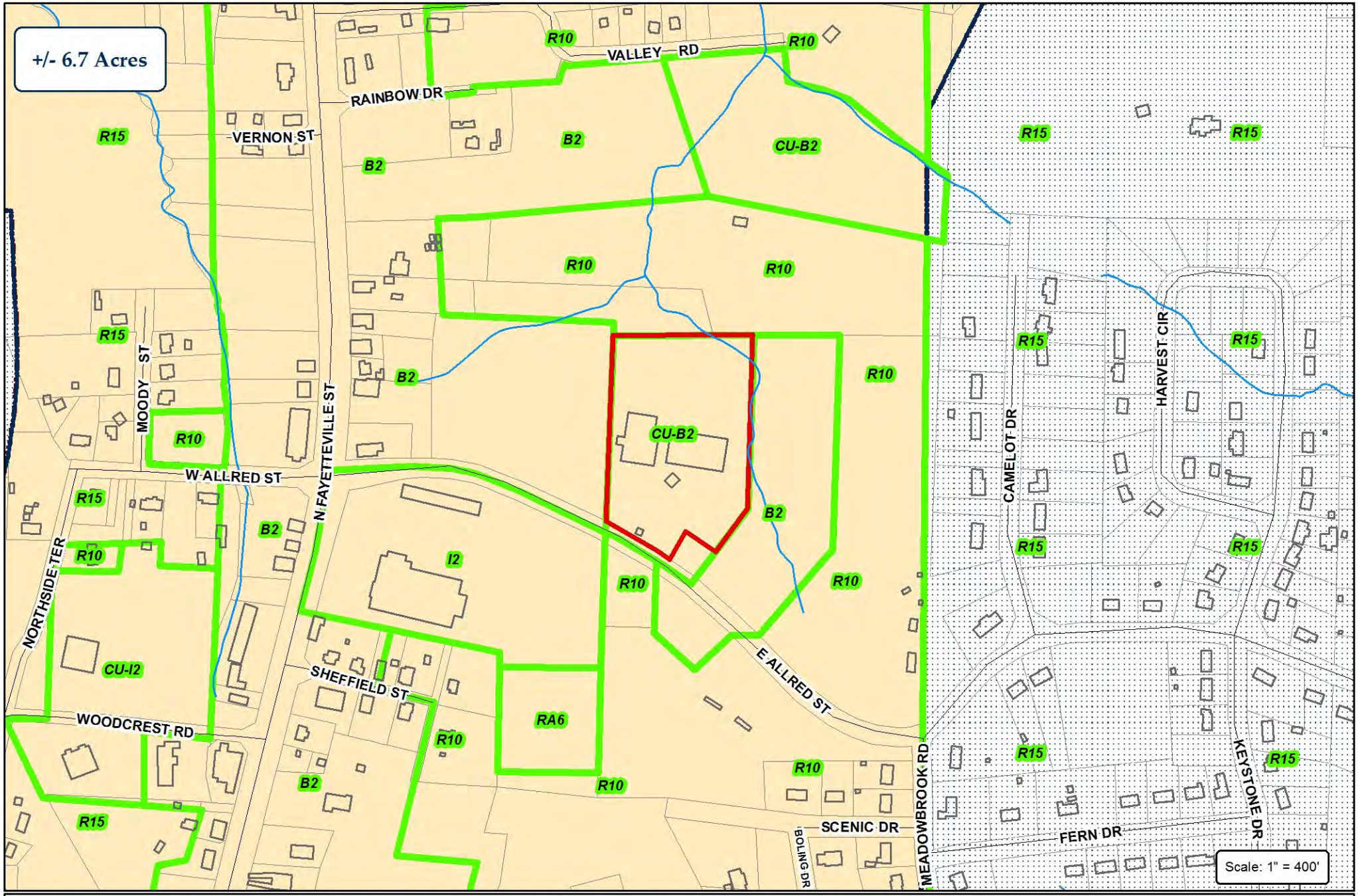
For Special Use Permit Hearings:
The following tests shall be found in favor of the applicant by the City Council.

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

SUP Requirements

Asheboro Zoning Ordinance Section 628- Manufacturing, Processing and Assembly, Light*
Light manufacturing activities may be permitted in B2 districts subject to the following standards:
628.1 Off-street parking and loading spaces provided in accordance with Article 400.
628.2 The applicant shall have adequate utilities (water, sewerage, etc.,) so that the proposed operation shall meet the requirements of the City Fire, Building Inspection, and Engineering Departments.
628.3 The activity shall not endanger, damage, or have any other undesirable effects upon nearby non-industrial development by reason of its existence and operation.
628.4 Buffering and screening shall be required as set forth in Article 304A.
628.5 Approvals granted under this section shall be for one specific use, to be identified by the applicant at the time of application, and shall not be transferable to other light industrial uses. Requests for such changes in use
shall be covered by the submission of a separate Special Use Permit Application.
628.6 Light Manufacturing, Processing and Assembly as permitted by this SUP shall mean activities which are conducted within a fully enclosed structure, require no outdoor storage, utilizes no boilers or other equipment in excess of 25 HP individually, and employ a total of 10 or fewer employees.

*Article 1100 Definitions concerning Manufacturing, Processing, and Assembly
Manufacturing, Processing and Assembling, Light (Requested Use)- Activities described in Manufacturing, Processing and Assembling, Heavy conducted wholly within an enclosed structure and not employing more than 10 persons and utilizing no more than a total of 25 horsepower in power driven machines and material handling equipment.
Manufacturing, Processing and Assembling, Heavy- The mechanical or chemical transformation of materials or substances into new products. The land uses engaged in these activities are usually described as plants, factories, or mills and characteristically use power-driven machines and materials handling equipment. Establishments engaged in assembling component parts of manufactured products are also considered under this definition, if the new product is neither a fixed structure nor other fixed improvement. Also included is the blending of materials such as lubricating oils, plastics, resins or liquors.



