

**AMENDED AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, APRIL 10, 2025, 6:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Public comment period.
4. Downtown Development Manager Addie Corder will present the Main Street Champion Award for 2025.
5. Chief Building Inspector Eddie Garner will present the 2024 Building Inspections Department Annual Report.
6. Consent Agenda:
 - (a) Approval of the meeting minutes for the regular city council meeting on March 6, 2025.
 - (b) Acknowledgement of the receipt of the meeting minutes for the Asheboro ABC Board meetings held on February 4, 2025, and March 4, 2025.
 - (c) Acknowledgement of the receipt from the Asheboro ABC Board of an amended budget for fiscal year 2024-2025.
 - (d) Acknowledgement of the receipt and acceptance of the list provided by the recreation services director with the 2025 Downtown Farmers' Market operational days, including special events.
 - (e) Acknowledgement of the receipt and acceptance of the list of operational hours proposed by the recreation services director for the city-owned outdoor pools during the 2025 season.
 - (f) Approval of the Community Development Division's request to schedule for the city council meeting on May 8, 2025, and to advertise, legislative hearings on the following zoning applications:
 - (i) RZ-25-09: Request to rezone property located at 124 Woodcrest Road (Randolph County Parcel Identification Number 7752905846) to an amended I2 (CZ) General Industrial Conditional Zoning District to allow a manufacturing, processing, and assembly-heavy; specifically a machine shop, warehouse, wholesale distribution, and open storage.

- (ii) RZ-25-10: Request to rezone property located on Mountain Road, Lincoln Avenue, and Springdale Lane (Randolph County Parcel Identification Number 7751362459) from RA6 (CZ) High-Density Residential Conditional Zoning to R10 (CZ) Conditional Zoning to allow single-family and two-family dwellings.
 - (g) Approval of the final decision document for land use Case No. SUP- 25-01.
 - (h) Acknowledgement of the receipt of the monthly report detailing major subdivisions administratively approved. *(There have been none approved.)*
 - (i) Approval of a special event/street closure order for the Katie Bunch Memorial 5k Run/Walk on May 3, 2025.
- 7. Community Development Director John Evans will present the initial testimony on the following meeting items.
 - (a) Legislative Hearing (Case No. RZ-25-06): Request to rezone property located at 411 and 441 North McCrary Street (including Randolph County Parcel Identification Numbers 7751450308, 7751450436, 77513359466, 7751450734, 7751450821) from R10 Medium-Density Residential to R10 Medium-Density Residential Conditional Zoning for five two-family dwellings.
 - (b) Legislative Hearing (Case No. RZ-25-07): Request to rezone property from OA6/RA6 Office-Apartment and High Density Residential to OA6 (CZ) Office-Apartment Conditional Zoning for development with multiple family dwellings located at 721 Sunset Avenue and 129 South Cherry Street (Randolph County Parcel Identification Numbers 77514297979, 7751520554, 7751520778, and 7751521594, 7751520778, and 7751521594). *[The applicant has requested a continuance to the May 8, 2025, city council meeting.]*
 - (c) Legislative Hearing (Case No. RZ-25-08): Request to apply City of Asheboro High-Density Residential Conditional Zoning (RA6 (CZ)) for development with multiple family dwellings and residential planned unit development with single-family dwellings on property located on Crestview Church Road, southwest of 1172 Crestview Church Road, approximately 110 feet southwest of Zoo Parkway. *[The applicant has requested a continuance to the May 8, 2025, city council meeting.]*
- 8. Community Development Director John Evans will provide an update on the upcoming vacancy on the City of Asheboro Planning Board.

9. Public Hearing – Appropriation of Funding for Economic Development Related Land Acquisition
 - (a) Kevin Franklin with Randolph County Economic Development will describe the land acquisition for which funding is requested.
 - (b) Opportunity for public comment on the proposed appropriation.
 - (c) Finance Director Deborah Reaves will request council action on the proposed appropriation.
10. McCrary Ballpark Renovation Project
 - (a) City Engineer Michael Leonard, PE will request council authorization to close out contract with Rodgers Builders and finalize sales tax appropriation.
 - (b) Finance Director Deborah Reaves will request council action on the following ordinances:
 - (i) Ordinance to amend the General Fund; and
 - (ii) Ordinance to amend the McCrary Ballpark Improvements Fund.
11. Recreation Services Director Jonathan Sermon will present the following recreation and cultural services items.
 - (a) Cone Health ZooCity Sportsplex – Playground Area
 - (i) Mr. Duncan and Mr. Cagle will request council action on a proposed solution for the current closure of the playground area.
 - (ii) Finance Director Deborah Reaves will request council action on an ordinance to amend the General Fund to provide the necessary funding for the corrective action.
 - (b) Recreation Services Director Jonathan Sermon will discuss and request approval of amended rules for the Downtown Farmers' Market.
12. Finance Director Deborah Reaves will describe and request council action on an ordinance to amend the General Fund to account for the purchase of a restroom trailer to serve as a shower and changing facility to be managed by the Fleet Department and made available for training purposes and special and emergency events.

13. Water Resources Director Michael Rhoney, PE will discuss and request council action on the award of contracts for the purchase of seven chemicals needed by the water and wastewater treatment plants for the time period of April 16, 2025, to April 15, 2026.

14. City Engineer Michael Leonard, PE will request council action on the following annexation petitions.

(a) Public Hearing – Annexation Petition submitted by Mark Braswell for property along Crestview Church Road.

[The petitioner has submitted a written request to continue this hearing to the next regular meeting on May 8, 2025.]

(b) Public Hearing – Lewallen Road Annexation Petition submitted by BLL Holdings, LLC:

- (i) Mr. Leonard will present the initial testimony;
- (ii) Opportunity for public comment on the question of annexation; and
- (iii) Council action on the proposed annexation ordinance.

(c) Annexation petition for 35,059 square feet of land, more or less, west of Uwharrie Street.

- (i) Mr. Leonard will describe the annexation petition.
- (ii) Council action on a resolution directing the city clerk to investigate the annexation petition.
- (iii) Council action on a resolution setting the date for a public hearing on the question of annexation.

15. City Engineer Michael Leonard, PE will present the following Asheboro Regional Airport items.
 - (a) Lease of 12,600 square feet, more or less, of space for hangar construction by the North Carolina Aviation Museum & Hall of Fame, Inc.:
 - (i) Discussion of recommendation from the Asheboro Airport Authority;
 - (ii) Opportunity for public comment on proposed lease agreement; and
 - (iii) Council action on a resolution approving the proposed lease agreement.
 - (b) Update on recommendations from the Asheboro Airport Authority for the upcoming 2025-2026 Fiscal Year Budget.
16. Proposed lease of space for electronic communications equipment on the S. Church Street elevated water tank:
 - (a) City Attorney Jeff Sugg will summarize the proposed lease agreement with Alltel Corporation d/b/a Verizon Wireless;
 - (b) Opportunity for public comment on the proposed lease agreement; and
 - (c) Council action on a resolution approving the proposed lease agreement.
17. City Attorney Jeff Sugg will request council action on a resolution confirming county street addressing authority within the city's extraterritorial planning jurisdiction.
18. Mayor Smith will lead the discussion of any items not on the agenda and upcoming events.
19. Adjournment.

City of Asheboro Building Inspections

2024 Annual Report



ASHEBORO
NORTH CAROLINA



Building Inspections Department Staff

Eddie L. Garner

Chief Building Inspector

Nathan Laughlin

Building Inspector II

Justin Gerringer

Building Inspector I

Tiffany Sheppard

Permit Technician



Dear Mayor and Members of the City Council,

It is with great pleasure that we present the Annual Building Report highlighting the significant progress and achievements within our city's construction sector over the past year.

As expected, 2024 proved to be a successful and busy year for our city's building inspections department. The number of permits issued, and inspections conducted saw a significant increase, reflecting a growing awareness of the necessity and importance of applying for building permits. All measures suggest that the city's interest in promoting building and public safety through the administration of state building codes are being achieved.

The dedication and hard work of our team have led to the successful completion of several major projects. Notable accomplishments include:

- Completion of Cone Health Cancer Center, Duke Energy Operations Center, Shell building for Starbucks, 44-unit subdivision off Crestview Church Rd., Historic Randolph Co. Courthouse addition, alterations at Randolph Mall for The Maker and Merchant and Shoe Dept.
- The ongoing projects include Randolph Farm, Food, and Family Education Center, Starbucks, Randolph Packing additions and alterations, South Asheboro Middle School, Fast Pace Urgent Care Facility, Jersey Mikes, Dollar General at North End.
- Planned projects include new hotels, Memorial Apartment Complex, several multifamily developments, South Asheboro Middle School, The Bank Hotel, and Novant Asheboro Pain & Ortho.

Our city's construction and development projects have shown a slight decrease in New Residential projects but an increase in New Commercial and alterations:

- New Residential Developments: \$12,694,370.00
- Residential Additions/Alterations: 3,561,791.00
- New Commercial Additions/Alterations: 10,599,772.00
- New Commercial: 6,029,021.00

In line with this growth, we are also in the process of training new hires to prepare them for the anticipated expansion our city looks forward to. It is my priority to equip new staff with the necessary skills and knowledge to effectively contribute to our ongoing and future projects. Justin Gerringer, our new building inspector, and Tiffany Sheppard, our permit technician, have successfully completed the NC Law and Administration class and passed the examination. Nathan Laughlin has been promoted to Building Inspector II after successfully obtaining all Level II certifications in building, electrical, plumbing, and mechanical trades. I am proud of our team's accomplishments and the professional service we provide to the city of Asheboro.

We are dedicated to sustainable growth and innovation in our city's building sector. Thank you for your ongoing support in making Asheboro a great place to be.

Respectfully,

Eddie Garner

Building Inspections Valuation Report

New Construction	Permits Issued	Valuation
Single Family Residence	50	\$8,666,732.00
SF Modular	1	\$250,000.00
Manufactured Homes	23	\$416,220.00
Townhome Dwellings	0	N/A
Duplex Dwelling	34	\$3,361,418.00
Apartments	N/A	N/A
Commercial New	20	\$6,029,021.00
		Total: \$18,723,391.00

Addition/Alteration	Permits Issued	Valuation
Residential	134	\$3,561,791.00
Commercial	65	\$10,599,772.00
		Total: \$14,161,563.00

Please note: Valuation included on these reports are estimated valuation by the contractor/homeowner for permitting purposes and were not provided by a tax assessor. Attached single-family residences (dwellings connected by common walls or floors, where each unit is intended for separate ownership) are considered single-family residences for purposes of this report.

Permit Valuations
Commercial
Previous 5 Years

Year	New Construction	Additions/Alterations	Total Valuations
2020	14,410,020.00	13,751,795.00	28,161,815.00
2021	45,921,975.00	11,358,984.00	57,280,959.00
2022	27,813,817.00	8,326,427.00	36,140,244.00
2023	27,808.658.00	12,353,779.00	40,162.437.00
2024	6,029,021.00	10,599,772.00	16,628,793.00

Please note: Valuation included on these reports are estimated valuation by the contractor/homeowner for permitting purposes and were not provided by a tax assessor.

**New Dwelling Units Constructed During Previous
10 years
2014-2023**

**Single Family Dwellings, Townhome Dwellings,
and Duplex Dwellings
(Excluding Manufactured Homes)**

Year	Permits
2014	14
2015	37
2016	51
2017	64
2018	91
2019	46
2020	85
2021	110
2022	52
2023	109
2024	85

Commercial and Residential
new construction, additions, and alterations

Permits and Valuations Issued
Previous 5 Years

(Excluding Manufactured Homes)

Commercial Permits Issued	Number of Permits	Valuation of Permits Issued
2020	57	\$18,008,595.00
2021	54	\$46,020,000.00
2022	63	\$14,754,903.00
2023	85	\$26,339,004.00
2024	85	\$16,628,793.00

Residential Permits Issued	Number of Permits	Valuations of Permits Issued
2020	156	\$10,153,220.00
2021	160	\$11,260,959.00
2022	187	\$21,385,341.00
2023	238	\$13,793,433.00
2024	242	\$16,922,893.00

Please note: Valuation included on these reports are estimated valuation by the contractor/homeowner for permitting purposes and were not provided by a tax assessor.

CITY OF ASHEBORO

COMMUNITY DEVELOPMENT DIVISION

Permit Summary Report Inspection Type

Inspection Date 01/01/2024 TO 12/31/2024

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Building - ABC Inspection	0	2	2	3	2	3	4	4	1	4	9	7	41
Building - Building Final	25	17	29	35	25	11	24	25	42	43	41	47	364
Building - Duct Seal Inspection	0	0	2	1	0	0	0	0	0	0	0	0	3
Building - Electrical Final	10	5	10	20	14	5	15	11	18	57	16	37	218
Building - Electrical Rough In	5	4	9	4	9	12	26	13	9	4	6	13	116
Building - Exterior Sheathing	0	0	0	0	1	0	0	1	1	0	1	0	4
Building - Fire Alarm Rough In	0	0	0	0	0	0	0	1	0	0	0	0	1
Building - Footing	20	13	14	16	10	14	20	15	6	20	11	10	171
Building - Foundation	9	8	16	8	4	3	6	3	5	9	7	9	87
Building - Framing Final	3	1	1	2	1	0	1	2	0	3	6	3	23
Building - Framing Rough In	7	12	20	15	20	20	45	34	16	13	10	13	225
Building - Grease Duct Light Test	0	0	0	2	0	0	0	0	0	0	0	0	2
Building - Insulation	13	5	11	7	14	11	34	35	6	8	5	8	157
Building - Mechanical Final	6	7	11	14	4	3	8	7	7	21	21	26	135
Building - Mechanical Rough In	1	5	8	3	0	9	16	13	3	2	11	3	74
Building - Misc Site Inspection	4	1	6	1	10	12	19	3	8	4	3	2	73
Building - Partial Footing	0	0	2	0	0	0	0	0	1	2	0	0	5
Building - Partial Foundation	1	0	1	0	0	0	0	0	0	0	0	0	2
Building - Partial Framing Rough In	1	1	3	4	1	0	0	2	1	3	0	0	16
Building - Partial Plumbing Rough In	0	2	1	2	0	3	0	0	0	0	1	0	9
Building - Plumbing Final	5	3	6	13	3	1	9	8	11	18	11	23	111
Building - Plumbing Rough In	5	2	8	6	8	13	11	9	4	3	13	0	82
Building - Sewer Line Inspection	1	0	0	0	0	1	0	1	0	0	1	0	4
Building - Slab	5	3	15	23	11	21	9	5	3	0	4	7	106
Building - Temp Power Electrical	0	1	2	1	0	0	0	1	0	0	0	0	5
Building - Under Slab Electrical	6	0	6	1	1	0	3	1	3	2	1	1	25
Building - Under Slab Plumbing	10	7	19	11	15	12	9	1	0	0	0	4	88
Building - Water and Sewer Line Inspection	1	0	4	2	1	1	2	1	4	1	2	3	22
Building - Water Line Inspection	0	1	0	0	0	0	0	40	0	0	1	1	43
Electrical - Final	20	25	34	19	21	27	21	31	46	37	20	15	316
Electrical - Misc Inspection	1	0	3	1	0	3	2	2	1	17	0	1	31

Electrical - Pre Final Electrical	4	14	9	0	1	0	2	8	5	13	13	3	72
Electrical - Rough In	5	9	10	13	15	16	41	42	16	12	7	13	199
Electrical - Temp Power	7	7	3	7	1	10	10	6	3	2	6	5	67
Fire - Operational Blasting on Site	1	0	0	0	0	6	3	0	0	0	0	0	10
Fire Construction Fire Flow	0	0	0	0	0	0	0	0	1	0	0	0	1
Fire Construction Alarm Acceptance Test	0	0	0	0	1	0	0	1	2	1	0	0	5
Fire Construction Hood Suppression Acceptance	0	2	0	0	4	0	0	0	0	0	0	0	6
Fire Construction Hydrostatic Test	0	0	0	0	0	0	0	0	1	0	0	0	1
Fire Construction Sprinkler Acceptance	0	0	0	0	0	0	0	0	1	0	0	0	1
Fire Construction Tank Removal	0	0	1	0	0	0	0	0	0	0	0	0	1
Mechanical - Duct Seal Inspection	0	0	1	0	2	1	0	0	1	1	1	2	9
Mechanical - Final	15	13	6	19	6	13	21	23	30	32	11	14	203
Mechanical - Rough In	4	11	11	7	26	7	16	22	10	9	8	3	134
Plumbing - Final	4	13	9	18	11	4	9	19	41	7	10	7	152
Plumbing - Rough In	5	12	5	13	13	9	30	24	14	5	10	3	143
Plumbing - Sewer Line	6	3	6	3	9	15	18	6	1	0	1	0	68
Plumbing - Shower Pan	0	0	0	0	1	0	1	0	1	0	0	0	3
Plumbing - Water and Sewer Line	0	1	2	4	2	10	6	5	4	6	1	1	42
Plumbing - Water Line	0	16	0	2	1	4	4	1	1	1	0	1	31
Totals:	210	226	306	300	268	280	447	426	332	360	269	285	3709

**REGULAR MEETING MINUTES
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, MARCH 6, 2025
6:00 P.M.**

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

David H. Smith	) – Mayor Presiding
Clark R. Bell	)
Edward J. Burks	)
Kelly L. Heath	)
William N. McCaskill	) – Council Members Present
Walker B. Moffitt	)
Charles A. Swiers	)
W. Joseph Trogdon, Jr.	)

John N. Ogburn, III, City Manager
Jimmy L. Cagle, Jr., Facilities Maintenance Director
Timothy E. Cockman, Fire Chief
Andrew N. Connor, Assistant Public Works Director
Addie R. Corder, Downtown Development Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
John L. Evans, Community Development Director
Steven B. Hackett, CPA, Deputy Finance Director
N. Byron Hill, Police Captain
David J. Hutchins, Public Works Director
W. Preston King, Deputy Fire Chief
Michael L. Leonard, PE, City Engineer
Justin T. Luck, Planning/Zoning Director
Trevor L. Nuttall, Assistant City Manager
Spencer C. Patton, EI, Assistant City Engineer
Deborah P. Reaves, Finance Director
Michael D. Rhoney, PE, Water Resources Director
Thomas Scaramastra, PLS, City Surveyor
Jonathan M. Sermon, Recreation Services Director
Jeffrey C. Sugg, City Attorney
Tammy M. Williams, Engineering Assistant/Deputy City Clerk

1. Call to Order

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

2. Moment of Silent Prayer and Pledge of Allegiance

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

3. Public Comment Period

Mayor Smith opened the floor for comments from the public, and none were offered. Mayor Smith closed the public comment period.

4. Summer Concert Series

Downtown Development Manager Addie Corder highlighted the summer concert series for 2025. The slate for the summer concert series is as follows:

The Sunday Summer Concert Series will include The Entertainers, Envision, The Band of Oz, The Special Occasion Band, and Eric and the Chill Tones. The Friday Summer Concert Series will include Live Wire, Fix You Coldplay, Slippery When Wet, and Chicago Rewired.

No formal action was taken by the council during this portion of the meeting.

5. The Year-End Audit Report for Fiscal Year 2023-2024

Mr. Hunter Wiseman with the firm of Thompson, Price, Scott, Adams & Co., PA discussed the audit report for the fiscal year that ended June 30, 2024. During his presentation, Mr. Wiseman reported that the city received what is commonly referred to as a “clean audit” (also referred to as an “unmodified opinion”). A “clean audit” means the city’s financial statements are fairly presented in accordance with generally accepted accounting principles for the fiscal year ending June 30, 2024.

A copy of the written audit report is available for inspection in the city’s finance department.

No formal action was taken by the council during this portion of the meeting.

6. Review of the City’s Historical Financial Performance

City Manager John Ogburn discussed the city’s financial performance from 2001 through 2024. No formal action was taken by the council during this portion of the meeting.

7. Randolph County’s Taxable Retail Sales Numbers

Mr. Ogburn reported that, overall, the Randolph County retail sales numbers have increased over a period from 2018 through 2024. No formal action was taken by the council during this portion of the meeting.

8. Status Report on Prioritized Capital Projects

Mr. Ogburn reported that in February 2024, the city council heard reports on various capital projects and with the assistance of the Piedmont Triad Regional Council Assistant Director, Matt Reece, prioritized on-going or pending projects. The council then directed the city staff on how to proceed with the projects. Since the workshop in February 2024, there have been developments related to the projects.

(A) Trade Street Infrastructure Project

(i) Current State of the Project

Public Works Director David Hutchins utilized a slide show presentation and reported on the status of the Trade Street Infrastructure Project. According to Mr. Hutchins, the city staff is awaiting the finalization of the 90% plan set from the Wooten Company. Prior to completing the plan set, Duke Energy suggested a different layout for underground power. Plans from Duke Energy that can be incorporated into the project documents are expected to be provided soon.

The project team is discussing the ideal time to bid the project and to begin construction with the idea of minimizing disruption to businesses and property owners as much as possible. The project is expected to be completed within 10 months from the commencement date.

The city is planning to partner with Downtown Asheboro Inc. to make grants available to property owners in order to cover up to \$5,000 of expenses related to the necessary upgrades to electrical services dictated by Duke Energy. That funding is anticipated to be the city's only contribution of funds related to the infrastructure project. That amount is currently estimated to be approximately \$150,000 and is intended to ensure all existing services will be able to be reconnected to power after overhead lines are placed underground.

A copy of the slide show presentation utilized by Mr. Hutchins is on file in the city clerk's office.

(ii) Redirection of Remaining State Capital Infrastructure Fund

Finance Director Deborah Reaves reported that the City of Asheboro received a \$1.5M grant for the purchase and other expenses relating to the historic McCrary Mill Building. The amount spent using these grant funds before the building was sold totaled \$1,231,749.08, leaving \$268,250.92 unspent.

Since the grant is specifically tied to the historic McCrary Mill Building, the City of Asheboro needs to ask legislators for a technical correction, changing or expanding the scope of the grant so that the expenses may be allowed for another purpose. Considering the ongoing Trade Street Project, Ms. Reaves requested that the City of Asheboro reach out to the legislators to request a technical correction requesting that the remaining funds be allocated to either "Asheboro Downtown Facilities" or more specifically allocated to the Trade Street Improvements Project. A general consensus of the council emerged in support of moving forward with Ms. Reaves' request/suggestion. More formal action (i.e., the adoption of a resolution) will be brought before the council after clarification of need procedural actions is received from state officials.

(B) Emergency Operations Center/Fire Station #3 Project

(i) Current State of the Project

Fire Chief Eddie Cockman and Deputy Fire Chief Preston King utilized a slide show presentation and updated the council on the current status of the Emergency Operations Center/Fire Station #3 Project. In addition to his report, Chief Cockman presented a preliminary concept plan for the center and highlighted that the city staff has been working with the architect in order to develop plans that are functional and provide for the needs of the department while managing the potential cost of the project.

The current plan design is for a single-story 2-bay facility of up to approximately 13,000 square feet. The proposed plans include, but are not limited to the following amenities, a hot zone or vehicle bays with a staircase to the mezzanine floor, a clean/dirty room, tool shop, compressor room, and a public area with a lobby and training room, a private area or dayroom with a kitchen, sleeping rooms, and bathroom facilities.

The project team is still awaiting concurrence from FEMA on the Environmental and Historical Screening documents submitted in October 2024. An extension of the FEMA grant has already been authorized. Approximately \$4.9 million in non-city funds is currently dedicated to the project.

The entire facility is projected to be completed by the end of 2026. Plans for the construction of a roadway and utilities are expected to begin later this year following a bid process. These plans are ready and are awaiting final permits from the North Carolina Department of Transportation and the North Carolina Department of Environmental Quality.

A copy of the slide show presentation utilized by Chief Cockman and Deputy Chief King is on file in the city clerk’s office.

(ii) **Budget Ordinances Relating to the Emergency Operations Center/Fire Station #3**

(a) **Project Ordinance – Emergency Operations Center/Fire Station #3 Capital Reserve Fund**

Ms. Reaves presented and recommended adoption, by reference, of a project ordinance relating to the Emergency Operations Center/Fire Station #3 for fiscal year 2024-2025. Council Member Bell moved, and Council Member Heath seconded the motion to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

4 ORD 3-25

PROJECT ORDINANCE
Emergency Operating Center / Fire Station #3 Capital Reserve Fund
FY 2024-2025

WHEREAS, The City of Asheboro is estimating the cost to be between \$7-9 million dollars for design and construction of the Emergency Operating Center / Fire Station #3 (EOC/FS#3).

WHEREAS, the City of Asheboro desires to set up a capital reserve fund to save and restrict money as additional resources for this capital project.

WHEREAS, the City of Asheboro desires to transfer \$2 million dollars from the general operating fund to the capital reserve fund.

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 Reserve Project Ordinance is adopted:

Section 1: The Emergency Operating Center / Fire Station 3 (EOC/FS#3) Capital Reserve Fund is hereby authorized as a capital reserve fund 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 capital reserve 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:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
60-000-300.0000-60	GF Contribution	\$2,000,000

Section 4: The following expenditures are anticipated.

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
60-000-930.7100-60	Transfer to EOC / FS#3 capital project Fund #71	2,000,000

Adopted the 6th day of March 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(b) Ordinance to Amend the General Fund

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the general fund for fiscal year 2024-2025. Council Member Heath moved, and Council Member Burks seconded the motion to adopt the following ordinance by reference. There were no dissenting votes.

5 ORD 3-25

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2024-2025**

WHEREAS, The City of Asheboro is constructing an Emergency Operating Center / Fire Station #3 (EOC / FS#3).

WHEREAS, the current estimated cost for the EOC/ FS#3 is \$7-9 million dollars.

WHEREAS, the City of Asheboro wishes to transfer from fund balance to the newly created reserve fund named Emergency Operating Center / Fire Station #3 Reserve Fund.

WHEREAS, the City of Asheboro wishes to amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

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

That the following revenue line item be increased / decreased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-000-399-0000	Fund Balance Allocation	2,000,000

That the following expense line item be increased / decreased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-530-585.0060	Transfer to EOC / FS Reserve Fund	2,000,000

Adopted this 6th day of March 2025,

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

[Prior to the consideration of agenda item 8(C), which pertained to the McCrary Ballpark Project, Council Member Trogdon moved, and Council Member Swiers seconded the motion, to suspend the rules and move agenda item 8(C) to the end of the agenda. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.]

(C) Jarrell Center City Garden (Formerly Agenda Item No. 8(D))

(i) Current State of the Project

Assistant City Manager Trevor Nuttall utilized a slide show presentation and requested the authorization of an engagement with Insight Planning and Development, a firm experienced in CDBG Administrative Services. The firm would assist the city with a program amendment, meeting the submission requirements provided by the North Carolina Department of Commerce (NCDOC) to reassign more than \$240,000 in remaining CDBG-CV funds for the construction of the Jarrell Center City Garden. City staff has been talking with the firm since the council authorized a request for proposals several months ago. City staff now believes there is a path forward to gain the necessary approvals reassigning these funds.

The funds may time out in early 2026, and it could take up to 90 days to complete the amendment process with the NCDOC and HUD. City staff had previously requested an amendment from the state but it was rejected. With the assistance of Insight Planning and Development, city staff believes there is a more compelling case for the amendment. The amendment process has grown increasingly complex due to state and federal requirements and requires additional work that will be most efficiently handled by Insight.

If the amendment is successful, the city would only need to appropriate \$60,000 in additional local funds to access \$540,000 in federal funds, which thus far remain unaffected by efforts at the federal government to trim spending. The proposal is phased with the amendment process (Phase A) costing \$15,000. Upon success of the amendment, the city could then direct Insight to assist with grant fund monitoring related to the construction activities (Phase B) at a cost of \$20,000. The costs for Phase B could be paid from the \$240,000 of reassigned funds.

A copy of the slide show presentation utilized by Mr. Nuttall is on file in the city clerk's office.

(ii) Council Action on the Proposal from Insight Planning and Development

Council Member Bell moved, and Council Member Heath seconded the motion to approve the entirety of the proposal from Insight Planning and Development. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

(D) Zoo City Loop Project (Formerly Agenda Item No. 8(E))

City Manager John Ogburn utilized a slide show presentation in order to discuss the Zoo City Loop Project. As reported to the council in October 2024, the city has been informed that the North Carolina Department of Transportation (NCDOT) was expecting to be able to increase the initial award through the Carbon Reduction Program from \$440,000 to \$586,000, thereby reducing the city's required match from \$293,333 to \$146,667.

The funding was provided via an application that the city submitted to support the launch of the proposed Zoo City Loop Deviated Fixed Route to be operated in partnership with the Randolph Senior Adults Association (specifically RCATS). The money was to be used to purchase four (4) electric light transit vehicles and could also cover some ancillary expenses related to upgrading the power necessary for the charging infrastructure. The city staff believes there is currently some uncertainty related to this funding as a result of efforts at the federal government aimed at trimming spending.

No formal action was taken by the council during this portion of the meeting. A copy of the slide show presentation utilized by Mr. Ogburn is on file in the city clerk's office.

9. Council Action on the Community Development Division's Request to Schedule and Advertise the Required Public Hearing on a Proposed Appropriation to the Randolph County Economic Development Corporation

Mr. Ogburn requested the authorization to schedule and advertise the required public hearing on a proposed appropriation of \$119,900 to the Randolph County Economic Development Corporation for industrial site development. Council Member Bell moved, and Council Member Swiers seconded the motion to authorize the scheduling and advertising of the required public hearing on the proposed economic development appropriation. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

[As previously noted in these minutes, the council suspended the rules and moved agenda item 8(C) to the end of the meeting. Likewise, since agenda item 10 is essentially related to agenda item 8(C) involving McCrary Ballpark, Council Member Bell moved, and Council Member Heath seconded the motion to move agenda item 10 to the end of the meeting. Council Members, Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.]

10. Consent Agenda (Formerly Agenda Item No. 11)

Council Member Burks moved, and Council Member Bell seconded the motion to approve/adopt the following consent agenda items. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

(A) Approval of the City Council Meeting Minutes for January 9, 2025

The meeting minutes for the city council's regular meeting on January 9, 2025, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(B) Approval of the City Council Meeting Minutes for February 6, 2025

The meeting minutes for the city council's regular meeting on February 6, 2025, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(C) Acknowledgement of the Receipt of the Meeting Minutes for the Asheboro ABC Board Meeting Held on January 7, 2025

The meeting minutes for the above-listed Asheboro ABC Board meeting were received and distributed to the elected officials. The document has been filed in the city clerk's office.

(D) Approval of the Community Development Division's Request to Schedule for the City Council Meeting on April 10, 2025, and to Advertise Legislative and Quasi-Judicial Hearings for the Three Cases Listed Below.

- (i) **RZ-25-06: Request to rezone property from R10 Medium-Density Residential to R10 (CZ) Medium-Density Residential Conditional Zoning for five two-family dwellings located at 411 and 441 North McCrary Street (Randolph County Parcel Identification Numbers 7751450308, 7761450436, 7751359466, 7751450734, 7751450821).**
 - (ii) **RZ-05-07: Request to rezone property from OA6/RA6 Office Apartment and High Density Residential to OA6 (CZ) Office Apartment Conditional Zoning for development with multiple family dwellings located at 721 Sunset Avenue and 129 South Cherry Street (Randolph County Parcel Identification Numbers 775142797, 7751520554, 7751520778, and 7751521594).**
 - (iii) **RZ-25-08: Request to apply City of Asheboro High-Density-Residential zoning RA6 (CZ) for development with multiple family dwellings on property located on Crestview Church Road, southwest of Zoo Parkway (Randolph County Parcel Identification Number 7669360946.**
- (E) **Acknowledgement of the Receipt of Monthly Report Detailing Major Subdivisions Administratively Approved**

There have been none approved.

- (F) **Approval of Amendments to the Meeting Minutes for the Regular City Council Meetings Held in November and December 2024 to Correct Certain Clerical Errors**

Clerical errors were discovered in the previously approved meeting minutes for November 7, 2024 and December 5, 2024. Certain ordinance numbers were incorrectly assigned in the referenced meeting minutes. With the approval of the consent agenda, the corrected ordinance numbers were noted and approved. Updated meeting minutes have been posted to the city's website.

- (G) **Approval of the Final Decision Document for SUP-24-02**

**Case No. SUP-24-02
Final Decision Document
City Council of the City of Asheboro, North Carolina**

**IN THE MATTER OF AN APPLICATION FOR A
SPECIAL USE PERMIT AUTHORIZING A BILLBOARD**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING THE
REQUESTED SPECIAL USE PERMIT**

THIS SPECIAL USE PERMIT APPLICATION was brought before the City Council of the City of Asheboro (the "City Council") for a quasi-judicial hearing that, after continuances from the City Council's regular meetings in December 2024 and January 2025, was conducted during a regular meeting on February 6, 2025. After receiving documentary evidence and sworn testimony, the City Council, on the basis of competent, material, and substantial evidence, hereby enters the following:

FINDINGS OF FACT

1. By and through member-manager Eric T. Lambeth, Jaeco General Contracting, L.L.C., a North Carolina limited liability company, applied for a special use permit (“SUP”) authorizing the installation of a 10' X 30' digital LED billboard sign on the northwest corner of the applicant’s property. This application was received by city planning department staff on October 11, 2024.

2. The billboard is proposed for a single parcel of land with 727 Jaeco Caudill Drive as the street address. This location is at the intersection with North Carolina Highway 49 South. The parcel of land at issue (the “Zoning Lot”) is owned by the applicant and is approximately 9.51 acres in size. The Zoning Lot is more specifically identified by Randolph County Parcel Identification Number 7740511663.

3. City of Asheboro Community Development Director John Evans was placed under oath and presented testimony focused on the information in the written city staff report submitted and discussed during the hearing. This testimony included the following items:

- (A) The existing and principal land use on the Zoning Lot is classified under the City of Asheboro Zoning Ordinance (the “AZO”) as a manufacturing, processing, and assembly land use;
- (B) The billboard proposed for the Zoning Lot is classified under the AZO as a “Signs, Off Premise Billboard & Poster Panel, etc.” land use;
- (C) The height of the proposed billboard is 30' above grade, and the face will primarily be a digital LED display;
- (D) The Zoning Lot is surrounded primarily by industrially zoned parcels, with some residential uses in the area (the residential property is approximately 300' away);
- (E) The Zoning Lot is located in an I2 zoning district, and the proposed new land use is permitted in this zoning district;
- (F) North Carolina Highway 49 South is a state-maintained major thoroughfare, and Jaeco Caudill Drive is a state-maintained road;
- (G) The Zoning Lot is approximately 600' northeast of the United States Highway 64 Bypass interchange;
- (H) Billboards are also subject to review and approval by the North Carolina Department of Transportation (“NCDOT”);
- (I) The applicant responded positively to city staff comments and provided revisions to the land use plan to confirm the billboard would be located outside the public right-of-way and to provide information on finished grade, details on construction materials and method of construction, light intensity, frequency of changeable copy, and information on retention of vegetation;
- (J) The Growth Strategy Map indicates that the Zoning Lot is in a primary growth area, and the Proposed LDP Map designates the area as industrial; and
- (K) In combination with the AZO, the applicant has submitted the required site plan.

