

**AMENDED AGENDA  
REGULAR MEETING  
CITY COUNCIL, CITY OF ASHEBORO  
THURSDAY, SEPTEMBER 16, 2021, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Old business:
  - (a) Mayor Smith will announce the withdrawal of the annexation petition and the application for a land use approval previously submitted under case number RZ-21-10 for the parcel of land at 577 Gold Hill Road; and
  - (b) Assistant Community Development Director John Evans will present a continuance request for land use case numbers RZ-21-07 and SUB-21-01.
4. Public comment period.
5. Chief Willie Summers will report on the Asheboro Fire Department's receipt of the *Above and Beyond Award* from the Department of Defense's Employers Support of the Guard and Reserve Program.
6. Mr. Larry Zucchini and Mr. Jan Lorenc from J Davis Architects will provide an update on the I -73/I-74 Interstate Art and Placemaking Project.
7. Executive Director Rebekah McGee with Downtown Asheboro, Inc. will present conceptual improvements under consideration for Trade Street.
8. Safety Manager Steve Paye will report on the North Carolina Department of Labor safety awards received by city departments.
9. Consent Agenda:
  - (a) Approval of the meeting minutes for the city council's regular meeting on August 5, 2021.
  - (b) Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for June 28, 2021, and August 2, 2021.

- (c) Approval of the community development division's request to schedule for October 7, 2021, and to advertise, a legislative hearing on the application to amend the B2 (CZ) zoning on property at 222 and 224 Brewer Street (Randolph County Parcel Identification Nos. 7751949927, 7751956082, 7751957092, and 7751958081) to allow an accessory structure at the existing funeral parlor/crematorium.
  - (d) Approval of a resolution declaring the official intent of the City of Asheboro to purchase municipal vehicles/equipment and to reimburse the General Fund with installment financing proceeds.
  - (e) Approval of a resolution awarding to Police Captain D. Jason Cheek his service side arm upon retirement from the Asheboro Police Department.
10. Assistant Community Development Director John Evans will introduce the following community development items:
- (a) Case No. RZ-21-11: A legislative hearing on a request to rezone a parcel of land at 1008 Hub Morris Road (a portion of Randolph County Parcel Identification No. 7763511812) from R10 to R40 (CZ) zoning to allow vehicular access to an adjoining and previously permitted solar farm;
  - (b) Announcement of two vacancies on the Asheboro Redevelopment Commission; and
  - (c) Announcement regarding the city's partnership with the United Way of Randolph County for Rent, Mortgage, and Utility Assistance via CDBG-CV funding.
11. City Engineer Michael Leonard, PE will introduce the following engineering items:
- (a) Update on NC DOT Project U-5743 East Salisbury Street to US 64; and
  - (b) Update on the request for a review of one-way versus two-way traffic flow patterns in the Central Falls area.

12. City Manager John Ogburn will present the following Zoo City Sportsplex items:
  - (a) A request for authorization to apply for grant funding from the Land and Water Conservation Fund for certain improvements at the Zoo City Sportsplex; and
  - (b) An update and project schedule for the next phases of construction.
13. City Manager John Ogburn will discuss the following McCrary Park items:
  - (a) A request for approval of the McCrary Park Capital Improvements Project schedule with phases of construction and a request for council approval to publish a Request for Qualifications for “Construction Manager at Risk” professional services;
  - (b) A request for approval of a contract with CPL-Architecture, Engineering, Planning for the design and construction administration of the McCrary Park Capital Improvements Project; and
  - (c) A request for approval of a budget amendment and project ordinance for the improvements project.
14. City Manager John Ogburn will provide an update on the local impact of the COVID-19 pandemic, including its effect on municipal operations.
15. Mayor Smith will lead a discussion of upcoming events and items not on the agenda.
16. Adjournment.



230 N. Elm St.  
Suite 1200  
Greensboro, NC 27401  
Tel 336.378.5200 Fax 336.378.5400  
WWW.FOXROTHSCHILD.COM

TOM TERRELL  
Direct No: 336.378.5412  
Email: TTerrell@Foxrothschild.com

August 20, 2021

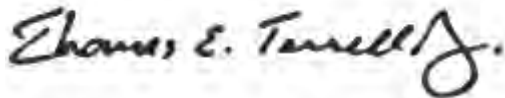
Mr. Trevor Nuttall  
Planning Director  
City of Asheboro  
146 N. Church Street  
Asheboro, N.C. 27204  
[tnuttall@ci.asheboro.nc.us](mailto:tnuttall@ci.asheboro.nc.us)

Re: Gold Hill Facility

Dear Trevor,

On behalf of applicant Asheboro Land Development, LLC, I would like to withdraw the annexation petition, application for original zoning and SUP application so that we have additional time to communicate with and meet with neighbors. It is my client's intention to reapply at a later date.

Sincerely,



Tom Terrell

TET:kwc

A Pennsylvania Limited Liability Partnership

## Trevor Nuttall

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**From:** Christian Vestal <christian@summeyengineering.com>  
**Sent:** Tuesday, September 14, 2021 2:21 PM  
**To:** Trevor Nuttall  
**Cc:** John Evans; Bobby Kivett; Mack Summey  
**Subject:** [External Sender] Cane Creek Townhomes Planning Board

Trevor,

Since the planning board has asked for a continuance on the Cane Creek Townhomes, the applicant is in agreeance with this request and would like to continue this item to the October meeting.

Thanks

**Christian Vestal**

Design Technician

***Summey Engineering Associates, PLLC***

P.O. Box 968 | Asheboro, NC 27204

Office: 336.328.0902 | Fax: 336.328.0922

Email: [christian@summeyengineering.com](mailto:christian@summeyengineering.com)



**RZ-21-07 and SUB-21-01:** A legislative hearing, which was continued from July 15, 2021 and August 5, 2021, on a request to amend the RA6 (CZ) zoning on property located west of 1591 East Allred Street, approximately 100 feet east of Ridgewood Circle, to allow a residential planned unit development and approve a subdivision sketch design

### **Staff Report**

This case is continued from the July 15, 2021 and August 5, 2021 City Council meetings.

**Both the Planning Board and the applicant's representative have requested that this matter be continued.**

**Staff Note:** The applications contained in this report were filed during the transitional period before the current zoning ordinance and conditional zoning were in effect. As a result of the current zoning ordinance, the applications have automatically been converted into a conditional zoning request.

## Planning Board Recommendation & Comments to City Council

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

**Case #**     **RZ-21  
-07**

**Date** 6-7-2021, 7-12-2021 and  
8-2-2021

**Applicant** Davidson Land Development, LLC

### **Legal Description**

The property of Davidson Land Development, LLC 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.

**Requested Action** Amend RA6 (CZ) High Density Residential (Conditional Zoning) district allowing for a Residential Planned Unit Development.

**Existing Zone**     RA6 (CZ)

**Land Development Plan** See rezoning staff report

### **Planning Board Recommendation**

During the June 7, 2021, July 12, 2021, and August 2, 2021 meetings, the applicant requested that the case be continued and the Planning Board granted each request. The case will be considered during the September 12, 2021 Planning Board meeting. An updated Planning Board recommendation will be available after that time.

### **Reason for Recommendation**

### **Planning Board Comments**

# Rezoning Staff Report

**RZ Case # RZ-21-07**

**Date** 9/16/2021 City Council

Updated 9-10-2021

## General Information

**Applicant**

Davidson Land Development, LLC

**Address** 896 Shiptontown Road

**City** Lexington NC 27292

**Phone** 336-250-0483

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

**Requested**

**Action**

Rezone from RA6 (CZ) High Density Residential (Conditional Zoning) to RA6 (CZ) High Density Residential (Conditional Zoning)

**Existing Zone** RA6 (CZ)

**Existing Land Use** Undeveloped

**Size** 4.04 acres +/-

**Pin #** 7762740259

## Applicant's Reasons as stated on application

The best available use of this property for the owner and public welfare is residential townhomes. Proposed adequate additional housing promoting the growth and betterment of the City of Asheboro. The project will comply with all land development codes and the land development plan to promote growth and welfare. There is currently a shortage of available adequate housing, this project will provide homes for working and growing families in the City of Asheboro.

## **Surrounding Land Use**

**North** Medium-Density Residential

**East** Medium-density residential

**South** Undeveloped Residential

**West** Medium-Density Residential

**Zoning History** A conditional use permit for a residential Planned Unit Development consisting of 10 townhomes was approved in 2018 (RZ-CUP-18-10). Council approved residential Planned Unit Development in 2001 (CUP-01-26)

## **Legal Description**

The property of Davidson Land Development, LLC 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. Most recently, a residential Planned Unit Development consisting of 10 dwelling unit was proposed and approved in 2018.
4. The RA6 (CZ) district would allow multi-family development. The proposed site plan is requesting a total of 16 two-story townhome style units with single-car garages.
5. The western portion of the property (approximately 1.6 acres) is located within a flood hazard area. The site plan indicates that the units are located outside of the flood hazard area, however grading and utilities are proposed within the flood hazard area. The project must comply with the Flood Damage Prevention Ordinance.
6. 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."
7. This request was filed during the transitional period when the existing and requested zoning district was classified as a Conditional Use district. Changes to state law have changed the request to a High Density Residential Conditional Zoning. These requests are now reviewed under a legislative process that receives input from the Planning Board.
8. Since the previous request referenced in (3) above was granted in 2018, additional residential growth has occurred, including the continued construction of the Robins Nest subdivision to the east, and rezoning of property on the corner of East Allred Street and Gold Hill Road from a commercial to a residential district.

# Rezoning Staff Report

RZ Case # RZ-21-07

Page 2

## Consistency with the 2020 LDP Growth Strategy designations

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

**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:** The 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

RZ Case # RZ-21-07

Page 3

### 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

The conditional zoning process allows for 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 conditional zoning 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 RA6 (CZ) 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, subject to reasonable conditions that are identified during the conditional zoning process.

## Rezoning Staff Report

### **Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)**

#### Suggested Conditions as of September 10, 2021\*:

(A) The site plan shows preservation of existing vegetation, outside of areas of necessary site disturbance, along the western and northern portions of the property. If the vegetation is not preserved in this area, a Type A Buffer or Screen shall be installed by the developer.

(B) The site plan shows a combination of preservation of existing vegetation and planted vegetation, outside of areas of necessary site disturbance, within the front yard along East Allred Street. At a minimum, vegetation required by Chapter 6 of the zoning ordinance shall be installed and maintained within the front yard along East Allred Street.

(C) Enclosure of concrete pads to the rear of dwellings or other additions to the rear of residential dwellings outside the common area shall not be considered a modification of the permit requiring City Council review.

(D) Prior to a Preliminary Plat, the applicant shall submit details on the sewer connection involving the adjoining property to the north.

(E) The site plan contains labeling errors and omitted information that shall be corrected on the Preliminary Plat. These include:

(i) Site note related to the average size of lots.

(ii) Additional details on recreation area, including identification of proposed play equipment/structure(s), and labeling of sidewalk between Cane Creek Court and recreation area.

(F) Area within public right-of-way for turnaround at the end of Cane Creek Drive shall be prohibited from parking in such a way that interferes with emergency or sanitation vehicles in compliance with Chapter 71 of the Asheboro Code of Ordinance.

(G) The site plan indicates mail delivery through two cluster mailboxes. If the postal service requires a different facility(s) for mail delivery, such a change will not be considered a modification of the Conditional Zoning district requiring Council action. If required within the public right-of-way shall, at a minimum, provide an area that is adequate for one (1) drop off space for a motor vehicle including any maneuvering area. Any drop off area shall be designed in accordance with commonly accepted traffic engineering practices. Construction of this area shall be the responsibility of the developer and is subject to approval of the City of Asheboro Public Works Division and/or Engineering Department. Alternatively, should the developer choose to construct the community mailbox and any associated vehicular areas in a location completely on private property, this shall not be considered a modification, subject to Section 4.05 of the Asheboro Zoning Ordinance.

(H) The developer shall ensure that no portion of structure located on Lot 16 encroaches into a City of Asheboro sanitary sewer easement.

(I) Any water meter located outside the public right-of-way shall be located within a City of Asheboro waterline easement.

(J) 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

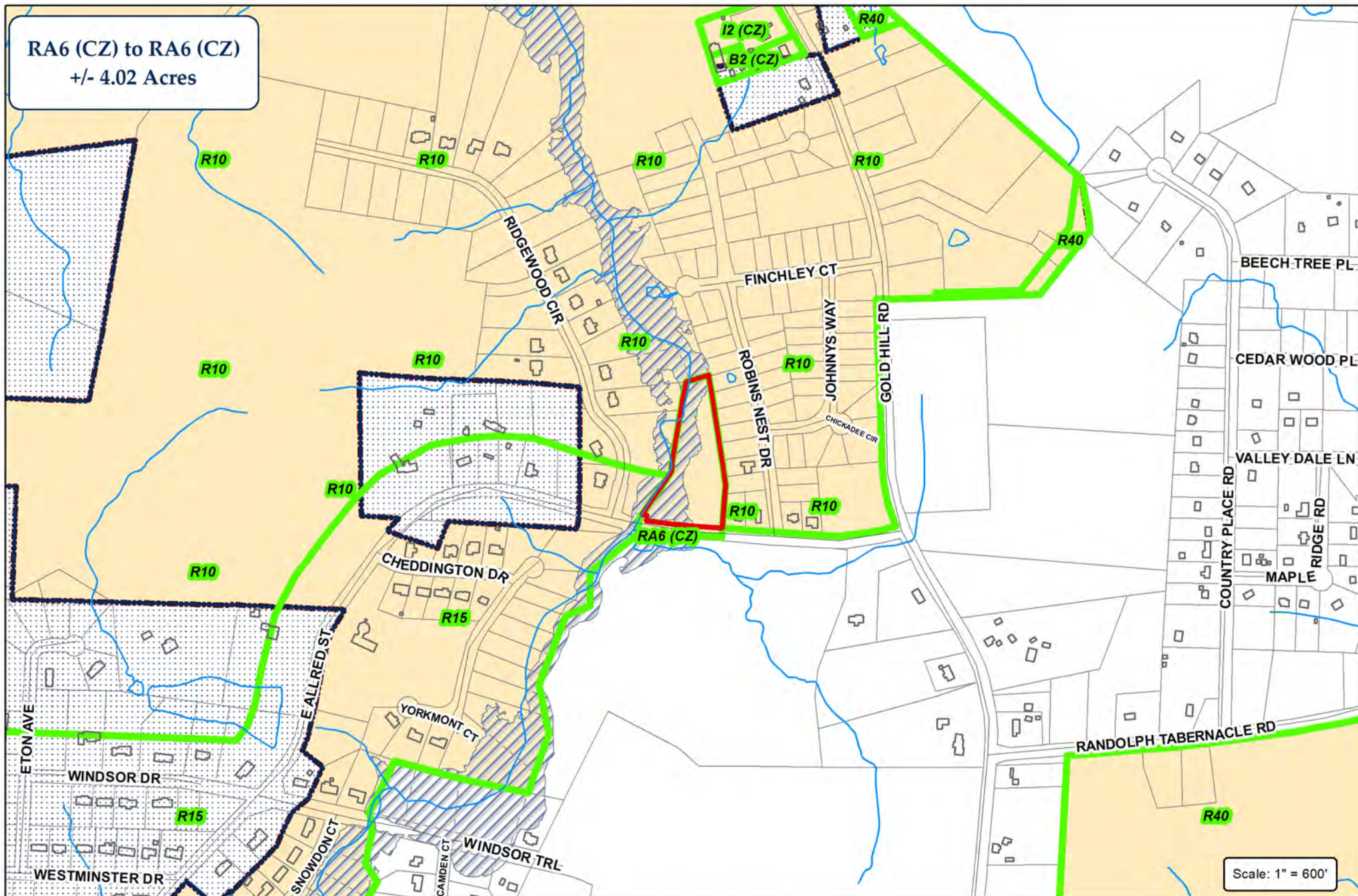
(ii) Erosion control approval from NC Department of Environmental Quality