City of Asheboro Planning & Zoning Department

Special Use Permit: SUP-18-03

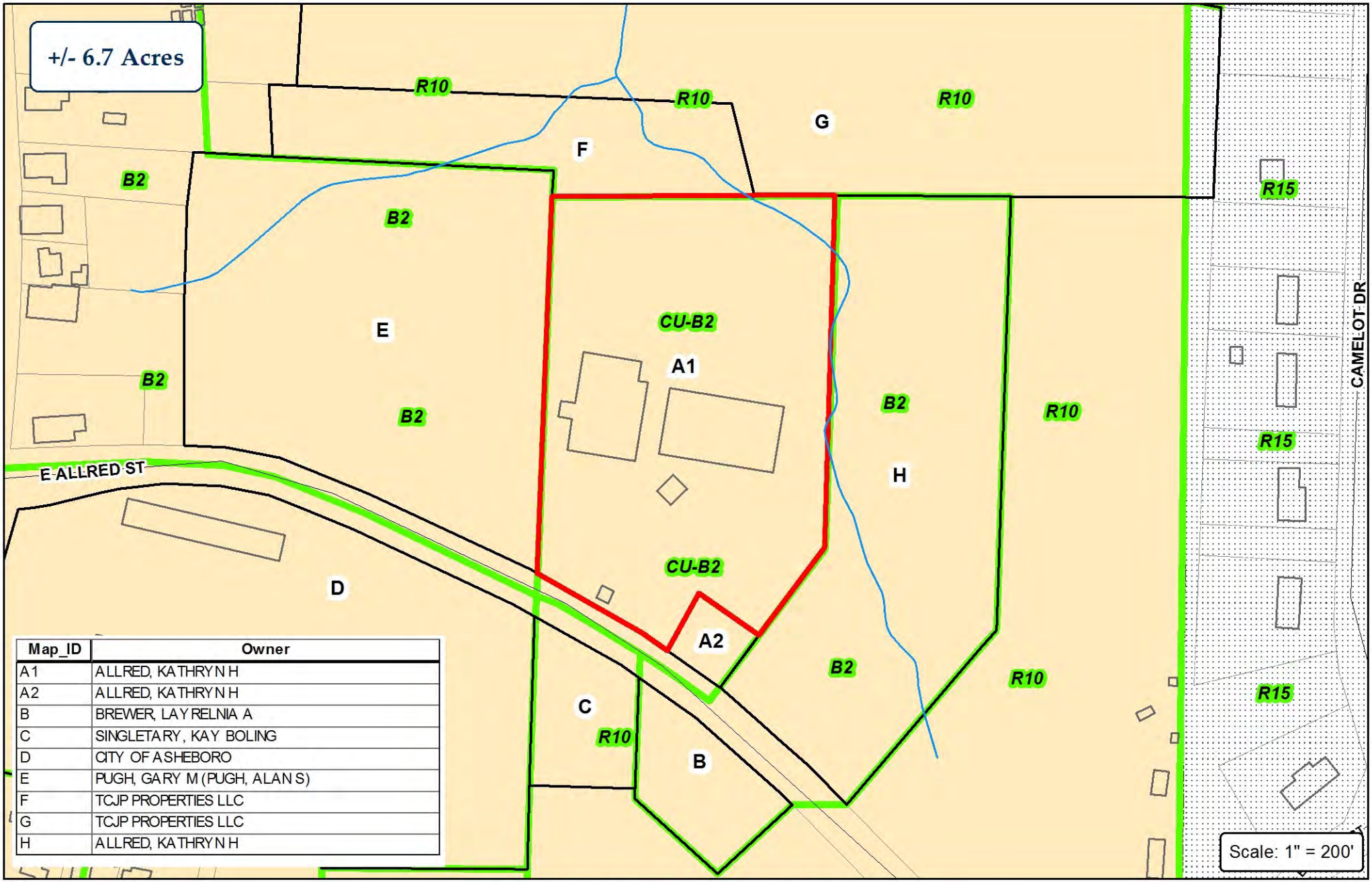
Parcel: 7762112401 (pt.)

City Limits

ETJ

Subject Property

Zoning



Map_ID	Owner
A1	ALLRED, KATHRYN H
A2	ALLRED, KATHRYN H
B	BREWER, LAYRELNIA A
C	SINGLETARY, KAY BOLING
D	CITY OF ASHEBORO
E	PUGH, GARY M (PUGH, ALAN S)
F	TCJP PROPERTIES LLC
G	TCJP PROPERTIES LLC
H	ALLRED, KATHRYN H