4. Billboards are subject to special use regulations that are specified for “Signs, Off Premise” in AZO Section 5.05(19). This subsection provides is quoted below in italics.

Off premise signs may be permitted in I1, I2, and I3 Districts in accordance with Chapter 7: Sign Regulations, provided the following additional regulations are met.

- (1) Off premise signs may only be located along existing major thoroughfares or freeways as identified by the adopted Asheboro Thoroughfare Plan.*
- (2) The zoning district shall have at least 1,000 linear feet frontage along the major thoroughfare or freeway in question.*
- (3) Off premise sign structures shall be located a minimum of 1,000 linear feet apart as measured along the center line of the major thoroughfare or freeway. Only one off premise sign structure may occur every 1,000 linear feet.*
- (4) Off premise signs shall not exceed thirty-five (35) feet in height.*
- (5) Off premise signs shall be rectangular in shape and no part of the advertising face or copy shall extend or protrude beyond the outer limits of the rectangle.*
- (6) No portion of the off premise sign supporting structure shall be visible above the rectangular sign face.*
- (7) Off premise signs shall be limited to freestanding ground signs, only.*
- (8) No additional signs shall be permitted on any part of the supporting structure or bracing of an off premise sign.*
- (9) A billboard sign face area shall not exceed three-hundred (300) square feet in size.*
- (10) Off premise signs may only be single-faced, double-faced (back to back) or multi-faced provided that:*
 - (a) The total sign faces in any one direction do not exceed size requirements set forth in (9) above.*
 - (b) There is a definite distinction (such as a border or trim) between the individual sign faces to separate advertising copy.*
 - (c) The backs of back-to-back/double-faced signs are not separated by more than thirty-six (36) inches.*
 - (d) Double-faced or multi-faced signs when constructed in the form of a "V" when viewed from above or below, shall not exceed an angle (as measured at the apex) greater than forty-five (45) degrees.*
 - (e) Double-faced or multi-faced signs shall be structurally tied together to be considered as one structure.*
 - (f) Multi-faced signs shall not have more than two (2) sign faces per structure.*
- (11) Landscaping and screening shall be provided subject to the approval of the Planning Department. No undue undercutting of existing vegetation shall be permitted.*
- (12) No billboard shall be permitted within 100 linear feet of any residential district (R40, R15, R10, R7.5, and RA6).*

- (13) *Off premise signs as provided for under Chapter 7 shall not be required to comply with the provisions set forth in this Section.*
- (14) *Off premise signs must comply with regulations established by the N.C. Board of Transportation. However, the State or city requirement that is more stringent or restrictive shall apply. It is the responsibility of the sign owner to insure compliance with State and city regulations.*
- (15) *An application for a Special Use Permit as required under this Section shall be accompanied by plans showing the following information:*
 - (a) *Location of the proposed billboard, including setback from public right-of-way.*
 - (b) *Location of any existing buildings or structures within 100 feet of the proposed billboard.*
 - (c) *Location of proposed billboard in relation to any residential district (R40, R15, R10, R7.5, and RA6) to enable a determination of compliance with this Section.*
 - (d) *Size of the proposed billboard including the number of sign faces and their dimensions, as well as the proposed height of said billboard.*
 - (e) *Proposed method of landscaping and screening.*
 - (f) *Proposed removal of any existing vegetation.*
 - (g) *Type of construction material and method of construction.*

5. Mr. Evans offered uncontroverted testimony that, with the inclusion of the staff recommended supplemental conditions, the applicant's proposal, specifically including the required site plan, complied with the applicable AZO conditions and specifications.

6. The supplemental conditions proposed by city staff were entered into the record by Mr. Evans. These proposed conditions were stated as follows in italics.

- (A) *In addition to any use permitted by right in the I2 zoning district, the use approved shall be one off-premises billboard, classified as "Signs, Off Premise Billboard & Poster Panel, etc." and consistent with the approved plan and the requirements of AZO Section 5.05(19).*
- (B) *Prior to the issuance of a zoning compliance permit, the following must be completed:*
 - (i) *The applicant shall obtain any required NCDOT permits; and*
 - (ii) *A final decision document authorizing the SUP must be approved by the City Council.*
- (C) *Electronic changeable copy shall operate on a five second minimum delay.*
- (D) *Maximum brightness levels shall not exceed 5,000 nits during daylight hours and shall not exceed 500 nits between dusk and dawn, as measured from the sign face.*

7. Nick K. Blackwood, Esq. offered testimony and submitted supplementary documentary evidence on behalf of the applicant. Mr. Blackwood noted that the plans submitted by the applicant have been stamped by a professional engineer, who was available to testify if needed. The proposed billboard is in an industrially zoned district, abuts a state

highway, and, as evidenced by photographs used during the hearing, the proposed billboard raises no sight line concerns.

8. On behalf of his client, Mr. Blackwood accepted the above-stated supplementary conditions that were initially proposed by the city planning staff.

9. H.R. Gallimore, CCIM with RE/MAX Central Realty in Asheboro is a commercial realtor, and he provided sworn expert testimony during the hearing of this matter. In Mr. Gallimore's professional opinion, the proposed land use will not have a negative impact on the value of adjoining properties. No testimony was offered in opposition to this expert opinion.

10. Furthermore, no testimony of any kind was offered in opposition to the requested SUP.

11. AZO Section 2.03(B)(2)(b) provides, in pertinent part, the City Council must find that the following general standards have been met by an applicant for approval of a SUP to be granted:

- (i) *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.*
- (ii) *That the use meets all required conditions and specifications.*
- (iii) *That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.*
- (iv) *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.*

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

CONCLUSIONS OF LAW

1. When an applicant has produced competent, material, and substantial evidence tending to establish the existence of the facts and conditions required by the AZO for the issuance of a SUP, prima facie the applicant is entitled to the permit. A denial of the permit has to be based upon findings contra that are supported by competent, substantial, and material evidence appearing in the record.

2. In this case, the applicant has properly applied for the SUP needed to lawfully develop the billboard land use proposed for the Zoning Lot. All aspects of the application are compliant with the AZO.

3. On the basis of the evidence and sworn testimony presented during the hearing, the City Council has concluded that the proposed land use meets the special use regulations applicable to billboards as well as the four general standards for issuing the requested SUP. More specifically, the proposed use will not materially endanger public health or safety; meets all required conditions and specifications of the AZO; will not substantially injure the value of adjoining or abutting property; and will be in harmony with the area in which it is to be located and is in general conformity with Asheboro's plan of development.

4. The applicant is entitled to the requested SUP.

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

ORDER

The applicant is hereby issued a SUP authorizing the billboard proposed for the Zoning Lot. This SUP shall be valid so long as, and only so long as, the applicant and the applicant's heirs, successors, and assigns develop and conduct the approved land use in compliance with the provisions of the Asheboro Zoning Ordinance, the approved site plan, and remain in compliance with the conditions listed below.

- (A) In addition to any use permitted by right in the I2 zoning district, the use approved shall be one off-premises billboard, classified as "Signs, Off Premise Billboard & Poster Panel, etc." and consistent with the approved plan and the requirements of AZO Section 5.05(19).
- (B) Prior to the issuance of a zoning compliance permit, the following must be completed:
 - (i) The applicant shall obtain any required NCDOT permits; and
 - (ii) A final decision document authorizing the SUP must be approved by the City Council.
- (C) Electronic changeable copy shall operate on a five second minimum delay.
- (D) Maximum brightness levels shall not exceed 5,000 nits during daylight hours and shall not exceed 500 nits between dusk and dawn, as measured from the sign face.

The foregoing final decision document was adopted by the Asheboro City Council in an open session during a regular meeting held on March 6, 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

- (H) **Acknowledgement of the Filing in the City Clerk's Office of the Oath of Office Forms Executed by the Members of the Asheboro Airport Authority on February 26, 2025**

The city council members received copies of the following oath of office forms that were executed by the members of the Asheboro Airport Authority on February 26, 2025.

OATH OF OFFICE

ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Bobby J. Crumley, do solemnly and sincerely affirm that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a member of the Asheboro Airport Authority.

/s/Bobby J. Crumley
Bobby J. Crumley

Affirmed and subscribed before me this 26th day of February, 2025.

/s/Tammy M. Williams
Tammy M. Williams
Deputy City Clerk

OATH OF OFFICE

ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Stephen R. Knight, do solemnly and sincerely affirm that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a member of the Asheboro Airport Authority.

/s/Stephen R. Knight
Stephen R. Knight

Affirmed and subscribed before me this 26th day of February, 2025.

/s/Tammy M. Williams
Tammy M. Williams
Deputy City Clerk

OATH OF OFFICE

ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Bradley Lanier, do solemnly and sincerely affirm that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a member of the Asheboro Airport Authority.

/s/Bradley Lanier
Bradley Lanier

Affirmed and subscribed before me this 26th day of February, 2025.

_____/s/Tammy M. Williams
Tammy M. Williams
Deputy City Clerk

OATH OF OFFICE

ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Mark Vuncannon, do solemnly and sincerely affirm that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a member of the Asheboro Airport Authority.

_____/s/Mark Vuncannon
Mark Vuncannon

Affirmed and subscribed before me this 26th day of February, 2025.

_____/s/Tammy M. Williams
Tammy M. Williams
Deputy City Clerk

OATH OF OFFICE

ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Alan York, do solemnly and sincerely affirm that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as a member of the Asheboro Airport Authority.

_____/s/Alan York
Alan York

Affirmed and subscribed before me this 26th day of February, 2025.

_____/s/Tammy M. Williams
Tammy M. Williams
Deputy City Clerk

(I) **Approval of a Salt/Brine Reimbursement Agreement with the North Carolina Department of Transportation**

RESOLUTION NUMBER 6 RES 3-25

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**SALT/BRINE REIMBURSEMENT AGREEMENT WITH THE
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Asheboro is authorized under North Carolina law to purchase deicing salt / salt brine from the North Carolina Department of Transportation (the “NCDOT”) to provide for the safe and efficient utilization of transportation systems that serve the public good; and

WHEREAS, city staff members have recommended entering into a salt / brine reimbursement agreement with the NCDOT to acquire in an efficient and economical manner deicing salt / salt brine for the city’s future use; and

WHEREAS, the salt / brine reimbursement agreement transmitted to the city by NCDOT (the “Agreement”), which has received a favorable recommendation from city staff, is attached hereto as EXHIBIT 1 and is incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, the city council concurs with the favorable recommendation received from city staff.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the Agreement attached to this Resolution as EXHIBIT 1 is hereby approved; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the Mayor, City Clerk, and all other necessary city officials are hereby directed to execute on behalf of the city any and all legal instruments necessary to carry into full force and effect the Agreement attached hereto as EXHIBIT 1.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on March 6, 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

[Exhibit 1 as referenced in the above resolution is on file in the city clerk’s office.]

The remainder of this page was intentionally left blank.]

11. Community Development Items Presented by the Community Development Director (Formerly Agenda Item No. 12)

- (A) Quasi-Judicial Hearing (Case No. SUP-25-01): An application for a Special Use Permit for property located at 1730 South Fayetteville Street totaling approximately 0.16 acres +/- and more specifically identified by Randolph County Parcel Identification Number 7750742451, to authorize a new land use classified as “Signs, Off premise Billboard & Poster Panel, etc.”**

Mayor Smith opened the quasi-judicial hearing on the application by Tella Billboards LLC for a Special Use Permit for a billboard. Community Development Director John Evans was placed under oath and presented the planning staff's analysis of the request that included a properly submitted site plan for the Special Use Permit. The request pertains to approximately 0.16 acres of land located at 1730 South Fayetteville Street. Randolph County Parcel Identification Number 7750742451 more specifically identifies the property.

Mr. Evans stated that proper legal notice of the hearing has been given.

With the assistance of a slide show, Mr. Evans testified to the following facts about the Special Use Permit application:

1. The request is for a Billboard, classified by the zoning ordinance as “Signs, Off premise Billboard & Poster Panel, etc.” The existing and principal land use of the property is “Rental/Sales of Domestic Vehicles.”
2. The applicant has provided dimensions that include a height of 35' above grade, 12' X 24' dimensions, and the face being a static, non-digital display.
3. South Fayetteville Street is a state-maintained major thoroughfare.
4. Billboards are also subject to review and approval by NCDOT.
5. Billboards have certain locational and separation requirements described in Section 5.05 (19) below. Staff has determined that these requirements have been met.
6. The billboard is subject to the general lighting requirements of the Asheboro Zoning Ordinance.
7. As required by the ordinance, the site plan shows five Helleri Holly shrubs as landscaping around the base of the billboard.
8. Permitting of the billboard is exclusive of permitting for other signs allowed in the I2 district that are subject to general ordinance requirements.

As stated in number 5 of the analysis, Section 5.05(19) of the Asheboro Zoning Ordinance states the following:

SUP Requirements

Section 5.05(19) Signs, Off Premise

Off premise signs may be permitted in I1, I2, and I3 districts in accordance with Chapter 7: Sign Regulations, provided the following additional regulations are met.

- (1) Off premise signs may only be located along existing major thoroughfares or freeways as identified by the adopted Asheboro Thoroughfare Plan.
- (2) The zoning district shall have at least 1,000 linear feet frontage along the major thoroughfare or freeway in question.
- (3) Off premise sign structures shall be located a minimum of 1,000 linear feet apart as measured along the center line of the major thoroughfare or freeway. Only one off premise sign structure may occur every 1,000 linear feet.
- (4) Off premise signs shall not exceed thirty-five (35) feet in height.
- (5) Off premise signs shall be rectangular in shape and no part of the advertising face or copy shall extend or protrude beyond the outer limits of the rectangle.
- (6) No portion of the off premise sign supporting structure shall be visible above the rectangular sign face.
- (7) Off premise signs shall be limited to freestanding ground signs, only.
- (8) No additional signs shall be permitted on any part of the supporting structure or bracing of an off premise sign.
- (9) A billboard sign face area shall not exceed three-hundred (300) square feet in size.
- (10) Off premise signs may only be single-faced, double-faced (back to back) or multi-faced provided that:
 - (a) The total sign faces in any one direction do not exceed size requirements set forth in (9) above.
 - (b) There is a definite distinction (such as boarder or trim) between the individual sign faces to separate advertising copy.
 - (c) The backs of back-to-back/double-faced signs are not separated by more than thirty-six (36) inches.
 - (d) Double-faced or multi-faced signs when constructed in the form of a "V" when viewed from above or below, shall not exceed an angle (as measured at the apex) greater than forty-five (45) degrees.
 - (e) Double-faced or multi-faced signs shall be structurally tied together to be considered as one structure.
 - (f) Multi-faced signs shall not have more than two (2) sign faces per structure.
- (11) Landscaping and screening shall be provided subject to the approval of the Planning Department. NO undue undercutting of existing vegetation shall be permitted.
- (12) No billboard shall be permitted within 100 linear feet of any residential district (R40, R15, R10, R7.5, and RA6).
- (13) Off premise signs as provided under Chapter 7 shall not be required to comply with the provisions set forth in this Section.
- (14) Off premise signs must comply with regulations established by the N.C. Board of Transportation. However, the State or city requirement that is more stringent or restrictive shall apply. It is the responsibility of the sign owner to ensure compliance with State and city regulations.

- (15) An application for a Special Use Permit as required under this Section shall be accompanied:
 - (a) Location of the proposed billboard, including setback from public right-of-way.
 - (b) Location of any existing buildings or structures within 100 feet of the proposed billboard.
 - (c) Location of proposed billboard in relation to any residential district (R40, R15, R10, R7.5, and RA6) to enable a determination of compliance with this Section.
 - (d) Size of the proposed billboard including the number of sign faces and their dimensions, as well as the proposed height of said billboard.
 - (e) Proposed method of landscaping and screening.
 - (f) Proposed removal of any existing vegetation.
 - (g) Type of construction material and method of construction.

The following conditions were drafted by the planning/zoning staff prior to this hearing.

- (A) In addition to any use permitted by right in the I2 zoning district, the use approved shall be one off-premises billboard, classified as “Signs, Off premise Billboard & Poster Panel, etc.” and consistent with the approved plan and the requirements of Section 5.05(19).
- (B) Prior to the issuance of a zoning compliance permit, the following must be completed:
 - (i) The applicant shall obtain any required NCDOT permits.
 - (ii) Final Decision Document authorizing the Special Use Permit must be approved by the city council.

LaDeidre Matthews, Esq. of Fox Rothschild and Molly Chisolm were placed under oath and offered testimony in support of the request. This testimony focused on, in addition to addressing the four standards for issuance of a Special Use Permit, the compliance with the above-referenced conditions.

No witnesses came forward in opposition to the Special Use Permit application. In the absence of any additional testimony or evidence, Mayor Smith transitioned to the deliberative phase of the process.

Upon motion by Council Member Moffitt, and seconded by Council Member Burks, the council voted unanimously to find the required standards had been met and to issue, subject to the above-stated conditions the requested Special Use Permit. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

A final decision document with the formal findings of fact, conclusions of law, and order authorizing the Special Use Permit will be entered by the council during the next regular meeting on April 10, 2025. A copy of the slide show presentation utilized by Mr. Evans is on file in the city clerk’s office.

- (B) Legislative Hearing (Case No. RZ-25-02): Request to rezone property located approximately 100 feet east of Ridgewood Circle (Randolph County Parcel Identification Number 7762740259) to amended RA6 (CZ) High-Density Residential (Conditional Zoning) to allow a Residential Planned Unit Development.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-25-02. Mr. Evans was the first speaker. In addition to entering into the records the notation that notice of this land use case had been

advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by William Hedrick.

The land for which the above-described zoning has been requested is located on East Allred Street. The property is approximately 3.67 acres in size and is more specifically identified by Randolph County Parcel Identification Number 7762740259 (this property will be hereinafter referred to as the “Zoning Lot”).

In addition to the written staff report, Mr. Evans utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The request is for a Residential Planned Unit Development with 10 dwellings on 10 lots.
2. A Residential Planned Unit Development with 10 dwellings was approved in 2018. On October 7, 2021, a request for 16 dwelling units was denied by the city council. That request was denied due to the inconsistency with the Neighborhood Residential designation on the Proposed Land Use Map, its location in a floodplain and on slopes with more than a 20% grade, and limited parking and street congestion.
3. The current request includes 10 attached dwelling units, consisting of two groups of five dwellings in each structure. Each unit contains a single-car garage plus a driveway for two vehicles. In addition, there are 3 visitor parking spaces with some on-street parking (on one side) available. The development approved in 2018 has received preliminary subdivision plat approval and permitting for construction.
4. Due to the change in building design, changing from a single-story to a two-story design, staff deemed this to be a modification requiring council approval. In addition, the recreation area has moved from the western side of the property close to the creek to the northern side of the property. The initial application requested 14 dwelling units. After the Planning Board meeting on February 6, the applicant amended the request to propose 10 dwellings instead of 14.
5. The western portion of the property (approximately 1.6 acres) is located within a 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. Since the approval of a Residential Planned Unit Development with 10 units in 2018, there has been additional residential growth, including the continued construction of the Robins Nest Subdivision to the east, and the rezoning of property on the corner of East Allred Street and Gold Hill Road from a commercial to a residential district.
8. Proposed landscaping includes 9 crepe myrtle trees and use of existing vegetation in the street yard, a 5’ side screen on the eastern side consisting of both evergreen hedge 6’ in height, with plantings spaced no more than 5’ on center plus a solid 6’ wooden fence, and use of existing vegetation on the western and northern sides of the property.

9. The applicant's design team has indicated that the recreation area depicted on the site plan will be a passive recreation area consisting of a dog play area and picnic/BBQ area.
10. The site plan was shared with Asheboro City Schools and USPS. Asheboro City Schools did not provide comments. USPS has indicated they have no initial comments.
11. A preliminary subdivision plat authorizing construction has been approved for the 10 dwellings that were approved in 2018.

Mr. Evans noted, that when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map Designation: Neighborhood Residential

Growth Strategy Map: Primary Growth Area

Small Area Map: East

LDP Goals/Policies that Support the 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.

LDP Goals/Policies that Do Not Support the 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%.

The City of Asheboro Planning Board considered the zoning map application and recommended denying the placement of the Zoning Lot into the requested RA6 (CZ) zoning district. The planning board recommended denial of the request based on a site plan with 14 dwellings, in agreement with the following consistency and reasonableness statements offered by staff based on that request:

Planning Board Adopted Plan Consistency Statement

The proposed designation is inconsistent with the Land Development Plan Neighborhood Residential Proposed Land Use Map designation. Although the plan includes several features described by that designation (sidewalks, open and recreation space, clustering development outside of environmentally sensitive areas such as floodplains and steep slopes), the Neighborhood Residential Designation emphasizes primarily single-family dwellings and "new neighborhoods of similar density to provide a sense of community." While it is acknowledged that the current plan proposes changes in response to concerns raised during the last request in 2021, including reducing the number of proposed dwellings from 16 to 14, additional screening with a fence on the eastern side of the property in addition to a hedge, and additional resident/visitor parking, the proposed plan is less consistent with the Neighborhood Residential designation than the current RA6 (CZ) designation due to increased density from 10 to 14

dwelling on a property that has limitations due to the extent of steep slopes and floodplain existing on the property.

Planning Board Adopted Plan Reasonableness Statement

Given public comments related to increased intensity and incompatibility of the development with the character of surrounding land uses raised during the previous request in 2021 ultimately resulting in a denial of that request, and the existing RA6 (CZ) designation likely accommodating more dwellings and housing than what would be allowed if the property were located in a general district, staff believes that the existing RA6 (CZ) district that allows 10 dwellings provides a reasonable designation that balances the interests of the property owner, neighbors, and surrounding community and serves the public interest.

Since the Planning Board's review of the request during its February 6, 2025 meeting, the applicant has amended their request and site plan and staff has updated the staff's consistency statement and recommendation based on the revised plan with 10 dwellings.

Staff Updated Plan Consistency Statement

While the request has higher density than surrounding land uses, which is a key component of determining whether the proposal complies with the Neighborhood Residential designation, the plan provides many elements that are described as important by that designation (sidewalks, open/recreation space, clustering development outside of environmentally sensitive areas such as floodplains and steep slopes). The plan also addresses environmental constraints by further reducing the footprint that the dwellings encompass close to areas of steep slopes and floodplain that exist on the property.

Staff Updated Reasonableness Statement

Since a residential Planned Unit Development has already been approved, staff's analysis of reasonableness compares the approved plan with the proposed plan. Given prior comments related to density, building footprints on a property with environmental constraints, increased screening and buffering, and more ample parking to reduce street congestion, the city staff believes that the current request can better address concerns over these items than the current approved plan while not increasing the overall density of the development. Therefore, staff believes this is a reasonable designation that balances the interests of the property owner, neighbors, and surrounding community and serves the public interest.

In the event of council approval of the application, the planning staff offered suggested conditions to include as part of a conditional zoning ordinance amendment. These conditions are as follows:

- (A) *The use approved shall be a Residential Planned Unit Development, with a total of 10 dwelling units located on 10 lots.*
- (B) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.*
- (C) *Prior to the issuance of a Zoning Compliance Permit, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.*
- (D) *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.

- (E) 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 Stret. 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.*
- (F) 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.*
- (G) Prior to a preliminary plat, the applicant shall submit details on the sewer connection involving the adjoining property to the north.*
- (H) Additional details on the recreation area, including identification of proposed play equipment/structure(s) and labeling of sidewalk between Cane Creek Court and recreation area, shall be included on the preliminary plat.*
- (I) Area within public right-of-way for turnaraound 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 Ordinances.*
- (J) If the postal service requires a different facility(s) for mail delivery than shown on the site plan, 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, at a minimum, an area shall be provided 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(es) 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.*
- (K) The developer shall ensure that no portion of a structure encroaches into a City of Asheboro sanitary sewer easement.*
- (L) Any water meter located outside the public right-of-way shall be located within the City of Asheboro waterline easement. Surveying of any required city easements shall be the responsibility of the property owner.*
- (M) Installation of traffic and street signs within the development shall be the responsibility of the developer.*
- (N) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing the following approvals:*
 - (i) Updated erosion control approval from NC Department of Environmental Quality, unless the applicant presents information from NCDEQ stating that no updated approvals are required.*
 - (ii) 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 to 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 acquired from FEMA by the developer.

- (iii) Submittal and approval of a preliminary subdivision plat and any applicable fees.*
- (iv) Submittal of details concerning recreation space that complies with Section 3.01(S) of the Asheboro Zoning Ordinance.*

(O) 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.

Mayor Smith opened the floor for comments from the public. Christian Vestal and William Hedrick presented comments in support of the request and accepted the staff suggested conditions.

Mr. Thomas Tennison posed general questions/concerns pertaining to the development. When no one else asked to speak, Mayor Smith transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Bell moved, and Council Member Trogon seconded the motion to adopt the plan consistency reasonableness statement below and to approve the requested zoning map amendment with the following multi-part motion.

1. While the rezoning has higher density than surrounding land uses, which is a key component of determining whether the proposal complies with the Neighborhood Residential designation, the plan provides many elements that are described as important by that designation (sidewalks, open/recreation space, clustering development outside of environmentally sensitive areas such as floodplains and steep slopes). The plan also addresses environmental constraints by further reducing the footprint that the dwellings encompass close to areas of steep slopes and floodplain that exist on the property.

Since a residential Planned Unit Development has already been approved, the reasonableness analysis compares the previously approved plan with the proposed plan. Given prior comments related to density, building footprints on a property with environmental constraints, increased screening and buffering, and more ample parking to reduce street congestion, the city council has concluded that the current request can better address concerns over these items than the previously approved plan while not increasing the overall density of the development. Therefore, the city council has concluded that this is a reasonable designation that balances the interests of the property owner, neighbors, and surrounding community and serves the public interest.

2. Consequently, and subject to the above-listed mutually agreed upon conditions, the zoning map amendment application seeking to place the Zoning Lot into the currently requested RA6 (CZ) zoning district is hereby approved.

Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

12. Additional Community Development Division Items Presented by the Planning/Zoning Director (Formerly Agenda Item No. 13)

- (A) Legislative Hearing (Case No. RZ-25-03): Request to rezone property located at 467 and 471 East Dorsett Avenue (Randolph County Parcel Identification Numbers 7750973085 and 7750975005) to an amended B2 (CZ) General Commercial Conditional Zoning district for the expansion of the existing manufacturing, processing, and assembly-light land use.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-25-03. Planning/Zoning Director Justin Luck was the first speaker. In addition to entering into the records the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Jamie Crumley.

The land for which the above-described zoning has been requested is located at 467 and 471 East Dorsett Avenue. The property is approximately 0.97 of an acre in size and is more specifically identified by Randolph County Parcel Identification Numbers 7750973085 and 7750975005 (this property will be hereinafter referred to as the "Zoning Lot").

In addition to the written staff report, Mr. Luck utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The proposed use is Manufacturing, Processing, and Assembly-Light, specifically for lawful processes involving agricultural and food products.
2. The B2 General Commercial District Statement of Intent: The B2 General Commercial District is intended to serve the convenience goods, shoppers' goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets.
3. Manufacturing, Processing and Assembly, Light is defined as: Activities described in Manufacturing, Processing and Assembly, Heavy conducted wholly within an enclosed structure and not employing more than 10 persons and utilizing no more than a total of 25 horsepower in power driven machines and material handling equipment.
4. Manufacturing, Processing and Assembly, Light is permitted in the B2 zoning district via a special use permit (Table 5-1) subject to the following standards:
 - (1) Off-street parking and loading spaces provided in accordance with Chapter 6.
 - (2) The applicant shall have adequate utilities (water, sewerage, etc.,) so that the proposed operation shall meet the requirements of the city Fire, Building Inspection, and Engineering Departments.
 - (3) The activity shall not endanger, damage, or have any other undesirable effects upon nearby non-industrial development by reason of its existence and operation.
 - (4) Buffering and screening shall be required as set forth in Chapter 6.
 - (5) Approvals granted under this section shall be for one specific use, to be identified by the applicant at the time of application, and shall not be transferable to other light industrial uses.

Requests for such changes in use shall be covered by the submission of a separate Special Use Permit application.

- (6) Light Manufacturing, Processing and Assembly as permitted by this SUP shall mean activities which are conducted within a fully enclosed structure, require no outdoor storage, utilizes no boilers or other equipment in excess of 25 HP individually, and employ a total of 10 or fewer employees.

5. The applicant proposes to construct a 4,800 square foot addition for additional manufacturing and storage area, including a connecting structure to the existing building.
6. The proposed driveway cut and loading area/access has been reviewed by the city Engineering Department and has been determined eligible for a driveway permit.
7. Technical corrections involving setbacks, front yard landscaping, screen fencing, and labeling have been addressed since review of the Planning Board.

Mr. Luck noted, that when evaluating a rezoning application, careful consideration must be given to each goal and policy outlined in the Land Development Plan.

Proposed Land Use Map Designation: Neighborhood Residential

Growth Strategy Map Designation: Primary Growth

Small Area Map: Central

LDP Goals/Policies that Support the Request:

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

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

Goal 1.2: Diversified employment opportunities enabling long-term, stable, high-pay skilled workforce.

LDP Goals/Policies that Do Not Support the Request:

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

Checklist Item 3: The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance.

The City of Asheboro Planning Board considered the zoning map amendment application and recommended approving the placement of the Zoning Lot into the requested B2 (CZ) zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

The zoning map amendment is consistent with the Asheboro Land Development Plan in that it encourages development in the primary growth area and on land that is environmentally suitable for the type of use. The amendment is also consistent with Goal 1.2 which encourages employment opportunities.

Previously approved zoning amendments demonstrate that the existing and proposed use of the subject property is reasonable given the characteristics of the property, changing conditions in the area, and the public benefit gained through job creation. The conditional zoning process offers both flexibility to the property owner and the ability to ensure that the proposed use and manner it develops is compatible with surrounding land uses.

In the event of council approval of the application, the planning staff offered suggested conditions to include as part of a conditional zoning ordinance amendment. These conditions are as follows:

- (A) *The use approved shall be Manufacturing, Processing, and Assembly-Light, specifically for lawful processes involving agricultural and food products.*
- (B) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan. Prior to the issuance of a Zoning Compliance Permit, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.*
- (C) *It shall be the property owner's responsibility to obtain all permits and approvals requested for the proposed land use, including but not limited to, city driveway permitting.*
- (D) *Prior to the issuance of a zoning compliance permit, a site plan demonstrating compliance with all applicable zoning regulations and conditions, as well as the applicable permit fee, shall be submitted.*
- (E) *The maximum number of employees per shift shall be limited to 25.*
- (F) *The required screen/buffer shall be installed as shown on the approved site plan prior to the issuance of Certificate of Occupancy. Existing vegetation used for screening must be preserved and maintained in perpetuity and, if necessary, replaced with plantings consistent with "Screen C" requirements to continue its effectiveness.*
- (G) *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.*

Mayor Simth opened the floor for comments from the public. Jamie Crumley presented comments in support of the request. Patricia Hunter posed questions about how the development will affect the neighborhood and the ability of the sanitary sewer system to serve the proposed land use. When no one else asked to speak, Mayor Smith transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Bell moved, and Council Member Moffitt seconded the motion to adopt the plan consistency/reasonableness statement below and to approve, with conditions, the requested zoning map amendment with the following multi-part motion.

1. The rezoning is consistent with the Asheboro Land Development Plan in that it encourages development in the primary growth area and on land that is environmentally suitable for the type of use. The amendment is also consistent with Goal 1.2 which encourages employment opportunities.

Previously approved rezonings demonstrate that the existing and proposed use of the subject property is reasonable given the characteristics of the property, changing conditions in the area, and the public benefit gained through job creation. The conditional zoning process offers both flexibility to the property owner and the ability to ensure that the proposed use and manner it develops is compatible with surrounding land uses.

2. Consequently, and subject to the above-listed conditions, the zoning map amendment application seeking to place the Zoning Lot into the requested B2 (CZ) zoning district is hereby approved.

Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

(B) Legislative Hearing (Case No. RZ-25-04): Request to rezone property located at 131 and 137 North Randolph Avenue (Randolph County Parcel Identification Numbers 7761028920 and 7761027972) from R7.5/R10 (Medium-Density Residential), and B2 (CZ) General Commercial Conditional Zoning to B2 (CZ) General Commercial Conditional Zoning for Rental/Sales of Domestic Vehicles and Open Storage land uses.

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-25-04. Mr. Luck was the first speaker. In addition to entering into the records the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Jenna McKenzie.

The land for which the above-described zoning has been requested, which is the property of Brandon Allen, is located at 131 and 137 North Randolph Avenue. The property is approximately 0.52 of an acre in size and is more specifically identified by Randolph County Parcel Identification Numbers 7761028920 and 7761027972 (this property will be hereinafter referred to as the "Zoning Lot").

In addition to the written staff report, Mr. Luck utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The proposed land uses are Rental/Sales of Domestic Vehicles and Open Storage. The properties were previously used for single family dwellings and are now undeveloped. RZ-CUP-20-01 authorized a Rental/Sales of Domestic Vehicles land use in compliance with the approved conditions and site plan on the 137 North Randolph Avenue property; however, the development has not been implemented. The current use of the 137 and 131 North Randolph Avenue properties is not authorized by RZ-CUP-20-01 or the R7.5/R10 zoning districts and a Notice of Violation has been issued by the Code Enforcement Office.
2. The adjoining property features a Motor Vehicle Repair and Rental/Sales of Domestic Vehicles land use and serves as the office and required parking for the proposed land uses. Cross access between the subject property and the adjoining property is proposed. The adjoining property is currently zoned B2 and not part of this rezoning request.

- 3. B2 General Commercial District Statement of Intent: The B2 General Commercial District is intended to serve the convenience goods, shoppers’ goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets.
- 4. Relevant Zoning Ordinance Definitions:

Vehicle: A land operated means of transportation for persons or objects, including but limited to cars, trucks, buses, motorcycles, motor scooters, motor homes, and trailers. Domestic motor vehicles, commercial vehicles, and recreational vehicles are included within this definition.

Vehicle, Domestic: A vehicle that has a gross vehicle weight rating of less than 26,001 pounds.

Vehicle, Commercial: A vehicle that has a gross vehicle weight rating of at least 26,001 pounds.