(iii) Information required to determine compliance with Flood Damage Prevention Ordinance requirements, including any required certifications for utility construction or other development within Special Hazard Flood Areas (floodplains, floodways). A no-rise certification for utilities, such as sewer mains, constructed within the floodway shall be required prior the issuance of a zoning compliance permit or construction activity within the floodway. If a no-rise certificate cannot be obtained due to forecasted rises as a result of the project, a CLOMR will have to be required from FEMA by the developer.

(K) 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 Zoning district in the chain of title for the Zoning Lot.

\*Note: Comments are being returned to the applicant's representative to correct prior to Planning Board/City Council. This list may be modified at those meetings if and when comments are addressed.

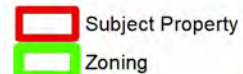
RA6 (CZ) to RA6 (CZ)  
+/- 4.02 Acres



City of Asheboro Planning & Zoning Department

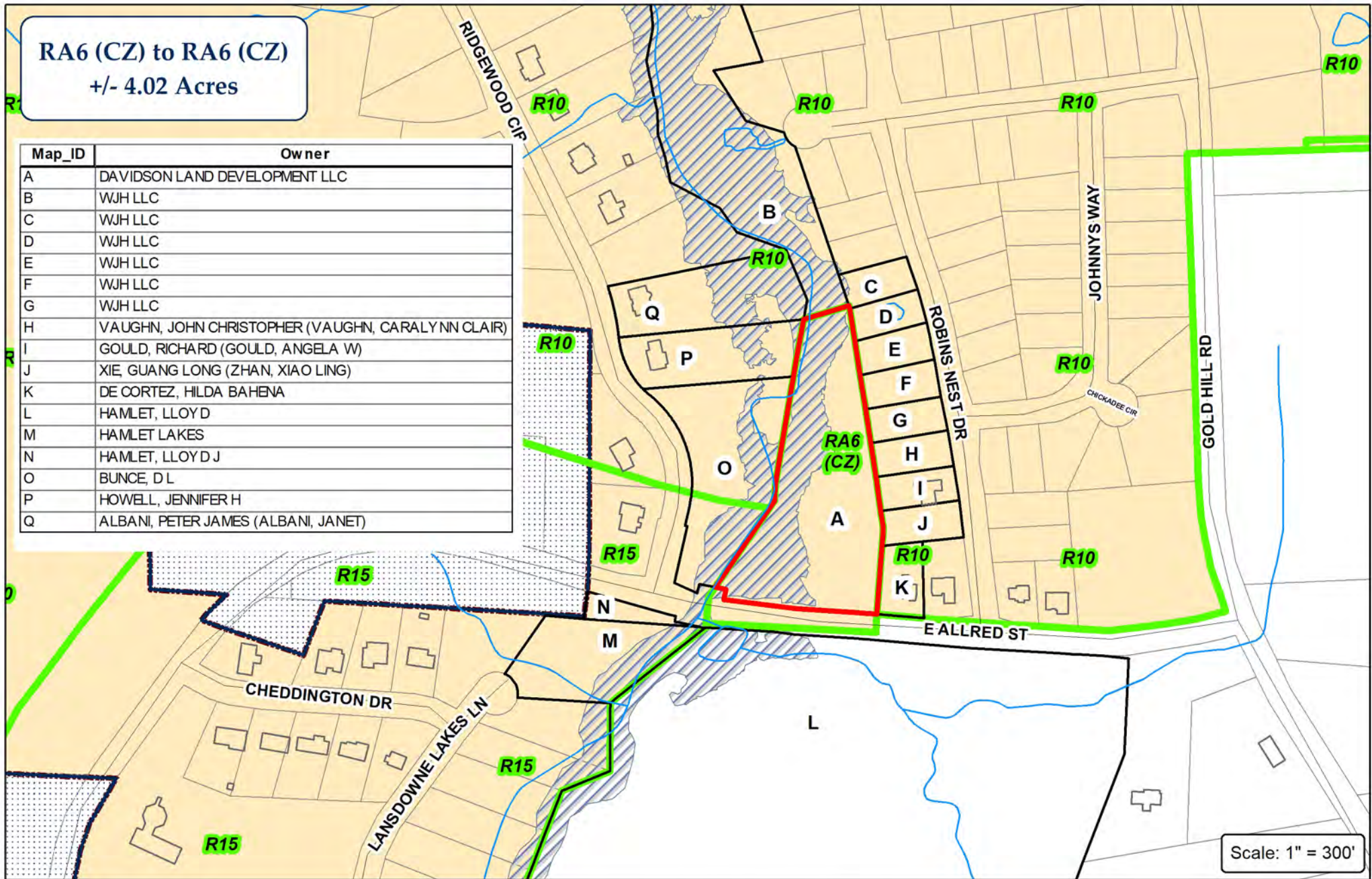
Rezoning Case: RZ-21-07

Parcel: 7762740259



**RA6 (CZ) to RA6 (CZ)**  
**+/- 4.02 Acres**

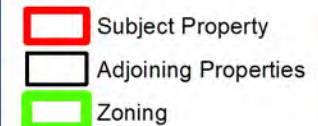
| Map_ID | Owner                                             |
|--------|---------------------------------------------------|
| A      | DAVIDSON LAND DEVELOPMENT LLC                     |
| B      | WJH LLC                                           |
| C      | WJH LLC                                           |
| D      | WJH LLC                                           |
| E      | WJH LLC                                           |
| F      | WJH LLC                                           |
| G      | WJH LLC                                           |
| H      | WJH LLC                                           |
| I      | WJH LLC                                           |
| J      | WJH LLC                                           |
| K      | WJH LLC                                           |
| L      | VAUGHN, JOHN CHRISTOPHER (VAUGHN, CARALYNN CLAIR) |
| M      | GOULD, RICHARD (GOULD, ANGELA W)                  |
| N      | XIE, GUANG LONG (ZHAN, XIAO LING)                 |
| O      | DE CORTEZ, HILDA BAHENA                           |
| P      | HAMLET, LLOYD D                                   |
| Q      | HAMLET LAKES                                      |
| R      | HAMLET, LLOYD J                                   |
| S      | BUNCE, D L                                        |
| T      | HOWELL, JENNIFER H                                |
| U      | ALBANI, PETER JAMES (ALBANI, JANET)               |



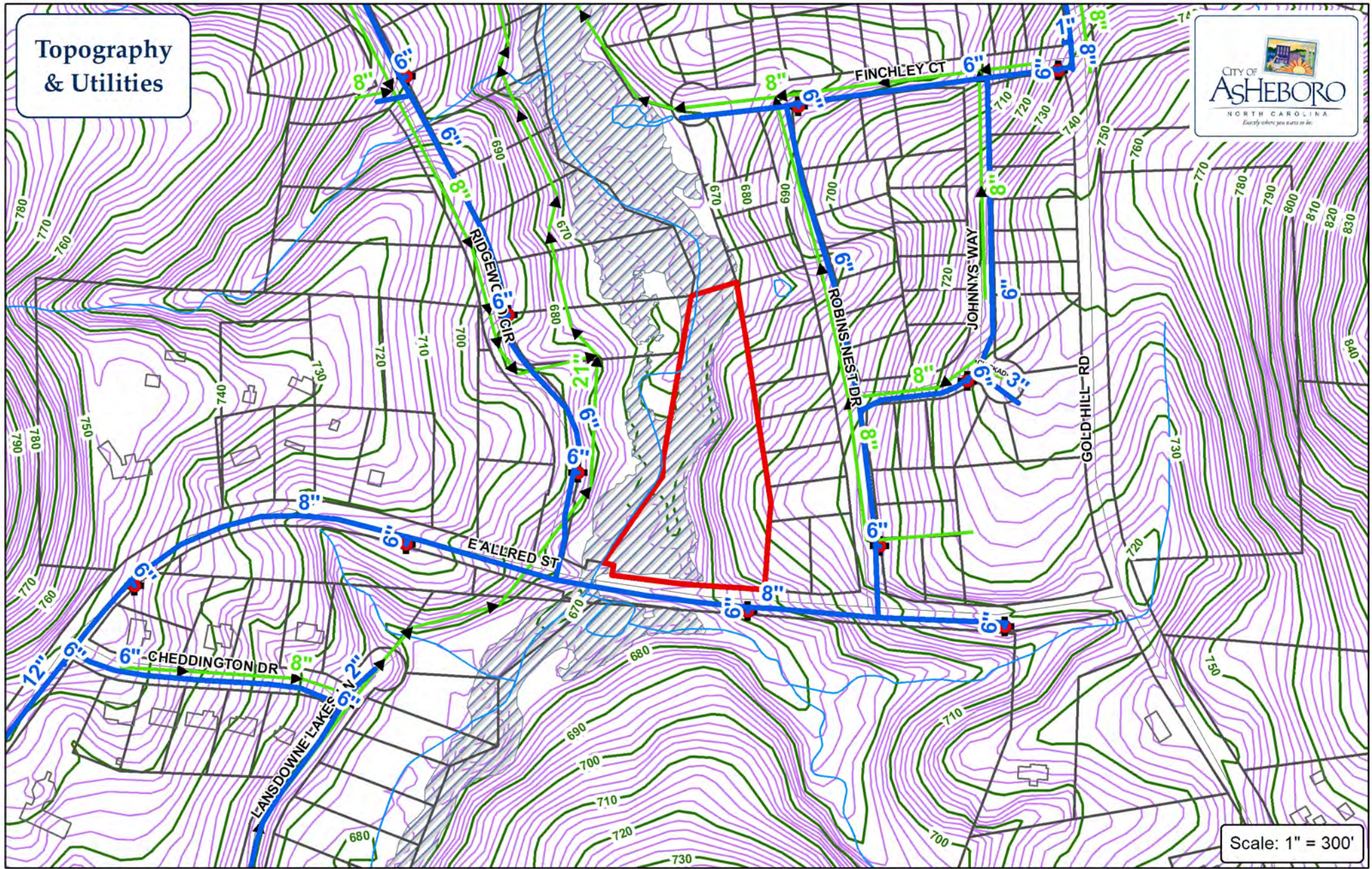
**City of Asheboro Planning & Zoning Department**

**Rezoning Case: RZ-21-07**

**Parcel: 7762740259**



# Topography & Utilities



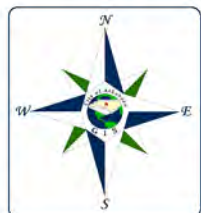
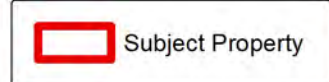
Scale: 1" = 300'