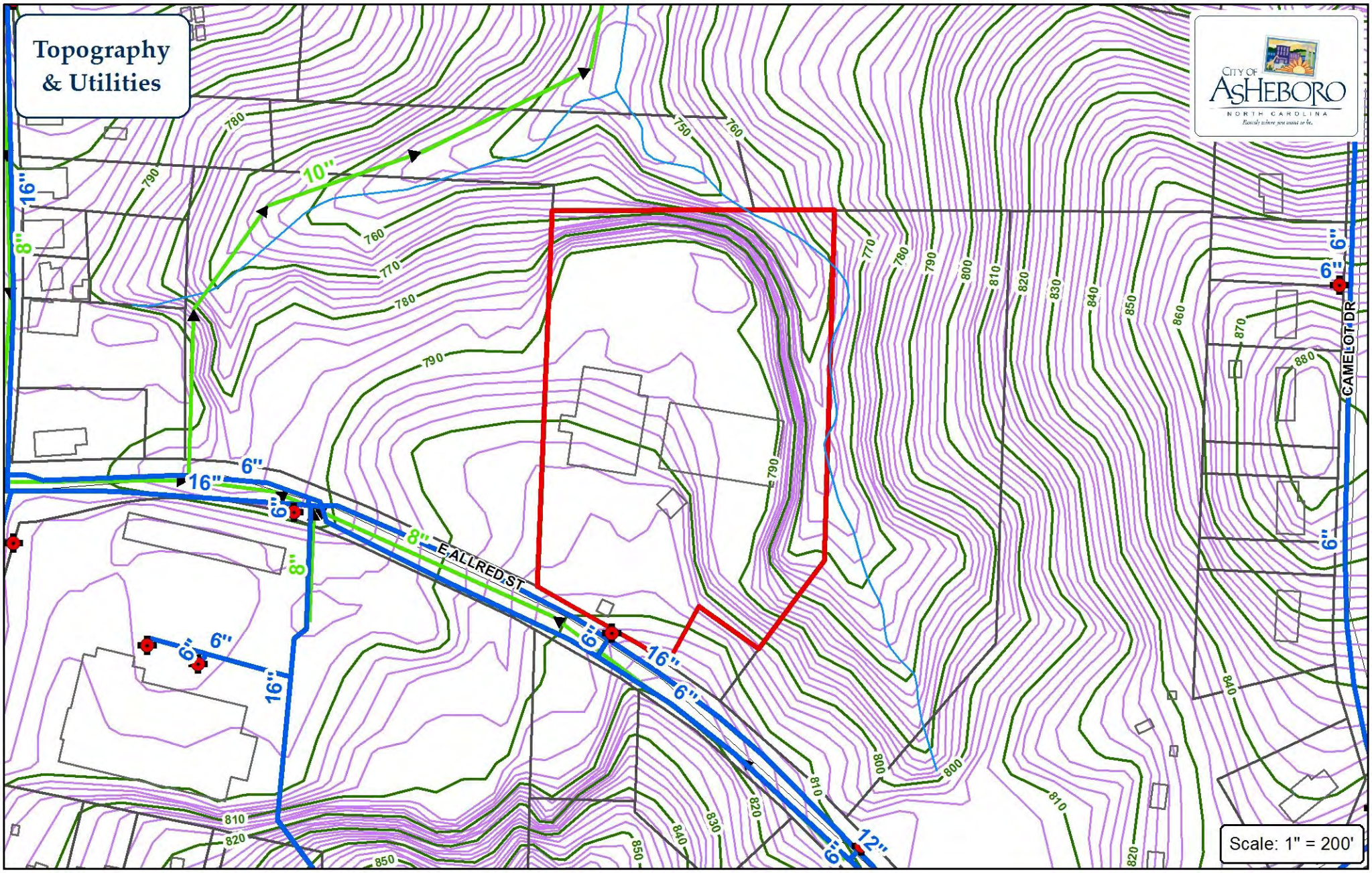
City Limits
ETJ

City of Asheboro Planning & Zoning Department

Special Use Permit: SUP-18-03

Parcel: 7762112401 (pt.)

Subject Property
Zoning



Water Main
Sewer Main
Force Main
Fire Hydrant
Pump Station

City of Asheboro
Planning & Zoning Department

Special Use Permit: SUP-18-03

Parcel: 7762112401 (pt.)

Subject Property

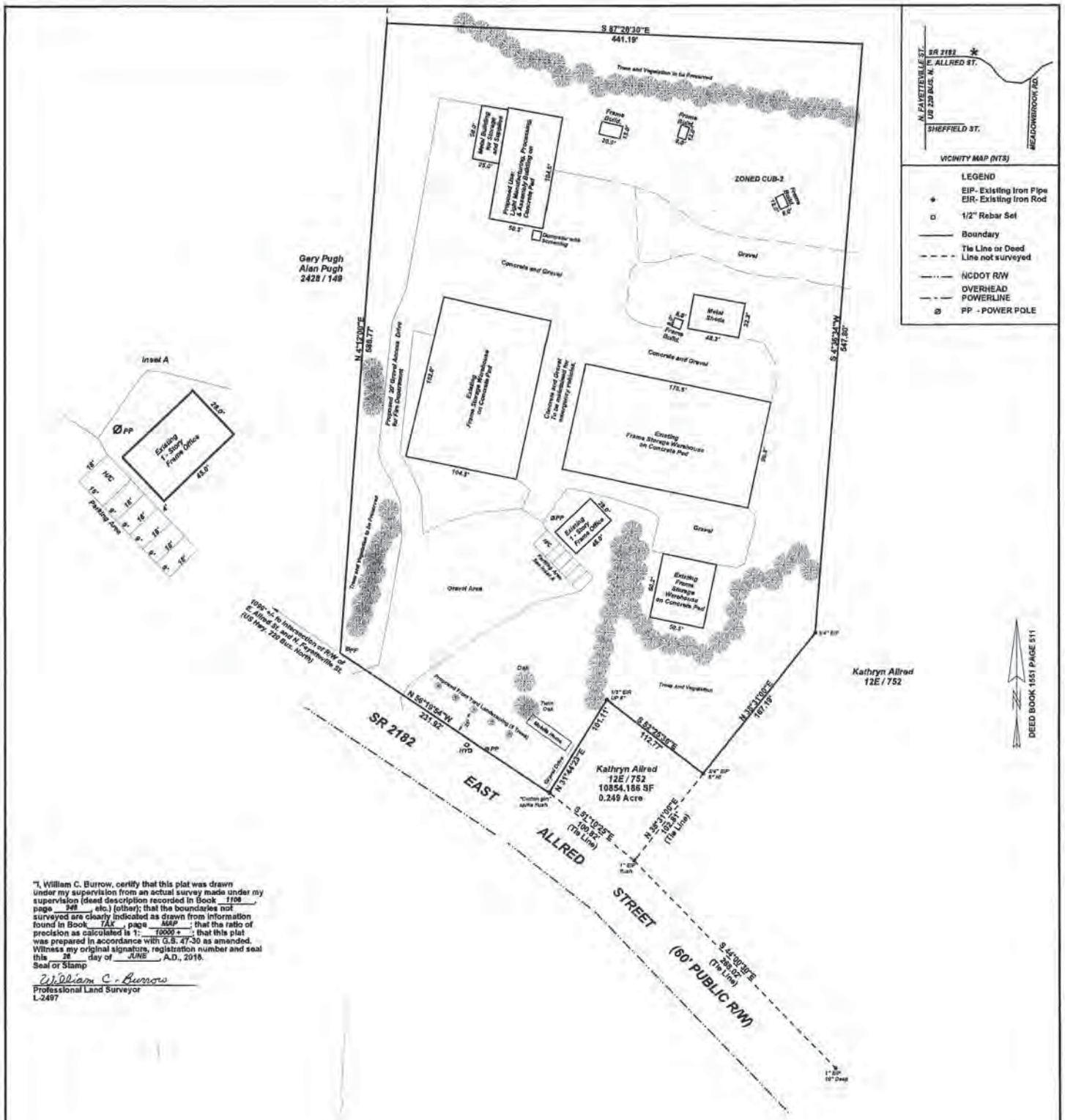
City of Asheboro Planning & Zoning Department