Open Storage: The storage outside of a building, or within buildings with less than three sides, of materials, supplies, merchandise, equipment, commercial vehicles (i.e. delivery vans, contractor vehicles, towing trucks, cable/utility vehicle(s) and like items, but excluding junk.
- 5. Rental/Sales of Domestic Vehicles and Open Storage are permitted by right in the B2 Commercial District.
- 6. A “Screen D” is required along the southern property boundary. Screen D does not permit chain link as a fencing option.
- 7. RZ-CUP-20-01 conditioned no driveway access from N. Randolph Avenue. The applicant proposes a condition of no driveway access from N. Randolph Avenue.
- 8. In the Conditional Zoning application, the applicant references an “impound lot;” however, this use is no longer being requested as it does not fit within the definition of Open Storage.

Mr. Luck noted, that when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map Designation:	Commercial
Growth Strategy Map Designation:	Primary Growth
Small Area Plan:	Central

LDP Goals/Policies that Support the Request:

<u>Checklist Item 1:</u>	Rezoning is compliant with the Proposed Land Use Map.
<u>Checklist Item 3:</u>	The property on which the rezoning district is proposed fits the description of the Zoning Ordinance.
<u>Checklist Item 5:</u>	The proposed rezoning is compliant with the objectives of the Growth Strategy Map.

Checklist Item 8:

The request is an adaptive reuse of a vacant or unused lot or is an infill lot.

LDP Goals/Policies that Do Not Support the Request:

2.1.5:

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

Goal 3.2:

Quality design demanding appropriate scale and context.

The City of Asheboro Planning Board considered the zoning map amendment application and recommended approving the placement of the Zoning Lot into the requested B2 (CZ) zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

The zoning map amendment is consistent with the Asheboro Land Development Plan as the properties are designated as commercial by the Proposed Land Use Map.

The zoning map amendment is reasonable given that the suggested conditions, in particular prohibition of driveway access from N. Randolph Avenue, ensure that the zoning amendment meets and exceeds zoning requirements to protect adjoining residential uses.

In the event of council approval of the application, the planning staff offered suggested conditions to include as part of a conditional zoning ordinance amendment. These conditions are as follows:

- (A) *The uses approved shall be Rental/Sales of Domestic Vehicles and Open Storage.*
- (B) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan. Prior to the issuance of a Zoning Compliance Permit, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.*
- (C) *It shall be the property owner's responsibility to obtain all permits and approvals required for the proposed land use, including but not limited to, NCDOT and city driveway permitting.*
- (D) *Prior to the issuance of a zoning compliance permit, a site plan demonstrating compliance with all applicable zoning regulations and conditions, as well as the applicable permit fee, shall be submitted.*
- (E) *Opaque chain link fence shall not be permitted as a method of screening of open storage along East Salisbury Street and North Randolph Avenue. Solid wooden fencing shall be opaque and either painted or stained a medium or dark finish with the decorative side adjacent to the public right-of-way and residentially zoned property. All fencing shall be maintained in perpetuity.*

- (F) *Opaque screening material shall be added to the existing chain link fence along the western property line in compliance with Section 6.09 (C)(1) of the Asheboro Zoning Ordinance.*
- (G) *No driveway access shall be permitted from North Randolph Avenue.*
- (H) *No signage shall be permitted on any fence.*
- (I) *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.*

Mayor Smith opened the floor for comments from the public. Jenna McKenzie and Daniel Carr, who is the tenant operating the business on the adjoining lot, presented comments in support of the requested zoning map amendment application.

Owen George, Rosanne Sims, and Todd Delaney presented comments in opposition to the requested rezoning. These speakers focused on the impact of the current business activities on the residential neighborhood and the quality of life. Specific note was made of the existing noncompliant open storage occurring on the Zoning Lot and its negative impact. They were also concerned with the potential increase in traffic along N. Randolph Avenue. When no one else asked to speak, Mayor Smith transitioned to the deliberative phase of the process. A petition that was submitted by Owen George is on file in the city clerk's office.

After engaging in deliberation about the zoning map amendment application, Council Member Bell moved, and Council Member Heath seconded the multi-part motion that (a) rejected the staff and planning board recommendation; (b) adopted a consistency statement that gives more weight to LDP Goal/Policy 2.1.5 and its goal to ensure development regulations provide appropriate transitional land uses between high-intensity industrial/commercial and low-intensity residential uses; (c) concluded that the proposed land uses are not appropriate transitional land uses; and (d) denied the requested rezoning. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

- (C) **Legislative Hearing (Case No. RZ-25-05): Request to rezone property located at 4512 US 220 Business North (Randolph County Parcel Identification Number 7763080833) from B2 General Commercial to I1 (CZ) Light Industrial Conditional Zoning for Vehicle Towing Operation and Storage with Motor Vehicle Repair-Major.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-25-05. Mr. Luck was the first speaker. In addition to entering into the records the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by QAR Holding LLC.

The land for which the above-described zoning has been requested, which is the property of Lisa Maness Wentz, is located at 4512 U.S. Highway 220 Business North. The property is approximately 0.44 of an acre in size and is more specifically identified by Randolph County Parcel Identification Number 7763080833 (this property will be hereinafter referred to as the "Zoning Lot").

In addition to the written staff report, Mr. Luck utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The proposed use is Motor Vehicle Repair – Major and Vehicle Towing Operation and Storage Facility.

2. I1 Industrial Development District Statement of Intent: The intent of the I1 Industrial Development District is to produce areas for manufacturing, servicing, and assembly uses, commercial uses, distribution and serving enterprises, controlled by performance standards to limit the effect of such uses within the district and on adjacent districts.
3. Relevant Zoning Ordinance Definitions:

Motor Vehicle Repair, Major: Any automotive repairs or servicing not listed under Motor Vehicle Repair, Minor. Further it is determined to be any structure in which machinery operated by mechanical power is installed which is designed for making major repairs to motor vehicles, or where in making repairs to motor vehicles the mechanical power employed in the operation of any machine or tool exceeds 3-HP or the total mechanical power provided or employed exceeds 15-HP.

Vehicle Storage Facility: The use of land or buildings to park, store and maintain vehicles associated with vehicle towing. This includes storage of towed vehicles while awaiting proper disposition of these vehicles and storage of vehicles engaged in vehicle towing (i.e. tow trucks). A vehicle towing yard does not include a vehicle towing operation.

Vehicle Towing Operation: A vehicle towing operation is solely designated for administrative activities associated with vehicle towing. A vehicle towing operation does not include a vehicle towing storage facility.

Vehicle Towing Operation and Storage Facility: The use of land or buildings for both vehicle towing storage facility and a vehicle towing operation.
4. Motor Vehicle Repair – Major and Vehicle Towing Operation and Storage Facility are permitted by right in the I1 Industrial District subject to supplemental use regulations.
5. A significant portion of the property is paved from a previous development.
6. NCDOT has reviewed the proposed site plan and has found it eligible for a driveway permit.
7. The property currently features 3 driveway cuts: The applicant proposed to repave and utilize one existing driveway cut on U.S. Highway 220 Business North and decommission the driveway closest to Idlewild Drive. The existing driveway cut on Idlewild Drive will be limited to exit only and gated.
8. The site plan proposes a metal building with 3 garage bays, 1,920 SF of area for the motor vehicle repair and towing operation use plus 480 SF of office area (2,400 SF total). A fiber cement (ex. Hardie plank) siding is proposed for the entire side of the building facing U.S. Highway 220 Business North, which is a material in compliance with the general design standards for industrial districts (Section 6.11(C)).
9. The applicant proposes hours of operation from 8 a.m. to 5 p.m. for the Motor Vehicle Repair – Major, but none for the Vehicle Towing Operation and Storage Facility.

10. Other site plan changes from the February 3 Planning Board meeting include relocation and the amount of parking and landscaping.

Mr. Luck noted that when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map:	Commercial
Growth Strategy Map:	Primary Growth
Small Area Map:	Northeast

LDP Goals/Policies that Support the Request:

<u>Checklist Item 5:</u>	The proposed rezoning is compliant with the objectives of the Growth Strategy Map.
<u>Checklist Item 8:</u>	The request is an adaptive reuse of a vacant or unused lot, or is an infill lot.
<u>Checklist Items 12-14:</u>	12.) Property is located outside of watershed. 13.) The property is located outside of Special Hazard Flood Area; 14.) Rezoning is not located on steep slopes of greater than 20%.

LDP Goals/Policies that Do Not Support the Request:

<u>Checklist Item 1:</u>	Rezoning is not compliant with the Proposed Land Use Map.
<u>2.1.5:</u>	The city will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.

The City of Asheboro Planning Board considered the zoning map amendment application and recommended approving the placement of the Zoning Lot into the requested I1 (CZ) zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

The zoning map amendment is consistent with the Asheboro Land Development Plan in that it would lead to the reuse of a longstanding vacant lot in the primary growth strategy area.

The zoning map amendment is reasonable given the size and physical conditions of the property and adjoining residential property, the benefit of the proposed use to the public, the benefit to the property owner by the reuse of a longstanding vacant lot, the amount of industrial zoning and uses in the immediate area, and the protections offered to adjoining property owners through the approved site plan and conditions.

In the event of council approval of the application, the planning staff offered suggested conditions to include as part a conditional zoning ordinance amendment. These conditions are as follows:

- (A) *The uses approved shall be Motor Vehicle Repair – Major and Vehicle Towing Operation and Storage Facility.*

- (B) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan. Prior to the issuance of a Zoning Compliance Permit, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.*
- (C) *It shall be the property owner's responsibility to obtain all permits and approvals required for the proposed land use, including but not limited to, NCDOT and City driveway permitting.*
- (D) *Prior to the issuance of a zoning compliance permit, a site plan demonstrating compliance with all applicable zoning regulations and conditions, as well as the applicable permit fee, shall be submitted.*
- (E) *Hours of operation for the Motor Vehicle Repair – Major use shall be limited to 8 a.m. to 5 p.m.*
- (F) *The required screen shall be installed as shown on the approved site plan prior to issuance of Certificate of Occupancy. Existing vegetation used for screening must be preserved and maintained in perpetuity and, if necessary, replaced with plantings consistent with "Screen C" requirements to continue its effectiveness.*
- (G) *The proposed fiber cement siding may be substituted for another material in compliance with Section 6.11 (C) (Building Form Industrial Standards)*
- (H) *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.*

Mayor Smith opened the floor for comments from the public. H.R. Gallimore presented comments in support of the request. Additionally, Steve Wishon presented comments in support of his application for the requested rezoning and agreed with the conditions proposed by city staff.

Phil Skeen posed questions about the storm water control for the property in question, while Frederick Borchert IV posed questions about hours of operation and security lights that would be utilized during the evening hours. When no one else asked to speak, Mayor Smith moved to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Bell moved, and Council Member Burks seconded the motion to adopt the plan consistency/reasonableness statement below and to approve, subject to the above-listed conditions, the requested zoning map amendment with the following multi-part motion.

1. The rezoning is consistent with the Asheboro Land Development Plan in that it would lead to the reuse of a longstanding vacant lot in the primary growth strategy area.

Additionally, the rezoning is reasonable given the size and physical conditions of the property and adjoining residential property, the benefit of the proposed use to the public, the benefit to the property owner by the reuse of a longstanding vacant lot, the amount of industrial zoning and uses in the immediate area, and the protections offered to adjoining property owners through the approved site plan and conditions.

2. Consequently, and subject to the above-listed conditions, the zoning map amendment application seeking to place the Zoning Lot into the requested I1 (CZ) zoning district is hereby approved.

Council Member Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

[With the general consent of the council members, Mayor Smith recessed the meeting at 10:12 p.m. for a short break. At 10:25 p.m., the council members reconvened and addressed the remaining agenda items.]

13. Annexation Petitions (Formerly Agenda Item No. 14)

(A) A Petition for BLL Holdings, LLC Property on Lewallen Road

(i) Consideration of a Resolution Directing the City Clerk to Investigate the Annexation Petition

City Engineer Michael Leonard, PE, provided an overview of the annexation petition submitted by BLL Holdings, LLC. The annexation petition pertains to a parcel of land located on the east side of North Carolina Secondary Road 1446.

After reviewing the information provided by city staff, Council Member Heath moved, and Council Member Bell seconded the motion to approve/adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

RESOLUTION NUMBER 7 RES 3-25

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**RESOLUTION DIRECTING THE CITY CLERK TO
INVESTIGATE AN ANNEXATION PETITION SUBMITTED BY
BLL HOLDINGS, LLC**

WHEREAS, BLL Holdings, LLC, a North Carolina limited liability company, (the “Petitioner”) has submitted a petition requesting the annexation into Asheboro of approximately 34,644 square feet of the limited liability company’s land (Randolph County Parcel Identification Numbers 7750268436 and 7750268543) on the east side of North Carolina Secondary Road 1446; and

WHEREAS, the Petitioner’s land for which annexation has been requested is not contiguous to Asheboro’s primary city limits; and

WHEREAS, Section 160A-58.2 of the North Carolina General Statutes provides that the sufficiency of such a petition shall be investigated by the city clerk before further annexation proceedings take place; and

WHEREAS, the Asheboro City Council has decided to proceed with the statutorily prescribed voluntary annexation process.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the city clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the council the results of her investigation.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on March 6, 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

In anticipation of the council's above-stated action, the city clerk's office conducted an investigation of the annexation petition in advance of the council meeting and prepared the following certificate for council's review.

CERTIFICATE OF SUFFICIENCY

**(Petition Requesting the Annexation of Land Owned by
BLL Holdings, LLC)**

TO: The City Council of the City of Asheboro, North Carolina

I, Holly H. Doerr, am the City Clerk for the City of Asheboro. I hereby certify that, with the assistance of staff members in various city departments, I have investigated the annexation petition submitted by BLL Holdings, LLC (the "Petitioner"). I further certify that the following paragraphs accurately state the information obtained during the course of my investigation of the annexation petition.

The Petitioner has requested the annexation into Asheboro of approximately 34,644 square feet of land owned by the limited liability company and located on the east side of North Carolina Secondary Road 1446 (the land for which annexation is sought will be hereinafter referred to as the "Annexation Area"). The Annexation Area is not contiguous to the primary corporate limits of the City of Asheboro.

Based on my investigation, I have concluded that all of the owners of the real property for which annexation has been requested have signed the prescribed petition. The petition appears to be sufficient to satisfy the provisions of Section 160A-58.1 of the North Carolina General Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Asheboro to make this certification effective as of March 6, 2025.

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

**(ii) Consideration of a Resolution Setting the Date for a Public
Hearing on the Question of Annexation**

In light of the preceding council action and the submission of the certification from the office of the city clerk, Mr. Leonard then recommended adoption, by reference, of a resolution setting the date for a public hearing on the question of the requested annexation. Council Member Bell moved, and Council Member Heath seconded the motion to approve/adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

RESOLUTION NUMBER 8 RES 3-25

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING
ON THE QUESTION OF ANNEXING LAND OWNED BY
BLL HOLDINGS, LLC

WHEREAS, BLL Holdings, LLC, a North Carolina limited liability company, (the “Petitioner”) has submitted a petition requesting the annexation into Asheboro of approximately 34,644 square feet of land (Randolph County Parcel Identification Numbers 7750268436 and 7750268543) owned by the limited liability company on the east side of North Carolina Secondary Road 1446; and

WHEREAS, the Petitioner’s above-identified real property is not contiguous to the primary corporate limits of the City of Asheboro; and

WHEREAS, pursuant to a previously adopted resolution, the city clerk has investigated the sufficiency of the annexation petition; and

WHEREAS, the city clerk has certified the sufficiency of the petition for proceeding with setting the date for a public hearing on the question of the requested annexation in accordance with Section 160A-58.2 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that a public hearing on the question of annexing the territory shown on the plat attached to this Resolution as EXHIBIT 1 will be held in the council chamber on the second floor of Asheboro City Hall, 146 N. Church Street, Asheboro, North Carolina 27203 during a regular meeting of the Asheboro City Council that will begin at 6:00 p.m. on April 10, 2025; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that notice of the public hearing scheduled pursuant to this Resolution shall be published in *The Courier-Tribune*, which is a newspaper having general circulation in the City of Asheboro, at least ten (10) days prior to the date of the public hearing.

This Resolution was adopted in open session during a regular meeting of the Asheboro City Council held on March 6, 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

[EXHIBIT 1 referenced in the preceding resolution is on file in the city clerk’s office.]

(B) Petition Received for Mark T. Braswell Property On Crestview Church Road

Mr. Leonard provided an overview of the annexation petition submitted by Mark T. Braswell. The annexation petition pertains to a parcel of land located on the east side of Crestview Church Road.

After reviewing the information provided by city staff, Council Member Burks moved, and Council Member Bell seconded the motion to approve/adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

RESOLUTION NUMBER 9 RES 3-25

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION DIRECTING THE CITY CLERK TO
INVESTIGATE AN ANNEXATION PETITION SUBMITTED BY
MARK T. BRASWELL

WHEREAS, Mark T. Braswell (the “Petitioner”) has submitted a petition requesting the annexation into Asheboro of approximately 58.386 acres of his land (Randolph County Parcel Identification Number 7669360946) on the east side of Crestview Church Road; and

WHEREAS, the Petitioner’s land for which annexation has been requested is not contiguous to Asheboro’s primary city limits; and

WHEREAS, Section 160A-58.2 of the North Carolina General Statutes provides that the sufficiency of such a petition shall be investigated by the city clerk before further annexation proceedings take place; and

WHEREAS, the Asheboro City Council has decided to proceed with the statutorily prescribed voluntary annexation process.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the city clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the council the results of her investigation.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on March 6, 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

In anticipation of the council’s above-stated action, the city clerk’s office conducted an investigation of the annexation petition in advance of the council meeting and prepared the following certificate for council’s review.

CERTIFICATE OF SUFFICIENCY

(Petition Requesting the Annexation of Land Owned by
Mark T. Braswell)

TO: The City Council of the City of Asheboro, North Carolina

I, Holly H. Doerr, am the City Clerk for the City of Asheboro. I hereby certify that, with the assistance of staff members in various city departments, I have investigated the annexation petition submitted by Mark T. Braswell (the “Petitioner”). I further certify that the following paragraphs accurately state the information obtained during the course of my investigation of the annexation petition.

The Petitioner has requested the annexation into Asheboro of approximately 58.386 acres of his land located on the east side of Crestview Church Road (the land for which annexation is sought will be hereinafter referred to as the “Annexation Parcel”). The Annexation Parcel is not contiguous to the primary corporate limits of the City of Asheboro.

Based on my investigation, I have concluded that all of the owners of the real property for which annexation has been requested have signed the prescribed petition. The petition appears to be sufficient to satisfy the provisions of Section 160A-58.1 of the North Carolina General Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Asheboro to make this certification effective as of March 6, 2025.

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(ii) Consideration of a Resolution Setting the Date for a Public Hearing on the Question of Annexation

In light of the preceding council action and the submission of the certification from the office of the city clerk, Mr. Leonard then recommended adoption of a resolution setting the date for a public hearing on the question of the requested annexation. Council Member Heath moved, and Council Member Swiers seconded the motion, to approve/adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

RESOLUTION NUMBER 10 RES 3-25

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING
ON THE QUESTION OF ANNEXING LAND OWNED BY
MARK T. BRASWELL

WHEREAS, Mark T. Braswell (the “Petitioner”) has submitted a petition requesting the annexation into Asheboro of approximately 58.386 acres of his land (Randolph County Parcel Identification Number 7669360946) located on the east side of Crestview Church Road; and

WHEREAS, the Petitioner’s above-identified real property is not contiguous to the primary corporate limits of the City of Asheboro; and

WHEREAS, pursuant to a previously adopted resolution, the city clerk has investigated the sufficiency of the annexation petition; and

WHEREAS, the city clerk has certified the sufficiency of the petition for proceeding with setting the date for a public hearing on the question of the requested annexation in accordance with Section 160A-58.2 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that a public hearing on the question of annexing the territory shown on the plat attached to this Resolution as EXHIBIT A will be held in the council chamber on the second floor of Asheboro City Hall, 146 N. Church Street, Asheboro, North Carolina 27203 during a regular meeting of the Asheboro City Council that will begin at 6:00 p.m. on April 10, 2025; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that notice of the public hearing scheduled pursuant to this Resolution shall be published in *The Courier-Tribune*, which is a newspaper having general circulation in the City of Asheboro, at least ten (10) days prior to the date of the public hearing.

This Resolution was adopted in open session during a regular meeting of the Asheboro City Council held on March 6, 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

[EXHIBIT A referenced in the immediately preceding resolution is on file in the city clerk's office.]

14. Asheboro Regional Airport Items (Formerly Agenda Item No. 15)

(A) Briefing on an Aircraft Incident that Occurred on February 11, 2025

Mr. Leonard reported that on February 11, 2025 at approximately 6:35 a.m., an experimental aircraft owned by Mackie Property Holdings, LLC was significantly damaged when it was involved in an accident at the airport. The pilot reported completing a normal preflight inspection. Shortly after departure, the pilot reported an unusual sound followed by partial loss in power. The problem became severe, and the landing gear did not fully extend, and the plane's landing gear collapsed upon touchdown. No injuries were reported with this incident.

(B) Request for Council Action on a Recommendation from the Asheboro Airport Authority

Mr. Leonard reported that the Asheboro Airport Authority recommended the approval of a lease of space (approximately 12,600 square feet) for the construction/placement of an aircraft hangar for the N.C. Aviation Museum and Hall of Fame, Inc. Council Member Moffitt moved, and Council Member Bell seconded the motion to direct city staff to draft the necessary documents and advertise the intent to lease space at the Asheboro Regional Airport. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes. The lease agreement will receive final consideration during the city council's regular meeting in April 2025.

(C) Fixed Base Operator Agreement

North Carolina law authorizes the City Council of the City of Asheboro to lease, in relation to the operation of the Asheboro Regional Airport, city-owned property located at the airport for a maximum lease term of 30 years so long as the property will not be needed by the municipality during the term of the lease. Effective on midnight on April 30, 2025, the current fixed based operator lease agreement with Cardinal Air, LLC will expire. A new agreement, with the proposed commencement date of May 1, 2025 has been drafted.

Notice of the governing board's intent to approve the proposed new agreement was published in *The Courier Tribune* on January 30, 2025. Mayor Smith invited members of the public to comment on the proposed lease. When no asked to speak, Mayor Smith moved to the deliberative phase of the process.

City Attorney Jeff Sugg presented and recommended adoption, by reference, of a resolution approving the fixed base operator lease agreement at the Asheboro Regional Airport. Council Member Bell moved, and Council Member Burks seconded the motion to approve/adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

RESOLUTION NUMBER 11 RES 3-25

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**RESOLUTION APPROVING THE FIXED BASE OPERATOR LEASE AGREEMENT
AT THE ASHEBORO REGIONAL AIRPORT**

WHEREAS, Section 160A-272 of the North Carolina General Statutes, as amended by the local modification found in Chapter 867 of the 1989 (Reg. Sess., 1990) Session Laws of North Carolina, authorizes the City Council of the City of Asheboro to lease, in relation to the operation of the Asheboro Regional Airport, city-owned property located at the airport for a maximum lease term of 30 years so long as the property will not be needed by the municipality during the term of the lease; and

WHEREAS, effective midnight on April 30, 2025, the current fixed base operator lease agreement with Cardinal Air, LLC (“Cardinal Air”) at the Asheboro Regional Airport will expire; and

WHEREAS, a new agreement, with a proposed commencement date of May 1, 2025, is attached hereto as “ATTACHMENT A” and is hereby incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, notice of the governing board’s intent to approve the proposed new agreement, during the City Council’s regular meeting in March 2025, was published in *The Courier-Tribune* on January 30, 2025.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the governing board hereby approves the entry by the city into the attached new fixed base operator lease agreement with Cardinal Air; and

BE IT FURTHER RESOLVED that the Mayor, City Clerk, and any other municipal official deemed necessary to the contracting process are hereby authorized to execute any and all legal instruments necessary to implement the approved agreement with Cardinal Air so long as such instruments produce a fixed base operator relationship with Cardinal Air at the Asheboro Regional Airport that conforms with the material terms found in “ATTACHMENT A.”

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting on March 6, 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

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ATTACHMENT A

STATE OF NORTH CAROLINA

**LEASE AGREEMENT FOR THE
FIXED BASE OPERATOR AT THE
ASHEBORO REGIONAL AIRPORT**

COUNTY OF RANDOLPH

THIS LEASE AND OPERATING AGREEMENT (the "Agreement") is made and entered into on the last date executed below, by and between the City of Asheboro, a North Carolina municipal corporation located in Randolph County, North Carolina, (the "Lessor") and Cardinal Air, LLC, a North Carolina limited liability company with its principal office located at 80 Aviation Drive, Siler City, North Carolina 27344 (the "Lessee").

WITNESSETH:

WHEREAS, Lessor owns the Asheboro Regional Airport (the "Airport") that is located in Randolph County, North Carolina; and

WHEREAS, fixed base operation services are essential to the proper accommodation of general and commercial aviation at the Airport; and

WHEREAS, Lessor desires to make such services available at the Airport and Lessee is qualified, ready, willing, able, and currently providing such services;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained in this Agreement, the parties hereby agree as follows:

**ARTICLE I
TERM**

The term of this Agreement is five years. The 5-year term of this Agreement will commence at 12:01 A.M. on May 1, 2025, and will expire at midnight on April 30, 2030, unless earlier terminated in accordance with the contractual provisions found within this Agreement.

If the Lessee fails to surrender the demised premises upon the expiration or early termination of this amended Agreement, there shall be no renewal of the Agreement or exercise of an option by operation of law.

**ARTICLE II
LEASED PREMISES**

Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor the following described improvements that are identified and shown on Schedule "C" (Amended February 2025), which is attached hereto as EXHIBIT 1 and incorporated herein by reference, (the "Premises") together with the right of ingress and egress for both vehicles and aircraft:

1. "T" Hangars: Two 8-unit "T" hangars shown on Schedule "C."
2. Maintenance Building: Shown on Schedule "C."
3. FBO Administration Building (Terminal Building): The entire FBO Administration Building shown on Schedule "C," which includes the FBO office, manager's office, training room on the south side of the building, lounge,

conference room, restrooms, and snack area. The lounge, conference room, restrooms, and snack area must be open to the public during normal operating hours.

4. Avgas and Jet Fuel Facilities.
5. North Apron: Shown on Schedule "C."
6. South Apron: Shown on Schedule "C."
7. Hangars B, C, D, E, F, K, N, and O as shown on Schedule "C."

ARTICLE III RIGHTS AND OBLIGATIONS OF LESSEE

A. Required Services. Lessee is hereby granted the non-exclusive privilege to engage in, and Lessee agrees to engage in, the business of providing fixed base operation services as hereinafter identified, at the Airport every day during the hours of 8 A.M. until sunset or 8 P.M., whichever occurs first, with only fuel sales required on Sunday and national holidays. Services required of the Lessee shall be as follows:

1. Lessee is to operate and provide management of all the Premises and the public and other non-commercial facilities on the Airport premises for the public and the Lessor in return for the use of the leased facilities. The leased facilities are described in Article II. The public facilities include the runway, taxiways, runway and taxiway lighting, REIL, NDB, PAPI, AWOS, auto parking area, access road, windsock, and area lighting. In the terminal building, the public facilities include the lobby, restrooms, vending/snack area, and conference room. Other non-commercial facilities shall include existing and future hangars or facilities not intended for commercial use and not leased to another tenant, and not part of the leased or public property. Operation by the Lessee includes maintaining clean facilities and providing operational maintenance.

2. Lessee is to provide a UNICOM radio station (The City reserves the right to license the UNICOM in its own name with access to be provided to the UNICOM for one or more lessees).

3. The Lessee will monitor the NDB and AWOS on monitors provided by the Lessor.

4. The Lessee will file and rescind NOTAMS as required.

5. The Lessee will provide repair and maintenance services for based and transient aircraft. Lessee agrees to maintain and provide, directly or by sublease, aircraft engine, airframe, and avionics maintenance and repair services within Federal Aviation Administration (the "FAA") rules and regulations, and the Lessee further agrees to observe and be responsible for all environmental regulations relative to all of its operations. The Lessor reserves the right to approve or disapprove with or without cause all sublease agreements prior to execution of the agreements.

6. The Lessee is to provide sales of avionic, airframe, and engine parts and instruments and accessories.

7. The Lessee is to provide aircraft rental and flight instruction.

8. The Lessee will provide ramp service, including sale and into plane delivery of aviation gas and jet fuel, lubricants, and other related aviation products.

9. The Lessee will provide apron servicing of and assistance to aircraft, including itinerant parking, storage, and tie down service, for both based and itinerant aircraft upon or within facilities leased to Lessee or aircraft parking areas designated by Lessor.

10. The Lessee will observe and enforce the "Rules and Regulations" of the Asheboro Regional Airport.

Lessee acknowledges that, with the exception of activities in the maintenance building, no right or privilege has been granted which would operate to prevent any person, firm, or corporation operating aircraft at the Airport from personally performing service on the individual's or entity's own aircraft or with the individual or entity's own regular employees, including maintenance and repair services.

B. Authorized and Prohibited Services. In addition to the services required to be provided by Lessee pursuant to Paragraph A above, Lessee is authorized but not required to provide the following services and to engage in the following activities:

1. Ramp service at the Main Terminal or other Airport locations; loading and unloading of non-air carrier passengers, baggage, mail, and freight; and providing of ramp equipment, aircraft cleaning, and other services for other persons or firms.

2. Special flight services, including, without limitation, aerial sight-seeing, aerial advertising, and aerial photography.

3. The sale of new and used aircraft.

4. Aircraft charter operations; said operations may be conducted by Lessee or a subcontractor of Lessee.

5. The Lessee may use the snack area in the terminal building for drink and snack machines and microwave, toaster, coffee pot, or similar device(s). A restaurant is not permitted. No business use is permitted in the lobby.

6. The Lessee is authorized to use the conference room in the terminal building for business purposes, provided that the public is given priority use.

C. Operating Standards. In providing any of the required and/or authorized services or activities specified in this Agreement, Lessee shall operate for the use and benefit of the public and shall meet or exceed the following standards:

1. Lessee shall furnish service on a fair, reasonable, and non-discriminatory basis to all users of the Airport. Lessee shall furnish good, prompt, and efficient service that is adequate to meet all reasonable and customary demands for its services at the Airport. Lessee shall charge fair, reasonable, and non-discriminatory prices for each unit of sale or service; provided, however, that Lessee may be allowed to give reasonable discounts, rebates, or similar types of price reductions to volume purchasers so long as such discounts are not provided on the basis of a prohibited Constitutional or statutory factor or in violation of federal, state, or local public policy.

2. Lessee shall select and appoint a manager of its operations at the Airport. The manager shall be qualified, experienced, and vested with full power and authority to act in the name of Lessee with respect to the method, manner, and conduct of the operation of the fixed base services to be provided under this Agreement. The manager shall be available at the Airport during regular business hours and, during the manager's absence, a duly authorized subordinate shall be in charge and available at the Airport to provide usual and customary services then normally available.

3. Lessee shall provide, at its sole expense, a sufficient number of employees to provide effectively and efficiently the services required or authorized under the terms and conditions of this Agreement.

4. Lessee shall control the conduct, demeanor, and appearance of its employees, who shall be trained by Lessee and who shall possess such technical qualifications and hold such certificates of qualification as may be required in order to carry out assigned duties. It shall be the responsibility of Lessee to maintain supervision over its employees and to assure a high standard of service to customers of Lessee.

5. Lessee shall meet in a timely manner all expenses and payments in connection with its lease of the Premises (except as noted in Article IV) and the rights and privileges herein granted, including sales taxes, permit fees, and license fees.

6. Lessee shall comply with all federal, state, and local laws, rules, and regulations which may apply to the conduct of the business contemplated, including by way of illustration and without limitation rules and regulations promulgated by Lessor, and Lessee shall keep in effect and post in a prominent place all necessary and/or required licenses or permits.

7. Lessee shall be responsible for the maintenance and repair of the Premises (except as noted in Article IV) and shall keep and maintain the Premises in good condition, order, and repair, and Lessee shall surrender the same upon the expiration of this Agreement in the condition in which they are required to be kept, reasonable wear and tear and damage by the elements not caused by Lessee's negligence excepted.

8. It is expressly understood and agreed that, in providing required and authorized services pursuant to this Agreement, Lessee shall have the right to choose, in its sole discretion, its vendors and suppliers.

D. Signs. During the term of this Agreement, Lessee shall have the right, at its expense, to place in or on the Premises a sign or signs identifying Lessee and its products and services. Said sign or signs shall be of a size, shape, and design, and at a location or locations approved by Lessor. Any and all such signs must conform to any overall directional graphics or sign program or ordinance established by Lessor. Lessor's approval shall not be withheld unreasonably. Notwithstanding any other provision of this Agreement, said sign(s) shall remain the property of Lessee. Lessee shall remove, at its expense, all lettering, signs, and placards so erected on the Premises at the expiration of this Agreement.

E. Non-Exclusive Right. It is not the intent of this Agreement to grant to Lessee the exclusive right to provide any or all of the services described in this article at any time during the term of this Agreement. Lessor reserves the right, at its sole discretion, to grant others certain rights and privileges at the Airport which are identical in part or in whole to those granted to Lessee. However, Lessor does covenant and agree that:

1. It shall enforce all minimum operating standards or requirements for all aeronautical endeavors and activities conducted at the Airport;

2. Any other operator of aeronautical endeavors or activities will not be permitted to operate on the Airport under rates, terms, or conditions which are more favorable than those set forth in this Agreement; and

3. Lessor will not permit the conduct of any aeronautical endeavor or activity at the Airport except under an approved lease or operating agreement.

ARTICLE IV APPURTENANT PRIVILEGES

A. Use of Airport Facilities. Subject to the right of the Lessor, consistent with Article V of this Agreement, to close or limit access to one or more areas on the airport grounds in order to accommodate maintenance, renovation, and/or construction activities, Lessee shall be entitled, in common with others so authorized, to the use of all facilities and improvements of a public nature which now are or may hereafter be connected with or appurtenant to the Airport, including the use of landing areas, runways, taxiways, navigational aids, terminal facilities and aircraft parking areas designated by Lessor, auto parking, and roadways.