-  Force Main
-  Water Main
-  Sewer Main
-  Fire Hydrant
-  Pump Station

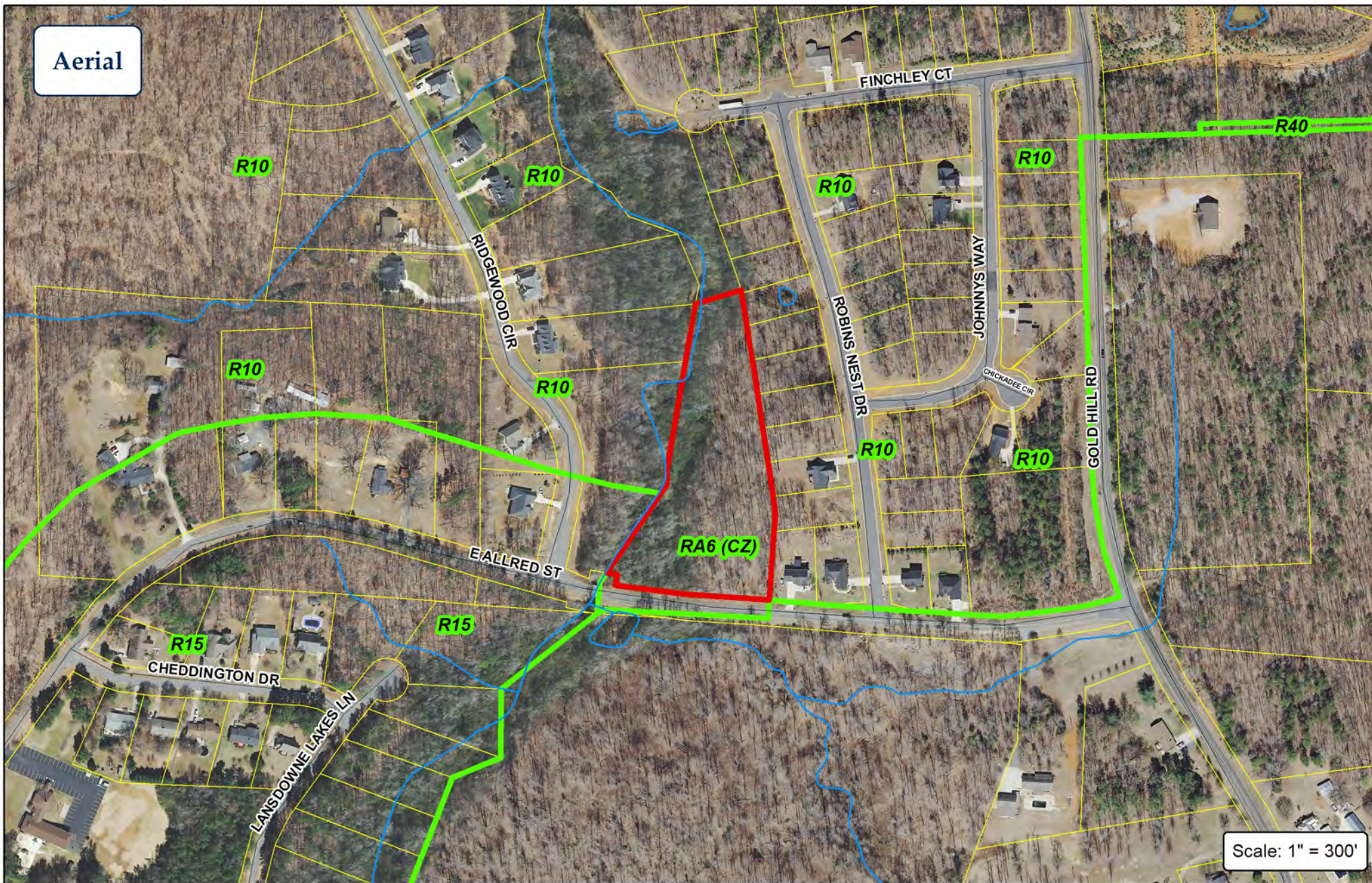
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-07

Parcel: 7762740259



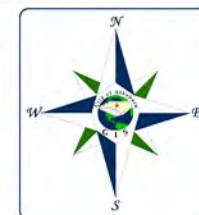
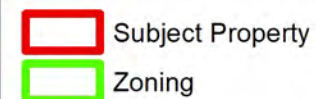
Aerial



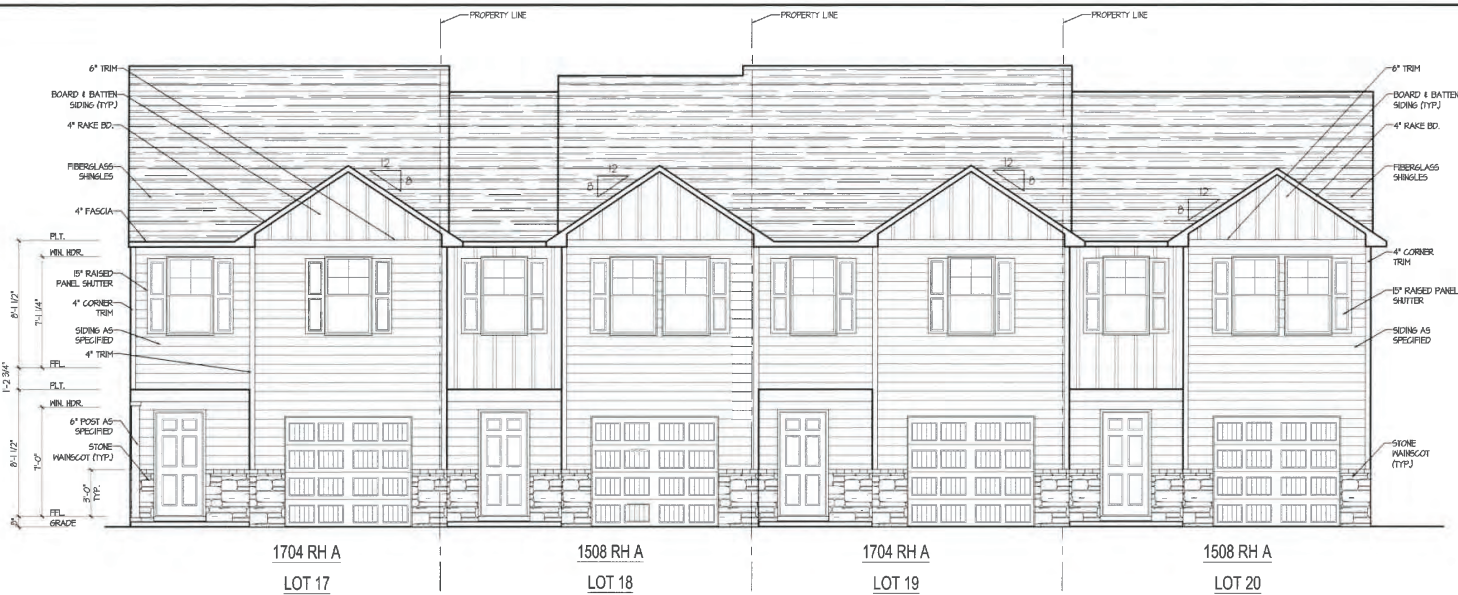
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-07

Parcel: 7762740259







FRONT ELEVATION  
4 UNIT BUILDING



REAR ELEVATION

SCALE: 1/8" = 1'-0" U.N.O. (11x17)  
SCALE: 1/4" = 1'-0" U.N.O. (24x36)





## **Application for Zoning Ordinance/Map Amendment**

### **APPLICATION FEE**

A \$200 filing fee is required for any amendment.

### **APPLICATION INSTRUCTIONS**

The rezoning process can be complex. It is highly recommended that the applicant speak with Planning and Zoning Department staff prior to submitting the application and paying the filing fee. Contact staff at (336) 626-1201 ext. 225 to ensure application requirements are satisfied.

### **REQUIRED APPLICATION CONTENTS**

- 1) A dimensional map, at a scale of not more than 200 feet to the inch, showing the land that would be covered by the proposed amendment, if the amendment would require a change in the zoning atlas.
- 2) A legal description/deed reference of such land.

It is recommended that the applicant mail letters to the adjoining property owners a minimum of 10 days prior to the scheduled Planning Board meeting. A template showing the required information contained in the letters is on Page 4 of this application. Please verify location and meeting times with staff prior to mailing.

One copy is to be filed with the city manager and one copy filed with the Zoning Administrator by 5:00 pm on the day which is at least 55 days prior to the City Council meeting at which the request will be considered. At no time shall the city council hear more than five (5) cases per month. If five applications have been received prior to the cut-off date, the request will be heard the following month.

**MEETING INFORMATION\*** Dates are subject to final Planning Board/Council approval in December, 2019.

| <b><i>Application Deadline</i></b>       | <b><i>Planning Board Meeting</i></b> | <b><i>City Council Meeting</i></b>              |
|------------------------------------------|--------------------------------------|-------------------------------------------------|
| December 11, 2020                        | Monday, January 4, 2021              | Thursday, February 4, 2021                      |
| January 8, 2021                          | Monday, February 1, 2021             | Thursday, March 4, 2021                         |
| February 12, 2021                        | Monday, March 1, 2021                | Thursday, April 8, 2021                         |
| March 12, 2021                           | Monday, April 5, 2021                | Thursday, May 6, 2021                           |
| April 16, 2021                           | Monday, May 3, 2021                  | Thursday, June 10, 2021                         |
| May 21, 2021                             | Monday, June 7, 2021                 | Thursday, July 15, 2021                         |
| June 11, 2021                            | Monday, July 12, 2021                | Thursday, August 5, 2021                        |
| July 23, 2021                            | Monday, August 2, 2021               | Thursday, September 16, 2021                    |
| August 13, 2021                          | Monday, September 13, 2021           | Thursday, October 7, 2021                       |
| September 10, 2021                       | Monday, October 4, 2021              | Thursday, November 4, 2021                      |
| October 15, 2021                         | Monday, November 1, 2021             | Thursday, December 9, 2021                      |
| *Confirm application deadline with staff | Monday, December 6, 2021             | *January, 2022: Confirm meeting date with staff |

\*January, 2022 Council meeting dates are not set by Council until December, 2021.

## Application for Zoning Ordinance/Map Amendment

### APPLICANT INFORMATION

Applicant Davidson Land Development, LLC

Applicant's Phone # 336-746-5115 250-0483

Applicant's Address 896 Shiptontown road, Lexington, NC 27292

Applicant Email Address chris@reidfarm.com

### PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name Davidson Land Development, LLC

Location of Property East Allred Street

Property Size (ac. or s.f.) 4.02 AC.

Randolph County Property Identification Number (PIN#) 110214025 7762740259

Current Zoning District R-10

Requested Zoning District CU-R-A6

Date Property Title Acquired 09/12/2014

Deed Book 00212 002723 Page 0050 00506

Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Lot # \_\_\_\_\_

Plat Book 70 Page 73

### ORDINANCE AMENDMENT INFORMATION

Section 1011.2 of the Asheboro Zoning Ordinance requires the applicant to answer the following questions. The application may not be accepted unless all questions are completed.

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 best available use of this property for the owner and public welfare is residential townhomes.

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?

Proposed adequate additional housing promoting the growth and betterment of the city of Asheboro.

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

The project will comply with all land development codes and the land development plan to  
promote growth and welfare.

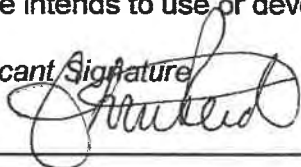
4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

There is currently a shortage available of adequate housing, this project will provide homes for  
working and growing families in the City of Asheboro.

**APPLICATION SIGNATURES**

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant. The applicant for rezoning to any district other than a conditional use district shall be prohibited from offering any testimony or evidence concerning the specific manner in which he or she intends to use or develop the property.

*Applicant Signature*



*Owner Signature (if different than Applicant)*

*Printed Name of Authorized Signatory (if different from Applicant)*

James Christopher Reid

*Owner Address*

896 Shiptontown Rd  
27292

*Position/Relationship of Authorized Signatory to Applicant*

member

*Telephone Number*

(336)-250-0483

*Printed Name of Authorized Signatory (if different from Owner)*

James Christopher Reid

*Position/Relationship of Authorized Signatory to Owner*

member

**STAFF USE**

**Received by:** JLE **Date:** 5-21-21 **Case Number:** ~~17~~ TRD

**NOTICE OF ZONING MAP AMENDMENT (REZONING)  
TO ADJOINING PROPERTY OWNERS**

This is to notify you that I (we), Davidson Land Development  
have filed an application with the City of Asheboro to rezone property located at  
East Allred Street from M-1 R-10  
to CU-R-A6.

On Monday, \_\_\_\_\_, 2021, at 7:00 pm the Asheboro  
Planning Board will meet to hear this request and forward their report to the City  
Council. On Thursday, \_\_\_\_\_, \_\_\_\_\_, at 7:00 pm the  
City Council will hold a public hearing on the rezoning request.

The meetings will be held in the City Council Chambers, 146 North Church Street,  
Asheboro, NC. The Council, after considering the information/testimony presented  
during the public hearings and reviewing the reports of the Planning Board and Planning  
and Zoning Department, will take action on the application. Such action may include  
approval of the request, denial of the request, or approval of a modified version of the  
request on the basis of the Council's determination that such action is reasonably  
necessary to promote the public health, safety, or general welfare and to achieve the  
purposes of the adopted Land Development Plan. The meeting is open to the public and  
your participation is encouraged. If you have any questions, please contact the Planning  
and Zoning Department at 336-626-1201 Ext. 225. You may also contact me at  
336-746-5115 250-0483.



## **Application for Conditional Use Permit**

### **APPLICATION FEE**

A \$350 filing fee is required.

### **APPLICATION INSTRUCTIONS:**

The Conditional Use Permitting process can be complex. It is highly recommended that the applicant speak with Planning and Zoning Department staff prior to submitting the application and paying the filing fee. Contact staff at (336) 626-1201 ext. 225 to ensure application requirements are satisfied.

### **REQUIRED APPLICATION CONTENTS**

- 1) A legal description/deed reference of such land.
- 2) Two (2) draft copies of a site plan drawn to scale that has will be reviewed by staff for conformity with zoning ordinance requirements, with revisions due as noted below. Once the applicant submits the final draft is submitted by the site plan cutoff date, staff will also require six (6) copies of the site plan to be submitted. See page 2 for required site plan information.

The application is to be filed with the Zoning Administrator by 5:00 pm on the day which is at least 55 days prior to the City Council meeting at which the request will be considered. No changes may be made to any site plan fifteen (15) days prior to a City Council hearing. At no time shall the city council hear more than five (5) cases per month. If five applications have been received prior to the cut-off date, the request will be heard the following month. Site plans must conform to the ordinance by the site plan cutoff date. No revisions to site plans can be accepted after 15 days prior to the scheduled City Council meeting. Failure to submit a conforming site plan by the cutoff date will result in the case being delayed.

In addition to staff's notification of the request to adjoining property owners, it is recommended that the applicant also notify adjoining property owners of the request. A template of the notification is in this application and staff can assist the applicant with creating the list of property owners to be notified of the request.

### **MEETING INFORMATION\***

| <b><i>Application Deadline</i></b>       | <b><i>SITE PLAN CUTOFF</i></b>          | <b><i>City Council Meeting</i></b>              |
|------------------------------------------|-----------------------------------------|-------------------------------------------------|
| December 11, 2020                        | January 20, 2021                        | Thursday, February 4, 2021                      |
| January 8, 2021                          | February 17, 2021                       | Thursday, March 4, 2021                         |
| February 12, 2021                        | March 24, 2021                          | Thursday, April 8, 2021                         |
| March 12, 2021                           | April 21, 2021                          | Thursday, May 6, 2021                           |
| April 16, 2021                           | May 26, 2021                            | Thursday, June 10, 2021                         |
| May 21, 2021                             | June 30, 2021                           | Thursday, July 15, 2021                         |
| June 11, 2021                            | July 21, 2021                           | Thursday, August 5, 2021                        |
| July 23, 2021                            | September 1, 2021                       | Thursday, September 16, 2021                    |
| August 13, 2021                          | September 22, 2021                      | Thursday, October 7, 2021                       |
| September 10, 2021                       | October 20, 2021                        | Thursday, November 4, 2021                      |
| October 15, 2021                         | November 24, 2021                       | Thursday, December 9, 2021                      |
| *Confirm application deadline with staff | *Confirm site plan deadline with staff. | *January, 2022: Confirm meeting date with staff |

**APPLICANT INFORMATION**

*Applicant* Davidson Land Development, LLC *Applicant's Phone #* 336-746-5115

*Applicant's Address* 896 Shiptontown road, Lexington, NC 27292

*Applicant email address* chris@reidfarm.com

**PROPERTY INFORMATION**

*Property Owner's Name* Davidson Land Development, LLC

*Location of Property* East Allred Street *Property Size (ac. or s.f.)* 4.02 AC.