Special Use Permit: SUP-18-03

Parcel: 7762112401 (pt.)

Subject Property

Zoning



"I, William C. Burrow, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 1106, page 948, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book TAK, page MAP; that the ratio of precision as calculated is 1: 10000 +; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 26 day of JUNE, A.D., 2018.

Seal or Stamp

William C. Burrow
Professional Land Surveyor
L-2497

Proposed Use: Manufacturing, Processing, Assembly (Light)
Use to meet all Performance Standards of Section 317A of Asheboro Zoning Ordinance.
Maximum 25 Horsepower and 10 employees.

NOTES
1. FOR DEED REFERENCE SEE DEED BOOK 1106 PAGE 948 AND DEED BOOK 1551 PAGE 511.
2. NO PUBLISHED NCGS MONUMENT FOUND WITHIN 2000'.
3. ALL BUILDINGS SHOWN ON PLAT ARE EXISTING.
4. ALL BUILDINGS EXCEPT MANUFACTURING BUILDING AND OFFICE BUILDING TO BE USED FOR STORAGE.

OWNER: Kathryn Allred
1281 Idlewood Dr.
Asheboro, NC 27205

BAR SCALE: 1" = 60'
60 30 0 60

PROJECT NO. 5275

SITE PLAN FOR
JUAN CALIZ - ANTONIO CALIZ
BRAYAN CALIZ - ABRAHAM CALIZ

CITY OF ASHEBORO — ASHEBORO TOWNSHIP
RANDOLPH COUNTY — NORTH CAROLINA
JUNE 26, 2018 — SCALE: 1" = 60'
SURVEY BY: BURROW SURVEYS, INC. C-0936
4483 FORK CREEK MILL RD.
SEAGROVE, NC 27341
(336) 879 - 5553

PIN# 7762112401

RZ-18-09: Request to rezone from CU-B2 (Conditional Use General Commercial) to B2 (General Commercial)

(western corner of East Dixie Dr. and Arrowwood Rd.)

Planning Board Agenda and Staff Report

Planning Board Recommendation & Comments to City Council

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

Case # **RZ-18-09**

Date 7-9-18 Planning Bd.

Applicant Mark Hammer HR Gallimore (Agent)

Legal Description

The property of Andy B. Archibald and Dreama H. Archibald located at the western corner of E. Dixie Dr. and Arrowwood Rd. (Randolph County Parcel # 7760177267) and the parcel immediately south (Parcel #7760177187) owned by Karl Mark Hammer. Both parcels total approximately 0.73 acres +/-.

Requested Action Rezone from CU-B2 (Conditional Use General Commercial) to B2 (General Commercial)

Existing Zone CU-B2

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-18-09**

Date 7/9/2018 Planning Bd.
8/9/2018 City Council

General Information

Applicant Mark Hammer (HR Gallimore, Agent)

Address 1333 Plantation Circle

City Asheboro NC 27203

Phone 336-465-0767

Location East Dixie Drive (at western intersection of Arrowwood Road)

Requested Action Rezone from CU-B2 (Conditional Use General Commercial) to B2 (General Commercial)

Existing Zone CU-B2

Existing Land Use Commercial (Access for eating establishment/undeveloped)

Size 0.73 acres +/-

Pin # 7760177267 & 7760477187

Applicant's Reasons as stated on application

Dixie Drive has become a retail corridor. Consistent with the map plan. To be consistent with most of the surrounding properties.

Surrounding Land Use

North Commercial

East Commercial/Single-family

South Single-family

West Commercial

Zoning History RZ-85-03: The property, along with other properties on E. Dixie Dr., was rezoned from R10 to CU-B2.

Legal Description

The property of Andy B. Archibald and Dreama H. Archibald located at the western corner of E. Dixie Dr. and Arrowwood Rd. (Randolph County Parcel # 7760177267) and the parcel immediately south (Parcel #7760177187) owned by Karl Mark Hammer. Both parcels total approximately 0.73 acres +/-.

Analysis

1. Both properties are in the city limits.
2. East Dixie Drive is a state-maintained boulevard (a type of major thoroughfare). Arrowwood Road is a local, city-maintained street. The intersection of East Dixie Drive and Arrowwood Road in front of the subject property contains a traffic signal for traffic exiting Arrowwood Road, and going left.and straight/right.
3. The property is currently used for driveway access to the adjoining eating establishment. While there is no structure on the property, permits for seasonal sales activities have also been permitted on the property.
4. The existing conditional use permit (CUP-85-03) included a broad array of permitted uses, including a "unified housing development" that would not be permitted in a B2 district under current requirements.
5. The zoning ordinance states that the intent of the B2 district is *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. Along with other zoning requirements (including but not limited to paving of required parking, landscaping, etc.), new commercial construction requiring a Building Permit and located on a street with curb and gutter generally requires the owner or developer to sidewalk along the property's public street frontage.

Rezoning Staff Report

RZ Case # **RZ-18-09**

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	Central
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

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

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

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

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

Rezoning Staff Report

LDP Goals/Policies Which Do Not Support Request

Policy 2.1.5: The City will ensure development regulations provide appropriate transitional land uses, such as office & institutional, between high-intensity industrial/commercial and low-intensity residential uses.