B. Maintenance and Operation of Airport Facilities. The duties and responsibilities of the Lessor for maintenance and expenditures concerning assets of the Asheboro Regional Airport are outlined as follows:

1. The Lessor will provide structural maintenance on buildings, the runway, taxiway, ramp areas, and the Premises. In addition, the Lessor will provide grass mowing services for the airport grounds and will provide, on paved areas only, snow removal services; provided, however, snow removal on city-maintained streets, wherever they may be located, shall receive the highest priority.
2. The Lessor will provide maintenance and calibration of the NDB, rotating beacon, REILS, and PAPI.
3. The Lessor will provide electricity for operation of the runway and taxiway lighting, REIL, windsock, rotating beacon, NDB, and outside area lighting.
4. The Lessor will provide potable water and sanitary sewer services for the terminal and east maintenance hangar.
5. The Lessor will provide and pay operational costs for outside public phone service.
6. Specific duties and responsibilities of the Lessor and the Lessee for the maintenance, operation, and expenditures concerning assets of the Asheboro Regional Airport are itemized as follows:

<u>ASSET</u>	<u>LESSEE</u>	<u>LESSOR</u>
Airfield	Manages; Post NOTAMS	Pays Maintenance & Mowing
Runway/Lighting	Manages; Replaces Lamps	Pays Lamps, Maintenance, & Electricity; Removes Snow
Windsock	Manages; Replaces Lamps/ Sock	Pays Maintenance, Lamps, & Electricity
NDB/AWOS Monitors	Manages/Monitors	Pays Maintenance & NDB/AWOS Electricity
Light Beacon	Manages	Pays Maintenance & Electricity
Apron-North	Manages; Receives Full Rent; Provides Tie Down Ropes (Rental Rate to be Approved by Asheboro Airport Authority)	Pays Maintenance; Removes Snow
Fuel Facilities	Rent Free Use; Monitors Fuel on Daily Basis; Provides Operational Maintenance (Filters, Quality Control, and Clean-Up); Pays 5% of Gross Receipts from Flowage Fee to Lessor when Sales Exceed 150,000 Gallons in a Calendar Year	Provides Facility Maintenance; Receives 5% of Gross Receipts from Flowage Fee When Sales Exceed 150,000 Gallons in a Calendar Year
Terminal/Furn.	Rent Free Use of Office, Training Room, & Manager's Office; Pays Operational Maintenance Costs	Pays Structural Maintenance Costs; Pays for Utilities, including Electricity and Communications Services such as Internet Connectivity in the Building

<u>ASSET</u>	<u>LESSEE</u>	<u>LESSOR</u>
Parking Lot	Manages; FBO Rental Car Use	Provides Maintenance; Removes Snow
Water System	Uses Free of Charge	Operates the Municipal Water Supply & Distribution System
Sewer System	Uses Free of Charge	Operates the Municipal Sanitary Sewer System
T Hangars (16)	Manages; Receives Full Rent; Provides Tie Down Ropes (Rental Rate to be Approved by Asheboro Airport Authority)	Pays Structural Maintenance
Maint. Hangar - East	Uses for Business Rent Free	Pays Structural Maintenance; Pays Heat & Electricity
Maint. Hangar - West	Uses for Business Rent Free	Pays Structural Maintenance; Pays Heat & Electricity
Air Compressor	Pays All Maintenance	No Obligation to Replace
Roads	Manages; Common Use	Pays Maintenance; Removes Snow
Area Lighting	Manages; Calls for Maintenance	Pays for Service
Public Phone	Manages; Calls for Maintenance	Pays for Service
UNICOM	Furnishes & Operates	Reserves Access by Others
Apron South	Manages; Receives Full Rent; Provides Tie Down Ropes (Rental Rate to be Approved by Asheboro Airport Authority)	Reserves Right to Lease to Others; Pays Maintenance; Removes Snow
Other Non-Commercial Hangars or Facilities Existing and Those Developed in the Future	Manages, Subject to City Lease Agreement(s)	Subject to City Lease Agreement(s)
Fuel Truck	Provides Truck, Gas for Truck, & Maintenance of Truck, including Fueling Equipment, in Coordination with FBO's Third Party Vendor(s)	Provides Funding Directly to FBO for Airport Fuel Infrastructure in the Amount of \$2,000.00 per Month
Trash Containers	Free Use of Containers; Monitors & Limits Unauthorized Use	Provides Containers; Empties Containers & Pays for Trash Disposal

<u>ASSET</u>	<u>LESSEE</u>	<u>LESSOR</u>
Hangars B, C, D, E, F, K, N, and O	Manages Leasing of Hangars to Third Parties on a Month-to-Month Basis, Including Rental Billing and Collections; Retains 35% of Rental Fees Collected; Rental Rates Must Be Approved by the Asheboro Airport Authority	Pays Structural Maintenance; Pays Utilities Not Billed Directly to Subtenants

C. Aerial Approaches. Lessor reserves the right to take any action it considers necessary to protect the aerial approaches to the Airport against obstruction together with the right to prevent Lessee from erecting, or permitting to be erected, any building or other structure on or adjacent to the Airport which, in the sole opinion of Lessor, would limit the usefulness of the Airport or constitute a hazard to aircraft.

D. Non-Competition. Lessor shall not engage directly or indirectly in any of the activities described in Paragraphs A and B of Article III of this Agreement.

**ARTICLE V
LEASEHOLD IMPROVEMENTS**

Lessee is not required to construct any facilities or improvements under this Agreement. Lessor has the right to close runway, taxiway, and apron areas for repair or new construction for limited times. Lessee agrees to allow new construction to be performed in a cost efficient manner, and Lessor agrees to negotiate in good faith a reasonable payment to Lessee for loss of use of the facilities due to such construction.

At its option, the Lessor may assume ownership of any leasehold improvements constructed by Lessee upon Lessee's abandonment of the facilities at the termination of this Agreement.

**ARTICLE VI
PAYMENTS**

A. Fees. In consideration of the rights and privileges granted by this Agreement, the parties agree to pay to each other during the term of this Agreement the following:

1. After the threshold amount of 150,000 gallons of aviation fuel is sold by Lessee in a calendar year, the Lessee shall pay an amount equal to five percent (5%) of gross fuel sales dollars as a fuel flowage fee on all aviation fuel dispensed by Lessee on the premises. Payments shall be made on or before the 10th day of each month for fuel dispensed during the prior month.
2. The Lessor shall pay Lessee an airport fuel infrastructure payment of two thousand and no hundredths dollars (\$2,000.00) per month. This monthly airport fuel infrastructure payment shall be made on or before the 10th day of each calendar month.
3. Lessee shall retain 35% of all rental payments collected from tenants subleasing Hangars B, C, D, E, F, K, N, and O. The balance of all rental payments collected from the tenants subleasing the listed hangars shall be paid by Cardinal Air to the City. Payments shall be made to the City on or before the 10th day of each month for rental payments collected during the prior month.

B. Delinquency Charge. A delinquency charge of one percent (1%) per month shall be added to payments required by Paragraph A above that are rendered more than ten (10) days delinquent.

C. Place of Payment. Payments required under the terms and conditions of this Agreement shall be delivered as follows:

1. All payments due to the Lessor from the Lessee shall be delivered to the City of Asheboro Finance Department, 146 N. Church Street, P.O. Box 1106, Asheboro, NC 27204-1106.
2. All payments due to the Lessee from the Lessor shall be delivered to Cardinal Air, LLC, 2222 Pilots View Road, Asheboro, North Carolina 27205.

D. Renegotiation of Rent. The Lessee is given the authority to change hangar rents at its discretion but with the approval of the Asheboro Airport Authority. Such approval shall not be unreasonably withheld.

E. Records. Lessee shall maintain and provide accurate records of retail fuel sales, hangar and tie-down rentals, and itemized adjusted gross receipts derived under this Agreement for a period of three years from the date the record is made. Such records shall be maintained according to generally accepted accounting principles. Lessor or its duly authorized representatives shall have the right at all reasonable times during business hours to inspect the books, records, and receipts of Lessee, and to verify Lessee's fuel sales, hangar and tie-down rentals, and adjusted gross receipts.

F. Annual Statement. Within 90 days after the end of each calendar year, Lessee shall furnish to Lessor a statement of fuel sales along with hangar and tie-down rentals generated during the preceding calendar year. The statement referenced in the preceding sentence shall be prepared by an independent CPA and certified by an officer of Lessee as to the correctness of the statement. Lessor reserves the right to audit said statement and Lessee's books and records, including examination of the general ledger and all other supporting material, at any reasonable time during business hours for the purpose of verifying the reported fuel sales, hangar and tie-down rentals, and total business year operation.

If the audit establishes that Lessee has understated or overstated fuel sales and/or the hangar and tie-down rentals collected by five percent (5%) or more, the entire expense of said audit shall be borne by Lessee. Any additional payment due from Lessee shall forthwith be paid to Lessor, with interest thereon at one percent (1%) per month from the date such amount originally became payable to Lessor. Any overpayment by Lessee shall be credited against further payments due to Lessor. Either party may refer the results of the audit for resolution in accordance with Paragraph G below.

G. Disputes. In the event that any dispute may arise as to fuel sales and/or hangar and tie-down rentals collected, the amount claimed due by Lessor shall be submitted to a certified public accountant, agreeable to both parties, who shall determine the rights of the parties hereunder in conformity with generally accepted accounting principles. The fees due said accountant for such services shall be paid by the unsuccessful party, or in the event the determination is partially in favor of each party, the fee shall be borne equally by the parties.

ARTICLE VII UTILITIES

Lessee shall have the right to use the utility service facilities as located on the Premises at the commencement of this Agreement. The Lessee shall pay the cost for any improvements or extensions of the utility service facilities desired by the Lessee.

ARTICLE VIII INSURANCE

A. Required Insurance. Lessee shall obtain and maintain continuously in effect at all times during the term of this Agreement, at Lessee's sole expense, the following insurance:

1. Comprehensive general liability insurance, including products, completed operations, and contractual liability, in the minimum amount of \$1,000,000 to protect Lessor against any and all liability by reason of Lessee's conduct incident to the use of the Premises, liability resulting from any accident occurring on or about the roads, driveways, or other public places, including runways and taxiways, used by Lessee at the Airport, or liability caused by or arising out of any wrongful act or omission of Lessee;

2. Fuel operations coverage in the minimum amount of \$10,000,000;

3. Hangar keeper's insurance in the minimum amount of \$100,000/\$250,000;

4. Auto liability insurance in the minimum amount of \$1,000,000, if vehicles are registered in Lessee's name; and

5. Workers' compensation coverage that, at a minimum, complies with North Carolina statutory requirements is also required of the Lessee.

The insurance specified in A.1 through A.4, above, shall name Lessor and the Asheboro Airport Authority as additional insureds.

B. Notice. Lessor agrees to notify Lessee in writing as soon as practicable of any claim, demand, or action arising out of an occurrence covered hereunder of which Lessor has knowledge, and to cooperate with Lessee in the investigation and defense thereof.

ARTICLE IX INDEMNIFICATION

To the extent not covered by insurance carried in favor of Lessor, Lessee shall indemnify and hold harmless Lessor from and against any and all claims, demands, suits, judgments, cost, and expenses asserted by any person or persons, including agents or employees of Lessor or Lessee, by reason of death or injury to persons or loss or damage to property resulting from Lessee's operations or anything done or omitted by Lessee under this Agreement except to the extent that such claims, demands, suits, judgments, costs, and expenses may be attributed to the acts or omissions of Lessor or its agents or employees.

To the extent not covered by insurance carried in favor of Lessee, Lessor shall indemnify and hold harmless Lessee from and against any and all claims, demands, suits, judgments, cost, and expenses asserted by any person or persons, including agents or employees of Lessee or Lessor, by reason of death or injury to persons or loss or damage to property resulting from Lessor's operations or anything done or omitted by Lessor under this Agreement except to the extent that such claims, demands, suits, judgments, costs, and expenses may be attributed to the acts or omissions of Lessee or its agents or employees.

The City of Asheboro agrees to indemnify the Lessee and its principals against all environmental liabilities existing prior to the effective date of this Agreement and to indemnify the Lessee and its principals against future environmental liabilities not caused by the Lessee or one of its principals, agents, or employees.

ARTICLE X LESSEE AS INDEPENDENT CONTRACTOR

In conducting its business hereunder, Lessee acts as an independent contractor and not as an agent of Lessor. The selection, retention, assignment, direction, and payment of Lessee's employees shall be the sole responsibility of Lessee, and Lessor shall not attempt to exercise any control over the daily performance of duties by Lessee's employees.

ARTICLE XI ASSIGNMENT

This Agreement, or any part thereof, may not be assigned, transferred, or subleased by Lessee, by process or operation of law, or in any other manner whatsoever, without the prior written consent of Lessor, which consent shall not be withheld unreasonably.

ARTICLE XII NON-DISCRIMINATION

Notwithstanding any other or inconsistent provision of this Agreement, during the performance of this Agreement, Lessee, for itself, its heirs, personal representatives, successors in interest and assigns, as part of the consideration for this Agreement, does hereby covenant and agree, as a covenant running with the land, that;

A. No person on the grounds of race, color, religion, sex, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the use of the Premises.

B. In the construction of any improvement(s) on, over, or under the Premises, and the furnishing of services therein or thereon, no person on the grounds of race, color, religion, sex, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination.

C. Lessee shall use the Premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said regulations may be amended.

D. In the event of breach of any of the above non-discrimination covenants, Lessor shall have the right to terminate this Agreement and to reenter and repossess the Premises and hold the same as if said Agreement had never been made or issued. This provision does not become effective until the procedures of 49 CFR Part 21 have been followed and completed, including expiration of appeal rights.

ARTICLE XIII REQUIREMENTS OF THE UNITED STATES

This Agreement shall be subject and subordinate to the provisions of any existing or future agreement between Lessor and the United States, or any agency thereof, relative to the operation or maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development or operation of the Airport; provided, however, that Lessor shall, to the extent permitted by law, use its best efforts to cause any such agreements to include provisions protecting and preserving the rights of Lessee in and to the Premises and to compensation for the taking thereof, interference therewith and damage thereto, caused by such agreement or by actions of Lessor or the United States pursuant thereto.

ARTICLE XIV DEFAULT AND TERMINATION

A. Termination by Lessee. This Agreement shall be subject to termination by Lessee in the event of any one or more of the following events:

1. The abandonment of the Airport as an airport or airfield for any type, class, or category of aircraft.

2. The default by Lessor in the performance of any of the terms, covenants, or conditions of this Agreement, and the failure of Lessor to remedy or undertake to remedy

to Lessee's satisfaction such default for a period of 30 days after receipt of notice from Lessee to remedy the same.

3. Damage to or destruction of all or a material part of the Premises or Airport facilities necessary to the operation of Lessee's business.

4. The lawful assumption by the United States, or any authorized agency thereof, of the operation, control, or use of the Airport, or any substantial part or parts thereof, in such a manner as to restrict substantially Lessee from conducting business operations for a period in excess of 90 days.

B. Termination by Lessor. This Agreement shall be subject to termination by Lessor in the event of any one or more of the following events:

1. The default by Lessee in the performance of any of the terms, covenants, or conditions of this Agreement, and the failure of Lessee to remedy or undertake to remedy to Lessor's satisfaction such default for a period of 30 days after receipt of notice from Lessor to remedy the same.

2. Lessee files a voluntary petition in bankruptcy, including a reorganization plan, makes a general or other assignment for the benefit of creditors, is adjudicated as bankrupt, or if a receiver is appointed for the property or affairs of Lessee and such receivership is not vacated within 30 days after the appointment of such receiver.

3. In addition to all other remedies at law, the Lessor is expressly granted all rights and procedures authorized by Chapter 42 of the North Carolina General Statutes to obtain possession of the premises upon default.

C. Exercise. Exercise of the rights of termination set forth in Paragraphs A and B above shall be by notice to the other party within 30 days following knowledge of the event giving rise to the termination.

D. Removal of Property. Upon termination of this Agreement for any reason, Lessee, at its sole expense, shall remove from the Premises all signs, trade fixtures, furnishings, personal property, equipment, and materials which Lessee was permitted to install or maintain under the rights granted herein. If Lessee shall fail to do so within 30 days, then Lessor may cause such removal or restoration at Lessee's expense, and Lessee agrees to pay Lessor such expense promptly upon receipt of a proper invoice therefore.

E. Causes of Breach; Waiver.

1. Neither party shall be held to be in breach of this Agreement because of any failure to perform any of its obligations hereunder if said failure is due to any cause for which it is not responsible and over which it has no control; provided, however, that the foregoing provision shall not apply to failures by Lessee to pay fees, rents, or other charges to Lessor.

2. The waiver of any breach, violation, or default in or with respect to the performance or observance of the covenants and conditions contained herein shall not be taken to constitute a waiver of any such subsequent breach, violation, or default in or with respect to the same or any other covenant or condition hereof.

**ARTICLE XV
MISCELLANEOUS PROVISIONS**

A. Entire Agreement. This Agreement constitutes the entire understanding between the parties, and as of its effective date, supersedes all prior or independent agreements between the parties covering the subject matter hereof. Any change or modification hereof must be in writing signed by both parties.

B. Severability. If a provision hereof shall be finally declared void or illegal by any court or administrative agency having jurisdiction, the entire Agreement shall not be void, but the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the parties.

C. Notice. Any notice given by one party to the other in connection with this Agreement shall be in writing and shall be sent by certified mail, return receipt requested, with postage fees prepaid. Notice shall be deemed to have been received on the date of receipt as shown on the return receipt. Any such notice shall be addressed as follows:

1. If the Lessor is recipient of the notice, the notice shall be addressed as follows:

City of Asheboro
Attn: City Manager
146 N. Church Street
PO Box 1106
Asheboro, NC 27204-1106

2. If Lessee is the recipient of the notice, the notice shall be addressed as follows:

Cardinal Air, LLC
2222 Pilots View Road
Asheboro, NC 27205

D. Headings. The headings used in this Agreement are intended for convenience of reference only and do not define or limit the scope or meaning of any provision of this Agreement.

E. Governing Law. This Agreement is to be construed in accordance with the laws of the State of North Carolina.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate originals.

LESSOR: City of Asheboro

By: _____ (SEAL)
David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

**STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH**

I, the undersigned Notary Public of _____ County, North Carolina, hereby certify that Holly H. Doerr, who is personally known to me, came before me this day and acknowledged that she is the City Clerk for the City of Asheboro and that, by authority duly given and as the act of the municipal corporation, the foregoing instrument was voluntarily executed on behalf of the municipal corporation by its Mayor, sealed with the municipal corporation's seal, and attested by Ms. Doerr as the City Clerk for the purposes stated therein.

WITNESS my hand and notarial seal or stamp, this the _____ day of _____, 2025.

Notary Public’s Signature

Notary Public’s Typed or Printed Name

My commission expires:

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Deborah P. Reaves, Finance Officer

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate originals as of the day and year first above written.

LESSEE: Cardinal Air, LLC

By: _____ (SEAL)
Karen McCraw, Managing Member

STATE OF NORTH CAROLINA
COUNTY OF _____

I, the undersigned Notary Public of _____ County, North Carolina, hereby certify that Karen McCraw, who is either personally known by me or whose identity was proven by satisfactory evidence, appeared before me this day and acknowledged that she is a Managing Member of Cardinal Air, LLC and that, being duly authorized to do so, she voluntarily executed the foregoing instrument on behalf of the limited liability company for the purposes stated therein.

WITNESS my hand and notarial seal or stamp, this the _____ day of _____, 2025.

Notary Public’s Signature

Notary Public’s Typed or Printed Name

My commission expires:

[EXHIBIT 1 referenced in the immediately preceding FBO agreement is on file in the city clerk’s office.]

15. A Status Report on the Central Business District Parking Study (Formerly Agneda Item No. 16)

Assistant City Manager Trevor Nuttall reported that Walker Consultants provided an update for the Central Business District Parking Study and Strategy. Phase 1 (Analysis and Evaluation of Existing Conditions) has been completed, including a summary of the stakeholder and open house meeting and evaluation of the community survey results. Walker Consultants and city planning department staff members have been evaluating the future parking needs related to the estimated growth metrics and additional parking demand impacts created by active and potential redevelopment projects. Mr. Nuttall will report on the final summary as it becomes available. A copy of the summary by Walker Consultants is on file in the city clerk's office.

No formal action was taken by the council during this portion of the meeting.

16. Discussion and Requested Action on Design-Build Contract Amendment #3 for the Wolfsped Water Main Extension Project

Water Resources Director Michael Rhoney, PE, presented the design-build contract amendment #3 for the Wolfsped Water Main Extension Project. The updated total contract value is \$34,500,656.84. Council Member Bell moved, and Council Member Heath seconded the motion to authorize city officials, on behalf of the municipal corporation, to execute design-build contract amendment #3 for the Wolfsped Water Main Extension Project. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes. A copy of the amendment #3 is on file in the city clerk's office.

17. Capital Projects – McCrary Ballpark Project (Formerly Agenda Item 8(C))

Current State of the Project

Recreation Services Director Jonathan Sermon summarized the status of the McCrary Ballpark Project. A lease agreement between the Zookeepers Baseball LLC and the City of Asheboro was signed in January 2025. City staff has submitted a request for funding from Randolph County's Strategic Planning Fund to be used for final improvements to McCrary Ballpark.

In anticipation of county funding, city staff requested from CPL Architects, which is the project's design firm, a proposed amendment to the existing contract to design, in two phases, a batting cage and a concessions building. The contemplated batting cage facility is to be located in the area of the current batting cage and would include an enclosed area of approximately 700 square feet for an umpire changing area and an unenclosed covered area of 36' x 124' for the batting cage. The building would be designed in a manner that would allow the open portion to be enclosed in the future. The contemplated concessions building would be approximately 1,600 square feet and would be located between the patio and bleachers down the right-field line.

After receiving Mr. Sermon's update, the council members engaged in a substantive discussion of the merits of the two phases contemplated by the proposed amendment to the CPL Architects contract. The discussion covered a broad range of options including the merits of pursuing one phase rather than both and whether an alternative construction/procurement approach should be used.

Ultimately, Council Member Bell moved, and Council Member Moffitt seconded the motion, to approve the proposed contract amendment that was prepared by CPL Architects to provide professional design services for Phase 1 (Batting Cage/Umpire Changing Area) and Phase II (Concessions Building) for a professional services fee in the amount of \$143,900 that is inclusive of bidding and construction administration services. Council Members Bell, Burks, Moffitt, and Swiers voted aye. Council Members Heath, McCaskill, and Trogon voted no.

Ordinances to Fund the Contract Amendment with CPL Architects

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the general fund. Council Member Bell moved, and Council Member Moffitt seconded the motion to approve/adopt the following ordinance by reference. Council Members Bell, Burks, Moffitt, and Swiers voted aye. Council Members Heath, McCaskill, and Trogon voted no.

6 ORD 3-25

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2024-2025**

WHEREAS, The City of Asheboro has received a proposal from CPL for professional design services for a concession building and batting facility at McCrary Park.

WHEREAS, design services include Architecture, Food Service Design, Mechanical / Electrical / Plumbing / Fire Protection / Structural / Civil Engineering for Phase I Batting Facility and for Phase II Concession Building.

WHEREAS, the proposed cost of the professional design services for both phases is \$143,900.

WHEREAS, the City of Asheboro wishes amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

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

That the following revenue line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-000-399.0000	Fund Balance Allocation	\$143,900

That the following expense line item be increased / decreased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-620-565.0000	Contribution to McCrary Ball Park	\$143,900

Adopted this 6th day of March 2025,

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

Ordinance to Amend the McCrary Baseball Park Improvements Fund

Ms. Reaves then presented and recommended adoption, by reference, of an ordinance to amend the McCrary Baseball Park Improvements Fund. Council Member Bell

moved, and Council Member Moffitt seconded the motion to approve/adopt the following ordinance by reference. Council Members Bell, Burks, Moffitt, and Swiers voted aye. Council Members Heath, McCaskill, and Trogon voted no.

7 ORD 3-25

ORDINANCE TO AMEND
THE MCCRARY BASEBALLPARK IMPROVEMENTS FUND
FY 2024-2025

WHEREAS, The City of Asheboro has received a proposal from CPL for professional design services for a concession building and batting facility at McCrary Park.

WHEREAS, design service includes Architecture, Food Service Design, Mechanical / Electrical / Plumbing / Fire Protection / Structural / Civil Engineering for both the Phase I Batting Facility and for the Phase II Concession Building.

WHEREAS, the proposed cost of the professional design services for both phases is \$143,900 and funds are coming from the General Operating Fund.

WHEREAS, the McCrary Ballpark Improvements fund needs to be amended to recognize changes in revenue and expenses that have changed since the budget was last adopted.

WHEREAS, the City Council of the City of Asheboro desires to be in compliance with all generally accepted accounting principles to incorporate new expenditures outline above, and

THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina that the following revenue and expense line items are changed as follows:

Section 1: That the following revenue line items be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
65-000-300.0001-65	GF Contributions	\$143,900

Section 2: That the following expense line items be increased

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
Phase I- Batting Facility		
65-000-409.0001	Phase I, Task 1 design	\$12,800
65-000-409.0001	Phase I, Task 2, Construction Doc	18,700
65-000-409.0001	Phase I, Task 3 Construction Permitting / Bidding	2,500
65-000-409.0001	Phase I, Task 4, Construction Admin	9,000
65-000-409.0001	Phase I, Cost Estimate & Reimbursables	2,790
Phase II, Concession Stand		
65-000-409.0002	Phase II, Task 1 Concept designs	19,270
65-000-409.0002	Phase II, Task 2 Construction Doc.	40,930
65-000-409.0002	Phase II, Task 3 Construction Permitting / Bidding	7,400
65-000-409.0002	Phase II, Task 4 Constriction Admin	24,000
65-000-409.0002	Phase II Cost Estimate & Reimbursables	6,510
		\$143,900

Adopted this 6th day of March 2025.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

18. Legislative Hearing (Case No. RZ-25-01): Application to rezone from R10 Medium-Density Residential to O&I (CZ) Office and Institutional Conditional Zoning for a public use facility (McCrary Park) at 138 Southway Road and 349 and 353 North McCrary Street (Randolph County Parcel Identification Numbers 7751347980, 7751359117, and 7751354017). (Formerly Agenda Item No. 10)

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-25-01. Mr. Evans was the first speaker. In addition to entering into the records the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by the City of Asheboro.

The land for which the above-described zoning has been requested is located at 138 Southway Road and 349 and 353 North McCrary Street. The property is approximately 10.36 acres in size and is more specifically identified by Randolph County Parcel Identification Numbers 7751347980, 7751359117, and 7751354017 (this property will be hereinafter referred to as the “Zoning Lot”).

In addition to the written staff report, Mr. Evans utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The existing use of the property is a public use facility (McCrary Park). The primary recreation facility is a baseball and softball field, with some existing ancillary facilities and structures depicted on the site plan.
2. The property is within the city limits. Southway Road and North McCrary Street are state-maintained roads that serve primarily single-family and two-family dwellings, in addition to the existing public use facility (McCrary Park) and an associated business services use that is an office affiliated with the Zookeepers management.
3. The existing R10 district is described as “intended to provide regulations which will produce a moderate intensity of residential uses, usually single-family or two-family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living.”
4. The O&I district is described as “to produce moderate intensity office and institutional development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated O&I shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.”
5. Recent renovations were permissible by right and eliminated some nonconforming situations, such as paving a formerly gravel parking lot. Additional permitted improvements included upgrades to parking lot lighting (full cutoff fixtures, the addition of a playground, and improved pedestrian access). Other legal non-conformities currently exist on the property such as absence of front yard landscaping, perimeter buffering/screening adjacent to residential uses, and landscaping

within the parking area. The site plan indicates an intent to address these nonconformities to the maximum extent possible.

6. The Office & Institutional District typically has a front yard setback of 25'. The front yard setback depicted on the site plan is 20' in recognition that the park was developed with reduced setbacks; the prior restroom building, which was larger than what has been reconstructed, had utilized a 15' front setback. It is noted that the zoning ordinance allows replacement of a structure in a nonconforming location by right if the extent of the nonconformity is not increased.
7. The site plan identifies two possible additional buildings, a metal Batting Tunnels Building and Concessions structure. Additional parking with emergency access also is shown. The requested conditional zoning district, if approved, would establish the necessary zoning district necessary to complete the improvements as identified in the application. However, approval would not bind the council to proceed with any improvements.
8. The Land Development Plan designates most of this property as a park, with a small portion of the property proposed for a "Neighborhood Residential" use, which consists primarily of single-family and two-family dwellings. The Land Development Plan's Neighborhood Residential description mentions the desirability of having convenient access to parks and recreational amenities.

Mr. Evans noted, that when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map: Park/Neighborhood Residential

Growth Strategy Map: Primary Growth Area

Small Area Map: Northwest

LDP Goals/Policies that Support the Request:

Checklist Item 1: Complies with Land Development Plan Map.

Checklist Item 5: Complies with Growth Strategy Map

Checklist Item 1.4: A thriving tourism industry

Checklist Item 12-13: 12.) The property is located outside of watershed.
13.) The property is located outside of Special Hazard Flood Area

LDP Goals/Policies that Do Not Support the Request:

Checklist Item 14: Rezoning is located on steep slopes of greater than 20%.

The City of Asheboro Planning Board considered the zoning map amendment application and recommended approving the placement of the Zoning Lot into the requested O&I (CZ) zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

While much of the area contains residential uses, McCrary Park has long been a communitywide recreation attraction and the Land

Development Plan designates most of the property as a park. While a portion of the subject property is designated for “Neighborhood Residential” use, the Land Development Plan describes the Neighborhood Residential designation as having convenient access to parks. The property is also accessible to multiple transportation corridors, including I-73/I-74, which is emphasized by the Land Development Plan for selection recreation facility sites. In addition, the request is supported by several goals of both the Land Development Plan regarding promotion of tourism, capital improvements, and having a variety of active and passive recreation opportunities.

Staff believes that the request is reasonable since continued renovations including paved parking, improved lighting, improved emergency access, additional recreational opportunities, additional landscaping, and internal pedestrian features provide features that are supported by the Land Development Plan and eliminate several nonconforming situations.

In the event of council approval of the application, the planning staff offered suggested conditions to include as part of a conditional zoning ordinance amendment. These conditions are as follows:

- (A) *The use approved shall be a public use facility.*
- (B) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.*
- (C) *It shall be the property owner’s responsibility to obtain any and all permits and approvals required for the proposed land use.*
- (D) *Prior to the issuance of a zoning compliance permit, a site plan demonstrating compliance with all applicable zoning regulations and conditions shall be submitted.*
- (E) *In addition to other landscaping shown on the site plan, buffering/screening consisting of a Screen C shall be installed along boundary lines of the property adjacent to single-family/two-family dwellings where new improvements have occurred. In lieu of the fencing shown on the site plan, the applicant may use the standard options stipulated in the ordinance for a Screen C or an alternate method that meets or exceeds the ordinance intent.*
- (E) *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 this conditional zoning in the chain of title for the Zoning Lot.*

Mayor Smith opened the floor for comments from the public. When no one asked to speak, Mayor Smith transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Bell moved, and Council Member Heath seconded the motion to adopt the plan consistency/reasonableness statement below and to approve the requested rezoning map amendment with the following multi-part motion.

1. While much of the area contains residential uses, McCrary Park has long been a communitywide recreation attraction and the Land Development Plan designates most of the property as a park. While a portion of the subject property is designated for “Neighborhood

Residential” use, the Land Development Plan describes the Neighborhood Residential designation as having convenient access to parks. The property is also accessible to multiple transportation corridors, including I-73/I-74, which is emphasized by the Land Development Plan for selecting recreation facility sites. In addition, the request is supported by several goals of both the Land Development Plan regarding promotion of tourism, capital improvements, and having a variety of active and passive recreation opportunities.

The city council has concluded that the request is reasonable since continued renovations including paved parking, improved lighting, improved emergency access, additional recreational opportunities, additional landscaping, and internal pedestrian features provide features that are supported by the Land Development Plan and eliminate several nonconforming situations.

2. Consequently, and subject to the above-listed conditions, the zoning map amendment application seeking to place the Zoning Lot into the requested O&I (CZ) zoning district is hereby approved.

Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

19. Upcoming Events and Items Not on the Agenda

Mayor Smith led a brief discussion of upcoming events within the city government and the community in general. No formal action was taken by the council members during this portion of the meeting.

There being no further business, the meeting was adjourned at 12:05 a.m. on March 7, 2025.

Holly H. Doerr, CMC, NCCMC, City Clerk

David H. Smith, Mayor

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on February 4, 2025

The Asheboro ABC Board met on Tuesday, February 4, 2025, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the meeting were Chairman Stephen Knight, Board Member Curtis Shipley, General Manager Rodney Johnson (GM) and Store Manager Amy Welch. Board Member Bob Morrison was unable to attend. 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.

H.R. Gallimore from Remax, presented information on two different properties. The 1st site discussed is located at 2439 N. Fayetteville Street. Mr. Gallimore stated the property is for sale by Schwartz Properties. The 2nd site is located at 2358 N. Fayetteville Street and is currently leased to Family Dollar. Mr. Gallimore stated he could draft a letter to the current lease holder inquiring about the property. Upon motion from Chairman Stephen Knight, the Board agreed to let Mr. Gallimore draft the letter expressing interest in the property for the Asheboro ABC Board, as a tenant only. Mr. Gallimore stated he would follow up with Chairman Knight before the next meeting on March 4, 2025, when a response is received.

Board Minutes from the January 7, 2025, 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).

Upon motion from Chairman Stephen Knight, the Board agreed to add Store Manager Amy Welch to the First Bank Credit Card. The Board agreed to wait until the current GM retires to add Store Manager Welch to signature lines.

Upon motion by Board Member Curtis Shipley, a review of grant applications were continued to the March 4, 2025, meeting.

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

1. Asheboro ABC sales statistics comparing:
 - January 2025 sales with the previous month indicate:
 - An overall -38.8% change (all sales and tax collections)
 - January 2025 sales with sales from the same month last year indicate:
 - Retail Sales +1.6%
 - Mixed Beverage Sales: -2.8%
 - Sales Tax Collections: +1.6%
 - Overall Collections: +.86%

- January 2025 bottle sales with bottle sales from the same month last year indicate:
 - Retail Bottle Sales: +5.6%
 - Mixed Beverage Bottle Sales: +1.2%
 - Overall Bottle Sales: +5.2%

The next regular Asheboro ABC Board meeting will be held Tuesday, March 4, 2025, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 2-4-25 
GM





Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on March 4, 2025

208

The Asheboro ABC Board met on Monday, March 4, 2024, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the meeting were Chairman Steve Knight, Board Member Bob Morrison, Board Member Curtis Shipley, General Manager Rodney Johnson (GM) and store manager Amy Welch. 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 February 4, 2025, were reviewed and approved by the Board.

Upon motion by Chairman Knight, the Board approved letting the GM keep his cell phone and cell number upon retirement. The GM will begin service payments in May 2025.

The Board discussed the need to upgrade 3 computers and 4 registers. Ken Grady estimated the cost to be around \$4500 for the 3 computers. An estimate has not been determined for the 4 registers.

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

Grant applications for the 1st and 2nd Quarter of 2025 were reviewed by the Board. Upon motion by Curtis Shipley, the Board approved awarding funding to the following applicants: \$3000.00 to Keaton's Place (\$1,500 from 1st Quarter funds and \$1,500 from 2nd Quarter funds); \$2000.00 to Family Crisis Center (\$1,000 from 1st Quarter funds and \$1,000 from 2nd Quarter funds); and any residual funds from 1st Quarter funds and 2nd Quarter funds awarded to Community Hope Alliance.