*Randolph County Property Identification Number (PIN#)* 7762740259

*Current Zoning District* CU-R-A6

*Date Property Title Acquired* 09/12/2014 *Deed Book* 002723 *Page* 00506

*Subdivision* \_\_\_\_\_ *Section* \_\_\_\_\_ *Lot #* \_\_\_\_\_

*Plat Book* 70 *Page* 73

**CONDITIONAL USE PERMIT INFORMATION**

Application is hereby made to the City of Asheboro for a Conditional Use Permit for the following purpose:

The purpose of the conditional use permit is to serve the proposed 16 townhomes

with associated driveways, parking, and utility improvements.

### **CONDITIONAL USE PERMIT REQUIRED SITE PLAN INFORMATION**

- 1) Actual shape, location, and dimensions of the lot
- 2) For new construction, building elevations of all exterior facades at a minimum scale of 1/8" = 1'
- 3) The shape, size, and location of any existing buildings and all buildings or structures to be erected, altered, moved
- 4) The existing and intended use of the lot and all structures on the lot
- 5) Location and size of any required buffers and/or screens (Article 200A and/or 300A)
- 6) Location and type of mechanical equipment screening (Section 306A)
- 7) Location, access, and screening of central solid waste facility (Section 307A)
- 8) Location and dimension of off-street parking indicating compliance with parking setbacks and loading spaces (Articles 300A and 400)
- 9) Grade separation of building and parking areas (Section 409)
- 10) Paving material for parking lots (Section 409)
- 11) Location of curb cuts: only 1 permitted if lot width is less than 120' (Section 408)
- 12) Driveway permit approval information by NCDOT or the City of Asheboro
- 13) Front yard landscaping or street planting (Articles 200A or Section 308A)
- 14) Location, type, size, and height of all signs (Article 500)
- 15) Notation certifying compliance with relevant Performance Standards (Article 300A) and a lighting plan demonstrating such compliance
- 16) Location of any flood zones if applicable (Article 700)
- 17) Watershed information if applicable (Article 300B)
- 18) If site disturbance is in excess of 1 acre, a soil and erosion control plan is required. The applicant shall submit the plan to NCDEQ Division of Energy, Mineral and Land Resources, located at 450 Hanes Mill Rd. Suite 300, Winston Salem, NC 27106.
- 19) Sidewalk construction if applicable (Section 322A)

**Please note that specific uses may also be subject to supplemental regulations.**

### **APPLICATION SIGNATURES**

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for a Conditional Use Permit rests with the applicant.

No application for a Conditional Use Permit will be advertised for public hearing until the Planning and Zoning Department has received materials. If all required materials are not received prior to the specified deadlines, this will result in delays in the case being heard.

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.

*Applicant Signature*



*Printed Name of Authorized Signatory (if different from Applicant)*

James Christopher Reid

*Position/Relationship of Authorized Signatory to Applicant*

Member

*Owner Signature (if different than Applicant)*

*Owner Address*

896 Shiptontown Rd

Lexington NC 27292

*Telephone Number*

(336)-250-0483

*Printed Name of Authorized Signatory (if different from Owner)*

James Christopher Reid

*Position/Relationship of Authorized Signatory to Owner*

Member

### **STAFF USE**

Received by: JLE Date: 5-21-21 Case Number: TBD

**CITY OF ASHEBORO**  
Application for Conditional Use Permit

**BASIC INFORMATION**

The granting of a Conditional Use Permit is a quasi-judicial process requiring sworn testimony. The testimony given should be directed at providing evidence that supports the application. Such evidence shall address the following four items. Failure to address these items will result in the delay or denial of your request.

- 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.
- 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.

The City Council shall make these general findings based upon substantial evidence contained in the proceedings. It shall be the responsibility of the applicant to present evidence in the form of testimony, exhibits, documents, models, plans, and the like to support the application for a Conditional Use Permit.

*I have read and received a copy of the above information regarding the testimony and the evidence required at the public hearing for the Conditional Use Permit for which I have made an application. I understand my responsibilities in this matter. I have also received the opinion of the North Carolina Bar Association regarding legal representation in quasi-judicial proceedings.*

Applicant \_\_\_\_\_

Date \_\_\_\_\_

Received by staff: 5-21-21-AM-JLE

**SUBDIVISION STAFF REPORT**  
Sketch Design

**CASE #** SUB-21-01

**Date** 9-16-2021 City Council

**GENERAL INFORMATION**

**Subdivision Name** Cane Creek Townhomes  
**Requested Action** Subdivision Sketch Design  
**Applicant** Davidson Land Development LLC  
**Address** 896 Shiptontown Rd., Lexington, NC 27292  
**Phone** 336-250-0483  
**Location** North side of East Allred Street

**PARCEL INFORMATION**

**PIN** 7762740259

**Size** 4.04 acres +/-

**Number of Lots** 16 + 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 request is for a Residential Planned Unit Development with 16 townhome units.
2. A portion of the property is within a Special Hazard Flood Area. However, no units are proposed to be within this area.
3. The subdivision ordinance limits the use & length of dead end streets exceeding 500 feet unless topography or property configuration necessitates their use. The length of the proposed street is 457 linear feet, less than the street that was proposed on the previous plan.
4. One recreational area is shown along Pennwood Branch on the west side of the property.

**SUBDIVISION STAFF REPORT**  
Sketch Design

**DEPARTMENT COMMENTS**

**Engineering**      Plat corrections are pending as of 9-7-2021

**Public Works**      Plat corrections are pending as of 9-7-2021

**Planning**

1. Plat corrections are pending as of 9-7-21
2. The method of mail delivery must be approved by the US Postal Service. The City of Asheboro has no jurisdiction over mail delivery. If Community mailbox is required by USPS, this shall be located outside public right-of-way unless approved by City.
3. Information from adjoining property (PIN 7762658282), which is not part of this subdivision, must be provided, that is sufficient to create sewer easement referenced in DB 2600, PG 813.

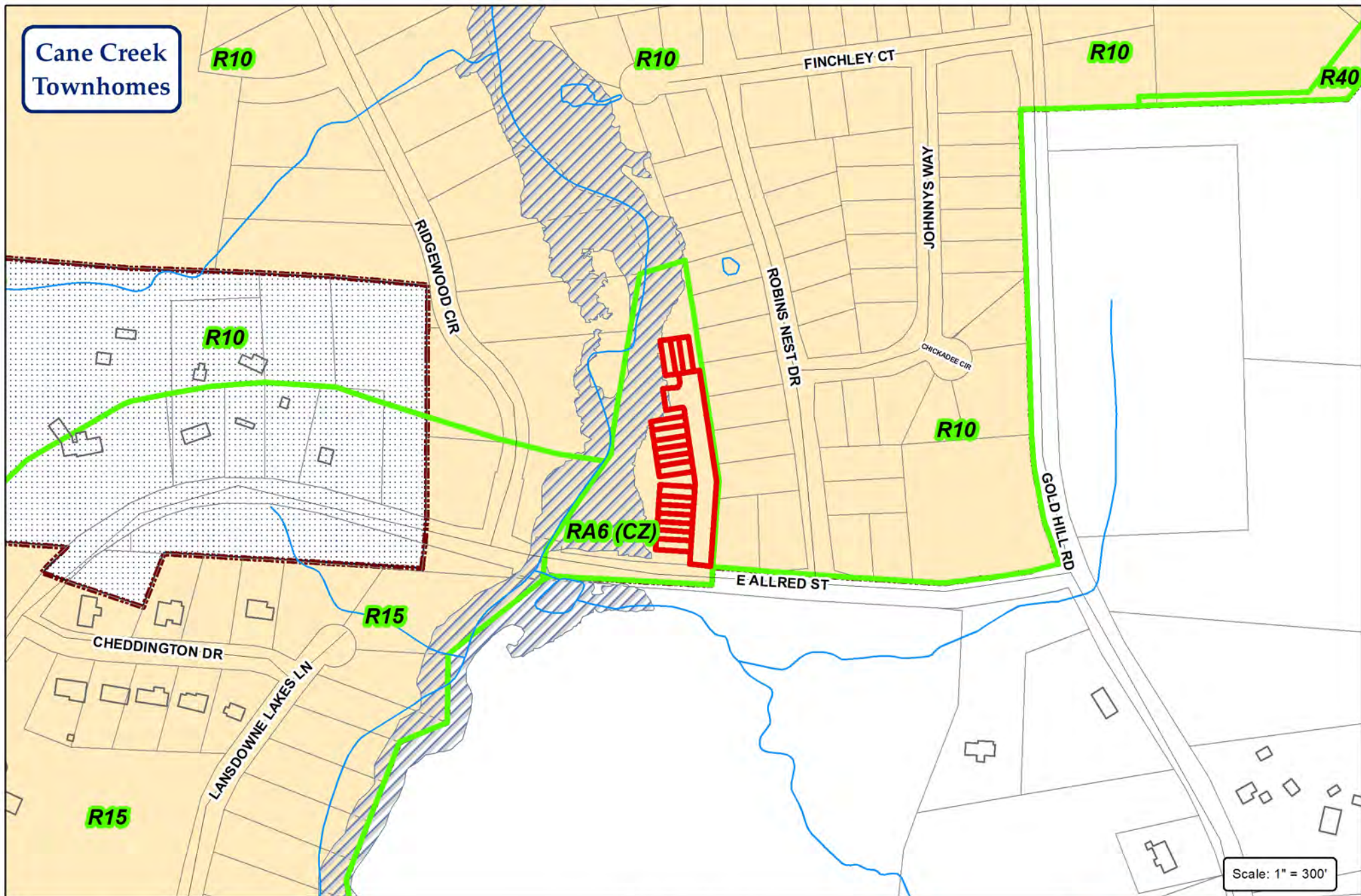
**Other**

1. Asheboro City Schools has reviewed the sketch design and indicated they had no comments.
2. The plat was routed to NCDOT, but no comments were received. Driveway permitting from NCDOT is required.

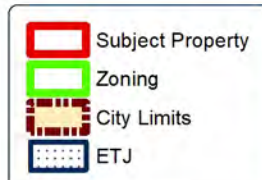
**Staff Recommendation**      Staff's recommendation is pending.

**Planning Board  
Recommendation**

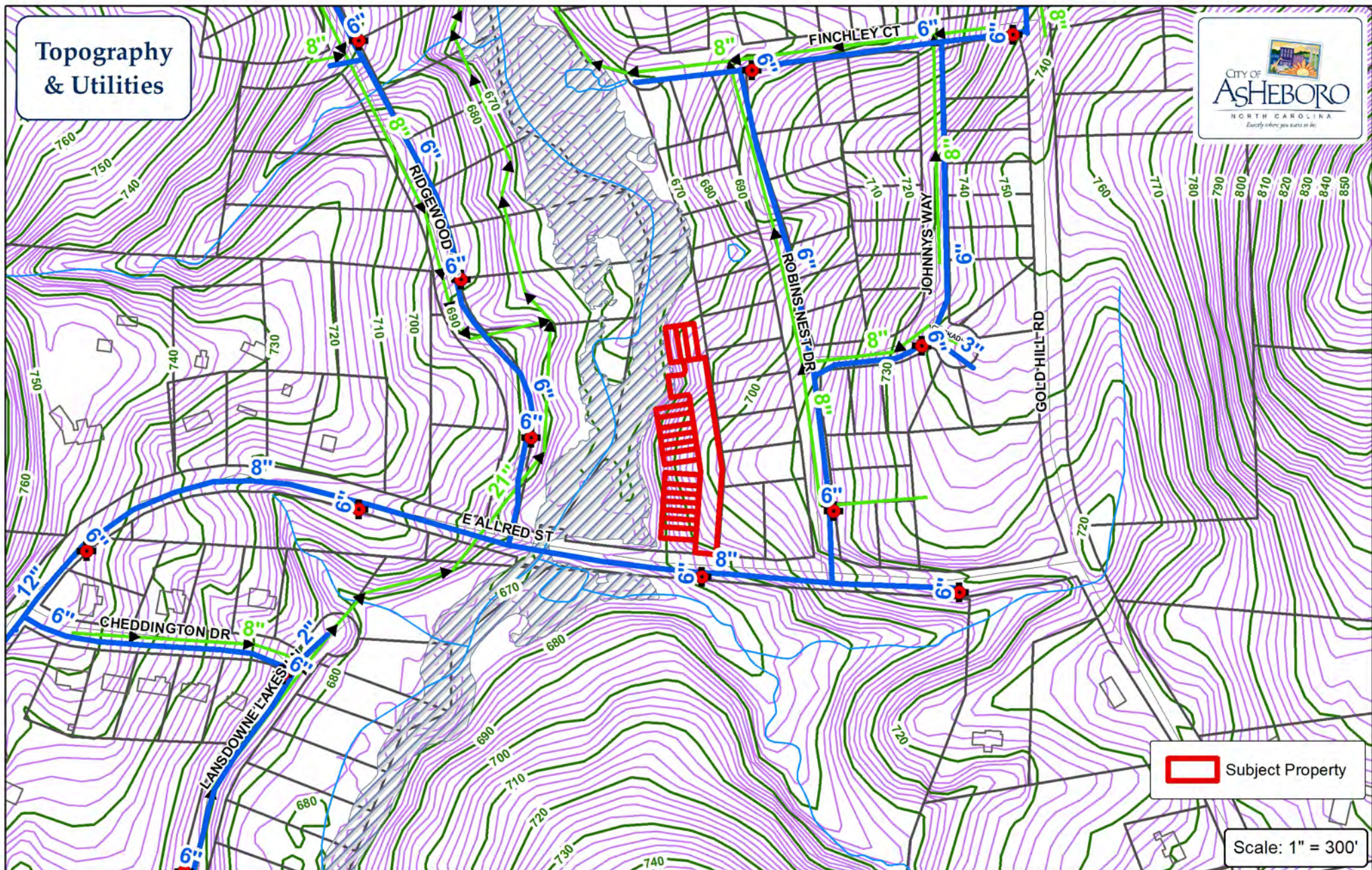
Cane Creek  
Townhomes



City of Asheboro  
Planning & Zoning Department  
Subdivision Case: SUB-21-01  
Parcel: 7762740259