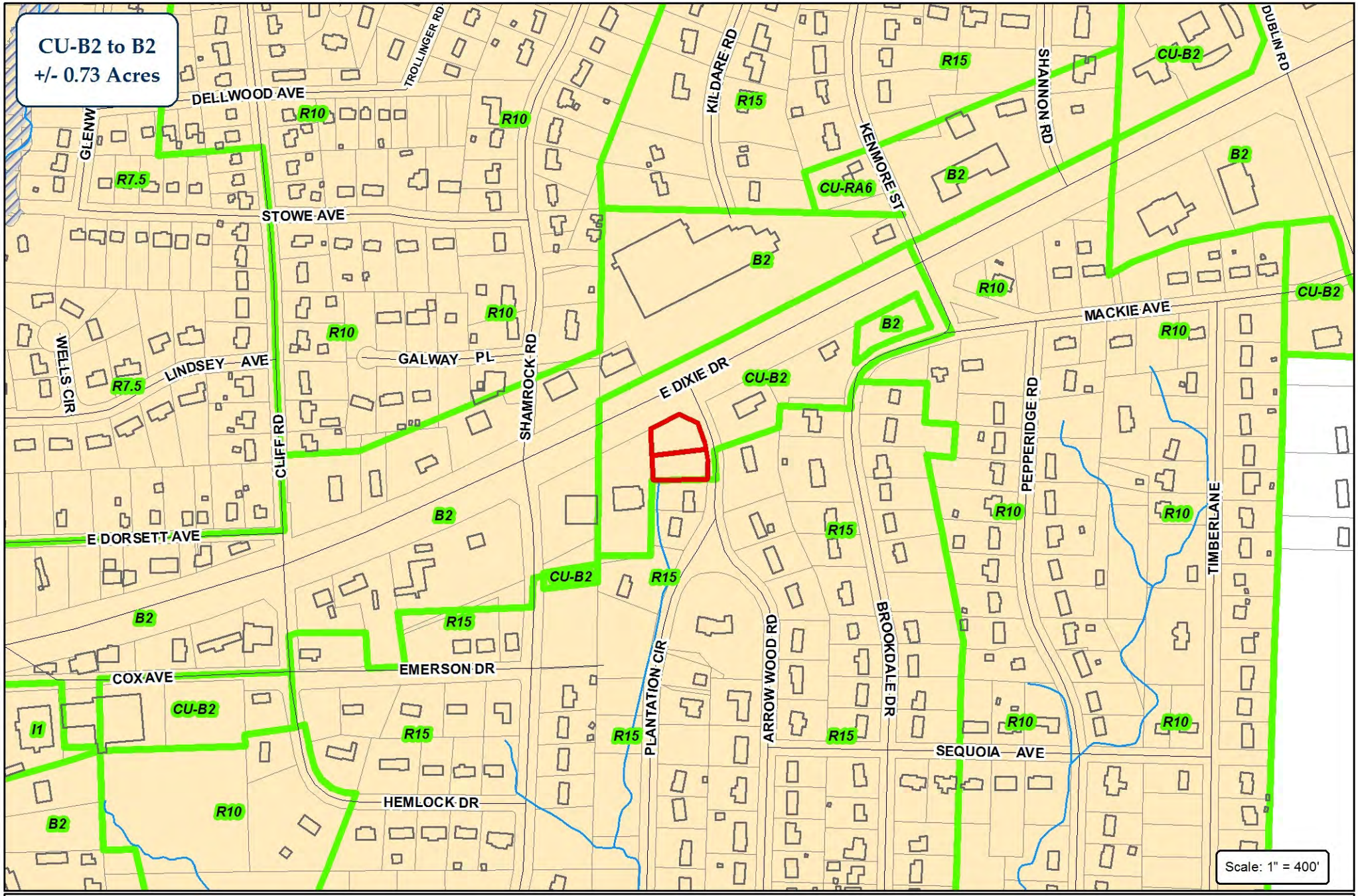
Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The land development plan designates this property for commercial use in its entirety, recognizing that East Dixie Drive has increasingly been one of the city's primary commercial areas since the CU-B2 designation was applied to this property over three decades ago. Since that time, numerous general district rezoning requests have been applied for and granted, solidifying much of the corridor for commercial use.

The direct access to East Dixie Drive, with a signalized intersection at Arrowwood Road also support the request for a B2 General Commercial designation.

While staff acknowledges the possibility that a conditional use district and permitting process typically offer greater certainty in knowing the specific use and manner in which a property develops , staff also acknowledges that many of the conditions applied to the property at that time (i.e. buffering, lighting, paved parking, building design requirements, etc.) are now a standard requirement for any new commercial development located in a B2 zoning district. Considering these factors, staff believes the request is consistent with the adopted comprehensive Land Development and therefore reasonable and in the public interest.