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

1. Asheboro ABC sales statistics comparing:
 - February 2024 sales with the previous month indicate:
 - An overall -7.2% change (all sales and tax collections)
 - February 2024 sales with sales from the same month last year indicate:
 - Retail Sales -7.8%
 - Mixed Beverage Sales: -20.6%
 - Sales Tax Collections: -7.8%
 - Overall Collections: -9.96%
 - February 2024 bottle sales with bottle sales from the same month last year indicate:

Asheboro ABC Board Minutes March 4, 2025

- Retail Bottle Sales: -5.8%
- Mixed Beverage Bottle Sales: -20.2%
- Overall Bottle Sales: -7.2%

The next regular Asheboro ABC Board meeting will be held Monday, April 1, 2025, at 5:30 p.m.

There being no further business, the meeting was adjourned.

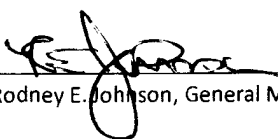
Prepared by Rodney Johnson, GM, and Approved by the Board 4-1-25 
GM

Stephen R Knight
Mayor
Robert V. Martin

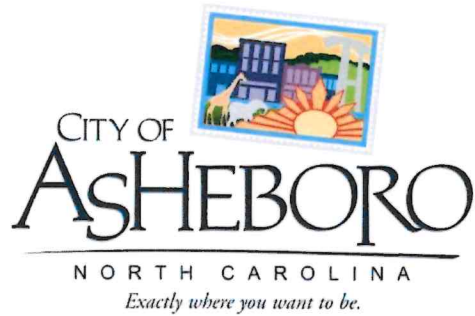
ASHEBORO ABC BOARD
Amended Budget for Fiscal Year 2024-2025

Sales	6,154,000.00
Other Income (interest)	22,000.00
Gross Revenue	6,176,000.00
Less Spirit Taxes	1,415,420.00
Net Sales	4,760,580.00
Less Cost of Spirit Sales	3,222,234.40
Gross Profit	1,538,345.60
Less	
Salaries, benefits and fees	480,000.00
Payroll taxes	38,400.00
Rent	64,800.00
Repairs and maintenance	10,500.00
Utilities	15,500.00
Insurance - general and bonds	20,000.00
Supplies and janitorial	20,000.00
Travel and training	2,600.00
Professional services	12,000.00
Dues and subscriptions	2,000.00
Bank fees and charges	73,700.00
Miscellaneous & Contingencies	2,500.00
Capital Outlay	28,000.00
Total Expenditures	770,000.00
Operating Income	768,345.60
Less:	
<u>Capital Expenditures</u>	
Capital Improvements	-
Net Income before Distributions	768,345.60
Less:	
<u>Distributions</u>	
Law Enforcement	38,417.28
Alcohol Education and Rehab	53,784.19
City of Asheboro General Fund	586,144.13
Total Distributions	678,345.60
Net Income after Distributions	90,000.00
Less:	
Retained Working Capital (Future Facility Fund)	40,000.00
Retained for Capital Improvements	50,000.00
Total Retained	90,000.00
Net Income	-

Ratified by the Asheboro ABC Board April 1, 2025



Rodney E. Johnson, General Manager



TO: Donald Duncan, Jr., *City Manager*

FROM: Jonathan Sermon, *Recreation Services Director* 

DATE: April 2, 2025

SUBJECT: **Written notice to Council of proposed operational hours at the Downtown Farmers' Market and Outdoor City Swimming Pools.**

The Cultural & Recreation Services Department is requesting to be placed on the council's consent agenda for the April 10th city council meeting to address the proposed operational hours at the Downtown Farmers' Market and outdoor city-owned swimming pools for the 2025 season. Please allow this letter and any attached documentation to serve as the formal written notice to the Asheboro City Council as required each year by the Cultural & Recreation Services Department policy manual.

Downtown Farmers' Market

The normal hours of operation for the Downtown Farmers' Market are Tuesday, Thursday, and Saturday each week during the months of May – October. The official opening day of the 2025 Downtown Farmers' Market will be Thursday, May 1st. The market also typically holds "pre-market" days on the final two Saturdays of April each year. In 2025 the first of those two Saturdays is the Easter weekend holiday. Therefore, the market will only be hosting one pre-market day this year on Saturday, April 26th. However, if the availability of certain seasonal agricultural goods, namely strawberries, comes earlier than expected the Market may forgo the pre-market days and begin normal full-time operations on Saturday, April 26th.

Swimming Pools

Attached please find the proposed 2025 operational hours for both Memorial and North Asheboro Swimming Pools. The normal hours of operation each season for the outdoor swimming pools are to open for weekends beginning on Memorial Day weekend in May. Then, beginning the weekend after the last day of school, the swimming pools are open daily until the second Sunday of August. The attached proposed schedule mirrors those traditional hours of operation again this season.

Should there be any questions concerning the proposed 2025 schedules for the Downtown Farmers' Market or the Outdoor City Swimming Pools, either Recreation Services Director, Jonathan Sermon or Assistant Recreation Services Director, Jody Maness can be present at the council meeting to provide any additional information that may be requested.

Memorial Pool Schedule 2025

Sunday:

²12:00pm – 6:00pm Public Open Swim

Monday:

1:00pm – 6:00pm Public Open Swim

Tuesday:

10:00am – 11:30am Group/Daycare Swim

1:00pm – 6:00pm CLOSED TO THE PUBLIC

Wednesday:

1:00pm – 6:00pm Public Open Swim

Thursday:

1:00pm – 6:00pm CLOSED TO THE PUBLIC

Friday:

1:00pm – 6:00pm Public Open Swim

Saturday:

12:00pm – 6:00pm Public Open Swim

NOTES:

¹With both outdoor pools, concurrent indoor pool schedule, and a general shortage of lifeguards, budgeting for an additional closure day will both aid in payroll expenditure and strain on the existing staff's schedule. While they can work an "unlimited" number of hours as seasonal staff, it is important for the safety of both staff and the public to avoid burnout. In addition, weekday patronage is historically low following the first three weeks of the full-time season, with an average of 66.123 per day total for both pools.

² Changing from 12:00pm open start on just Saturdays, to both Saturday and Sunday, will allow patrons more time through the weekend, when the pools are their busiest.

North Pool Schedule 2025

Sunday:

²12:00pm – 6:00pm Public Open Swim

Monday:

11:30am – 12:30pm Water Aerobics

1:00pm – 6:00pm ¹CLOSED TO THE PUBLIC

Tuesday:

11:30am – 12:30pm Water Aerobics

1:00pm – 6:00pm Public Open Swim

Wednesday:

1:00pm – 6:00pm CLOSED TO THE PUBLIC

Thursday:

11:30am – 12:30pm Water Aerobics

1:00pm – 6:00pm Public Open Swim

7:00pm – Dark Public Night Swim

Friday:

11:30am – 12:30pm Water Aerobics

1:00pm – 6:00pm Public Open Swim

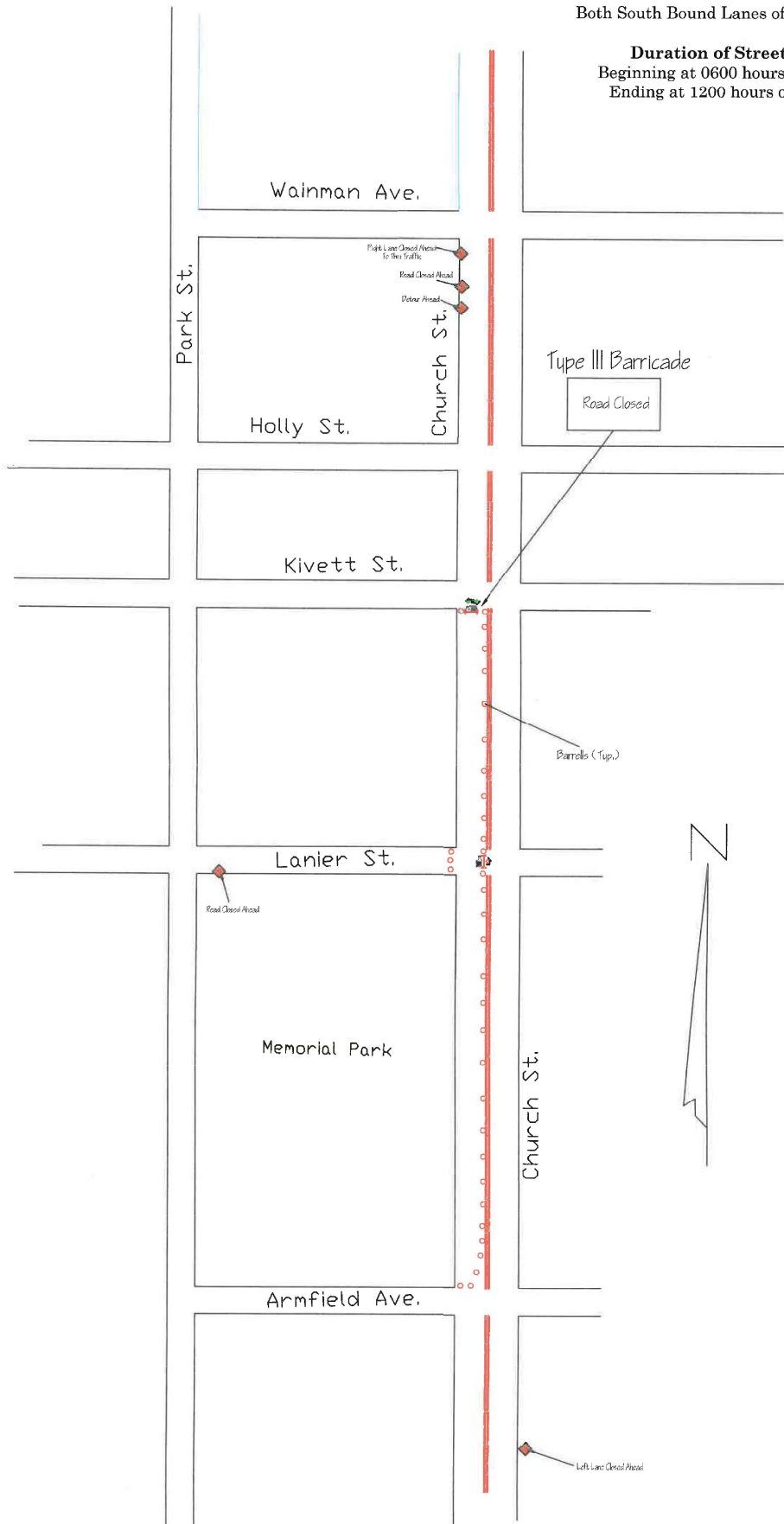
Saturday:

12:00pm – 6:00pm Public Open Swim

SPECIAL EVENT CLOSURE ORDER
Katie Bunch Memorial 5k Run/Walk

Street Closure Area:
Both South Bound Lanes of S. Church Street

Duration of Street Closure:
Beginning at 0600 hours on 05/03/2025
Ending at 1200 hours on 05/03/2025



Katie Bunch Memorial 5K Start/ Finish Road Closure Map



RZ-25-06

Request to rezone property located at 411 and 441 North McCrary Street (including Randolph County Parcel Identification Numbers 7751450308, 7751450436, 7751359466, 7751450734, and 7751450821) from R10 Medium-Density Residential to R10 (CZ) Medium-Density Residential Conditional Zoning for five (5) two-family dwellings located on five parcels of land

1. Request	
Applicant: Brian Lucas (BLL Holdings, LLC)	Property Owner: Same as applicant
Zoning <i>Existing:</i> R10 Medium-Density Residential <i>Proposed:</i> R10 (CZ) Medium-Density Residential Conditional Zoning <i>History:</i> N/A	
Required Notice <i>Mailed Notice by Applicant:</i> The applicant indicated that notifications were mailed to abutting property owners on February 19, 2025, within the time prescribed by the zoning ordinance. <i>Mailed Notice by Staff:</i> 3-27-25 <i>Published Notice:</i> 3-20-25 & 3-27-25 <i>Posted Notice:</i> 3-25-25	

2. Site Information	
Location	411 and 441 North McCrary Street
PIN	7751450308, 7751450436, 7751359466, 7751450734, and 7751450821
Size	1.5 acres +/-
Jurisdiction	Within Asheboro City limits
Current Land Use	Undeveloped
Overlay Districts	N/A
Infrastructure	City water and sewer extend along North McCrary Street and Perry Street and are available subject to city policies.
Transportation	
<i>Street Classification:</i>	North McCrary Street is a collector-level street.
<i>Maintenance:</i>	North McCrary Street is state maintained.
<i>Other Notes:</i>	N/A
Surrounding Land Use	
<i>North:</i>	Single-family and two-family residential, undeveloped
<i>South:</i>	Single-family and Public Use facility (McCrary Park)
<i>East:</i>	Single-family residential
<i>West:</i>	Single-family and two-family residential, undeveloped, Public Use Facility (McCrary Park)

3. Staff Analysis
1) The request is for a conditional zoning district consisting of five two-family dwellings on five parcels of land.
2) The R10 Residential District is defined as “intended to provide regulations which will produce a moderate intensity of residential uses, usually single family or two family in character and

- served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living.”
- 3) Typically, an R10 district allows a single-family dwelling on a parcel with 10,000 square feet and a two-family (duplex) dwelling on a property with at least 15,000 SF.
 - 4) Development patterns in the area include at least 11 legal nonconforming lots within 500 feet of the subject properties that do not possess the minimum lot size described in (4) above. The net density of the development as proposed is approximately 6.7 dwellings per acre. However, existing development in the area includes parcels with densities of more than 8 dwellings per acre due to these nonconforming lot sizes. In addition, many lots in the area are legal nonconforming because they do not possess the required lot width.

4. Modifications to Ordinance Regulations

- (+) A two-family dwelling on a single parcel of land does not require landscaping. The proposed site plan that shows retention of existing vegetation and foundation plantings. The applicant has also indicated agreement with adding a condition requiring one tree in the front yard of each two-family dwelling.
- (+) The applicant proposes 3 parking spaces per dwelling, exceeding the two spaces per dwelling required by the zoning ordinance.
- (-) The average lot size is approximately 13,000 SF (ranging from approximately 10,000 SF to 20,028 SF), compared to the typical minimum requirement of 15,000 SF for a two-family dwelling located in an R10 zoning district.
- (-) The required parking encroaches into the typical front parking setback by 10’.

5. Summary of Proposed Zoning Conditions (subject to change prior to final report)

- (A) The use approved shall be a single-family dwelling or two-family dwelling on each of the five (5) parcels of land shown on the approved site plan. Any accessory uses permitted by-right in the R10 district shall be authorized subject to compliance with general R10 district regulations
- (B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
- (C) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.
- (D) It shall be the property owner’s responsibility to obtain any and all permits and approvals required for the proposed land use.
- (E) In addition to landscaping shown on the site plan, there shall be a minimum of one tree on each lot with a two-family dwelling, consistent with allowable Street Trees specified in Appendix A of Section 4.07 or Evergreen Trees specified in Appendix A of Section 6.14.B.
- (F) Existing vegetation shall be preserved in a manner consistent with the approved site plan. Should vegetation be removed, buffering and screening to the rear of dwellings labeled as existing vegetation shall be replanted consistent with the requirements of a Buffer or Screen “A”.
- (G) Prior to the issuance of a zoning permit for development depicted, the owner shall provide the following:

- (i) NCDOT permit(s), unless NCDOT indicates such permitting is not required, and updates to the plan as necessary to obtain said permit.
- (ii) Recordation of a survey plat creating the lots as shown on the site plan.
- (H) 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 the conditional zoning district in the chain of title for the Zoning Lot.

6. Land Development Plan Consistency and Reasonableness	
Proposed Land Use Map	Neighborhood Residential
Growth Strategy Map	Primary Growth Area
Small Area Map	Northwest
LDP Goals/Policies Supporting Request	
• Checklist Item 1: Complies with Land Development Plan Map • Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. • Checklist Item 5: The proposed rezoning is compliant with the objectives of the Growth Strategy Map • Checklist Item 12: Property is located outside of watershed. • Checklist Item 13: The property is located outside of Special Hazard Flood Area. • Policy 2.1.5: The City will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.	
LDP Goals/Policies Not Supporting Request	
• Checklist Item 14: The property is located on steep slopes that exceed 20% (on part of the northern portion of the property).	

7. Recommendations and City Council Action Items	
Staff Recommendation	Approve, attaching proposed conditions as summarized.
Planning Board Recommendation	Approve, attaching proposed conditions as summarized
Planning Board Plan Consistency and Reasonableness Statement	The request is consistent with the Land Development Plan due to being designated on the Land Development Plan proposed land use map as “Neighborhood Residential”, emphasizing similar density to existing neighborhoods, which may be higher than typical R10 standards as described previously in the analysis. The property is also located within the Primary Growth Area with access to city services. The request is reasonable due to development patterns in the area consisting primarily of single-family and two-family dwellings, with many parcels having lot sizes below the R10 district minimum lot sizes. The property’s proximity to a public use facility (McCrory Park)

	and major transportation corridors, including 1-73/74, with access to employers and other services also increases the validity of a request for slightly higher density than what the R10 district would normally allow.
City Council Action Items	1) Adopt Plan Consistency and Reasonableness Statement 2) a) Approve or deny zoning map amendment RZ-25-06; rezone existing R10 Medium-Density Residential to R10 (CZ) Medium-Density Conditional Zoning for up to five (5) two-family dwellings on five (5) parcels of land with zoning conditions as summarized or with modification. b) Attach zoning conditions as summarized or with modification.

Existing Duplex

Both Parking lots
30' x 60'

2 - 2 Story Duplexes
with 1,842 heated
SQFT per duplex

6' Buffer Trees
25' Center

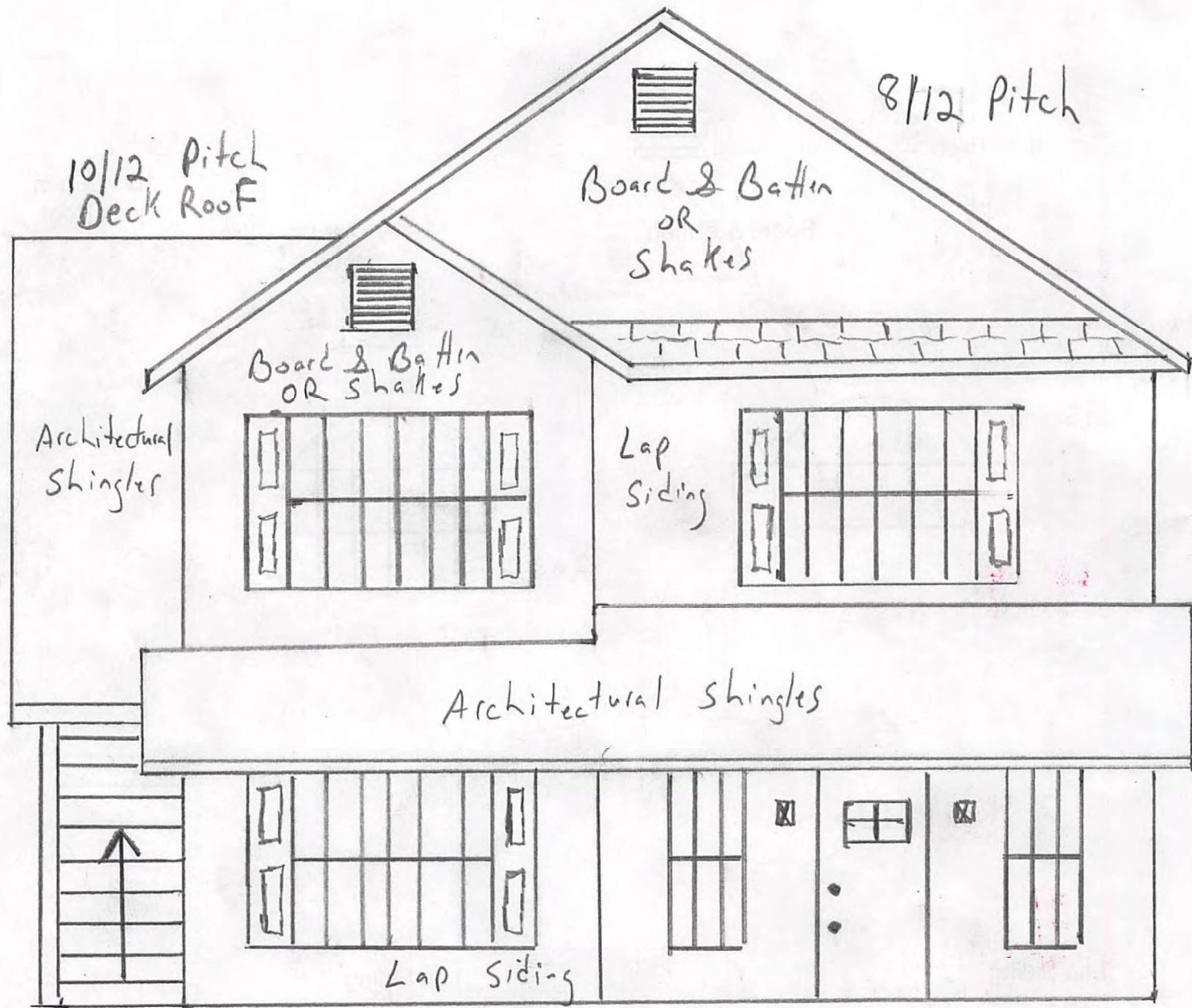
New property line

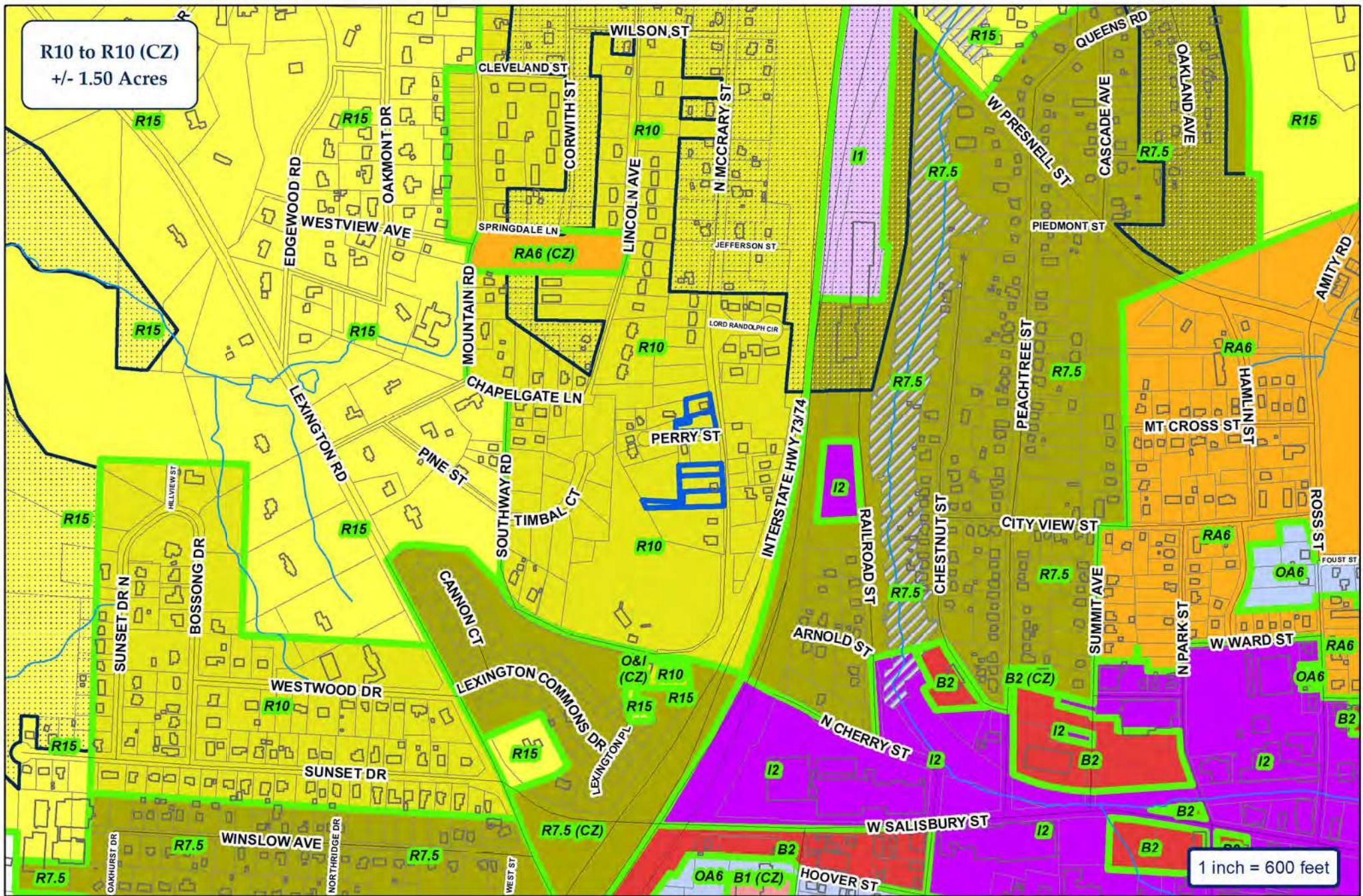
Existing Duplex

Trash Can Pads



1" = 30'



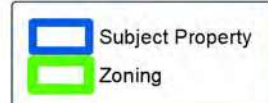


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-06

Parcels:

7751450308, 7751450436, 7751359466, 7751450734 & 7751450821



R10 to R10 (CZ)
+/- 1.50 Acres

Map_ID	Owner
A1	BLL HOLDINGS LLC
A2	BLL HOLDINGS LLC
A3	BLL HOLDINGS LLC
A4	BLL HOLDINGS LLC
A5	BLL HOLDINGS LLC
B	TUCKER, CLAYTON TERRY
C	WALKERHORTON, CHARLEEN L
D	MUNGIN, LY DERIA M (RUSH, MONICA MUNGIN) - Additional Ow ners
E	HORTON, BRY CE TERRELL TRUSTEE (HORTON, ANDREA NICOLE TRUSTEE)
F	MCNEILL, GLENDA RUTH WARREN LIFE ESTATE
G	GALICIA, MARGARITA ALQUICIRA
H	KINTON, MELISSA D
I	CITY OF ASHEBORO
J	CITY OF ASHEBORO
K	GARNER, JIMMIE JOE (GARNER, BENNY RAY) - Additional Ow ners
L	WOLFE, NORMAN DEAN II
M	PEREZ, MARIELA HERNANDEZ

City of Asheboro Planning & Zoning Department

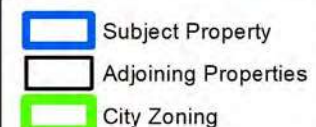
Rezoning Case: RZ-25-06

Parcels:

7751450308, 7751450436, 7751359466, 7751450734 & 7751450821

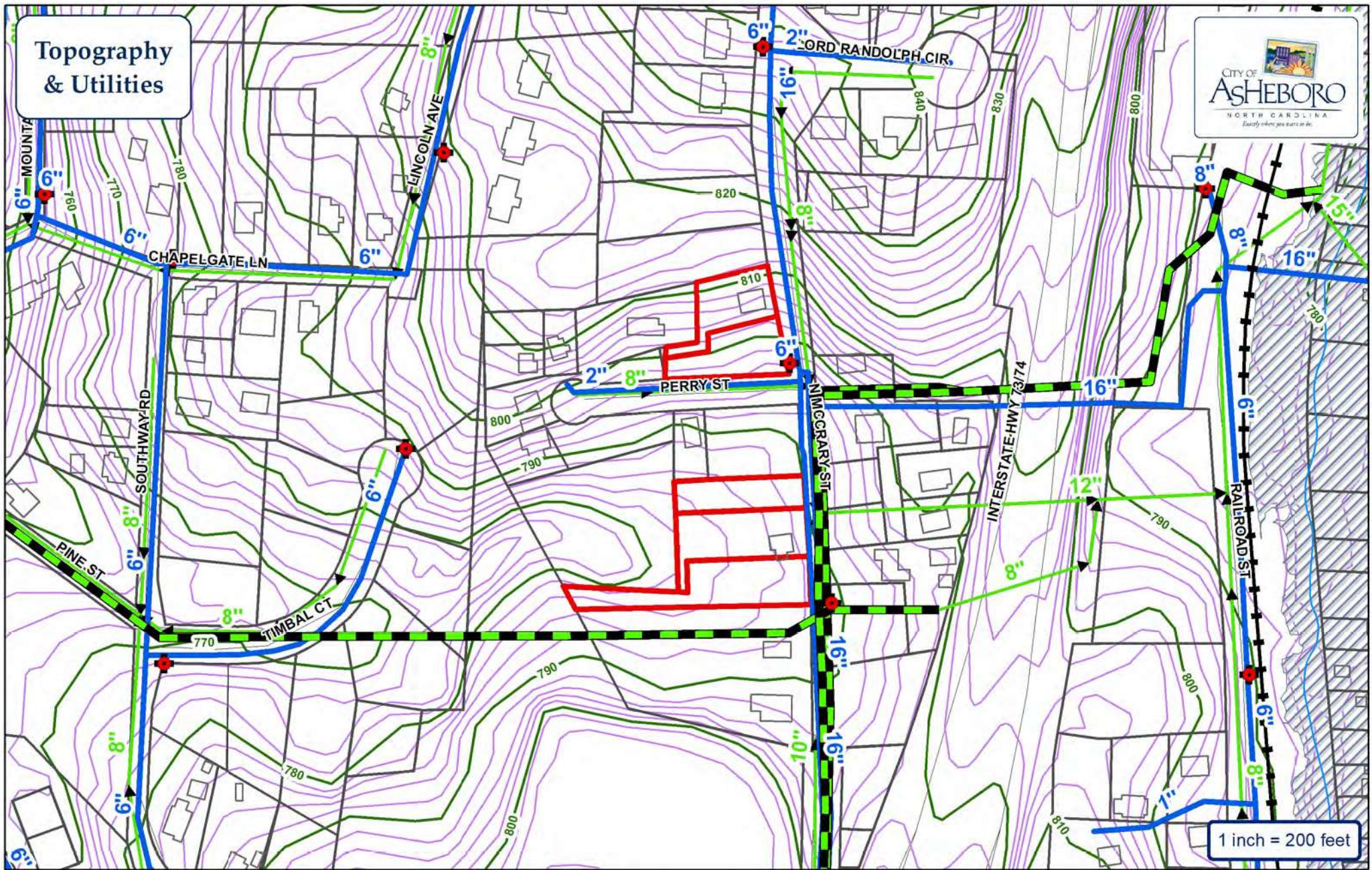


ETJ



1 inch = 300 feet

Topography & Utilities



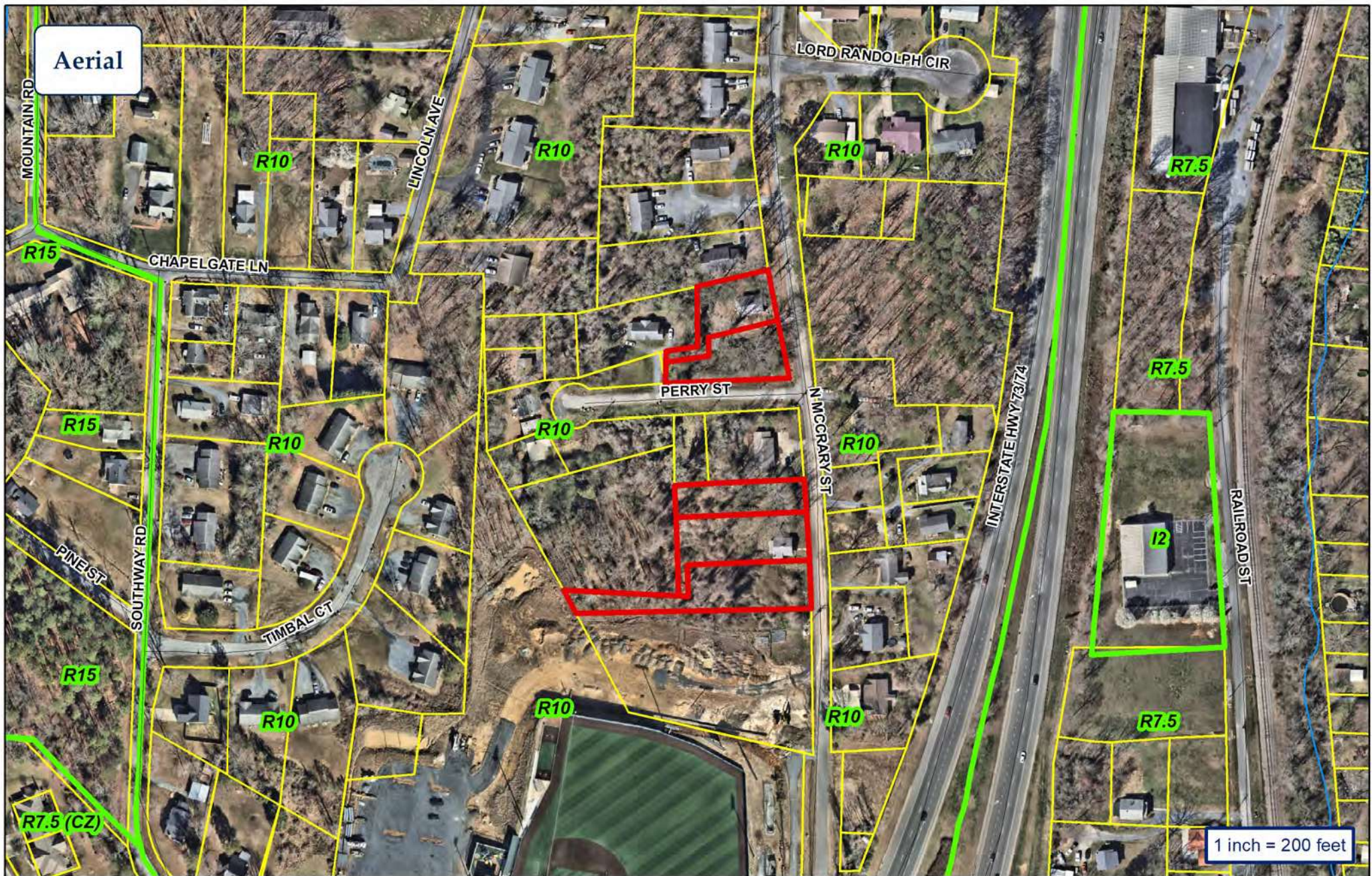
- | | | | |
|--|------------|--|--------------|
| | Water Main | | Fire Hydrant |
| | Sewer Main | | Pump Station |
| | Force Main | | Watershed |

City of Asheboro Planning & Zoning Department
Rezoning Case: RZ-25-06

Parcels: 7751450308, 7751450436, 7751359466,
7751450734 & 7751450821

Subject Property



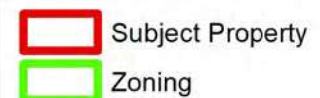


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-06

Parcels:

7751450308, 7751450436, 7751359466, 7751450734 & 7751450821



APPLICANT INFORMATION

Applicant Brian Lucas Applicant's Phone # 336-465-0947
Applicant's Address PO Box 2021
Asheboro, NC 27204
Applicant email address bllucas13@gmail.com

PROPERTY INFORMATION

Property Owner's Name BLL Holdings LLC
Location of Property N McCrary St Property Size (ac. or s.f.) 1.5 acres +/-
Randolph County Property Identification Number (PIN#) 5 Pins attached
Current Zoning District R10 Requested Zoning District R10 (CZ)
Date Property Title Acquired 8/28/24 Deed Book 002925 Page 00941
Subdivision _____ Section 294 Lot # 820
Plat Book 188 Page 18

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:

We are wanting to take 5 lots that are zoned R10
and rezone to R10 (CZ). R10 zoning in place now
allows 2 duplexes and 3 single family homes.
We would like to remove the 3 single family homes
and replace with 3 duplexes for a total of
5 duplexes.