# Topography & Utilities



 Subject Property

Scale: 1" = 300'

- |                                                                                               |                                                                                                     |
|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
|  Water Main |  Fire Hydrant    |
|  Sewer Main |  PS Pump Station |
|  Force Main |                                                                                                     |

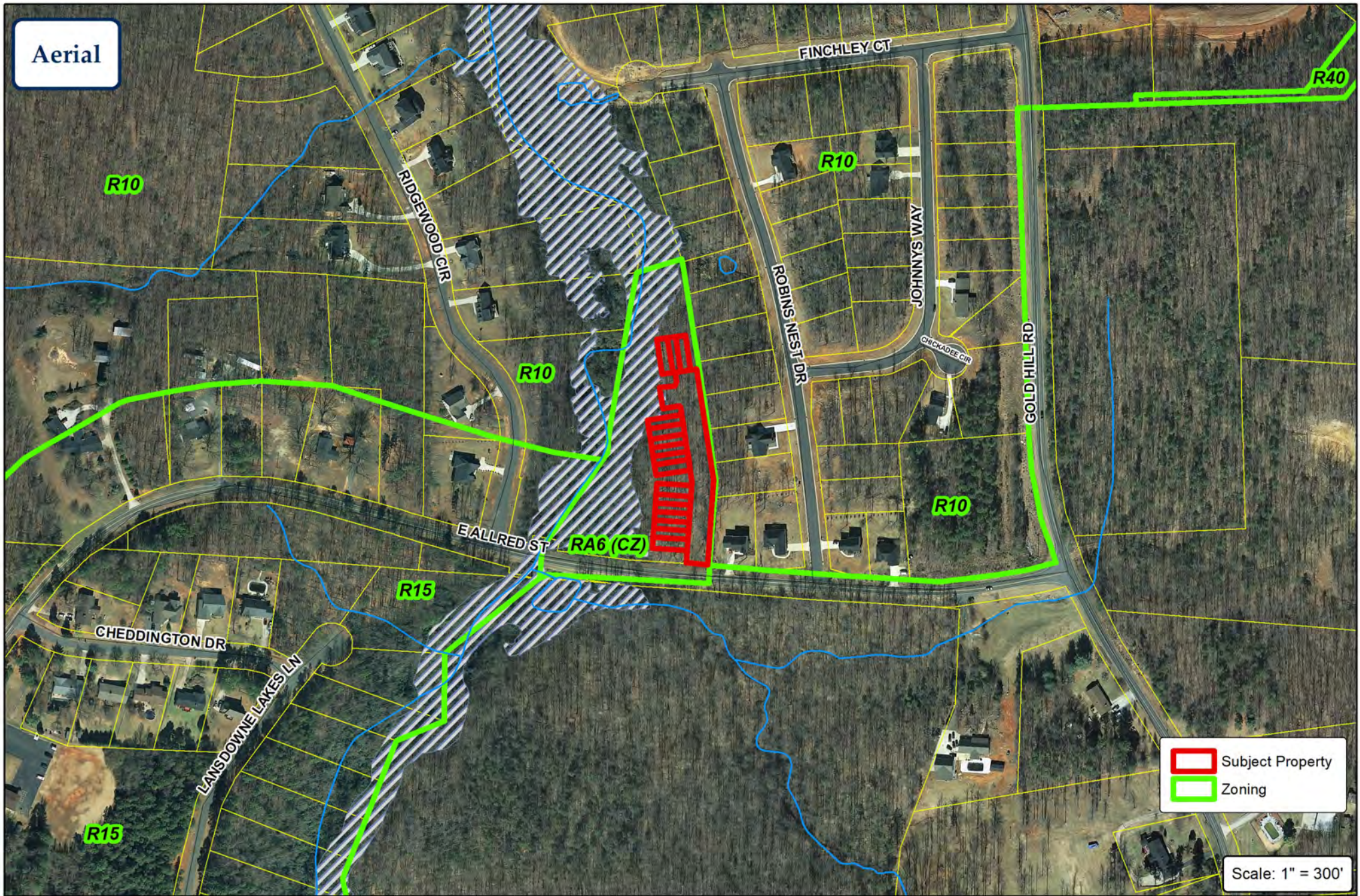
City of Asheboro Planning & Zoning Department

Subdivision Case: SUB-21-01

Parcel: 7762740259



Aerial



City of Asheboro  
Planning & Zoning Department  
Subdivision Case: SUB-21-01  
Parcel: 7762740259



## Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on June 28, 2021 (July Meeting)

The Asheboro ABC Board met for its July meeting on Monday, June 28, 2021, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the board meeting were Board Member Steve Knight, Board Member Bob Morrison and General Manager Rodney Johnson (GM). A quorum being present, Bob Morrison called the meeting to order for the transaction of business and business transacted as follows:

Bob Morrison inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after Board member(s) voiced having no conflict, and there being no objection, the agenda was adopted.

Board Minutes from the June 7, 2021, meeting were reviewed and approved by the Board.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent (sales and expenses). The GM advised that the recent across the board pay increase for employees has created a situation where some employees with less employment time are being paid more than more senior employees. Steve Knight moved, and the Board approved, increasing the pay of two employees by 20 cents per hour to correct the pay disparity.

Monthly drafts, EFT payments, and June 2021 sales will be reviewed at the Board's August 2, 2021, meeting.

The Board reviewed applications for 2021 3<sup>rd</sup> and 4<sup>th</sup> Quarter Grant Funds. Upon motion by Steve Knight, the Board approved awarding the Randolph County Family Crises Center \$2,934.09 from 2021 3<sup>rd</sup> Quarter Funds and \$2,934.09 from 2021 4<sup>th</sup> Quarter Funds. After discussion, Bob Morrison moved and the board so directed, the GM obtain additional information concerning Randolph Community College's request for grant funds and report back to the Board at its August 2, 2021, meeting.

The next regular Asheboro ABC Board meeting will be held Monday, August 2, 2021, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board

8-2-21

  
GM


## **Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on August 2, 2021.**

The Asheboro ABC Board met on Monday, August 2, 2021, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the board meeting were the Chair, Board Member Steve Knight, Board Member Bob Morrison and General Manager Rodney Johnson (GM). A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

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

Board Minutes from the June 28, 2021, meeting (regular July meeting) were reviewed and approved by the Board.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent (sales and expenses).

Monthly drafts and EFT payments from the prior month were reviewed by the Board.

Upon motion by Bob Morrison, the Board approved funding Randolph Community College's request for \$4,000 from 2021 3<sup>rd</sup> Quarter funds and \$4,000 from 2021 4<sup>th</sup> Quarter funds.

The grant request from Community Hope Alliance (CHA) for \$8,000 from 2021 3<sup>rd</sup> Quarter funds and \$8,000 from 2021 4<sup>th</sup> Quarter funds was continued until the Board's August 30, 2021, meeting (regular September meeting). The Board directed the GM invite CHA to make a presentation at the next meeting concerning CHA's operations.

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

1. Asheboro ABC sales statistics comparing:
  - June 2021 sales with the previous month indicate:
    - An overall -5.3% change (all sales and tax collections)
  - June 2021 sales with sales from the same month last year indicate:
    - Retail Sales -4.6%
    - Mixed Beverage Sales: +87.3%
    - Sales Tax Collections: -4.5%
    - Overall Collections: +2.77%
  - June 2021 bottle sales with bottle sales from the same month last year indicate:
    - Retail Bottle Sales: -5.1%
    - Mixed Beverage Bottle Sales: +71.2%
    - Overall Bottle Sales: -1.6%

- July 2021 sales with the previous month indicate:
  - An overall +9.9% change (all sales and tax collections)
- July 2021 sales with sales from the same month last year indicate:
  - Retail Sales +7.8%
  - Mixed Beverage Sales: +51%
  - Sales Tax Collections: +8.0%
  - Overall Collections: +11.75%
- July 2021 bottle sales with bottle sales from the same month last year indicate:
  - Retail Bottle Sales: -1.6%
  - Mixed Beverage Bottle Sales: +51.6%
  - Overall Bottle Sales: +1.0%

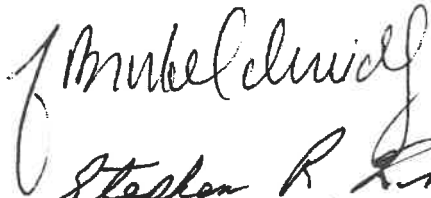
The next regular Asheboro ABC Board meeting will be held Monday, August 30, 2021, at 5:30 p.m. (This will be the regular September 2021 meeting).

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board

8-30-21

  
GM




**RZ-21-11:** Rezone from R10 Medium-Density Residential Zoning to R40 (CZ) Low-Density Residential Conditional Zoning: 1008 Hub Morris Road (portion of Randolph County Parcel Identification Number 7763511812)

### **Staff Report**

## Planning Board Recommendation & Comments to City Council

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

**Case #**     **RZ-21**  
                 **-11**

**Date** 8-2-2021 Planning Board

**Applicant** Thunderhead Solar, LLC

### **Legal Description**

A portion of the property located at 1008 Hub Morris Road consisting of a part of Randolph County Parcel Identification Number 7763511812, totaling approximately 0.402 acres +/- of 9.72 acres +/- on the eastern side of the property.

**Requested Action** Rezone from R10 Medium-Density Residential to R40 (CZ) Low-Density Residential (Conditional Zoning) to provide driveway access to adjoining and previously permitted solar farm

**Existing Zone**     R10

**Land Development Plan** See staff report.

### **Planning Board Recommendation**

Approve.

### **Reason for Recommendation**

The Planning Board concurred with staff reasoning.

### **Planning Board Comments**

The Planning Board did not have any suggested changes to the proposed site plan.

# Rezoning Staff Report

**RZ Case #** RZ-21-11

**Date** 9/16/2021 City Council

## General Information

**Applicant** Thunderhead Solar, LLC

**Address** 66 York St., 5th Floor

**City** Jersey City NJ 07032

**Phone** 201-432-1786

**Location** 1008 Hub Morris Road

**Requested Action** Rezone from R10 Medium-Density Residential to R40 (CZ) Low-Density Residential (Conditional Zoning)

**Existing Zone** R10

**Existing Land Use** Single-family dwelling

**Size** 0.402 acres of 9.72 acres +/-

**Pin #** 7763511812 (portion)

## Applicant's Reasons as stated on application

See statement on attached application

## **Surrounding Land Use**

**North** Undeveloped

**East** Solar farm (under construction)/Single-family

**South** Solar Farm (under construction)

**West** Low-Density Single-family/Manufactured housing

**Zoning History** The property was permitted for Agricultural Tourism in 2010 (SUP-10-05), which also included any uses permitted by right in the R10 zoning district.

## **Legal Description**

A portion of the property located at 1008 Hub Morris Road consisting of a portion of Randolph County Parcel Identification Number 7763511812, totaling approximately 0.402 acres +/- of 9.72 acres +/- on the eastern side of the property.

## **Analysis**

1. The property is partially in the city limits and partially within the city's extraterritorial zoning jurisdiction.
2. Hub Morris Road is a state-maintained major thoroughfare.
3. The request is being made because the applicant wishes to use a portion of the subject property for access to the adjoining permitted solar farm. Since solar farms are not permitted in the R10 district, the rezoning is being requested.
4. The request only pertains to a small area of the property (totaling 0.402 acres +/- of 9.72 acres +/-) identified as "Exhibit B, Access and Utility Easement Area" as recorded in DB 2753, PG 1297-1310). The request only includes the access driveway and utilities. No buildings are proposed with the request.
5. The previously permitted solar farm (CUP 18-16 approved in 2018) on the adjoining property, is not part of this review.
6. The underlying R40 zoning district is described by the zoning ordinance as "intended to provide regulations which will produce a low intensity mixture of single family, duplex dwellings, and Class A Mobile Home dwellings usually served by individual wells and/or sewage disposal systems, plus the necessary governmental and other support facilities to provide service to such suburban intensity living."

# Rezoning Staff Report

RZ Case # RZ-21-11

Page 2

## Consistency with the 2020 LDP Growth Strategy designations

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

**Proposed Land Use Map Designation** Neighborhood Residential  
**Small Area Plan** Northeast  
**Growth Strategy Map Designation** Primary Growth (inside city)/Long Range Growth (In ETJ)

## LDP Goals/Policies Which Support Request

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

**Checklist Item #4:** The proposed rezoning is compatible with surrounding land uses.

**Checklist Items 12-14:** 12.) Property is located outside of the watershed area, Special Hazard Flood Area, or Area with Steep Slopes (>20%).

**Goal 5.1:** Cost effective, efficient and coordinated infrastructure in appropriate locations (based on purpose of use proposed by CZ request)

## Rezoning Staff Report

RZ Case # RZ-21-11

Page 3

### LDP Goals/Policies Which Do Not Support Request

**Checklist Item 10:** Rezoning is not consistent with Land Category Descriptions

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

This request involves the limited purpose of providing access to an adjacent property that is not part of this application, but was previously permitted in 2018 and has the same zoning district as the requested district.

Noting this, while the underlying R40 district permits a lower density than other properties along Hub Morris Road, given the fact that the adjoining property has R40 (CZ) zoning, and the balance of the subject property and properties to the west along Hub Morris Road have considerably lower density than what is allowable under R10 standards, the request is not out of character with these conditions.

Finally, the Conditional Zoning process allows reasonable conditions to be placed on the property when these are necessary to ensure compatibility with surrounding land uses.

Given these factors, staff believes that the requested R40 (CZ) district is generally consistent with the Land Development Plan, and consistent with the public interest.