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



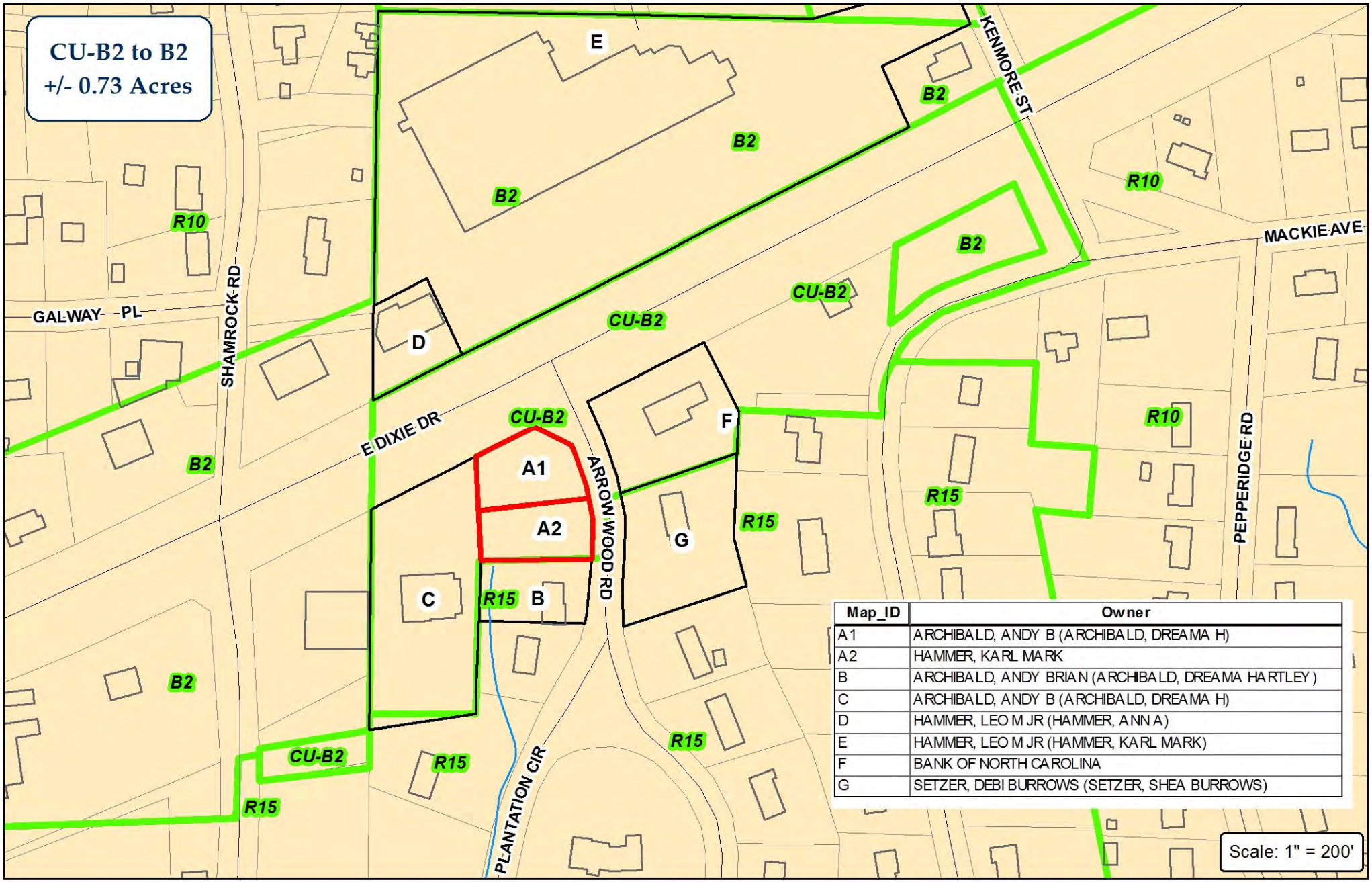
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-09

Parcel: 7760177267 & 7760177187

City Limits
ETJ

Subject Property
Zoning



Map_ID	Owner
A1	ARCHIBALD, ANDY B (ARCHIBALD, DREAMA H)
A2	HAMMER, KARL MARK
B	ARCHIBALD, ANDY BRIAN (ARCHIBALD, DREAMA HARTLEY)
C	ARCHIBALD, ANDY B (ARCHIBALD, DREAMA H)
D	HAMMER, LEO M JR (HAMMER, ANN A)
E	HAMMER, LEO M JR (HAMMER, KARL MARK)
F	BANK OF NORTH CAROLINA
G	SETZER, DEBI BURROWS (SETZER, SHEA BURROWS)

City of Asheboro
North Carolina
Exactly where you want to be

City Limits
ETJ

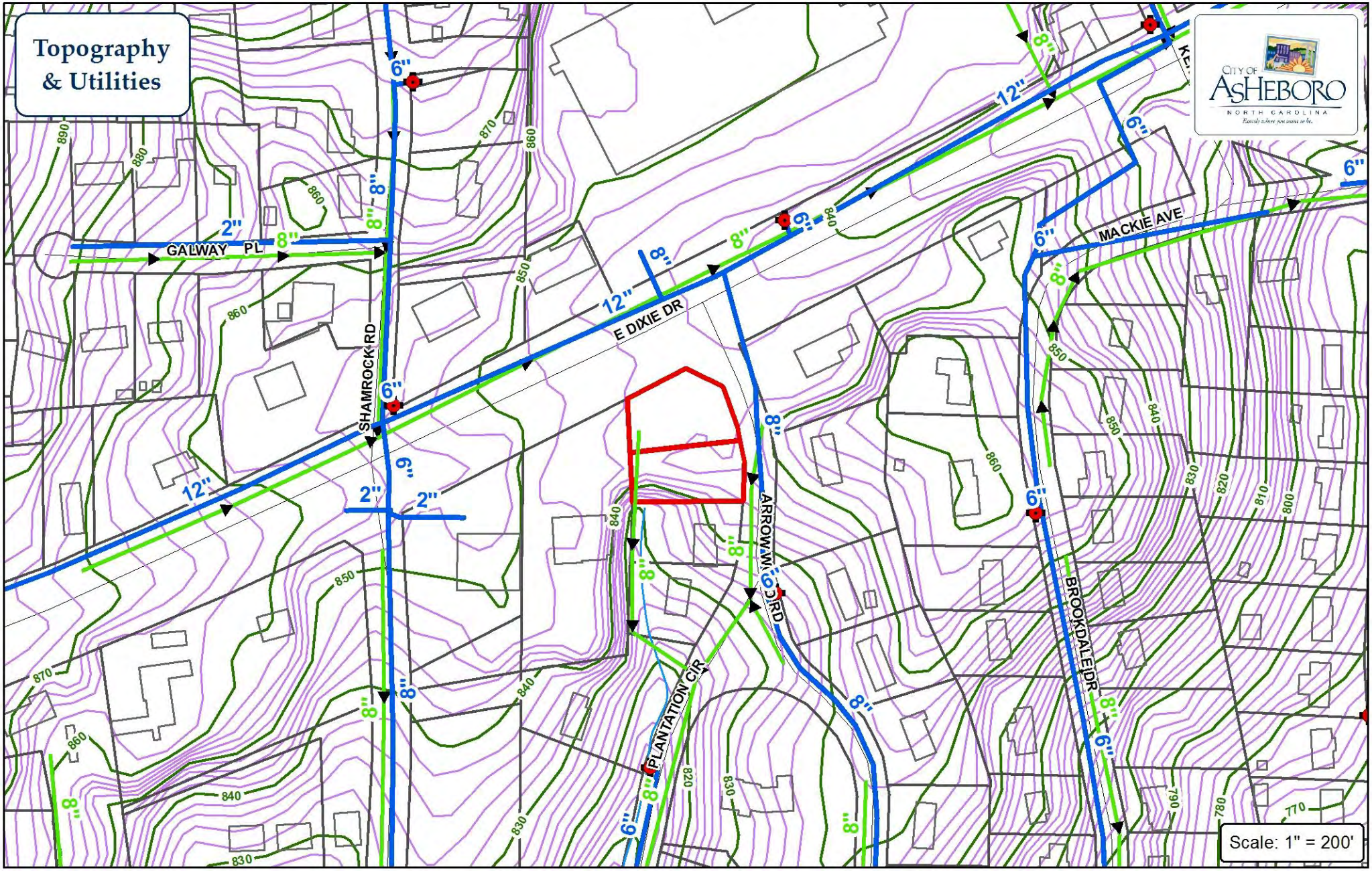
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-09