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

R10 already allows for single family and residential duplexes.

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.

Building duplexes on all 5 lots would enhance the area instead of placing single family homes between duplexes.

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?

Not really much change here.

Does not apply ☐

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

A 5 lots in question either has a duplex beside them or to the rear.

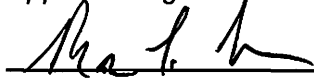
APPLICATION SIGNATURES

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 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.

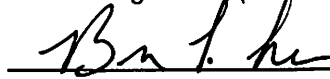
Applicant Signature



Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)



Owner Address

Po Box 2021

Asheboro, NC 27204

Telephone Number

336-465-0947

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: John Evans **Date:** 2-13-25 **Case Number:** RZ-25-06

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

This is to notify you that I (we) Brian Lucas have filed an application with the City of Asheboro for a Conditional Zoning District for the property located at N. McCrory St 27203 for the purpose of Building
5 duplexes for residential use instead of 2 duplexes
and 3 single family homes.

On Monday, March 31st, 2025, at 6:00 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, April 10th, 2025, at 6:00 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. 2392. In addition, you may contact me (or my representative) Brian Lucas at 336-465-0947.



20187743

Randolph County North Carolina
Krista M. Lowe, Register of Deeds

✓ **NORTH CAROLINA GENERAL WARRANTY DEED**

Mail to: P/U Ben C. Morgan

Prepared by: kb/Law Office of Ben C. Morgan, 150A Scarboro St., Asheboro, NC 27203

Revenue Stamps: ~~\$380.00~~ 190.00 KLM

Tax Pin/Parcel # 7751.35.9775, 7751.45.0724, 7751.35.9364

THIS DEED is made this 21st day of August, 2024, by and between the following Grantor and Grantee:

Grantor: C. TERRY TUCKER (unmarried)
465 Lewallen Road
Asheboro, NC 27205

Grantee: BLL HOLDINGS, LLC
(a North Carolina Limited Liability Company)
PO Box 2021
Asheboro, NC 27204

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall signify either singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple that certain lot or parcel of land situated in Asheboro Township, Randolph County, North Carolina, which is more particularly described as follows:

See Attached Exhibit A

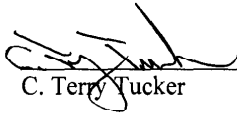
The property that is the subject matter of this conveyance is not the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple, as joint tenants with right of survivorship.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Subject to easements, limitations, restrictions and uses of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal the day and year first above written.

 (SEAL)
C. Terry Tucker

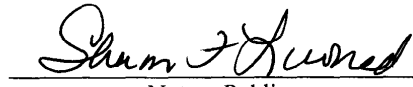
STATE OF NORTH CAROLINA

COUNTY OF RANDOLPH

I, Sharon F. Leonard, a Notary Public of Randolph County, State of North Carolina, certify that C. Terry Tucker, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 28 day of August, 2024.




Notary Public

My commission expires: 05/11/2027

Exhibit A

Exhibit A

Parcel # 7751.35.9775
441 N. McCrary Street, Asheboro NC 27203

BEING ALL of Ex. Tract 1, containing 11,274 square feet, more or less, lying west of N. McCrary Street, as shown on a plat entitled "Survey for Terry Tucker" prepared by Survey Carolina, PLLC, dated April 27, 2023, designated as Job # 15066, and recorded in Plat Book 180, Page 55, in the Office of the Register of Deeds of Randolph County, North Carolina.

For back reference, see deed recorded in Book 2859, Page 294, in the Randolph County Registry.

Parcel # 7751.45.0724
0 N. McCrary Street, Asheboro NC 27203

BEING ALL of Revised Tract 2, containing 11,018 square feet, more or less, lying west of N. McCrary Street, as shown on a plat entitled "Survey for Terry Tucker" prepared by Survey Carolina, PLLC, dated April 27, 2023, designated as Job # 15066, and recorded in Plat Book 180, Page 55, in the Office of the Register of Deeds of Randolph County, North Carolina.

For back reference, see deed recorded in Book 2859, Page 296, in the Randolph County Registry.

Parcel # 7751.35.9364
411 N. McCrary Street, Asheboro NC 27203

BEING ALL of Tract 3, containing 35,119 square feet, (33,615 square feet of Clear R/W), lying west of N. McCrary Street, as shown on a plat entitled "Survey for Terry Tucker" prepared by Survey Carolina, PLLC, dated April 27, 2023, designated as Job # 15066, and recorded in Plat Book 180, Page 55, in the Office of the Register of Deeds of Randolph County, North Carolina.

For back reference, see deed recorded in Book 2859, Page 298, in the Randolph County Registry.

This document presented and filed:
12/17/2024 02:47:03 PM

DEED
Fee \$26.00 Excise Tax: \$60.00



Randolph County North Carolina
Krista M. Lowe, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

Mail to: P/U Ben C. Morgan

Prepared by: kb/Law Office of Ben C. Morgan, 150A Scarboro St., Asheboro, NC 27203

Revenue Stamps: \$60.00

Tax Pin/Parcel # 7751.35.9466

THIS DEED is made this 4th day of December, 2024, by and between the following Grantor and Grantee:

Grantor: FANNIE BALDWIN (unmarried)
68 Wallkill Avenue
Middletown, NY 10940

Grantee: BLL HOLDINGS, LLC
(a North Carolina Limited Liability Company)
PO Box 2021
Asheboro, NC 27204

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall signify either singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple that certain lot or parcel of land situated in Asheboro Township, Randolph County, North Carolina, which is more particularly described as follows:

See Attached Exhibit A

The property that is the subject matter of this conveyance is not the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple, as joint tenants with right of survivorship.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Subject to easements, limitations, restrictions and uses of record.

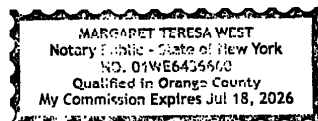
IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal the day and year first above written.

Fannie Baldwin (SEAL)
Fannie Baldwin

STATE OF New York
 COUNTY OF Orange

I, Margaret Teresa West, a Notary Public of the above said County and State, certify that **Fannie Baldwin**, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this 10th day of December, 2024



Margaret Teresa West
 Notary Public

(SEAL)

My commission expires: 07/18/2026

Exhibit A

0 N. McCrary Street, Asheboro NC 27203
Randolph County Parcel # 7751.35.9466

One Lot on the West side of Oak Avenue commencing at an iron stake at the Jess Hedrick Northeast corner, running West with Oak Avenue 50 feet to a stake; thence about West 192 feet to the McCrary Hosiery Mill line; thence South 50 feet to Hedrick's Northwest corner; thence about East on Hedrick's line 192 feet to the beginning. Containing 9600 square feet more or less. This is part of the original Gus Smallwood lands deeded from Dr. J. M. Worth.

For back reference, see deed recorded in Book 1068, Page 979, in the Randolph County Registry.



1951

8





RZ-25-07

Application to rezone properties located at the corner of Sunset Avenue and S. Cherry Street (Randolph County Parcel Identification Numbers 7751429797, 7751520778, 7751520554 and portion 7751521594). The request is to rezone existing OA6 and RA6 Residential zoning district to OA6 (CZ) Conditional zoning for a Dwelling – Multiple Family land use.

(The applicant has requested a continuance of this request until the May 8, 2025 City Council meeting.)

John Evans

Subject: FW: [External Sender] Formal request for a continuance

From: Jamie Poole <jpoole@triadbiz.rr.com>
Sent: Tuesday, April 8, 2025 11:53 AM
To: Justin Luck <jluck@ci.asheboro.nc.us>
Subject: [External Sender] Formal request for a continuance

Please continue our Cherry Street project until the May meeting,

Thank you

Jamie

1. Request	
Applicant: Clayton Terry Tucker	Property Owner: Clayton Terry Tucker
Zoning <i>Existing:</i> OA6 Office-Apartment and RA6 High-Density Residential <i>Proposed:</i> OA6 (CZ) Office-Apartment Conditional Zoning <i>History:</i> None	
Required Notice <i>Mailed Notice by Applicant:</i> 2-17-25 <i>Mailed Notice by Staff:</i> 3-27-25 <i>Published Notice:</i> 3-20-25 & 3-27-25 <i>Posted Notice:</i> 3-25-25	

2. Site Information	
Location	Corner of Sunset Avenue and S. Cherry Street (721 Sunset Ave and 129 S. Cherry St.)
PIN	7751429797, 7751520778, 7751520554 and portion of 7751521594
Size	2.02 acres +/-
Jurisdiction	Corporate Limits
Current Land Use	Vacant and Dwelling – Single Family
Overlay Districts	PINs 9797 and 0778 are in Center City Planning Area – Tier 3
Infrastructure	City utilities available, subject to city policies.
Transportation <i>Street Classification:</i> Sunset and S. Cherry are minor thoroughfares. <i>Maintenance:</i> Both streets are state-maintained. <i>Other Notes:</i> - NCDOT 2022/2023 Annual Average Daily Traffic: - Sunset Avenue: 6,500 (2012 existing capacity: 10,200) S. Cherry Street: 1,500 (2012 existing capacity: 9,900)	
Surrounding Land Use <i>North:</i> Multi-family Residential <i>South:</i> Residential <i>East:</i> Planned Unit Development - Townhomes <i>West:</i> Proposed Multi-family Residential, existing Place of Assembly	

3. Staff Analysis
1) Proposed use is a 48, 1 bedroom unit apartment complex (Dwelling – Multiple Family). The applicant has indicated that the structures will be two-story. 2) OA6 District Statement of Intent: The OA6 District is intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.

- 3) **Dwelling/Residence, Multiple Family definition:** A structure containing three or more dwelling units.
- 4) A mixture of underlying zoning districts and overlay zoning districts exists across the four properties. Dwelling – Multiple Family is regulated differently in the Tier 3 Center City Planning Overlay District. For example, density in the overlay district is regulated through built-upon area and height, as opposed to the underlying zoning in which it is regulated through Floor Area Ratio. Other differences include front yard landscaping and protective yards (buffer/screens).
- 5) The proposed built-upon area is 57%, comparable to the maximum percentage permitted in Tier 3 CCPA overlay at 55%. The sidewalk along S. Cherry St. is included in the built-upon calculation since the right-of-way is not wide enough to fit the entire width of the sidewalk.
- 6) There are 23.8 dwelling units proposed per acre. This is comparable to the abutting Sunset Place Apartments, which has 24.3 units per acre. This is less than the abutting, recently approved Cypress on Sunset Apartments, which has 34.2 dwellings per acre.
- 7) Proposed recreation space ratio is 5.7%, and the applicant proposes a passive area with picnic and seating facilities. Ordinance typically requires between 2.5% - 6.6%.
- 8) NCDOT has reviewed the site plan and determined that it is acceptable and eligible for a driveway permit.
- 9) The latest plan submitted by the applicant on March 27. Building photos have been submitted to provide an illustration of the potential design of the structures. While the buildings in the photos feature vinyl siding, the applicant states that fiber cement siding and finished/treated wood will be utilized instead. The OA6 district does not permit vinyl siding as a primary building material.
- 10) Final building elevations will be required prior to the issuance of a zoning compliance permit. Planning staff continues to work with the applicant on providing building elevation and buffer/screen information, which staff has asked the applicant to provide prior to the City Council public hearing. As of April 4, 2025, staff is awaiting these plan details from the applicant before providing a final recommendation.
- 11) Building elevations have the potential to be compatible with neighboring multi-family development and the surrounding area. These are critical to compliance with the Land Development Plan's Community Appearance Goals and Policies, including Goal 3.2 which emphasizes "quality design demanding appropriate scale and context" and Policies 3.2.1 and 3.2.4, which emphasize orientation of streetscapes, compatibility of architectural design with surrounding land uses, and orientation/screening of mechanical equipment away from public view and streetscapes.

4. Modifications to Ordinance Regulations

- 1) (-) Street yard (front) setbacks vary from Overlay and underlying zoning regulations, with some buildings slightly closer or further from Sunset Avenue and South Cherry Street than typically specified.
- 2) (-) Number of parking spaces (79 required, 78 provided)
- 3) (+) Sidewalk construction along S. Cherry St. and sidewalk connection to Sunset Ave.
- 4) (+) Stormwater control measures

5. Summary of Proposed Zoning Conditions (subject to change prior to final report)

- A) The use approved shall be Dwelling – Multiple Family consisting of a total of 48 dwelling units
- B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan. Prior to the issuance of a Zoning Compliance Permit, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.
- C) It shall be the property owner's responsibility to obtain all permits and approvals required for the proposed land use, including but not limited to, NCDOT driveway permitting.
- D) Prior to the issuance of a zoning compliance permit, a site plan and building elevations demonstrating compliance with all applicable zoning regulations and conditions, as well as the applicable permit fee, shall be submitted.
- E) Prior to the issuance of a zoning compliance permit for the proposed land use, the applicant shall provide a sealed survey plat by a Professional Land Surveyor for recording identifying the boundaries of the approved Conditional Zoning District.
- F) Mail delivery shall be provided on the final site plan, subject to postal service and/or NCDOT requirements. Any changes on the site plan necessary to comply with requirements for mail delivery will not be considered a modification of the Conditional Zoning district requiring Council action.
- G) The sidewalk parallel to South Cherry Street, extending the length of the subject property, may be located within the public right-of-way or on private property within the front yard parallel to South Cherry Street between the right-of-way and parking if site constraints (such as topography, utilities, etc.) or NCDOT not granting an encroachment agreement precludes location entirely within the public right-of-way of South Cherry Street.
- H) Existing vegetation may be credited towards meeting the required landscaping if located in the appropriate locations and if it meets or exceeds the ordinance intent for landscaping shown on the site plan.
- I) No outdoor recreational vehicle parking or storage shall be permitted on the property.
- J) Stormwater control measures designed by a licensed professional shall be provided. Measures shall control, at minimum, the ten-year post-development peak discharge rates to pre-development peak flow rates, for any net increase of built-upon area on the site. Prior to a Certificate of Occupancy, a licensed professional shall provide certification that the storm water control measures were built according to the plans. Any open water retention or drainage areas shall be managed to control mosquitos. The maintenance of all runoff control measures shall be the responsibility of the property owner.
- K) 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.

6. Land Development Plan Consistency and Reasonableness

Proposed Land Use Map	Town Activity Area/Neighborhood Residential
Growth Strategy Map	Primary Growth
Small Area Map	Central
LDP Goals/Policies Supporting Request	

- Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance.
- Checklist Item 5: The proposed rezoning is compliant with the objectives of the Growth Strategy Map.
- Checklist Item 6: Existing infrastructure is adequate to support the desired zone.
- Checklist Item 8: The request is an adaptive reuse of a vacant or unused lot, or is an infill lot.
- Checklist Items 12-14: 12.) Property is located outside of watershed; 13.) The property is located outside of Special Hazard Flood Area; 14.) Rezoning is not located on steep slopes of greater than 20%.

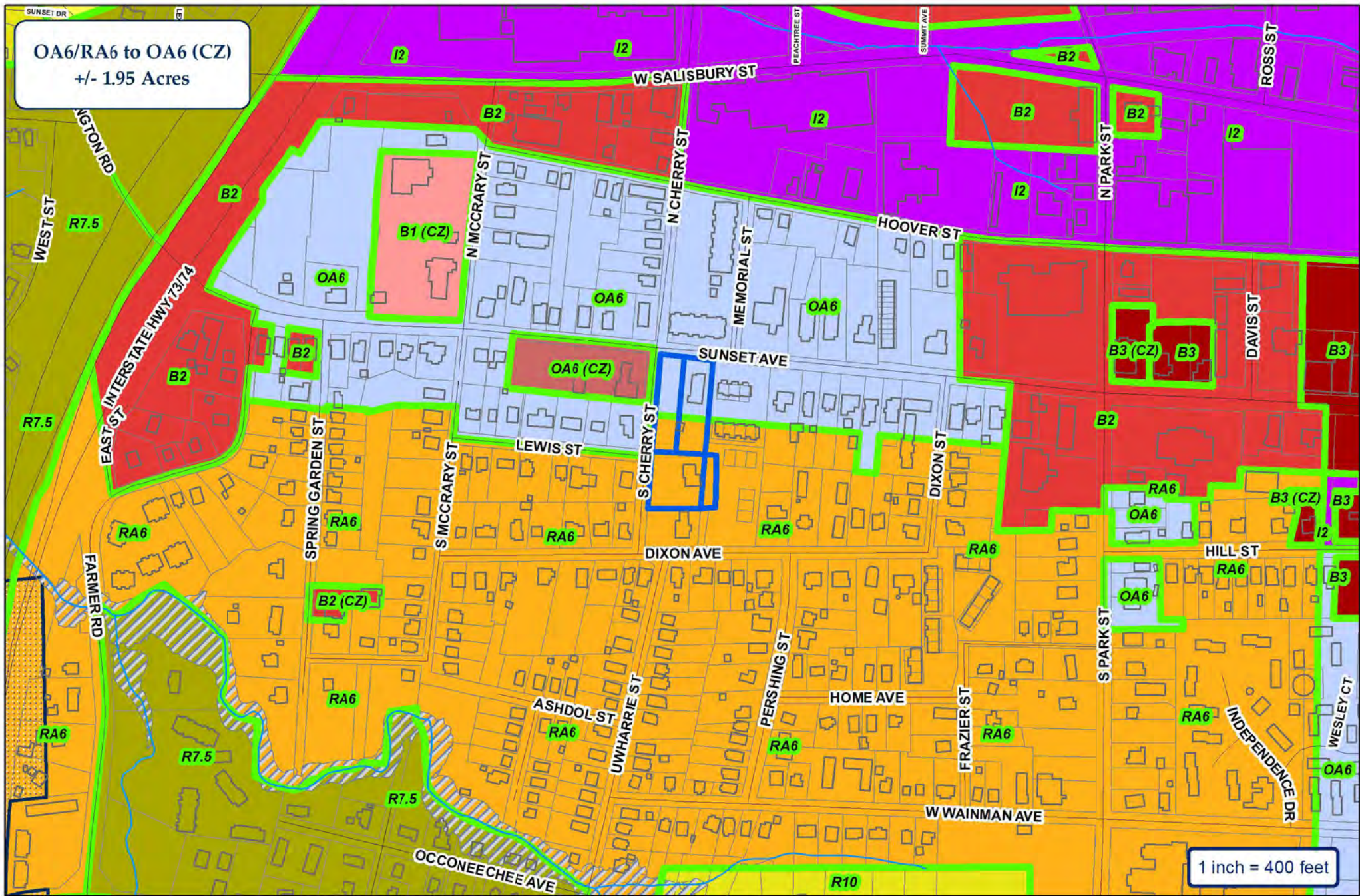
LDP Goals/Policies Not Supporting Request

- Goal 3.2: Quality design demanding appropriate scale and context
- 3.2.1 The City will amend Zoning requirements (i.e. setback regulations, permitted building materials, orientation of streetscapes, parking areas, pedestrian access, etc.) to ensure that new development is compatible with, and enhances, the architectural design of surrounding land uses.
- 3.2.4 The City will limit the visual presence of mechanical equipment, utility farms and outdoor storage by requiring that these uses (where permitted) incorporate effective screening and be oriented away from public view and streetscapes.

7. Recommendations and City Council Action Items	
Staff Recommendation	Pending, awaiting submittal of updated building elevation information.
Planning Board Recommendation	Approve attaching conditions as summarized.
Planning Board Plan Consistency and Reasonableness Statement	The zoning map amendment is consistent with Asheboro Land Development Plan in that it is consistent with the zoning district statement of intent, is located in the primary growth strategy area, would reuse underutilized land served by existing city utilities close to the downtown area, and includes measures to limit environmental impact. The zoning map amendment is reasonable given the size and physical conditions of the property, the similarity of the amendment to abutting development and development approvals, providing housing opportunities close to employment and services, the reuse of property afforded to the property owner, the amenities to be provided to future residents of development and the surrounding community (sidewalk), and the protections offered to adjoining property owners through the approved site plan and conditions. Building elevations have the potential to be compatible with neighboring multi-family development and the surrounding area, and staff continues to work with the applicant on finalizing these details.

City Council Action Items	1) Adopt Plan Consistency and Reasonableness Statement 2) a) Approve or deny zoning map amendment RZ-25-07; rezone existing OA6 and RA6 Residential zoning district to OA6 (CZ) Conditional zoning for a Dwelling – Multiple Family land use b) Attach zoning conditions as summarized or with modification.
----------------------------------	--

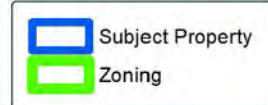
OA6/RA6 to OA6 (CZ)
+/- 1.95 Acres



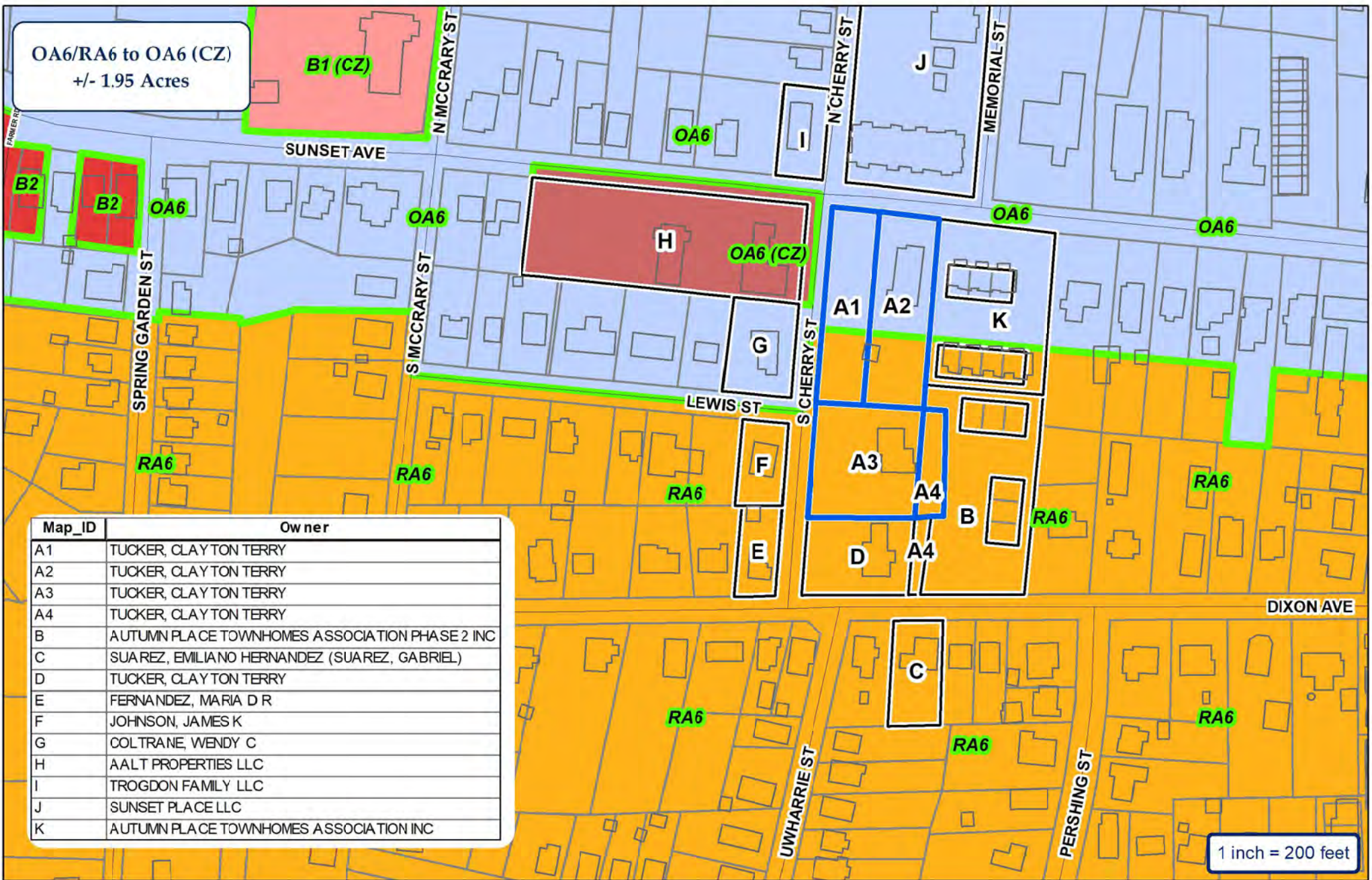
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-07

Parcels: 7751429797, 7751520554, 7751520778 & 7751521594



OA6/RA6 to OA6 (CZ)
+/- 1.95 Acres



Map_ID	Owner
A1	TUCKER, CLAYTON TERRY
A2	TUCKER, CLAYTON TERRY
A3	TUCKER, CLAYTON TERRY
A4	TUCKER, CLAYTON TERRY
B	AUTUMN PLACE TOWNHOMES ASSOCIATION PHASE 2 INC
C	SUAREZ, EMILIANO HERNANDEZ (SUAREZ, GABRIEL)
D	TUCKER, CLAYTON TERRY
E	FERNANDEZ, MARIA D R
F	JOHNSON, JAMES K
G	COLTRANE, WENDY C
H	AALT PROPERTIES LLC
I	TROGDON FAMILY LLC
J	SUNSET PLACE LLC
K	AUTUMN PLACE TOWNHOMES ASSOCIATION INC

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-07

Parcels: 7751429797, 7751520554, 7751520778 & 7751521594



ETJ

- Subject Property
- Adjoining Properties
- City Zoning



Center City Planning Area

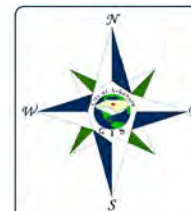


ETJ

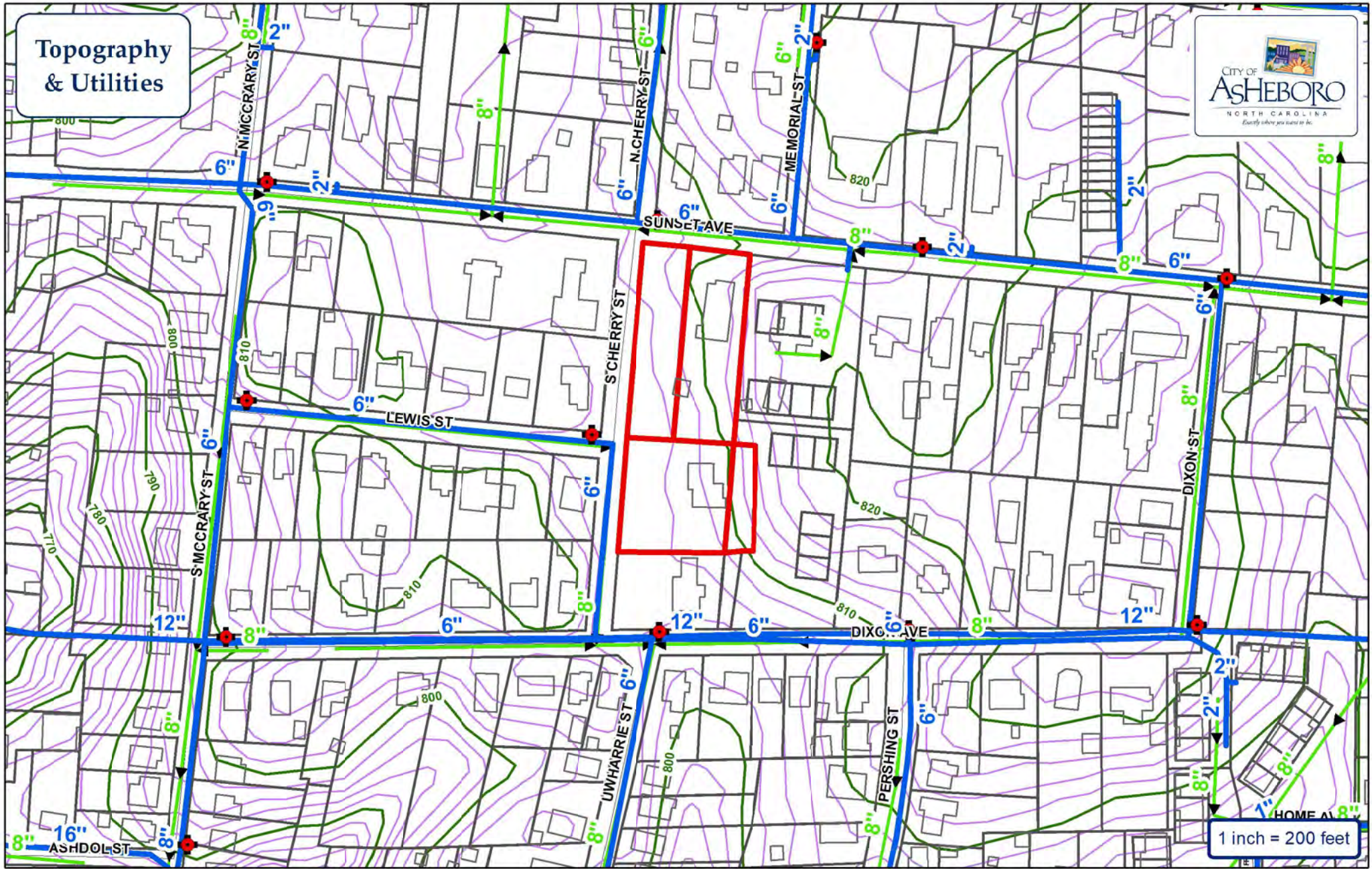
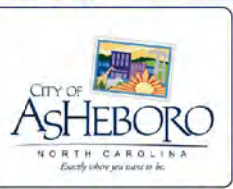
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-07

Parcels: 7751429797, 7751520554, 7751520778 & 7751521594

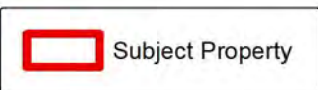


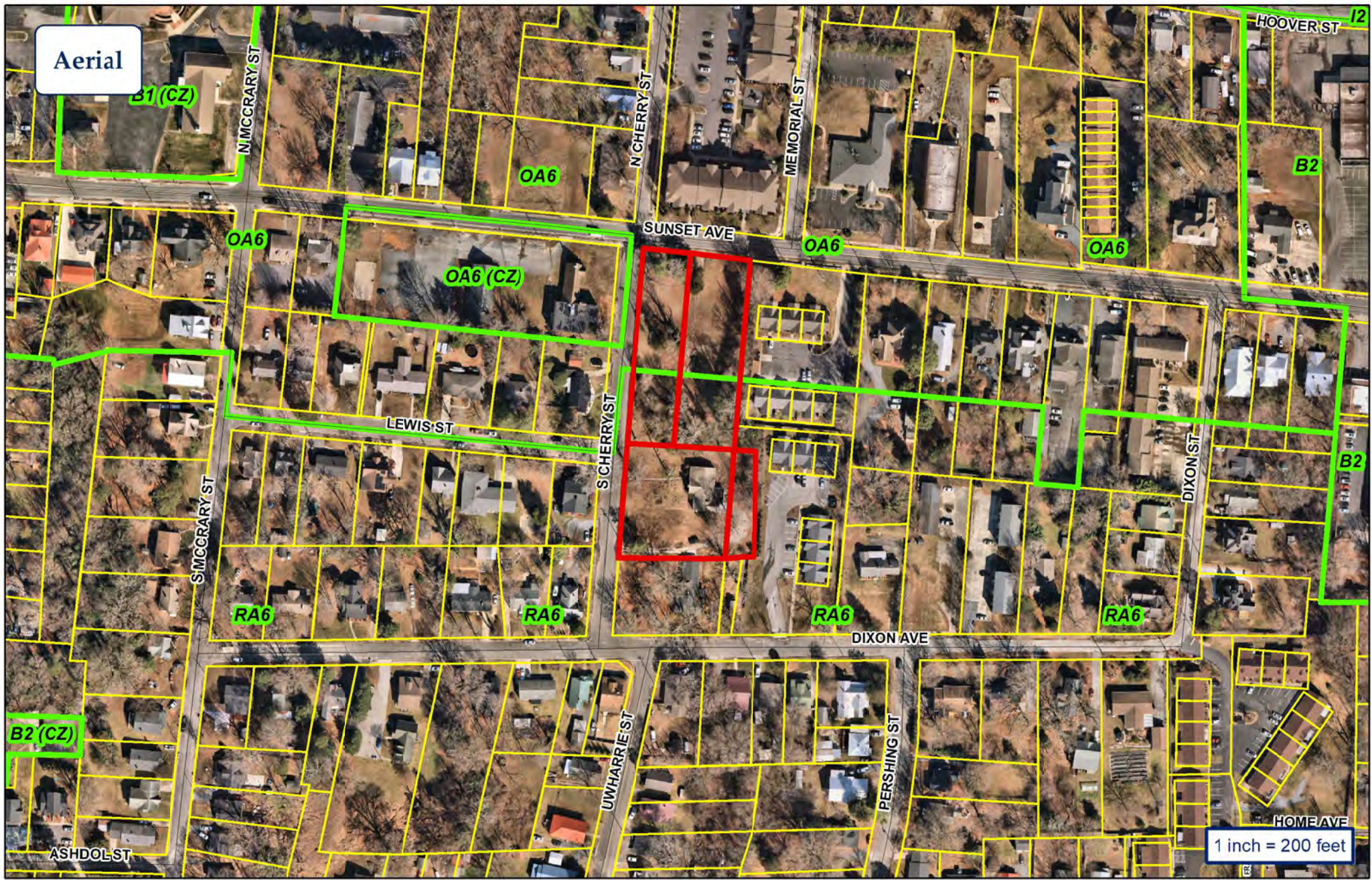
Topography
& Utilities



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

City of Asheboro Planning & Zoning Department
 Rezoning Case: RZ-25-07
 Parcels:
 7751429797, 7751520554, 7751520778 & 7751521594