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

#### Recommendation

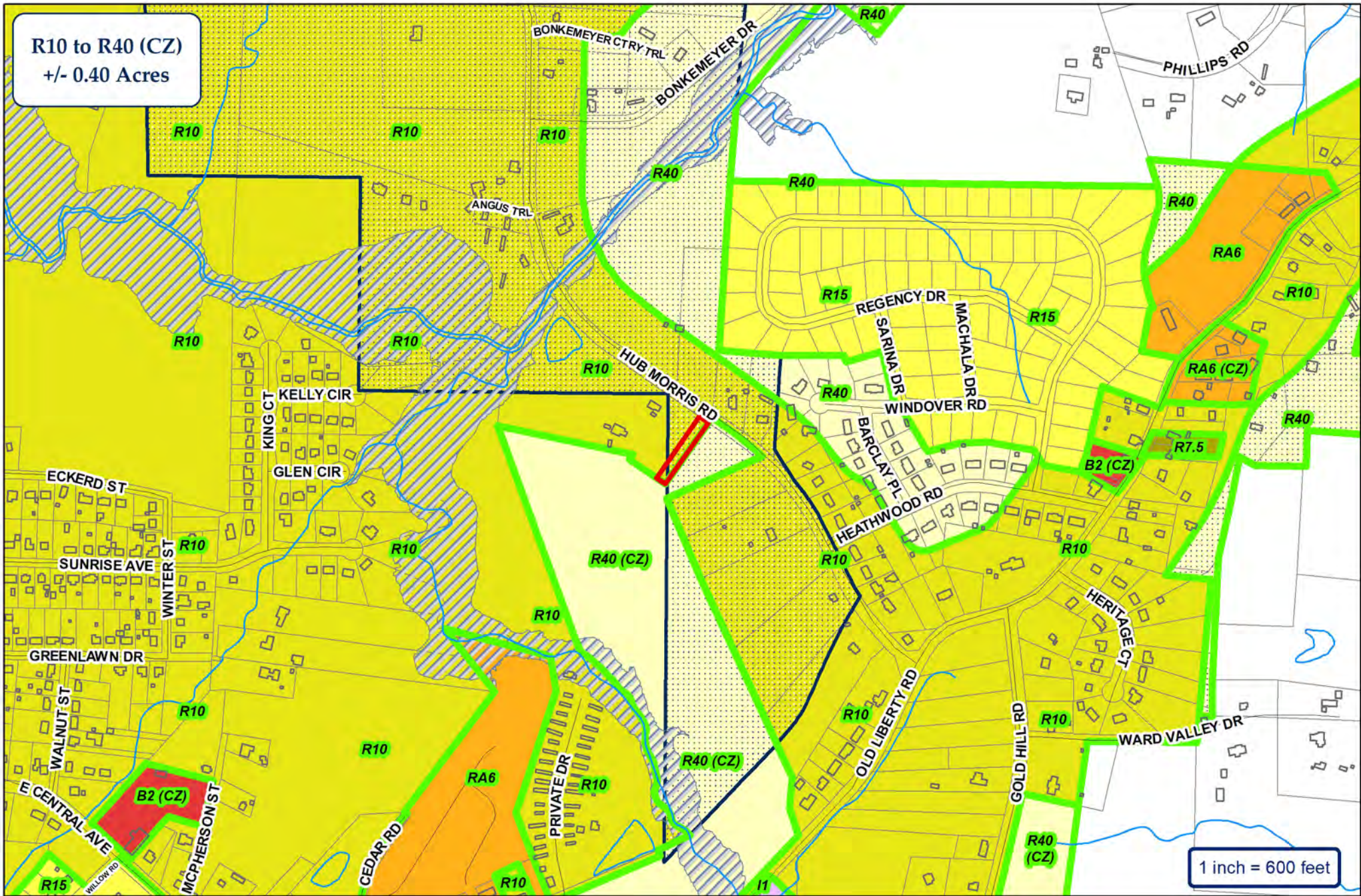
## Rezoning Staff Report

### **Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)**

(A) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing driveway permit approval from NCDOT.

(B) 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 Zoning in the chain of title for the Zoning Lot.

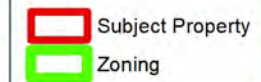
R10 to R40 (CZ)  
+/- 0.40 Acres



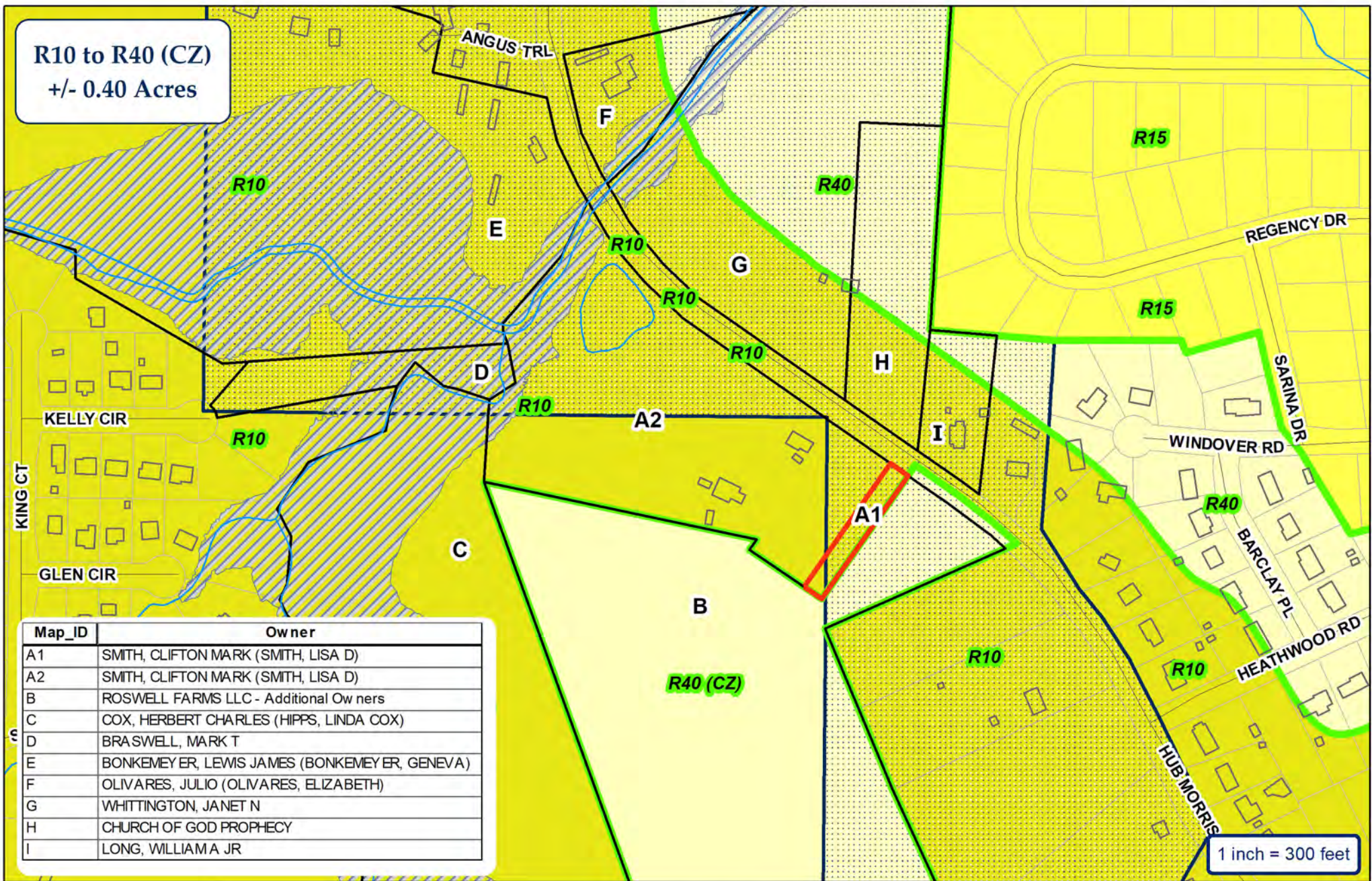
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-11

Parcel: 7763511812 (pt.)



R10 to R40 (CZ)  
+/- 0.40 Acres

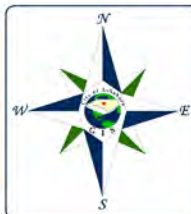
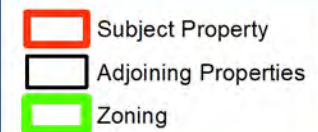


| Map_ID | Owner                                        |
|--------|----------------------------------------------|
| A1     | SMITH, CLIFTON MARK (SMITH, LISA D)          |
| A2     | SMITH, CLIFTON MARK (SMITH, LISA D)          |
| B      | ROSWELL FARMS LLC - Additional Owners        |
| C      | COX, HERBERT CHARLES (HIPPS, LINDA COX)      |
| D      | BRASWELL, MARK T                             |
| E      | BONKEMEYER, LEWIS JAMES (BONKEMEYER, GENEVA) |
| F      | OLIVARES, JULIO (OLIVARES, ELIZABETH)        |
| G      | WHITTINGTON, JANET N                         |
| H      | CHURCH OF GOD PROPHECY                       |
| I      | LONG, WILLIAM A JR                           |

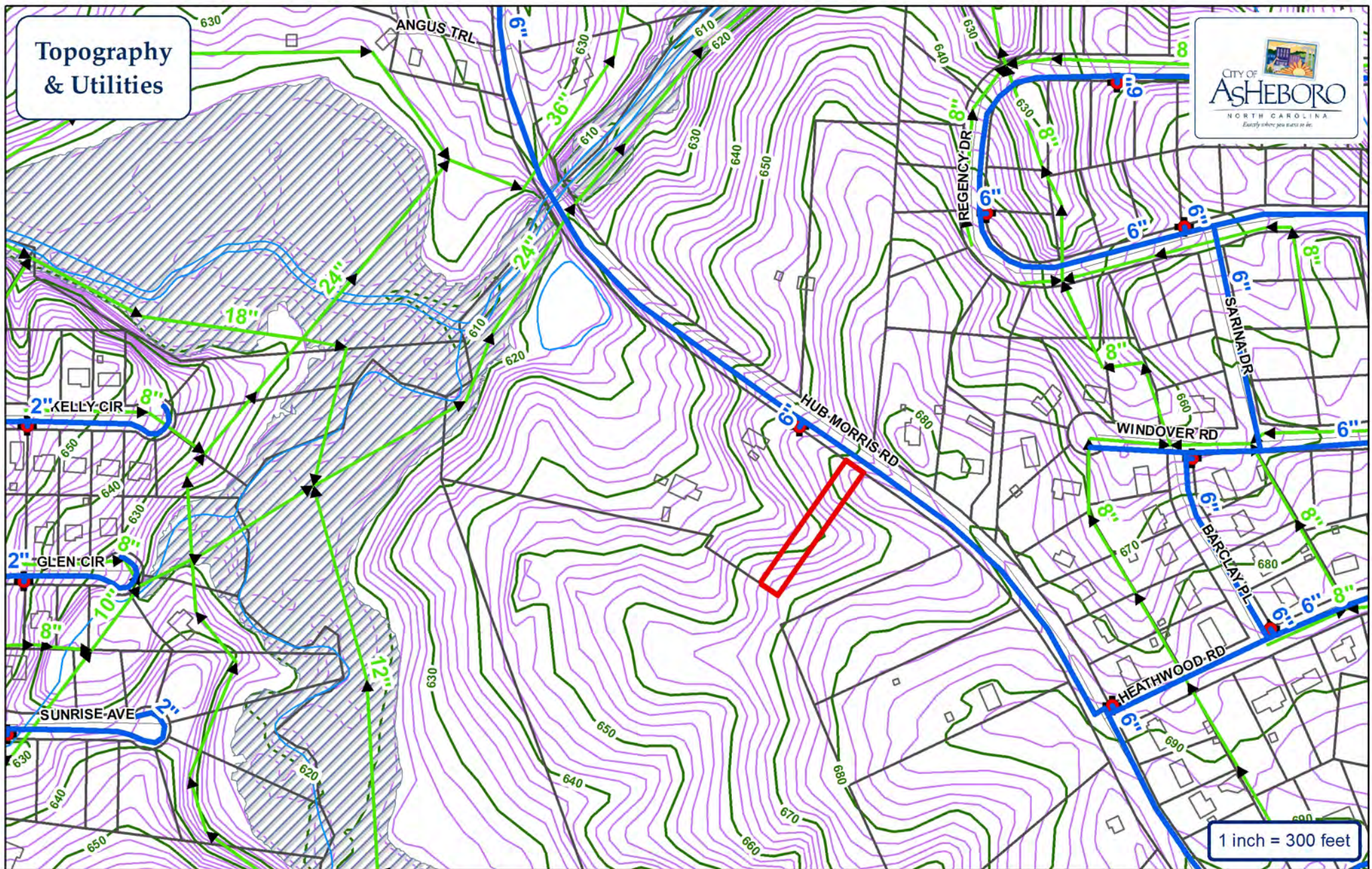
## City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-11

Parcel: 7763511812 (pt.)



# Topography & Utilities



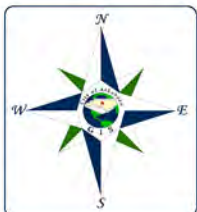
- |                                                                                               |                                                                                                  |
|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
|  Water Main |  Fire Hydrant |
|  Sewer Main |  Pump Station |
|  Force Main |  Watershed    |

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-11

Parcel: 7763511812 (pt.)