Parcel: 7760177267 & 7760177187

Subject Property
Adjoining Properties
Zoning

N
W
E
S



Water Main

Sewer Main

Force Main

Fire Hydrant

Pump Station

City of Asheboro
Planning & Zoning Department

Rezoning Case: RZ-18-09

Parcel: 7760177267 & 7760177187

Subject Property

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-18-09

Parcel: 7760177267 & 7760177187

Subject Property

Zoning

NORTH CAROLINA
HOUSING
FINANCE
AGENCY

A self-supporting
public agency

Scott Farmer
Executive Director

PO Box 28066
Raleigh, NC
27611-8066

3508 Bush Street
Raleigh, NC
27609-7509

Tel. 919-877-5700
Fax. 919-877-5701
www.nchfa.com

July 16, 2018

John Ogburn, III, City Manager
City of Asheboro
PO Box 1106
Asheboro, NC 27204

Dear Mr. Ogburn, III:

Your organization's "Post Approval Documentation" has been reviewed and approved. Enclosed is the URP18 Funding Agreement, signed by Michael Handley, Manager of Home Ownership Rehabilitation and Compliance at the Agency. Please have it signed and dated by the Chief Administrative Official identified in the URP18 Application for Funding, and email an executed electronic copy to Mark Lindquist at mwlindquist@nchfa.com, keeping the original for your files. The Funding Agreement is a part of the Program Guidelines and should be studied carefully.

An Agency officer has been assigned to work with each recipient organization as its single point of contact for all matters pertaining to URP18. This person is the "case manager" for your organization and is charged with assisting you as needed to help ensure your success in achieving the Program goals. I am your case manager for this project. Please do not hesitate to contact me at 919-981-5006 any time you have questions, concerns or comments. All URP-related correspondence (including your executed Funding Agreement) should be addressed to my attention.

I look forward to working closely with you and your staff toward the successful implementation and completion of your Urgent Repair Program project.

Sincerely,

Donna Coleman

Donna Coleman,
Home Ownership Rehabilitation and Compliance Officer

cc: Mr. Trevor Nuttall, Community Development Director

NORTH CAROLINA HOUSING FINANCE AGENCY

URGENT REPAIR PROGRAM

FUNDING AGREEMENT

Recipient: **City of Asheboro**

Funding Agreement Number: **URP1801**

NORTH CAROLINA HOUSING FINANCE AGENCY

URGENT REPAIR PROGRAM

FUNDING AGREEMENT

This Funding Agreement (the "Agreement") is entered into on the 16th day of July 2018, by the North Carolina Housing Finance Agency (the "Agency"), a public agency of the State of North Carolina and the City of Asheboro (the "Recipient").

Recitals

Whereas, the North Carolina Housing Trust Fund (the "Fund") was created by the 1987 Session of the North Carolina General Assembly which added Chapter 122E to the General Statutes, entitled the North Carolina Housing Trust Fund and Oil Overcharge Act (the "Act"); and

Whereas, the Act also created the North Carolina Housing Partnership (the "Partnership") to establish policies for programs of the Fund; and

Whereas, the Partnership has adopted policy guidelines for the operation of an Urgent Repair Program (the "Program") from the Fund; and

Whereas, the Agency is responsible for implementing and operating programs of the Fund based on the policies of the Partnership; and

Whereas, the Agency has advertised the availability of applications for funding under the Program;

Whereas, the Application of the Recipient identified on the cover page of this Funding Agreement was received, evaluated, and approved by the Agency and thereby made a part of this Agreement to be referenced as applicable; and

Whereas, the Agency has developed Program Guidelines (the "Guidelines") dated May 2018, governing the execution of the Program by the Recipient and their relationship to this Agreement is made explicit in section 9 of this Agreement;

Now, therefore, in consideration of the payment of ten dollars ($10.00) by the Recipient to the Agency, the exchange of the mutual promises set forth herein and other good and valuable consideration the Recipient and the Agency mutually agree as follows:

PART A: TIME OF PERFORMANCE

Section 1: Time of Performance

(a) The Recipient shall begin performance of this Agreement on the 16th day of July 2018 and shall complete performance no later than the 31st day of December 2019 (date of completion). Any funds that are not committed under contract (pursuant to section 3.1 of the Program Guidelines) to a Program participant as of the completion date must be withdrawn from deposit and returned to the Agency, unless the Agency agrees in writing to an extension of this Agreement.