Aerial

B1 (CZ)

HOOPER ST

NMCCRARY ST

N CHERRY ST

MEMORIAL ST

OA6

B2

OA6

SUNSET AVE

OA6

OA6

OA6 (CZ)

LEWIS ST

S CHERRY ST

DIXON ST

SMCCRARY ST

RA6

RA6

RA6

RA6

DIXON AVE

B2 (CZ)

ASHDOL ST

UWHARRIE ST

PERSHING ST

HOME AVE

1 inch = 200 feet



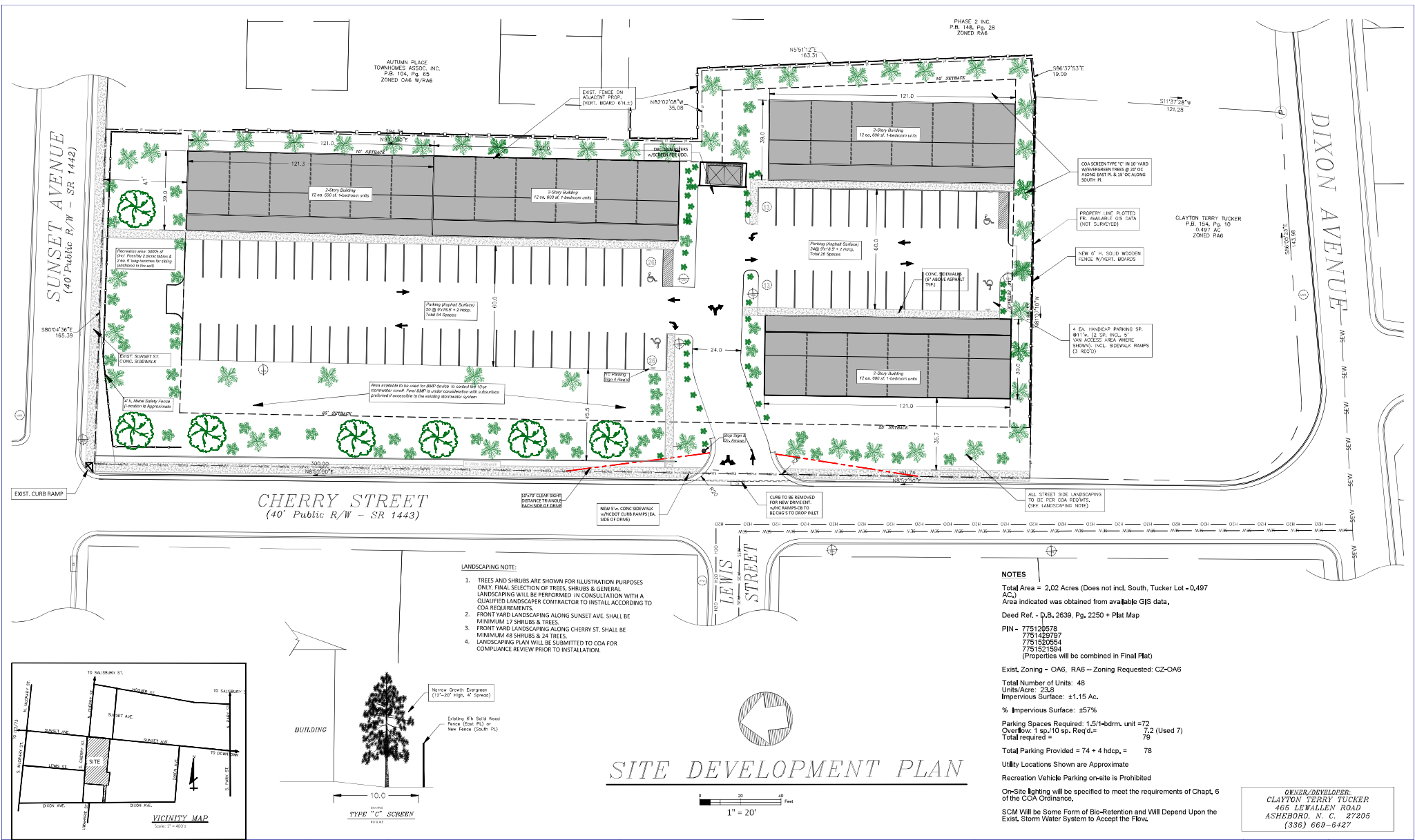
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-07

Parcels: 7751429797, 7751520554, 7751520778 & 7751521594

-  Subject Property
-  Zoning





REVISIONS			
BY	DATE	DESCRIPTION	SYM.
HJM	02/25/25	REV. TO ADDRESS NC007 & COA COMMENTS (DFA-JRH) 02/21/25	19

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED
FOR CONSTRUCTION

CONSULTING, CIVIL ENGINEER

HIRAM J. ARZIANO, PE

PO Box 278, Asheboro, NC 27204 • (336)493-4450
hmarziano@triadbiz.rr.com

SITE DEVELOPMENT PLAN

PRELIMINARY SKETCH PLAN

CHERRY STREET APARTMENTS

City of Asheboro

Randolph County, North Carolina

Scale: 1" = 20'	Sheet No.:
Date: 03/02/2025	1
Drawn: TJHJM	
Checked: ---	
Job No.:	Of: 1 Version: 2

NOTES

Total Area = 2.02 Acres (Does not incl. South, Tucker Lot - 0.497 AC.)
Area indicated was obtained from available GIS data.
Deed Ref. - D.B. 2639, Pg. 2250 + Plat Map

Pin - 775120578
7751429797
7751520554
7751521554
(Properties will be combined in Final Plat)

Exist, Zoning - OA6, RA6 -- Zoning Requested: CZ-OA6

Total Number of Units: 48
Units/Acre: 23.8
Impervious Surface: ±1.15 Ac.
% Impervious Surface: ±57%

Parking Spaces Required: 1.5/1-bdrm. unit = 72
Overflow: 1 sp./10 sp. Req'd = 7.2 (Used 7)
Total required = 78

Total Parking Provided = 74 + 4 hdcp. = 78

Utility Locations Shown are Approximate
Recreation Vehicle Parking on-site is Prohibited

On-Site Lighting will be specified to meet the requirements of Chapt. 6 of the COA Ordinance.

SCM Will be Some Form of Bio-Retention and Will Depend Upon the Exist. Storm Water System to Accept the Flow.

OWNER/DEVELOPER:
CLAYTON TERRY TUCKER
465 LEWELLEN ROAD
ASHEBORO, N. C. 27205
(336) 669-6427



GENERAL NOTE:
THESE PHOTOS ARE REPRESENTATIVE OF THE
EXPECTED ARCHITECTURE FOR THE CHERRY
ST. APTS. ALL BLDGS. WILL BE 12 UNIT/600 SF
APTS.

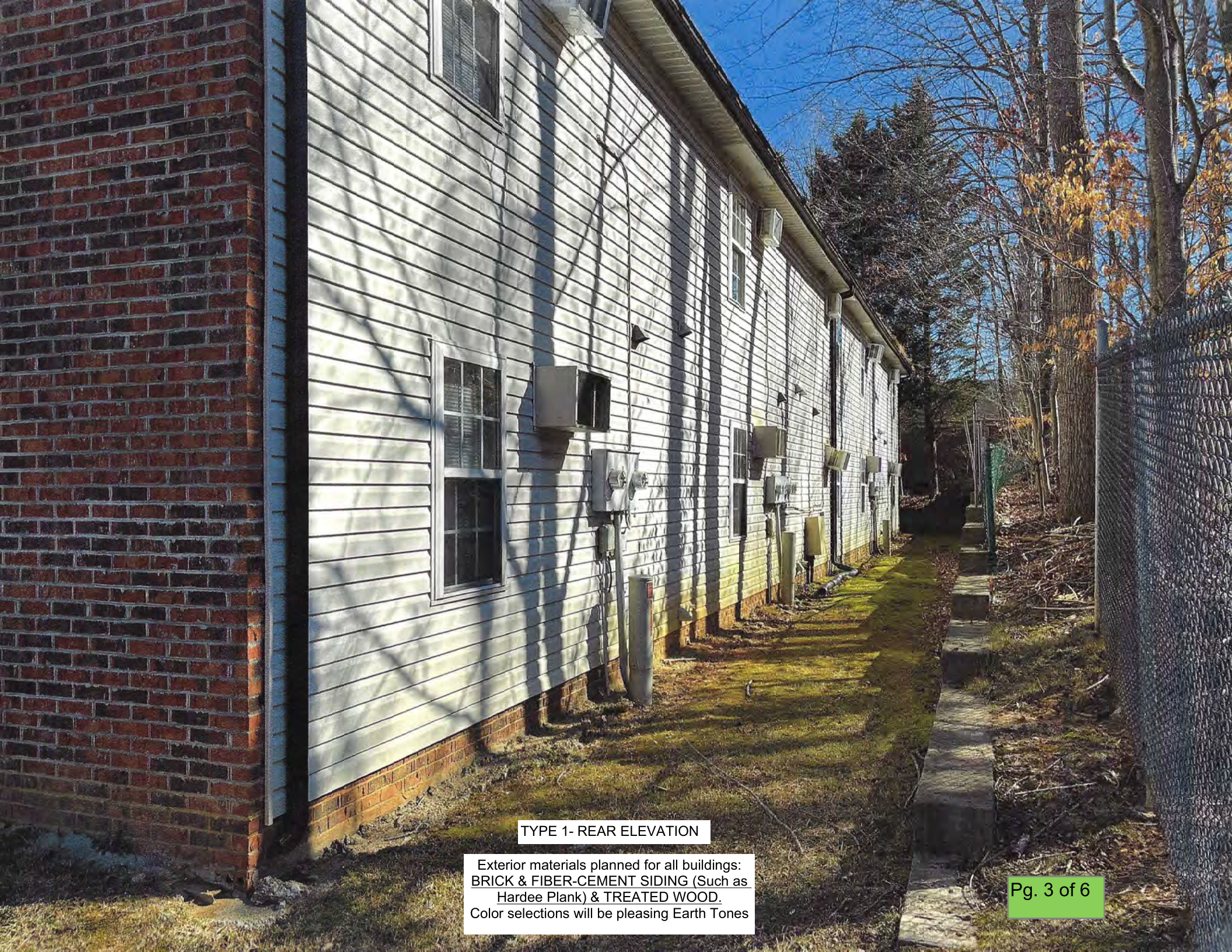
TYPE 1-FRONT ELEVATION

Exterior materials planned for all buildings:
BRICK & FIBER-CEMENT SIDING (Such as
Hardee Plank) & TREATED WOOD.
Color selections will be pleasing Earth Tones



TYPE 1-SIDE ELEVATION

Exterior materials planned for all buildings:
BRICK & FIBER-CEMENT SIDING (Such as
Hardee Plank) & TREATED WOOD.
Color selections will be pleasing Earth Tones



TYPE 1- REAR ELEVATION

Exterior materials planned for all buildings:
BRICK & FIBER-CEMENT SIDING (Such as
Hardee Plank) & **TREATED WOOD**.
Color selections will be pleasing Earth Tones



TYPE 2-FRONT ELEVATION

Exterior materials planned for all buildings:
BRICK & FIBER-CEMENT SIDING (Such as
Hardee Plank) & TREATED WOOD.
Color selections will be pleasing Earth Tones



TYPE 2 - SIDE ELEVATION

Exterior materials planned for all buildings:
BRICK & FIBER-CEMENT SIDING (Such as
Hardee Plank) & TREATED WOOD.
Color selections will be pleasing Earth Tones



TYPE 2 SIDE ELEVATION

Exterior materials planned for all buildings:
BRICK & FIBER-CEMENT SIDING (Such as
Hardee Plank) & TREATED WOOD.
Color selections will be pleasing Earth Tones

Applicant Clayton Terry Tucker ***Applicant's Phone #*** 336-625-1090

Applicant's Address 465 Lewallen Road
Asheboro, NC 27203

Applicant email address doublet@triad.rr.com

Property Owner's Name Clayton Terry Tucker

Location of Property Corner of Sunset & Cherry Street Property Size (ac. or s.f.) 2.02

Randolph County Property Identification Number (PIN#) 775120578-7751429797-7751520554-7751521594

Current Zoning District OA5-RA6 Requested Zoning District CZ-OA6

Date Property Title Acquired 10-20-2023 Deed Book 2881 Page 197

Subdivision _____ Section _____ Lot # _____

Plat Book _____ Page _____

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

[illegible]

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

Development patterns within the immediate area, use of infrastructure and investment in primary growth areas.

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.

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?

Does not apply ☒

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

The City's growth shows the need for additional housing. The development is near downtown and other properties with CZ-OA6 zoning are factors for the intended use of this property.

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 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

Telephone Number

336-625-1090

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: JTL Date: 2-13-25 Case Number: 25-07

This document presented and filed:

10/23/2023 02:16:42 PM

DEED

Fee \$26.00 Excise Tax: \$274.00



20172687

Randolph County North Carolina
Krista M. Lowe, Register of Deeds**NORTH CAROLINA
GENERAL WARRANTY DEED**Excise Tax: **\$274.00**

Recording Time, Book and Page:

Tax Map No.

Parcel Identifier No: **7751.52.0778 & 7751.42.9797**✓ Mail after recording to: **P/U Taylor Callicutt**This instrument was prepared by: **TBC/abh: Taylor Callicutt Attorney at Law: PO Box 2445 Asheboro NC 27204**THIS DEED made this 19th day of October, 2023, by and between**GRANTOR****John S. Lewis III and wife, Phyllis Lewis: 4358 Old Lexington Road, Asheboro, NC 27205****And****Pinnacle Bank as Trustee of the Nathaniel Harrison Jr. Revocable Trust:****GRANTEE****Clayton Terry Tucker (unmarried)****Mailing Address: 465 Lewallen Road Asheboro, NC 27205****Property Addresses: 721 Sunset Avenue, Asheboro, NC 27203 & "0" S. Cherry Street, Asheboro, NC 27203**

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land and more particularly described as follows:

**ASHEBORO TOWNSHIP, RANDOLPH COUNTY, NORTH CAROLINA:
BEGINNING ON THE EAST SIDE OF CHERRY STREET IN LACY LEWIS LINE 300 FEET SOUTH OF SUNSET
AVENUE, RUNNING THENCE SOUTH 6 DEG. WEST ABOUT 300 FEET TO DIXON STREET; THENCE AN
EASTWARD COURSE ALONG DIXON STREET TO AN IRON STAKE THE HUGH PARKS' HOMEPLACE;**

THENCE NORTH ALONG THE HUGH PARKS' HOMEPLACE LINE 6 DEG. EAST ABOUT 300 FEET TO A STAKE; THENCE RUNNING A WESTWARD COURSE PARALLEL WITH SUNSET AVENUE 170 FEET TO THE BEGINNING. BEING THE PROPERTY CONVEYED TO THE LATE LULA E. LEWIS BY LACY S. LEWIS AND WIFE.

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 397. Page 324, Randolph County Registry.

A map showing the above described property is recorded in Plat Book , Page , and referenced within this instrument.

Does the above described property include the primary residence (yes/no)? **No**

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.

[SIGNATURE PAGES TO FOLLOW]

John S. Lewis III (SEAL)
John S. Lewis III

Phyllis Lewis (SEAL)
Phyllis Lewis

State of NORTH CAROLINA, **Randolph** COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: **John S. Lewis III, Phyllis Lewis.**

Witness my hand and official stamp or seal, this the 23 day of October, 2023.

My Commission Expires: **07/07/2024**

Aubrey B. Hoag
Aubrey B. Hoag, Notary Public



PINNACLE BANK AS TRUSTEE
OF THE NATHANIEL HARRISON JR. REVOCABLE TRUST

By: Erich Hamm (SEAL)
ERICH HAMM, TRUSTEE

NORTH CAROLINA
RANDOLPH COUNTY

I, Aubrey B. Hoag, a Notary Public for RANDOLPH County, North Carolina, do hereby certify that
PINNACLE BANK AS TRUSTEE OF THE NATHANIEL HARRISON JR. REVOCABLE TRUST By: ERICH HAMM, as
Trustee for Pinnacle
, personally appeared before me this day and acknowledged the due execution of the foregoing document.

WITNESS my hand and notarial seal, this 23 day of October, 2023.

Aubrey B Hoag
Aubrey B. Hoag, Notary Public

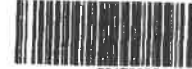
My Commission Expires: 07/07/2024



10/23/2023 02:15:13 PM

DEED

Fee \$26.00 Excise Tax: \$677.00



20172686

Randolph County North Carolina
Krista M. Lowe, Register of Deeds**NORTH CAROLINA
GENERAL WARRANTY DEED**

Excise Tax: \$677.00

Recording Time, Book and Page:

Tax Map No.

Parcel Identifier No: 7751.52.0318; 7751.52.0554 &
7751.52.0554

✓ Mail after recording to: P/U Taylor Callicutt

This instrument was prepared by: TBC/abh: Taylor Callicutt Attorney at Law; PO Box 2445, Asheboro NC 27204

*THIS DEED made this 20th day of October, 2023 by and between***GRANTOR****John Stanback Lewis III and wife, Phyllis Lewis****AND****Roberta Lee Lewis Brown a/k/a Lee Lewis Brown (unmarried)****Mailing Address: 4358 Old Lexington Road Asheboro, NC 27205****GRANTEE****Clayton Terry Tucker (unmarried)****Mailing Address: 465 Lewallen Road Asheboro, NC 27205****Property Addresses: 143 S. Cherry St.; 129 S. Cherry St.; and "0" Dixon Avenue, Asheboro NC 27203**

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land and more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

Exhibit "A"**143 S. Cherry Street, Asheboro, NC 27203****Parcel ID# 7751.52.0318****ASHEBORO TOWNSHIP, RANDOLPH COUNTY, NORTH CAROLINA:**

BEGINNING at an iron stake on the North side of Dixon Avenue, L.S. Lewis' corner, and running thence North 86 degrees 33 minutes West along the Northern edge of Dixon Avenue 143.95 feet to a stake; thence North 55 degrees 38 minutes West 33.44 feet to an iron stake, intersection of Dixon Avenue and Cherry Street; thence North 10 degrees 41 minutes West along the Eastern edge of Cherry Street 27.59 feet to an iron stake; thence North 8 degrees 22 minutes East along the Eastern edge of Cherry Street 74.65 feet to an iron stake, L.S. Lewis' corner; thence South 87 degrees 09 minutes East along Lewis' line 189.28 feet to iron stake, Lewis' corner; thence South 11 degrees 10 minutes West along Lewis' line 121.41 feet to the **BEGINNING**.

129 S. Cherry Street, Asheboro, NC 27203**Parcel ID# 7751.52.0554****ASHEBORO TOWNSHIP, RANDOLPH COUNTY, NORTH CAROLINA:**

BEING all of Lot #4, John S. Lewis, containing 32,804 Sq. Ft., 0.753 acre, more or less, pursuant to a survey entitled "Lee Lewis Brown & John S. Lewis" prepared by Steven D. Brown, RLS, designated as Job No. 96126-R, and recorded on June 25, 1998 in Plat Book 54, Page 10, Randolph County Registry.

"0" Dixon Avenue, Asheboro, NC 27203**Parcel ID# 7751.52.1594****ASHEBORO TOWNSHIP, RANDOLPH COUNTY, NORTH CAROLINA:**

BEGINNING at an existing iron pipe, the northwest corner of Lot No. 5 of the Lee Lewis Brown and John S. Lewis Property as shown by plat recorded in Plat Book 54, Page 10, Randolph County Registry; thence from said beginning point along Lot No. 1 of said plat, South 81 degrees 54 minutes 26 seconds East 35.08 feet to a new iron pipe and South 05 degrees 58 minutes 54 seconds West 57.03 feet to the southeast corner of said Lot No. 5; thence along Lot No. 2 of said plat, South 05 degrees 58 minutes 54 seconds West 106.28 feet to a new iron pipe, North 86 degrees 30 minutes 11 seconds West 19.09 to an existing iron pipe and South 11 degrees 45 minutes 10 seconds West 121.28 feet to a point in the Northern right of way line of Dixon Street; thence along said right of way North 85 degrees 57 minutes 42 seconds West approximately 19 feet to the original Southwest corner of Vestal's tract; thence along Vestal's original Western line, North 09 degrees 20 minutes 42 seconds East approximately 300 feet to the beginning.



RZ-25-08

Request to apply City of Asheboro High-Density Residential zoning (RA6 (CZ)) for development with multiple family dwellings and Residential Planned Unit Development with Single-family dwellings on property located on Crestview Church Road, southwest of 1172 Crestview Church Road, approximately 1100 feet southwest of Zoo Parkway.

The applicant has requested a continuance of this item until the May 8, 2025 City Council meeting.

John Evans

To: Spencer Patton; Engineering; Tammy Williams
Cc: Justin Luck
Subject: RE: [External Sender] Braswell Annexation Markup (Your Job # 17166)

From: Adam Carroll <adam.carroll@timmons.com>
Sent: Tuesday, April 1, 2025 10:13 AM
To: Mark Braswell <jbraswell@yahoo.com>; Justin Luck <jluck@ci.asheboro.nc.us>
Cc: Nash Duggins <nash.duggins@gmail.com>; John Evans <jevans@ci.asheboro.nc.us>
Subject: RE: [External Sender] Braswell Annexation Markup (Your Job # 17166)

Hi Justin,

On behalf of the Applicants, I want to confirm that we would like the Annexation and Rezoning cases continued to the May Public Hearing dates. Please let us know if you need anything further.

Thanks,
Adam



TO: Asheboro City Council
FROM: John L. Evans, Community Development Director
DATE: April 9, 2025 (updated)
RE: Applicants for vacating seat on Planning Board

During the Planning Board meeting on March 3, 2025, it was announced that the April 7, 2025 meeting would be the last meeting of Mr. Harold Anderson. Mr. Anderson resides inside the city limits and his term current term expires on January 1, 2027. This leaves one upcoming vacant seat for a Planning Board member within the city limits. This vacancy was advertised and the following candidates applied for this position, or their applications were already on file prior to this vacancy.

Rob Brisley: application received August 19, 2024 (Mr. Brisley has indicated that he does not wish to be considered for the Board member position at this time.)

Wayne Moore: application received August 21, 2024

Mark Vuncannon: application received August 26, 2024 (Mr. Vuncannon has indicated that he does not wish to be considered for the Board member position at this time.)

Jason Higgins: application received March 21, 2025

Cindy Ho: application received March 21, 2025

Charles Gregory (Greg) Patton: application received March 24, 2025

William K. Smith: application received April 7, 2025 (Mr. Smith has indicated that he does not wish to be considered for the Board member position at this time.)

The City Council may make a decision on a candidate or refer the candidates to the Planning Board for consideration. If Council chooses to forward the list of candidates to the Planning Board for consideration, the Planning Board will need to forward at least two candidates to the Asheboro City Council for consideration.

**CITY OF ASHEBORO
PUBLIC HEARING NOTICE
ECONOMIC DEVELOPMENT FUNDING**

The City of Asheboro proposes to appropriate and expend city funds for an economic development activity. The specific expenditure is for the acquisition, assembling, and holding for resale property that is suitable for industrial or commercial use.

To implement this economic development plan, the city proposes to allocate \$119,900 to the Asheboro/Randolph County Area Economic Development Corporation, a North Carolina non-profit corporation (the "Non-Profit Corporation"). The proposed funding is for the costs associated with the Non-Profit Corporation's acquisition in fee simple of a single parcel of land that has a street address of 1900 S. Fayetteville Street and is identified by Randolph County Parcel Identification Number 7750638382. This parcel of land is located on the west side of S. Fayetteville Street in Asheboro and can provide access to additional real property suitable for industrial activity that could be supported by rail service.

The city will fund the above-described appropriation with available revenues in the city's General Fund. The proposed funding is based on the belief that the proposed appropriation will increase the population, taxable property, agricultural industries, employment, industrial output, or business prospects of the city.

The Asheboro City Council will hold a public hearing on the question of the proposed appropriation to the Non-Profit Corporation during the city council's next regular meeting, which will begin at 6:00 p.m. on April 10, 2025. The hearing will be held in the council chamber on the second floor of Asheboro City Hall, 146 N. Church Street, Asheboro, NC 27203. At the public hearing, oral and written comments will be received from individuals who wish to be heard on this subject.

[Please publish this legal notice in *The Courier-Tribune* one time on Thursday, March 27, 2025. An affidavit of publication is requested.]

**AIA**[®]**Document G701[™] – 2001****Change Order**

PROJECT (Name and address):
**Asheboro-McCrary Park
 Renovation and Expansion
 128 Southway Road
 Asheboro, NC 27205
 RBI Project No. 2678**

CHANGE ORDER NUMBER: **003Rev 2**DATE: **March 20, 2025**OWNER: ☒ARCHITECT: ☒CONTRACTOR: ☒FIELD: ☐OTHER: ☐

TO CONTRACTOR (Name and address):
**Rodgers Builders, Inc.
 PO Box 18446
 Charlotte, NC 28218**

ARCHITECT'S PROJECT NUMBER: **E-7290**CONTRACT DATE: **September 23, 2022**CONTRACT FOR: **General Construction****THE CONTRACT IS CHANGED AS FOLLOWS:***(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)***RCO-0006 Additional Taxes****\$15,306.03.00**

The original Guaranteed Maximum Price was	\$ <u>3,597,305.00</u>
The net change by previously authorized Change Orders	\$ <u>717,865.00</u>
The Guaranteed Maximum Price prior to this Change Order was	\$ <u>4,315,170.00</u>
The Guaranteed Maximum Price will be increased by this Change Order in the amount of	\$ <u>15,306.03</u>
The new Guaranteed Maximum Price including this Change Order will be	\$ <u>4,330,476.03</u>

The Contract Time will be **unchanged** by **zero** (**0**) days.The date of Substantial Completion as of the date of this Change Order therefore is **July 4, 2023**.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

CPL
 ARCHITECT (Firm name)
**6302 Fairview Road, Suite 102
 Charlotte, NC 28210**

Rodgers Builders, Inc.
 CONTRACTOR (Firm name)
**PO Box 18446
 Charlotte, NC 28218**

City of Asheboro
 OWNER (Firm name)
**146 N. Church Street
 Asheboro, NC 27203**

ADDRESS

ADDRESS

ADDRESS

BY (Signature)

BY (Signature)

BY (Signature)

Brad Norvell**Todd Joyce****John Ogburn**

(Typed name)

(Typed name)

(Typed name)

DATE

DATE

DATE

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User Notes:

(3B9ADA21)



Our Passion is Building®

REQUEST FOR CHANGE ORDER

Project Name: Asheboro - McCrary Park Renovation and Expansion, **Project Number:** 2678

RCO No: RCO-0006 dated 03/20/2025

TO: Michael Leonard
City of Asheboro
146 N. Church Street
Asheboro, NC 27203
Phone: 336.626.1201 x228
Fax:

FROM: Christopher Mabry
Rodgers Builders, Inc.
5701 N. Sharon Amity Road P.O. Box 18446 (28218)
Charlotte, NC 28215
Phone: 704 537.6044
Fax: 704 535.0055

THE FOLLOWING CHANGE ORDER IS BEING REQUESTED: Additional Taxes

Request for Change Order Scope of Work: Included Taxes to date not included in contract.

Contractor	Description	Amount
	Taxes billed thru December	\$14,152.60
	General Conditions and Fee	\$707.63
	Insurance and Bond	\$445.80

Total Amount: \$15,306.03

Schedule Change Days:

DISCLAIMER: This Request for Change in itself does not affect the critical path of the project; therefore, a time extension is not warranted or requested. However, the change, when coupled with numerous others, will affect Rodgers and its subcontractors' ability to complete the original contract per the original schedule. We reserve the right to request a time extension when the quantity and/or dollar amount of changes reaches the level of affecting our original contract work and schedule.

Authorized:
CPL
ARCHITECT

Authorized:
Rodgers Builders, Inc.
CONTRACTOR

Authorized:
City of Asheboro
OWNER

By: _____

By: _____

By: _____

Date: _____

Date: _____

Date: _____

JOB COSTING - TRANSACTION REPORT

Job

Phase

Category

Name

APP	T	Batch	Post Date	Source	Source Desc	Reference	Reference Desc	Quantity	WM	Billing Amount	Cost	Committed	Cost
2678		Asheboro McCrary Park Renovation and Expansion											
04		Masonry											
04030		04A Masonry (Old North State Masonry)											
5		County Tax											
AP	C	315737	01/15/2023	OLD0001	Old North State Mason 40-0039-01	2678-sales tax			NA		78.75		
AP	C	317731	02/20/2023	OLD0001	Old North State Mason 40-0039-02	2678-sales tax			NA		40.50		
AP	C	319468	03/20/2023	OLD0001	Old North State Mason 40-0039-03	2678-sales tax			NA		25.92		
AP	C	320881	04/20/2023	OLD0001	Old North State Mason 40-0039-04	2678-sales tax			NA		1,041.95		
AP	C	323031	05/20/2023	OLD0001	Old North State Mason 40-0039-05	2678-sales tax			NA		600.87		
AP	C	327041	07/20/2023	OLD0001	Old North State Mason 40-0039-06	2678-sales tax			NA		45.63		
AP	C	328686	08/20/2023	OLD0001	Old North State Mason 40-0039-07	2678-sales tax			NA		173.77		
AP	C	330859	09/20/2023	OLD0001	Old North State Mason 40-0039-R	2678-sales tax			NA		310.75		
County Tax TOTAL:								0.000		0.00	2,318.14		0.00
6		State Tax											
AP	C	315737	01/15/2023	OLD0001	Old North State Mason 40-0039-01	2678-sales tax			NA		166.25		
AP	C	317731	02/20/2023	OLD0001	Old North State Mason 40-0039-02	2678-sales tax			NA		85.50		
AP	C	319468	03/20/2023	OLD0001	Old North State Mason 40-0039-03	2678-sales tax			NA		54.72		
AP	C	320881	04/20/2023	OLD0001	Old North State Mason 40-0039-04	2678-sales tax			NA		2,199.67		
AP	C	323031	05/20/2023	OLD0001	Old North State Mason 40-0039-05	2678-sales tax			NA		1,268.50		
AP	C	327041	07/20/2023	OLD0001	Old North State Mason 40-0039-06	2678-sales tax			NA		96.33		
AP	C	328686	08/20/2023	OLD0001	Old North State Mason 40-0039-07	2678-sales tax			NA		366.84		
AP	C	330859	09/20/2023	OLD0001	Old North State Mason 40-0039-R	2678-sales tax			NA		656.02		
State Tax TOTAL:								0.000		0.00	4,893.83		0.00
04A Masonry (Old North State Masonry) TOTAL:								0.000		0.00	7,211.97		0.00
Masonry TOTAL:								0.000		0.00	7,211.97		0.00
05		Metals											
05090		05A Steel (SteelFab)											
5		County Tax											
AP	C	327041	07/20/2023	STE0005	SteelFab, Inc.	3206350001	2678-sales tax		NA		435.88		
AP	C	328686	08/20/2023	STE0005	SteelFab, Inc.	3206350002	2678-sales tax		NA		12.23		
AP	C	330859	09/20/2023	STE0005	SteelFab, Inc.	3206350003	2678-sales tax		NA		122.45		
AP	C	331708	10/16/2023	STE0005	SteelFab, Inc.	3206350004	2678-sales tax		NA		37.28		
County Tax TOTAL:								0.000		0.00	607.84		0.00

JOB COSTING - TRANSACTION REPORT

Job

Phase

Category

Name

APP	T	Batch	Post Date	Source	Source Desc	Reference	Reference Desc	Quantity	WM	Billing Amount	Cost	Committed Cost
Job		2678	continued									
6		State Tax										
AP	C	327041	07/20/2023	STE0005	SteelFab, Inc.	3206350001	2678-sales tax		NA		920.20	
AP	C	328686	08/20/2023	STE0005	SteelFab, Inc.	3206350002	2678-sales tax		NA		25.83	
AP	C	330859	09/20/2023	STE0005	SteelFab, Inc.	3206350003	2678-sales tax		NA		258.51	
AP	C	331708	10/16/2023	STE0005	SteelFab, Inc.	3206350004	2678-sales tax		NA		78.69	
State Tax TOTAL:								0.000		0.00	1,283.23	0.00
05A Steel (SteelFab) TOTAL:								0.000		0.00	1,891.07	0.00
Metals TOTAL:								0.000		0.00	1,891.07	0.00
07		Thermal and Moisture Protection										
07060		07A Roofing (Benton)										
5		County Tax										
AP	C	327041	07/20/2023	PRO0069	Benton Roofing	3839	2678-sales tax		NA		106.18	
AP	C	327041	07/20/2023	PRO0069	Benton Roofing	3995	2678-sales tax		NA		204.10	
AP	C	328686	08/20/2023	PRO0069	Benton Roofing	4278	2678-sales tax		NA		55.82	
County Tax TOTAL:								0.000		0.00	366.10	0.00
6		State Tax										
AP	C	327041	07/20/2023	PRO0069	Benton Roofing	3839	2678-sales tax		NA		224.16	
AP	C	327041	07/20/2023	PRO0069	Benton Roofing	3995	2678-sales tax		NA		430.88	
AP	C	328686	08/20/2023	PRO0069	Benton Roofing	4278	2678-sales tax		NA		117.84	
State Tax TOTAL:								0.000		0.00	772.88	0.00
07A Roofing (Benton) TOTAL:								0.000		0.00	1,138.98	0.00
Thermal and Moisture Protection TOTAL:								0.000		0.00	1,138.98	0.00
08		Openings										
08060		08B Doors & 10A Specialties (C&B)										
5		County Tax										
AP	C	319468	03/20/2023	COO0004	Cook & Boardman, LLC T1-2678		2678-sales stax		NA		25.09	
County Tax TOTAL:								0.000		0.00	25.09	0.00
6		State Tax										
AP	C	319468	03/20/2023	COO0004	Cook & Boardman, LLC T1-2678		2678-sales stax		NA		52.96	