 Subject Property



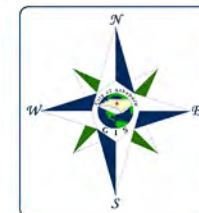
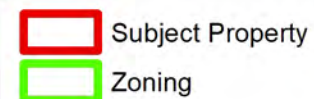
Aerial

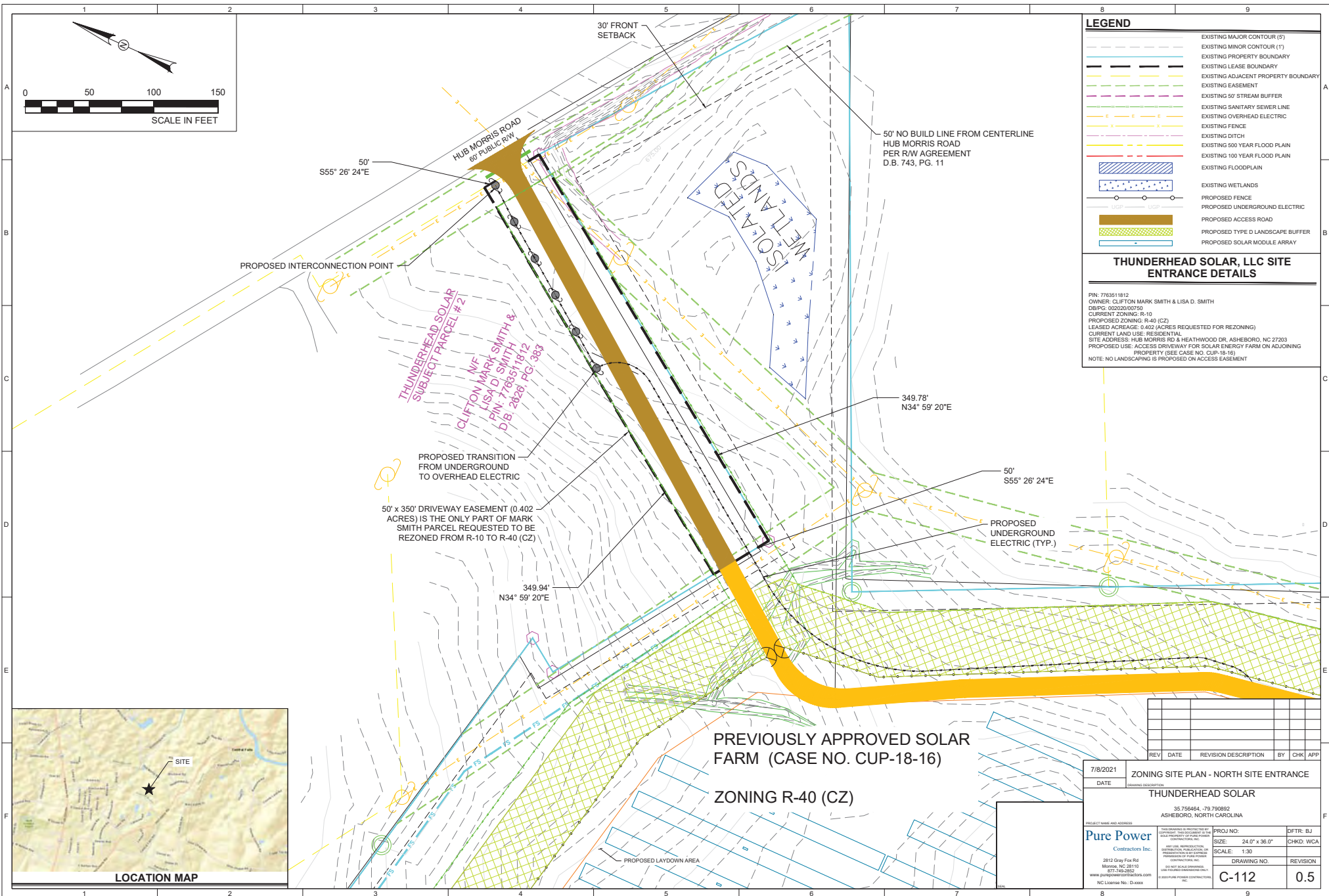


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-11

Parcel: 7763511812 (pt.)





**LEGEND**

|       |                                     |
|-------|-------------------------------------|
| ---   | EXISTING MAJOR CONTOUR (5')         |
| - - - | EXISTING MINOR CONTOUR (1')         |
| ---   | EXISTING PROPERTY BOUNDARY          |
| ---   | EXISTING LEASE BOUNDARY             |
| ---   | EXISTING ADJACENT PROPERTY BOUNDARY |
| ---   | EXISTING EASEMENT                   |
| ---   | EXISTING 50' STREAM BUFFER          |
| ---   | EXISTING SANITARY SEWER LINE        |
| ---   | EXISTING OVERHEAD ELECTRIC          |
| ---   | EXISTING FENCE                      |
| ---   | EXISTING DITCH                      |
| ---   | EXISTING 500 YEAR FLOOD PLAIN       |
| ---   | EXISTING 100 YEAR FLOOD PLAIN       |
| ---   | EXISTING FLOODPLAIN                 |
| ---   | EXISTING WETLANDS                   |
| ---   | PROPOSED FENCE                      |
| ---   | PROPOSED UNDERGROUND ELECTRIC       |
| ---   | PROPOSED ACCESS ROAD                |
| ---   | PROPOSED TYPE D LANDSCAPE BUFFER    |
| ---   | PROPOSED SOLAR MODULE ARRAY         |

**THUNDERHEAD SOLAR, LLC SITE ENTRANCE DETAILS**

P/N: 776511812  
OWNER: CLIFTON MARK SMITH & LISA D. SMITH  
DB/PG: 002020/00750  
CURRENT ZONING: R-10  
PROPOSED ZONING: R-40 (CZ)  
LEASED ACREAGE: 0.402 (ACRES REQUESTED FOR REZONING)  
CURRENT LAND USE: RESIDENTIAL  
SITE ADDRESS: HUB MORRIS RD & HEATHWOOD DR, ASHEBORO, NC 27203  
PROPOSED USE: ACCESS DRIVEWAY FOR SOLAR ENERGY FARM ON ADJOINING PROPERTY (SEE CASE NO. CUP-18-16)  
NOTE: NO LANDSCAPING IS PROPOSED ON ACCESS EASEMENT



| REV | DATE | REVISION DESCRIPTION | BY | CHK | APP |
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|----------|----------------------------------------|
| 7/8/2021 | ZONING SITE PLAN - NORTH SITE ENTRANCE |
| DATE     | REVISION DESCRIPTION                   |
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|-------------------------------------|---------------|
| THUNDERHEAD SOLAR                   |               |
| 35.756464 - 79.790892               |               |
| ASHEBORO, NORTH CAROLINA            |               |
| PROJECT NAME AND ADDRESS            |               |
| Pure Power Contractors Inc.         |               |
| 2813 Gray Fox Rd                    |               |
| Monte, NC 28110                     |               |
| 877.648.8822                        |               |
| www.purepowercontractors.com        |               |
| © 2021 PURE POWER CONTRACTORS, INC. |               |
| NC License No. D-xxxx               |               |
| PROJ NO:                            | 01TR: BJ      |
| SIZE:                               | 24.0" x 36.0" |
| SCALE:                              | 1"=30'        |
| DRAWING NO:                         | REVISION      |
| C-112                               | 0.5           |



## **Application for Conditional Zoning District**

### **APPLICATION FEE**

A \$550 filing fee is required.

### **APPLICATION INSTRUCTIONS:**

The conditional zoning process can be complex. A Conditional Zoning District involves a proposal for a specific use that is customized to a particular property. In order to ensure compliance with application requirements, the applicant is **required** to have a pre-application conference with Planning and Zoning Department staff prior to submitting the application and paying the filing fee. Please contact staff at (336) 626-1201 ext. 225 to ensure application requirements are satisfied.

### **REQUIRED APPLICATION CONTENTS**

1. A pre-application conference with staff is **required** prior to the application being accepted. At this conference, staff and the applicant will discuss the rezoning request, the unique aspects of conditional zoning, the requirements for completing the review schedule, contact persons for services and permits, and information regarding site plans, landscaping, and other development requirements. This meeting must occur no more than sixty (60) days prior to the application filing deadline.
2. A legal description/deed reference of such land.
3. Six (6) copies of a site plan drawn to scale to be submitted to the Planning Board. The Planning Board will review the proposal and forward a recommendation, including conditions for the zoning, to City Council. The month following the Planning Board meeting, City Council will review the proposed Conditional Zoning District application and site plan and may adopt, not adopt, or refer the application back to the Planning Board for review of any revisions made to the site plan subsequent to the initial submittal of the application materials.
4. Letter to be mailed by applicant notifying neighboring property owners of the request. Consistent with Section 160D-602(e) of the North Carolina General Statutes, the applicant shall notify neighboring property owners of the requested conditional zoning as well as the location, time, and date on which the Planning Board will hold a legislative hearing on the request. This notice must be in the form of a mailed notice provided in compliance with the guidance found in Section 160D-602(a) of the North Carolina General Statutes. During the legislative hearing, the applicant shall report to the Planning Board on the delivery of the required notice and any communication with neighboring property owners and residents concerning the requested conditional zoning.

### **APPLICATION DEADLINES AND MEETING DATES**

The deadline for filing of applications for legislative hearings will be the day which is 55 days prior to the date of the City Council meeting for which the public hearing is to be set, provided that the deadline is no less than 17 days prior to the Planning Board's required legislative hearing; in these instances, the deadline will be 62 days prior to the date of the City Council meeting for which the public hearing is to be set.

If five (5) applications have been received prior to the cut-off date, the request will be heard the following month.

| <b><i>Application Deadline</i></b>                       | <b><i>Planning Board Meeting</i></b> | <b><i>City Council Meeting</i></b>              |
|----------------------------------------------------------|--------------------------------------|-------------------------------------------------|
| December 11, 2020                                        | Monday, January 4, 2021              | Thursday, February 4, 2021                      |
| January 8, 2021                                          | Monday, February 1, 2021             | Thursday, March 4, 2021                         |
| February 12, 2021                                        | Monday, March 1, 2021                | Thursday, April 8, 2021                         |
| March 12, 2021                                           | Monday, April 5, 2021                | Thursday, May 6, 2021                           |
| April 16, 2021                                           | Monday, May 3, 2021                  | Thursday, June 10, 2021                         |
| May 21, 2021                                             | Monday, June 7, 2021                 | Thursday, July 15, 2021                         |
| June 11, 2021                                            | Monday, July 12, 2021                | Thursday, August 5, 2021                        |
| July 16, 2021                                            | Monday, August 2, 2021               | Thursday, September 16, 2021                    |
| August 13, 2021                                          | Monday, September 13, 2021           | Thursday, October 7, 2021                       |
| September 10, 2021                                       | Monday, October 4, 2021              | Thursday, November 4, 2021                      |
| October 15, 2021                                         | Monday, November 1, 2021             | Thursday, December 9, 2021                      |
| *November, 2021: Confirm application deadline with staff | Monday, December 6, 2021             | *January, 2022: Confirm meeting date with staff |

**\*January, 2022 Council meeting dates are not set by Council until December, 2021.**

### **ITEMS TO BE SHOWN ON THE SITE PLAN:**

The application for a Conditional Zoning District shall include a site plan, which must be drawn to scale, with supporting information and text that specifies the actual use or uses intended for the Zoning Lot and any rules, regulations, and conditions that, in addition to all predetermined Ordinance requirements, will govern the development and use of the Zoning Lot. The following information must be provided, if applicable:

- 1) The actual shape, location, dimensions, and total acreage of the Zoning Lot; its zoning classification; the general location of the Zoning Lot in relation to major streets, railroads, and/or waterways; a north arrow; and, if the Zoning Lot is not of record, sufficient data to locate the lot on the ground;
- 2) All existing rights-of-way, easements, and reservations;
- 3) In addition to providing the shape, size, and location of any structure(s) already located on the Zoning Lot, the site plan must show the shape, size, and location of all structures to be erected, altered, or moved on the Zoning Lot;
- 4) Building elevations of all exterior facades at a minimum scale of 1/8" = 1';

- 5) The existing and intended use(s) of the Zoning Lot, specifically including the number of residential units and the total square footage of any nonresidential development;
- 6) The location and size of all yards, buffers, screening, and landscaping, including by way of illustration and not limitation front yard and parking lot landscaping, required by the Ordinance's predetermined standards for the general zoning classification applicable to the Zoning Lot or as otherwise proposed by the applicant;
- 7) All existing and proposed points of access to public streets;
- 8) Proposed phasing, if any;
- 9) The location and type of screening used to screen mechanical equipment;
- 10) The location, access to, and screening of a central solid waste area;
- 11) Traffic, parking, and circulation plans, specifically including the location and dimensions of off-street parking areas and loading spaces;
- 12) The grade separation of structure(s) and parking areas;
- 13) The paving material for parking areas;
- 14) Curb cuts;
- 15) The compliance of the proposed development with the Ordinance's predetermined sign regulations;
- 16) The level of compliance of the land use(s) proposed for the Zoning Lot with the Ordinance's predetermined performance standards for the general zoning classification assigned to the Zoning Lot, including by way of illustration and not limitation performance standards pertaining to light, noise, and vibration;
- 17) If applicable, the location of any flood zones;
- 18) The location of existing and proposed storm drainage patterns and facilities intended to serve the proposed development;
- 19) If applicable, the location of the watershed;
- 20) When required by the Ordinance's predetermined specifications, sidewalks; and
- 21) Information addressing the applicable permitting requirements of other local governmental agencies as well as federal and state agencies, including by way of illustration and not limitation, the North Carolina Department of Transportation and the North Carolina Department of Environmental Quality.

**APPLICANT INFORMATION**

*Applicant* Thunderhead Solar, LLC *Applicant's Phone #* (201) 432-1786

*Applicant's Address* 66 York Street, 5th Floor  
Jersey City, NJ 07302

*Applicant email address* assetmanagement@soltage.com

**PROPERTY INFORMATION**

*Property Owner's Name* Clifton Mark Smith & Lisa D. Smith

*Location of Property* 1008 Hub Morris Road *Property Size (ac. or s.f.)* 9.72 ac, area to be rezoned is approx. 0.402 acres

*Randolph County Property Identification Number (PIN#)* 7763511812

*Current Zoning District* R-10 *Requested Zoning District* R-40 (CZ)

*Date Property Title Acquired* December 4, 2018 *Deed Book* 002626 *Page* 00383

*Subdivision* \_\_\_\_\_ *Section* \_\_\_\_\_ *Lot #* \_\_\_\_\_

*Plat Book* \_\_\_\_\_ *Page* \_\_\_\_\_

**CONDITIONAL ZONING DISTRICT INFORMATION** (Attach additional sheets if necessary)

1. Application is hereby made to the City of Asheboro for a Conditional Zoning District for the following purpose:

On November 8, 2018, the City of Asheboro granted CUP-18-16 authorizing a solar farm to  
Thunderhead Solar, LLC. In the course of development, the driveway access has shifted  
slightly down Hub Morris Road and is now sited on the Smith property. In addition, the final  
point of interconnection is sited on the Smith property. As such, the Smith property will contain a  
site access point off of Hub Morris Road, an access drive, and certain interconnection facilities.  
Thunderhead Solar, LLC has a fully executed Access and Utility Easement Agreement with the  
Smiths. Thunderhead Solar, LLC is seeking this conditional rezoning to allow for the access  
driveway and interconnection facilities for the solar farm approved in CUP-18-16 to be sited on  
the Smith property.