(b) The Recipient must make reasonable progress in the use of funds under this Agreement. Failure to do so may result, at the discretion of the Agency, in a reduction of the amount of funds available under this Agreement.

PART B: PROGRAM FUNDING

Section 2: Grant Amount

(a) The Agency has approved a Program award to the City of Asheboro in the principal amount of One Hundred Thousand ($100,000). The funds are from the State appropriated North Carolina Housing Trust Funds. In no event shall expenditures under this Agreement exceed this Program award.

Section 3: Disbursement of Funding

The Recipient will receive Program funds in accordance with the Guidelines, section 3.2 *Disbursements*.

Section 4: Deposit of Funds

(a) Any money advanced to the Recipient must be deposited, tracked and documented in accordance with the Guidelines, sections 3.4 *Recipient Accounts* and 3.5 *Program Income*.

(b) The Agency reserves the right to require that all deposits made in eligible accounts will be subject to withdrawal by the Recipient and will also be subject to withdrawal by the Agency. If the Agency chooses to exercise this option, an agreement for custodial accounts will be provided by the Agency to implement the requirement and will be executed prior to the initial disbursement.

(c) Checks will be delivered to the addresses provided in section 23 of this Agreement.

PART C: FINANCIAL MANAGEMENT

Section 5: Honesty and Fidelity Bond

The Recipient must comply with the Honesty and Fidelity Bond requirements of the Guidelines, Section 3.3 *Honesty and Fidelity Bond.*

Section 6: Establishment and Maintenance of Accounting Records

The Recipient must comply with the accounting procedures of the Guidelines, Section 3.6 *Accounting.*

Section 7: Procurement Procedures

Recipient shall establish written procurement and contracting procedures which provide that proposed procurement and contracting actions will be properly managed in accordance with the Guidelines, section 3.8 *Procurement*.

Section 8: Annual Audit Report

The Recipient must comply with the auditing standards and requirements of the Guidelines, section 3.9 *Financial Audit Requirements*.

PART D: PROGRAM MANAGEMENT

Section 9: Program Guidelines

The terms of the Agreement are subject to the Guidelines in all respects, whether specifically referenced in this Agreement, and all defined terms used in this Agreement shall have the same meanings as used in the Guidelines. In the event the Guidelines are revised, the Agency will forward such revisions to the Recipient and thereby make them a part of this Agreement. Failure of the Recipient to comply with the terms and conditions of the Guidelines shall be an event of default by the Recipient under this Agreement.

The Agency may reduce, suspend, or otherwise change the disbursement of payments under this Agreement, and the Agency may terminate this Agreement if the Agency determines that the Recipient has failed to comply with the Guidelines.

Section 10: Program Documents

The Recipient's Program must use grants to finance eligible repairs for Program participants. The Recipient must comply with the documentation requirements of the Guidelines, section 4.3 *Program Documents*.

Section 11: Recipient Responsibility

The Recipient must comply with the procedures and requirements of the Guidelines, section 3.10 *Monitoring by Recipient*.

Section 12: Reports

The Recipient must comply with the procedures and requirements of the Guidelines, section 3.11 *Reporting by Recipient*.

Section 13: Right To Inspect

The Recipient must comply with the procedures and requirements of the Guidelines, section 3.12 *Monitoring by Agency*.

PART E: GENERAL CONDITIONS

Section 14: Prohibited Activity

The Recipient must comply with the procedures and requirements of the Guidelines, section 2.2 *Prohibited Activities*.

Section 15: Publicity

The Recipient must, when publicizing Program availability, act in accordance with the requirements of the Guidelines, section 4.1 *Selection of Applicants*.

Section 16: Contract Changes

Any proposed changes in this Agreement shall be in writing, submitted to and approved and executed by the Agency before the performance of any work involved in the proposed change.

Section 17: Assignment

This Agreement shall be binding on and inure to the benefit of the Agency, its successors and assigns. The Recipient may not assign all or any part of its interest in this Agreement or delegate any duty or obligation hereunder without the prior written consent of the Agency.

Section 18: Termination of Agreement

Termination of this Agreement will be governed by the rules and requirements of the Guidelines, section 3.1 *Funding Agreement*.

Section 19: Indemnification

The Recipient holds harmless and indemnifies the Agency from any and all claims, including reasonable attorney's fees, for injury or damage to persons or property which may arise in connection with work performed under this Agreement or pursuant to the Recipient's Program.

Section 20: Litigation

The Recipient represents and warrants to the Agency that there is no pending or active litigation against the Recipient that may jeopardize or adversely affect this Agreement or the completion of activities hereunder.

Section 21: E-Verify

Member agrees to comply with the requirement of N.C.G.S. 64-26(a) which requires private employers with 25 or more employees in the State of North Carolina to comply with the Federal E-Verify system for verification of all employees' legal work status.

Section 22: Prohibition of Discrimination.

The Member must consider all applications in the order in which they are received, or in any other manner designated by the Agency, on a fair and equal basis, may not arbitrarily reject an application, and may not, vary the terms of a loan or the application procedures therefore or reject an applicant in violation of any State or federal law regarding discrimination.

Section 23: Notice

Any requirement to provide notice under this Agreement shall be deemed to have been met if delivered to the following parties at the following addresses:

Recipient:

Mr. John Ogburn, III, City Manager
City of Asheboro
PO Box 1106
Asheboro, NC 27204

Agency:

Donna Coleman, Housing Rehabilitation Officer
North Carolina Housing Finance Agency
3508 Bush Street
Raleigh, NC 27609-7509

Section 24: Entire Agreement

This Agreement consists of eight pages, including the cover page, and is the entire Agreement between the Agency and the Recipient.

In Witness Whereof, the parties below have executed this Agreement on the date first written above.

City of Asheboro

_____

Attest

By: _____

Its: _____

North Carolina Housing Finance Agency

Attest

By: _____

Its: Manager of Home Ownership Rehabilitation and Compliance