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

Rezoning will be in furtherance of the development of the solar farm approved in CUP-18-16 and will allow generation of safe, inexpensive solar power and revenues for the city without the need for public services.

**For questions (3) and (4), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".**

3. 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.

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Does not apply ☒

4. 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?

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Does not apply ☒

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

The updated driveway location off Hub Morris Road, access drive, and interconnection facilities will not negatively impact the public and will allow the approved solar farm to proceed with development.

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

*Applicant Signature*

*Printed Name of Authorized Signatory (if different from Applicant)*

*Position/Relationship of Authorized Signatory to Applicant*

*Owner Signature (if different than Applicant)*

*Owner Address*

*1008 Hub Morris Rd  
Randall County, NC, 27317*

*Telephone Number*

*336-301-0784*

*Printed Name of Authorized Signatory (if different from Owner)*

*Clifton Mark Smith*

*Position/Relationship of Authorized Signatory to Owner*

|                                |                        |                             |
|--------------------------------|------------------------|-----------------------------|
| <b>STAFF USE</b>               |                        |                             |
| Received by: <u>John Evans</u> | Date: <u>7-16-2021</u> | Case Number: <u>RZ-21-1</u> |

**CITY OF ASHEBORO**  
**NOTICE OF CONDITIONAL ZONING DISTRICT HEARING**

This is to notify you that I (we) Thunderhead Solar, LLC have filed an application with the City of Asheboro for a Conditional Zoning District for the property located at 1008 Hub Morris Road for the purpose of an access driveway and interconnection facilities for the solar farm previously approved on the adjacent property in CUP-18-16. This includes rezoning a portion of the property (Randolph County PIN 77635121812) from R-10 Medium-Density Residential to R-40 (CZ) Low Density Residential Conditional zoning for this purpose.

On Monday, August 2, 2021, at 7:00 PM, the Planning Board will review the Conditional Zoning District request and forward its recommendation to City Council. As part of this process, you and others will have an opportunity to speak concerning the request and offer input.

On Thursday, September 16, 2021, at 7:00 pm the City Council will hold a public hearing on the Conditional Zoning District request. As part of this process, you and others again will have an opportunity to speak concerning the request and offer input.

The meetings will be held in the City Council Chambers, 146 North Church Street, Asheboro, NC. The Council, after considering the information/testimony presented during the public hearing and reviewing the report of the Planning and Zoning Department and recommendation of the Planning Board, will take action on the application. Such action may include approval of the request, referral back to the Planning Board, denial of the request, or approval of a modified version of the request on the basis of the Council's determination that such action is reasonably necessary to promote the public health, safety, or general welfare and to achieve the purposes of the adopted Land Development Plan. The meeting is open to the public and your participation is encouraged. If you have any questions, please contact the Planning and Zoning Department at 336-626-1201 Ext. 225. In addition, you may contact me (or my representative) Jonathan Roberts at 515-537-6738.

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

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

**RESOLUTION AUTHORIZING APPLICATION WITH THE NORTH CAROLINA  
DIVISION OF PARKS AND RECREATION FOR A LAND AND WATER  
CONSERVATION FUND GRANT (LWCF)**

**WHEREAS**, the City of Asheboro received public input via a Needs Assessment that confirmed a desire of citizens for more outdoor recreational opportunities and amenities; and

**WHEREAS**, the City of Asheboro adopted a Comprehensive Parks and Recreation Plan in 2021 to guide future development of the City's park system; and

**WHEREAS**, grant awards are the desired source of funding for the improvements proposed and recommended in the said plan; and

**WHEREAS**, increased public health, access, and well-being can be achieved if such improvements are made; and

**WHEREAS**, plans have been developed, and public support is given for a grant application to LWCF in 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Asheboro, North Carolina, that the City Manager is authorized to submit a grant application up to \$500,000 to the North Carolina Division of Parks and Recreation.

**BE IT FURTHER RESOLVED** that the City Council is committed to budgeting the required local matching funds upon award of a grant.

Adopted this 16<sup>th</sup> day of September 2021.

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**David H. Smith, Mayor**

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**Holly H. Doerr, CMC, NCCMC, City Clerk**



McCrary Baseball Park Improvements  
TENTATIVE PROJECT SCHEDULE with PHASES OF CONSTRUCTION  
Revised August 24, 2021

Sept 1, 2021 – April 15, 2022

Complete Construction Documents and Preconstruction Phase

- Separate bid package prepared for providing synthetic turf surface (including geotechnical construction) for entire playing field to be completed for use in Spring of 2022
- Design team finalizes design and prepares construction documents for the remaining scope of the project (5 month duration)
- Construction Manager at Risk (CMaR) is selected (Late October) and contract awarded in November
- CMR competitively bids and tabulates all subcontractor proposals to establish GMP based upon complete set of construction documents (Early March)
- Subtotal Cost:
 

|                                |                 |
|--------------------------------|-----------------|
| Design Fees _____              | \$ 377,915.00   |
| CMR Preconstruction Fee _____  | \$ 250,000.00   |
| Field Construction _____       | \$ 1,200,000.00 |
| Storm Drainage for Field _____ | \$ 100,000.00   |
|                                | \$ 1,927,915.00 |

April 15, 2022 – Sept. 15, 2022

Summer Use of Playing Field (Construction Phase One)

- Construction begins in areas that do not significantly impact 2022 baseball season
- Examples: Grading, paving, etc for new north parking lot, ticket/store/admin building and toilet buildings (port-o-let units used once existing toilet building is demolished)
- All building materials for future phases are procured and stock piled by CMR for immediate availability in other phases
- Subtotal : \$2,500,000.00

Sept. 15, 2022 – April. 15, 2023

Construction Phase Two

- Examples include removal of existing grandstands and dug-outs, relocation of west side bleachers, all utilities and infrastructure for baseball operations installed, foundations, columns, bleachers, seating and netting for new grandstands constructed
- New dug-outs (with toilets) completed
- Fans Plaza ±75% completed and concessions below the grandstands completed
- Retaining walls for new Beer Garden and for locker room building completed to avoid encroachment of construction during 2023 Baseball Season
- Subtotal: \$2,750,000.00



April. 15, 2023 – Sept. 15, 2023

Summer use of Playing Field (Construction Phase Three)

- Rework west side parking lot area
- Perform initial foundation, below slab rough-ins and carry masonry to 4'-0" above floor for Beer Garden/Kitchen and locker room buildings on backside of retaining walls during warm weather
- Subtotal: \$1,733,009.00

Sept. 15, 2023 – April 15, 2024

Construction Phase Four

- Complete construction of Beer Garden/kitchen and locker room buildings (if alternate bid from CMR is accepted), set roof canopies over grandstand seating, Beer Garden, Tot Lot and entrance gateway, complete remaining 25% of Fans Plaza
- Relamp sports lighting system (City of Asheboro)
- Provide new scoreboard (City of Asheboro)
- Rework batting cages (City of Asheboro)
- Complete landscaping, signage and all other related enhancements prior to 2024 baseball season (promotional signage by Owner)
- Subtotal: \$1,600,000.00

Mar. 15, 2024

Project 100% Complete for 2024 Season

Project design and construction budget target (excluding items self performed by City of Asheboro)

|              |                      |
|--------------|----------------------|
| Construction | \$10,006,048.00      |
| Design       | <u>\$ 504,875.00</u> |
| Total        | \$10,510,924.00      |

Costs for the following items are NOT included in the project budget listed above:

- Umpire locker room/ Maintenance building
- Batting cages
- Replacement sports lighting (LED fixtures)
- Replacement score board
- Foul ball netting
- Food service equipment for concessions and Beer Garden
- Moveable furniture for Beer Garden
- Surveying and testing expenses



McCary Baseball Park Improvements  
Asheboro, NC  
Revised Opinion of Probable Cost Following July Presentations  
August 24, 2021

**Revised Opinion of Probable Costs**

|                                                                                                      |              |
|------------------------------------------------------------------------------------------------------|--------------|
| Construction Costs Based Upon December 21, 2020 OPC<br>(Copy Attached) _____                         | \$7,896,048  |
| Adjustment for Post Covid Inflation Based Upon<br>July 13, 2021 Memo (Copy Attached) _____           | \$1,000,000  |
| Synthetic Turf Playing Surface for Entire Ball Field<br>(Per Fit Fields) _____                       | \$1,200,000  |
| Additional Fixed Stadium Seating at Beer Garden (Allowance) _____                                    | \$ 50,000    |
| Additional Retaining Wall and Grading at Relocated Tot Lot<br>To West Side of Park (Allowance) _____ | \$ 50,000    |
| Credit Umpire Locker/ Maintenance Building (Self-performed<br>By City of Asheboro) _____             | (\$ 190,000) |
| Revised Total Opinion of Probable Costs _____                                                        | \$10,006,048 |

Notes:

1. The Team Locker Room Building (estimated at \$1,800,000.00) will be bid as an alternate by the CMR.
2. The City of Asheboro will self-perform the following work that is not included in the estimate listed above:
  - Umpire locker room/Maintenance building
  - Batting cages
  - Replacement sports lighting (LED fixtures)
  - Replacement score board
  - Foul ball netting
  - Food service equipment for concessions and Beer Garden
  - Moveable furniture for Beer Garden
  - Surveying and testing expenses



McCrary Baseball Park Improvements  
Asheboro, NC  
Revised Estimate Design Fees  
August 24, 2021

#### Revised Fee Estimate

|                                                                                               |              |
|-----------------------------------------------------------------------------------------------|--------------|
| Fee Estimated Based Upon December 21, 2020 Summary<br>(Copy Attached) _____                   | \$420,700.00 |
| Synthetic Turf Surface Proposal/ Fit Fields _____                                             | \$ 74,250.00 |
| CPL Co-ordination and Consultation Required for Synthetic<br>Turf Playing Surface (10%) _____ | \$ 7,425.00  |
| CPL Revisions of Design Development Drawings Following<br>Asheboro Meetings in July _____     | \$ 2,500.00  |
| Total Remaining A/E Fees _____                                                                | \$504,875.00 |

The estimated remaining fees represent 5.05% of the revised probable construction costs.

These fees do not include:

- Geotechnical (soil borings) survey
- Additional/Detailed surveying for subsurface grading and drainage design
- Special inspections per building code for retaining wall construction
- Construction material testing (soil compaction and concrete compressive strength testing)

**PROJECT ORDINANCE  
MCCRARY BASEBALL PARK IMPROVEMENTS FUND  
FY 2021-2022**

WHEREAS, the City of Asheboro McCrary Ballpark was built in 1948 and undergone a number of renovations and upgrades over the years including the installation of synthetic field in the infield and construction of new dugouts, expansion of the press box and a multipurpose shelter beyond first base that has become known as the "snake" pit seating area, and;

WHEREAS, the City of Asheboro would now like to focus on upgrading the concession stands, bathrooms and stadium seating and replace synthetic turf on the infield and extend it to the outfield in order to be comparable to other baseball venues, and;

WHEREAS, the City of Asheboro would like to remodel the ballpark in phases to allow current teams (Asheboro High School, American Legion and Copperheads) to continue to use the ballpark and thus expect the work to take longer than one year, and;

WHEREAS, due to the uniqueness of managing and implementing the improvements between ball playing periods, the City of Asheboro wishes to hire a Construction Manager at Risk, and;

WHEREAS, the City of Asheboro expects to apply for grants and fundraise to support the cost associated with the anticipated improvements, and:

WHEREAS, the City of Asheboro desires to establish a project fund to cleanly account for the funding and the expenses related to this project in one location, and;

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

Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is adopted:

Section 1: The McCrary Baseball Park Improvements Fund is hereby authorized as a project with current revenues and expenditures projected as listed below.

Section 2: The officers of the City of Asheboro are hereby authorized to proceed with the project within the terms of the agreement approved by the City Council and the budget contained herein.

Section 3: The following revenues are anticipated to be available at this time for this project:

| <u>Line Item</u> | <u>Description</u>             | <u>Amount</u> |
|------------------|--------------------------------|---------------|
| 65-300-1000      | Contribution from General Fund | \$800,000     |

Section 4: The following amounts are appropriated as expenditures for this project:

| <u>Line Item</u> | <u>Description</u>                 | <u>Amount</u>   |
|------------------|------------------------------------|-----------------|
| 65-400-0000      | Construction Manager at Risk       | \$250,000       |
| 63-401-0000      | Architectural and Engineering Fees | 550,000         |
|                  | Total                              | <hr/> \$800,000 |

PROJECT ORDINANCE  
MCCRARY BASEBALL PARK IMPROVEMENTS FUND  
FY 2021-2022

Adopted this the 16th day of September 2021.

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David H. Smith, Mayor

ATTEST:

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Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND  
FY 2021-2022

WHEREAS, the City of Asheboro would like to appropriate funding for McCrary Ballpark improvements, and;

WHEREAS, the City of Asheboro desires amend the 2021-2022 budget to incorporate this expense and to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

| <u>Line Item</u> | <u>Description</u>      | <u>Increase</u> |
|------------------|-------------------------|-----------------|
| 10-399-0000      | Fund Balance Allocation | \$800,000       |

That the following Expense line items be increased:

| <u>Line Item</u> | <u>Description</u>                                      | <u>Increase</u> |
|------------------|---------------------------------------------------------|-----------------|
| 10-620-6500      | Contribution to McCrary Baseball Park Improvements Fund | \$800,000       |

Adopted this the 16th day of September 2021.

\_\_\_\_\_  
David H. Smith, Mayor

ATTEST:

\_\_\_\_\_  
Holly H. Doerr, CMC, NCCMC, City Clerk