JOB COSTING - TRANSACTION REPORT

Job

Phase

Category

Name

APP	T	Batch	Post Date	Source	Source Desc	Reference	Reference Desc	Quantity	WM	Billing Amount	Cost	Committed Cost
	Job	2678	continued									
				State Tax	TOTAL:			0.000		0.00	52.96	0.00
				08B Doors & 10A Specialties (C&B)	TOTAL:			0.000		0.00	78.05	0.00
08390 08C Service Doors (ASSA ABLOY)												
	4	MeckTax										
AP	C	323031	05/20/2023	ASS0021	CNC Door Company/A	1147679	2678-sales tax		NA		33.65	
				MeckTax	TOTAL:			0.000		0.00	33.65	0.00
	5	County Tax										
AP	C	323031	05/20/2023	ASS0021	CNC Door Company/A	1147679	2678-sales tax		NA		151.45	
				County Tax	TOTAL:			0.000		0.00	151.45	0.00
	6	State Tax										
AP	C	323031	05/20/2023	ASS0021	CNC Door Company/A	1147679	2678-sales tax		NA		319.72	
				State Tax	TOTAL:			0.000		0.00	319.72	0.00
				08C Service Doors (ASSA ABLOY)	TOTAL:			0.000		0.00	504.82	0.00
				Openings	TOTAL:			0.000		0.00	582.87	0.00
09 Finishes												
09060 09A Drywall (Precision Walls)												
	5	County Tax										
AP	C	327041	07/20/2023	PRE0007	Precision Walls, Inc.	22-0857-01	2678-sales tax		NA		161.00	
AP	C	330859	09/20/2023	PRE0007	Precision Walls, Inc.	22-0857-03	2678-sales tax		NA		20.25	
AP	C	332566	10/15/2023	PRE0007	Precision Walls, Inc.	22-0857-04	2678-sales tax		NA		2.18	
				County Tax	TOTAL:			0.000		0.00	183.43	0.00
	6	State Tax										
AP	C	327041	07/20/2023	PRE0007	Precision Walls, Inc.	22-0857-01	2678-sales tax		NA		339.85	
AP	C	330859	09/20/2023	PRE0007	Precision Walls, Inc.	22-0857-03	2678-sales tax		NA		42.73	
AP	C	332566	10/15/2023	PRE0007	Precision Walls, Inc.	22-0857-04	2678-sales tax		NA		4.60	
				State Tax	TOTAL:			0.000		0.00	387.18	0.00
				09A Drywall (Precision Walls)	TOTAL:			0.000		0.00	570.61	0.00
09180 09E Floorcoverings (Bonitz)												

JOB COSTING - TRANSACTION REPORT

Job

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Name

APP	T	Batch	Post Date	Source	Source Desc	Reference	Reference Desc	Quantity	WM	Billing Amount	Cost	Committed Cost
Job		2678	continued									
4		MeckTax										
AP	C	332566	10/15/2023	BON0019	Bonitz, Inc.	2678T	2678-sales tax		NA		15.15	
				MeckTax	TOTAL:			0.000		0.00	15.15	0.00
5		County Tax										
AP	C	332566	10/15/2023	BON0019	Bonitz, Inc.	2678T	2678-sales tax		NA		68.18	
				County Tax	TOTAL:			0.000		0.00	68.18	0.00
6		State Tax										
AP	C	332566	10/15/2023	BON0019	Bonitz, Inc.	2678T	2678-sales tax		NA		143.93	
				State Tax	TOTAL:			0.000		0.00	143.93	0.00
				09E Floorcoverings (Bonitz)	TOTAL:			0.000		0.00	227.26	0.00
09280		09F Painting (United Painting)										
4		MeckTax										
AP	C	330859	09/20/2023	UNI0084	United Painting Service	14726	2678-sales tax		NA		5.54	
AP	C	331031	09/20/2023	UNI0084	United Painting Service	14762	2678-sales tax		NA		5.54	
				MeckTax	TOTAL:			0.000		0.00	11.08	0.00
5		County Tax										
AP	C	324897	06/20/2023	UNI0084	United Painting Service	14445	2678-sales tax		NA		29.16	
AP	C	330859	09/20/2023	UNI0084	United Painting Service	14726	2678-sales tax		NA		55.24	
AP	C	331031	09/20/2023	UNI0084	United Painting Service	14762	2678-sales tax		NA		24.94	
				County Tax	TOTAL:			0.000		0.00	109.34	0.00
6		State Tax										
AP	C	324897	06/20/2023	UNI0084	United Painting Service	14445	2678-sales tax		NA		61.57	
AP	C	330859	09/20/2023	UNI0084	United Painting Service	14726	2678-sales tax		NA		116.64	
AP	C	331031	09/20/2023	UNI0084	United Painting Service	14762	2678-sales tax		NA		52.66	
				State Tax	TOTAL:			0.000		0.00	230.87	0.00
				09F Painting (United Painting)	TOTAL:			0.000		0.00	351.29	0.00
				Finishes	TOTAL:			0.000		0.00	1,149.16	0.00
11		Equipment										
11150		11E Athletic Equipment										

JOB COSTING - TRANSACTION REPORT

Job

Phase

Category

Name

APP	T	Batch	Post Date	Source	Source Desc	Reference	Reference Desc	Quantity	WM	Billing Amount	Cost	Committed Cost
Job 2678 continued												
5 County Tax												
AP	C	328686	08/20/2023	SPO0005	Sportsfield Specialties, 65235-1		2678-sales tax		NA		4,837.50	
AP	C	330859	09/20/2023	SPO0005	Sportsfield Specialties, 69864-1		2678-sales tax		NA		1,384.48	
County Tax TOTAL:								0.000		0.00	6,221.98	0.00
6 State Tax												
AP	C	328686	08/20/2023	SPO0005	Sportsfield Specialties, 65235-1		2678-sales tax		NA		10,212.50	
AP	C	330859	09/20/2023	SPO0005	Sportsfield Specialties, 69864-1		2678-sales tax		NA		2,922.79	
State Tax TOTAL:								0.000		0.00	13,135.29	0.00
11E Athletic Equipment TOTAL:								0.000		0.00	19,357.27	0.00
Equipment TOTAL:								0.000		0.00	19,357.27	0.00
15 Mechanical												
15090 22A Plumbing (Precision)												
4 MeckTax												
AP	C	320881	04/20/2023	PRE0099	Precision Plumbing	52537	2678-sales tax		NA		25.80	
AP	C	323031	05/20/2023	PRE0099	Precision Plumbing	52546	2678-sales tax		NA		4.68	
MeckTax TOTAL:								0.000		0.00	30.48	0.00
5 County Tax												
AP	C	320881	04/20/2023	PRE0099	Precision Plumbing	52537	2678-sales tax		NA		116.09	
AP	C	323031	05/20/2023	PRE0099	Precision Plumbing	52546	2678-sales tax		NA		21.05	
County Tax TOTAL:								0.000		0.00	137.14	0.00
6 State Tax												
AP	C	320881	04/20/2023	PRE0099	Precision Plumbing	52537	2678-sales tax		NA		245.08	
AP	C	323031	05/20/2023	PRE0099	Precision Plumbing	52546	2678-sales tax		NA		44.44	
State Tax TOTAL:								0.000		0.00	289.52	0.00
22A Plumbing (Precision) TOTAL:								0.000		0.00	457.14	0.00
15100 23A HVAC (Cadence)												
5 County Tax												
AP	C	327041	07/20/2023	CAD0008	Cadence, LLC	P0006.0001ST	2678-sales tax		NA		54.45	
AP	C	328686	08/20/2023	CAD0008	Cadence, LLC	000118	2678-sales tax		NA		100.35	

JOB COSTING - TRANSACTION REPORT

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Name

APP	T	Batch	Post Date	Source	Source Desc	Reference	Reference Desc	Quantity	WM	Billing Amount	Cost	Committed Cost
Job 2678 continued												
County Tax TOTAL:								0.000		0.00	154.80	0.00
6	State Tax											
AP	C	327041	07/20/2023	CAD0008	Cadence, LLC	P0006.0001ST	2678-sales tax		NA		114.95	
AP	C	328686	08/20/2023	CAD0008	Cadence, LLC	000118	2678-sales tax		NA		211.86	
State Tax TOTAL:								0.000		0.00	326.81	0.00
23A HVAC (Cadence) TOTAL:								0.000		0.00	481.61	0.00
Mechanical TOTAL:								0.000		0.00	938.75	0.00
16 Electrical												
16000 26A Electrical (Watson Electrical)												
5	County Tax											
AP	C	323031	05/20/2023	WAT0008	Watson Electrical Cons	620090	2678-sales tax		NA		348.83	
AP	C	327041	07/20/2023	WAT0008	Watson Electrical Cons	620276	2678-sales tax		NA		121.05	
AP	C	327041	07/20/2023	WAT0008	Watson Electrical Cons	620397	2678-sales tax		NA		120.05	
AP	C	330859	09/20/2023	WAT0008	Watson Electrical Cons	620707	2678-sales tax		NA		15.19	
County Tax TOTAL:								0.000		0.00	605.12	0.00
6	State Tax											
AP	C	323031	05/20/2023	WAT0008	Watson Electrical Cons	620090	2678-sales tax		NA		736.36	
AP	C	327041	07/20/2023	WAT0008	Watson Electrical Cons	620276	2678-sales tax		NA		255.55	
AP	C	327041	07/20/2023	WAT0008	Watson Electrical Cons	620397	2678-sales tax		NA		253.43	
AP	C	330859	09/20/2023	WAT0008	Watson Electrical Cons	620707	2678-sales tax		NA		32.07	
State Tax TOTAL:								0.000		0.00	1,277.41	0.00
26A Electrical (Watson Electrical) TOTAL:								0.000		0.00	1,882.53	0.00
Electrical TOTAL:								0.000		0.00	1,882.53	0.00
Asheboro McCrary Park Renovation and Expansion TOTAL:								0.000		0.00	34,152.60	0.00
Dept	Account	Account Name				Cost Amount		Billing Amount		Profit		
407	4500	Sales Tax				34,152.60		0.00				
						34,152.60		0.00		-34,152.60		

JOB COSTING - TRANSACTION REPORT**Job****Phase****Category****Name**

<u>APP</u>	<u>T</u>	<u>Batch</u>	<u>Post Date</u>	<u>Source</u>	<u>Source Desc</u>	<u>Reference</u>	<u>Reference Desc</u>	<u>Quantity</u>	<u>WM</u>	<u>Billing Amount</u>	<u>Cost</u>	<u>Committed Cost</u>
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END OF REPORTReport Parameters

Starting Job: 2678

Ending Job: 2678

Starting Phase:

Ending Phase:

Starting Category: 4

Ending Category: 6

Starting Date:

Ending Date:

Batch Number:

Include Sub Jobs: Y

Job Type: A

Transaction Type: C

Job Pick List:

Category Pick List:

Job Per Page N

Run Date: 02/03/2025

Run Time: 09:29 AM

Operator: DBMCDOWELL

Report Code: JC2000

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2024-2025

WHEREAS, The original contract, "Asheboro-McCrary Park Renovation and Expansion" Project, between Rodgers Builders and the City of Asheboro did not include an allowance for payment of sales tax costs incurred by Rodgers.

WHEREAS, change order 002 was approved to add a \$20,000 allowance to the contract for sales tax that was excluded from the original contract.

WHEREAS, the total cost incurred in sales taxes by Rodgers Builders is \$34,152.60, leaving \$14,152.60 in sales taxes not accounted for in the existing contract.

WHEREAS, The City of Asheboro has received change order 003 Rev2 to add an additional allowance to the contract for the sales taxes.

WHEREAS, the change order amount is \$15,306.03 which is equal to \$14,152.60 sales taxes plus \$707.63 (5% fee) plus \$445.80 (3% insurance and bonds).

WHEREAS, the City of Asheboro wishes amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

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

That the following revenue line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-000-399.0000	Fund Balance Allocation	\$15,307

That the following expense line item be increased / decreased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-620-565.0000	Contribution to McCrary Ball Park	\$15,307

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2024-2025

Adopted this 10th day of April 2025,

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE MCCRARY BASEBALLPARK IMPROVEMENTS FUND
FY 2024-2025

WHEREAS, The original contract, "Asheboro-McCrary Park Renovation and Expansion" Project, executed between Rodgers Builders Inc and the City of Asheboro did not include an allowance for payment of sales tax costs incurred by Rodgers Builders Inc.

WHEREAS, a change order was approved in July 2023 to add a \$20,000 allowance to the contract for sales tax that was excluded from the original contract.

WHEREAS, the City of Asheboro has received change order 003 Rev2 and the purpose of this change order is to account for additional sales tax expense incurred above the allowance.

WHEREAS, the change order amount is \$15,306.03.

WHEREAS, the City of Asheboro wishes amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina that the following revenue and expense line items are changed as follows:

Section 1: That the following revenue line items be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
65-000-300.0001-65	GF Contributions	\$15,307

Section 2: That the following expense line items be increased

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
65-000-400.9000-65	Construction Manager at Risk	\$15,307

ORDINANCE TO AMEND
THE MCCRARY BASEBALLPARK IMPROVEMENTS FUND
FY 2024-2025

Adopted this 10th day of April 2025.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2024-2025

WHEREAS, the playground at the Cone Health ZooCity Sportsplex needs to be repaired.

WHEREAS, the current estimated cost from the manufacturer, Bliss Products, for needed repairs they will perform is \$148,098.

WHEREAS, due to additional costs incurred by the City of Asheboro, the City of Asheboro wishes to allocate a total of \$200,000 to cover the Bliss Contract and ancillary unknown costs incurred by the City of Asheboro.

WHEREAS, the City of Asheboro wishes to amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

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

That the following revenue line be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-000-399-0000	Fund Balance Allocation	\$200,000

That the following expense line be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-623-545.0000	Contracted Maintenance	148,098
10-623-516.0009	Maintenance and Repair- Grounds	<u>51,902</u>
		\$200,000

Adopted this 10th day of April 2025,

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2024-2025

WHEREAS, the City of Asheboro has determined that a mobile bathroom shower trailer, with its capabilities to provide temporary amenities in areas without access to such accommodations would be a valuable and needed resource.

WHEREAS, the city's public safety departments have indicated that having this asset as part of Asheboro's disaster response inventory would ensure personnel have access to consistent potable water and decontamination resources in any emergency situation as well as during training exercises, and

WHEREAS, the city's facility managers have signaled that inclusion in the city's fleet would expand options and offer flexibility when building renovations are considered, potentially reducing costs and timeframes associated with construction projects; and

WHEREAS, in order to ensure that this important resource is continuously deployable for service across the organization, the Fleet Department within the Public Works Division shall be responsible for acquiring and managing the mobile bathroom shower trailer.

WHEREAS, the City of Asheboro wishes to amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

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

That the following revenue line be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-000-399-0000	Fund Balance Allocation	\$46,000

That the following expense line be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-555-574.0000	Capital Outlay	\$46,000

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2024-2025

Adopted this 10th day of April 2025,

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

Water Resources Division
146 N Church Street
PO Box 1106
Asheboro, NC 27204-1106



Tel: 336-626-1201 Ext.
2358

Fax: 336-626-1218

BID SUMMARY
CHEMICALS BIDS FOR THE CITY OF ASHEBORO
WATER/WASTEWATER TREATMENT PLANTS
3/31/2025

The City of Asheboro received fifteen (15) bid packages listed on the attached Bid Tabulation Sheet at 10:00 AM, March 27, 2025. These bids are for seven (7) chemicals needed for operations at the Water/Wastewater Treatment Plants. These bids include furnishing chemicals to the plants for the time period from April 16, 2025 to April 15, 2026.

Bids for Fluosilicic Acid, Calcium Nitrate, and Calcium Hydroxide/Magnesium Hydroxide Slurry Blend were solicited via advertising in accordance with City practice but the total purchasing amount for these chemicals is under the formal bidding threshold.

It is recommended that the contracts to purchase chemicals from April 16, 2025 to April 15, 2026 be awarded to the responsive low bidders as listed below:

<u>Chemical</u>	<u>Company</u>	<u>Price</u>
Liquid Alum	C & S Chemicals	\$447.95/Ton
Liquid Caustic	Trinity Mfg. DBA Oltrin Solutions, LLC	\$662.56/Ton
Fluosilicic Acid	Univar, USA, Inc.	\$500.00/Ton
Sodium Hypochlorite	Univar, USA, Inc.	\$1.71/Gal
Calcium Nitrate	CITCO Water	\$2.30/Gal
Sodium Permanganate	Chemrite, Inc.	\$12.19/Gal
Calcium Hydroxide/Magnesium Hydroxide Slurry Blend	Polytec, Inc	\$1.85/Gal

By: 
Michael D. Rhoney, P.E.
Water Resources Director

CITY OF ASHEBORO CHEMICAL BID TABULATION MARCH 17, 2025

Company Name	Liquid Alum	Liquid Caustic	Floussilic Acid	Sodium Hypochlorite 12%	Calcium Nitrate	Sodium Permanganate	Calcium Hydroxide/Magnesium Hydroxide Slurry Blend
Amerochem NSF CERT (X)	No Bid	No Bid	No Bid	No Bid	No Bid	\$15.47	No Bid
Brenntag Southeast NSF CERT (X)	No Bid	\$689.00	\$546.75	No Bid	No Bid	No Bid	No Bid
C & S Chemicals NSF CERT (X)	\$ 447.95	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Cape Fear Water Solutions NSF CERT (X)	No Bid	No Bid	No Bid	\$1.91	\$2.515	No Bid	No Bid
Chemrite, Inc NSF CERT (X)	No Bid	No Bid	No Bid	No Bid	No Bid	\$12.19	No Bid
Chemtrade NSF CERT (X)	\$ 450.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
CITCO Water NSF CERT (X)	No Bid	\$920.00	\$820.00	\$2.67	\$2.30	\$17.08	No Bid
Eco Solution Distributing NSF CERT (X)	No Bid	\$825.00	No Bid	No Bid	No Bid	No Bid	No Bid
Northstar Chemical NSF CERT (X)	No Bid	No Bid	No Bid	\$2.10	No Bid	No Bid	No Bid
PENCCO, Inc. NSF CERT ()	No Bid	No Bid	No Bid	No Bid	\$2.58	No Bid	No Bid
Polytec, Inc. NSF CERT ()	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$1.85
Shannon Chemical NSF CERT (X)	No Bid	No Bid	No Bid	No Bid	No Bid	\$17.14	No Bid
Trinity Manufacturing NSF CERT (X)	No Bid	\$662.56	No Bid	No Bid	No Bid	No Bid	No Bid
Univar, USA NSF CERT (X)	\$517.00	\$667.00	\$500.00	\$1.71	No Bid	No Bid	No Bid
USALCO NSF CERT (X)	\$600.14	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
MINIMUM	\$447.95	\$662.56	\$500.00	\$1.710	\$2.3000	\$12.19	\$1.85
MAXIMUM BID	\$600.14	\$920.00	\$820.00	\$2.670	\$2.5800	\$17.14	\$1.85

- Notes:
- This project is not located within a special flood hazard area per NCFRIS. Map #: 3710770000 Effective Date: 12/2008
 - Area calculated by coordinate geometry.
 - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
 - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
 - Tax PIN: 7750267479; 7750267411; 7750268462;

STATE OF NORTH CAROLINA

I, _____, Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date _____ Review Officer _____

Date Annexation Ordinance _____

Adopted by the Asheboro City Council: _____

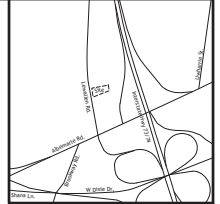
Annexation Ordinance Effective Date: _____

LINE	BEARINGS	DISTANCE
1	N 15°30'41" W	1.25
2	S 88°19'14" E	8.75

23.64' Concrete R/W Monument up 4'

N 88°12'00" E

23.64' Concrete R/W Monument up 4'



Location Map
(Not to Scale)

- I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/GNSS survey made under my supervision and the following information was used to perform the survey:
- (1) Class of survey: Class A
 - (2) Positional accuracy: <0.10'
 - (3) Type of GNSS field procedure: Real-Time Kinematic Network
 - (4) Dates of survey: December 05, 2024
 - (5) Datum/EPOCH: NAD83(2011) / 2010.00
 - (6) Published/Fixed-control use: North Carolina Real Time Network
 - (7) Geoid model: Geoid 12A
 - (8) Combined grid factor(s): 0.99998987
 - (9) GPS/GNSS Scale Point(s):
N706,519.13 E:1,752,844.88 Z:860.93
 - (10) Units: US Survey Feet

- Hardwood Tree
- Evergreen Tree
- Stone
- R/W - Right of Way Monument
- RR - Railroad Spike
- NR - New Iron Rod
- NP - New Iron Pipe
- NCSS - NCSS Monument
- EH - Existing Nail
- EH - Existing Iron Rod
- EP - Existing Iron Pipe
- Existing Concrete Monument
- Bench Mark
- Compulsed Point / Point Not Set
- Well
- Property Line
- Computed Property Line
- Right of Way Line
- Easement Line
- Tie Lines
- Setback Lines
- Gas Line
- Sanitary Sewer Line
- Storm Sewer Line
- Water Line
- Fence
- Overhead Utility Line
- Overhead Power Line
- Underground Electric Line
- Underground Comm. Line
- 100-Year Flood Hazard Line
- Floodway
- C/L, Railroad
- Catch Basin
- Yard Inlet
- Storm Sewer Manhole
- Junction Box
- Drop Inlet
- Irrigation Control Valve
- Back Flap Preventer
- Water Valve
- Water Manhole
- Water Meter
- Fire Hydrant
- Utility Pole
- Telephone Pedestal
- Telephone Pole
- Transformer
- Communications Manhole
- IS - Sanitary Sewer
- IS - Storm Sewer
- IS - Gas
- IS - Electric
- IS - Power Pole
- IS - Light Pole
- IS - Gas Pole
- IS - Gas Valve
- IS - Gas Meter
- IS - Electric Meter
- IS - Electric Manhole
- IS - 2.00 Spot Elevation

PB: 23 Pg: 23
Area To Be Annexed: 34,644 Sq. Ft.
Satellite Annexation Survey For:
BLL Holdings, LLC

Asheboro Township Randolph County
North Carolina December 11, 2024
Deed Book:2939 Pg:683
Scale: 1" = 20 US Survey Feet



SURVEY CAROLINA, PLLC
154 S. Fayetteville St., Suite B, Asheboro, NC 27203
Phone Number: 336.625.8000
Email: mail@surveycarolina.com

Firm #: P-1110
Dan W Tanner II L-4787
© 2024 Survey Carolina, PLLC
Drawn By: JER Checked By: DWT Job #: 17045

I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)(1)1c.1. That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2939 page 683

that the boundaries not surveyed are clearly indicated as drawn from information found in Book 2939 page 683. Note: that the ratio of precision or positional accuracy as calculated is 1:10000, that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 11th day of December, A.D., 2024.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor

L-4787



Owners:
BLL Holdings, LLC
PO Box 2021
Asheboro, NC 27204

STATE OF NORTH CAROLINA

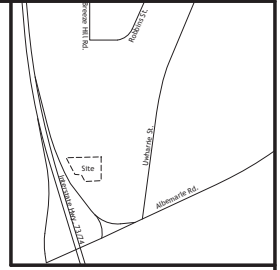
I, _____ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date _____ Review Officer _____

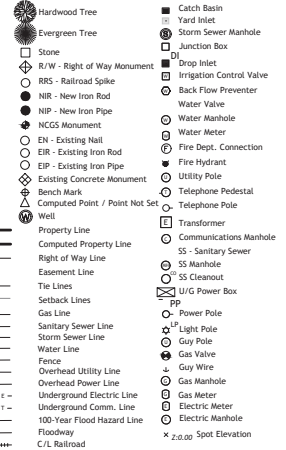
Date Annexation Ordinance _____

Adopted by the Asheboro City Council: _____

Annexation Ordinance Effective Date: _____



Location Map
(Not to Scale)



Notes:

- This project is not located within a special flood hazard area per NCFRIS. Map #: 371077500J Effective Date: 1/2/2008
- Area calculated by coordinate geometry.
- All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
- No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
- Tax PIN: 7750373036; 7750363800

STATE OF NORTH CAROLINA

I, _____ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date _____ Review Officer _____

Area To Be Annexed
35,059 Sq. Ft. Total
5,270 Sq. Ft. in DB 2526 Pg. 1118
29,789 Sq. Ft. in Estate File 11 E 1020

Owners:
Norma Keeling Kennedy Heirs
Linda Sue Keeling
Carol Keeling Rose
Kimberly Love Stump
1318 Uwharrie St,
Asheboro, NC 27203

Annexation Survey For:
Linda Sue Keeling
On The Property of:
Mark E. Davidson
Norma Keeling Kennedy Heirs
Carol Keeling Rose
Kimberly Love Stump
City of Asheboro
Asheboro Township
North Carolina
Deed Book: 2526 Pg: 1118 (MED)
Estate File: 11-E-1020 Prior Deed Book: 367 Pg: 80 (Keeling)
Scale: 1" = 40 US Survey Feet



SURVEY CAROLINA, PLLC

154 S. Fayetteville St, Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com

Firm #: P-1110
Dan W Tanner II L-4787
© 2024 Survey Carolina, PLLC

Drawn By: JER Checked By: DWT Job #: 16831

I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/GNSS survey made under my supervision and the following information was used to perform the survey:

- Class of survey: Class A
- Positional accuracy: <0.10'
- Type of GNSS field procedure: Real-Time Kinematic Networks
- Dates of survey: October 09, 2024
- Datum/Epoch: NAD83(2011) / 2010.00
- Published/Fixed-control use: North Carolina Real Time Network
- Geoid model: Geoid 12A
- Combined grid factor(s): 0.99986708
- GPS/GNSS Scale Point:
N: 707,465.42 E: 1,753,936.57 Z: 823.40
- Units: US Survey Feet

I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)(1)1c.1.
That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2526, page 1118; Estate File 11-E-1020;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See, page Notes; that the ratio of precision or positional accuracy as calculated is 1:10000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 24th day of October, A.D., 2024.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor L-4787



RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**RESOLUTION REQUESTING THE EXERCISE OF COUNTY STREET
ADDRESSING AUTHORITY WITHIN THE EXTRATERRITORIAL
PLANNING JURISDICTION AND APPROVING
AN INTERLOCAL AGREEMENT**

WHEREAS, Section 160A-174 of the North Carolina General Statutes authorizes the city to regulate acts, omissions, or conditions detrimental to the health safety, and welfare of its citizens; and

WHEREAS, Section 160A-296 specifically provides that, except to the extent authority and control over certain streets and bridges is vested in the Board of Transportation, the city has general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits; and

WHEREAS, Section 153A-239.1 of the North Carolina General Statutes authorizes the county to “name or rename any road within the county and not within a city, and may pursuant to a procedure established by ordinance assign or reassign street numbers for use on such a road;” and

WHEREAS, Section 638 of the Randolph County Unified Development Ordinance regulates street naming and addressing; and

WHEREAS, with regard to planning and development regulations, Section 160D-202(f) of the North Carolina General Statutes provides that the county “may, on request of the city council, exercise any or all . . .” of the powers to regulate planning and development within the city’s extraterritorial planning jurisdiction; and

WHEREAS, Section 160A-461 of the North Carolina General Statutes authorizes units of local government to enter into agreements with each other in order to execute any undertaking; and

WHEREAS, an agreement concerning the shared responsibilities of the city and Randolph County for street addressing (the “Agreement”) is attached to this Resolution as EXHIBIT 1 and is hereby incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, city staff has recommended to the city council that, in order to lessen the chance of inaccurate information delaying the response time for first

responders, (1) a request be made of the Randolph County Board of Commissioners for the county to exercise its street addressing authority within the city's extraterritorial planning jurisdiction, and (2) approval be granted for the city to enter into the Agreement attached hereto as EXHIBIT 1; and

WHEREAS, the Asheboro City Council concurs with the city staff's above-stated recommendations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, on this the 10th day of April, 2025, that a request is hereby formally made for Randolph County to exercise the street naming and addressing authority found in Section 638 of the Randolph County Unified Development Ordinance, and as amended, within the entirety of the extraterritorial planning jurisdiction of the City of Asheboro; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the request stated in the immediately preceding paragraph is limited in scope and shall be strictly construed as pertaining only to Section 638 of the Randolph County Unified Development Ordinance, and as amended, and only within the city's extraterritorial planning jurisdiction, not within the corporate limits of the City of Asheboro or any other territorial jurisdiction of the city established by the Asheboro City Charter; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the Agreement attached to this Resolution as EXHIBIT 1 is hereby approved, and city officials are authorized to execute the Agreement on behalf of the City of Asheboro; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that this approval is a continuing approval that shall not lapse unless and until a subsequent Resolution providing otherwise is adopted by the Asheboro City Council and implemented in accordance with the applicable state law(s).

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

EXHIBIT 1

AN AGREEMENT BY AND BETWEEN RANDOLPH COUNTY AND THE CITY OF ASHEBORO CONCERNING ADDRESSING RESPONSIBILITIES

This Agreement made and entered into by and between the City of Asheboro, a municipal corporation having a charter granted by the State of North Carolina, hereafter referred to as *Municipality*, and Randolph County, a corporate and political body and a subdivision of the State of North Carolina, hereafter referred to as *County*. Unless specifically provided otherwise herein, the provisions and requirements in this Agreement apply only to the extraterritorial planning jurisdiction of the City of Asheboro.

I. PURPOSE

To provide Enhanced 9-1-1 services to all our citizens, the County agrees to maintain and coordinate services, databases, and information between the Municipality and the telephone companies. Below is a detailed list of responsibilities that will enable proper usages of addresses within the 9-1-1 system. Failure of either the County or the Municipality to perform the appropriate tasks may result in loss of emergency response time due to inaccurate information. This must be a joint effort between the County and the Municipality.

II. THE COUNTY AGREES TO:

1. Avoid duplication of road names and address ranges within the County. This will be accomplished by matching the proposed change or addition against the information in the database.
2. Be a liaison between the State of North Carolina's Next Generation 9-1-1 data vendor that maintains the Next Generation 9-1-1 database and the Municipality and to update the Geographic Information Systems data and all other related information provided to the utilities and other local government agencies promptly.
3. Update all database files with response districts, roads, addresses, and municipal limits as this information becomes available to the County.
4. Assign and maintain addressing in the rural confines of The County, including areas outside of the municipal limits, and notify the United States Postal Service of all changes that occur in these confines and within the Municipality.
5. Provide the necessary staff, office space, and supplies appropriate for the maintenance of the database files required for the E-9-1-1 system.
6. Assist the Municipality through the County Building Inspections in the

enforcement of the County's Addressing Ordinance. These Inspections will cover businesses and new construction only.

7. Respond to inquiries by the Municipality within 72 hours of any inquiry. At the end of 72 hours, if no answer has been received, the Municipality shall contact the County Manager directly.

III. THE MUNICIPALITY AGREES TO:

1. Consult with the County Addressing Office before any changes or additions to road naming occur within either the municipality or the extraterritorial planning jurisdiction and to ensure that multiple streets do not have the same name in the County and that there will be no duplication of addresses along the road or confusing address ranges.
2. Assign structure addresses within the municipal limits of the Municipality in consultation and coordination with the County; provided, however, final decisions within the municipal limits shall be controlled by ordinances adopted by the Asheboro City Council.
3. Address changes shall be posted as outlined in Article IV of this *Addressing Agreement*.
4. Advise the County Addressing Office of any deletions, additions, or changes to any road(s) or address ranges, providing plats, surveys, or maps detailed enough to determine address block ranges (minimum and maximum ranges on either side of the road), road length, road flow, and location for emergency routing. This paragraph applies to addresses within the municipality and in the extraterritorial planning jurisdiction.
5. Advise the County Addressing Office of all address exceptions, including assignment of numbers outside the expected range for a particular road segment; advise on alterations of addressing apartment/business complexes that are addressed using a complex name as the street. This paragraph applies to addresses within the municipality and in the extraterritorial planning jurisdiction.
6. New complexes shall be assigned one address off the road that it fronts. The units shall be assigned sequential unit numbers with unit numbers in the 100-range indicating the first floor of the building, the 200-range indicating the second floor of the building, etc. Each building shall be assigned a building identification number such as *Building A*, *Building B*, etc. Site plans of complexes shall be submitted to the County Planning and Zoning Department to ensure accurate information in the addressing databases.
7. Concurrently with the transmission of required annexation plats and

ordinances to the Office of the Secretary of State, provide the County Addressing Office with copies of annexation ordinances adopted by the Asheboro City Council, including any annexation plats referenced by such ordinances.

8. After the approval of a final major subdivision plat, the municipality will copy the County Addressing Office on letters of approval that are remitted to developers. A copy of the subdivision plat(s) referenced in the approval letter will be included in the transmittal to the County Addressing Office.
9. Periodically verify the County's information about the Municipality via printouts, maps, or telephone conversation to ensure that the proper accuracy is maintained and to notify the County promptly of any known discrepancies found in the map books, printouts, maps, or other information.
10. Provide the County Addressing Office with the name and telephone number of the municipality's contact person responsible for address information in the Municipality.
11. Respond to inquiries by the County Addressing Office within 72 hours of any inquiry. At the end of 72 hours, if no answer has been received, the County Addressing Office shall contact the City Manager directly.
12. Provide for the enforcement of the addressing standards and addresses assigned as required for the public safety, health, and welfare as allowed by various General Statutes and ordinances adopted by the Municipality's governing board.

IV. ADDRESS POSTING STANDARDS

For this *Addressing Agreement*, and subject to the applicable provisions in the state building code, the following address posting standards shall be followed.

1. Numerals indicating the address number of a single-family dwelling shall be at least 4 inches in height, of a contrasting color to the structure, and shall be posted to be legible from the street.
2. Numerals for multiple dwelling units and nonresidential buildings shall be at least 6 inches in height, of a contrasting color to the structure, and shall be posted to be legible from the street.
3. Addresses will be established as whole numbers and will not have fractions or decimals of a number.
4. The letters *I* and *O* shall not be used in street addresses because of the close appearance to the numbers *1* and *0*.

5. Only digits shall be used in the number as opposed to script (e.g., 125 instead of *One Hundred Twenty-five*.)
6. All buildings shall clearly display a road address number. The owner and occupant of each building are required to display an address number on each building so that the location can be identified easily from the road.
7. The official address number must be displayed on the front of a building or at the entrance to a building that is clearly visible from the street during both day and night.
8. If the building is 75 ft. or more from a public street on which it fronts or the lot on which the building is located is landscaped such that numbers cannot be seen from the street, the assigned number shall also be posted at the end of the driveway or easement nearest the road which provides access to the building.
9. Immediately following the issuance of a building permit, the assigned address shall be posted on the property in a manner that is visible from the street. The final Certificate of Compliance shall not be issued until the assigned number is posted according to the regulations in this Section.
10. Following the posting of the assigned address, the owner or occupant shall maintain such house or building number at all times in compliance with this Section. Address numbers shall not be obstructed from view by shrubs or vegetation as viewed from the street.

V. DEFINITIONS

For this *Addressing Agreement* and its implementation, the following definitions shall apply.

Access: The way a structure gets access to a State road or a private road or drive.

Accessory Building: A detached subordinate building, the use of which is incidental to that of a principal building on the same lot. An accessory building *cannot* be used for residential or commercial purposes.

Address: A unique identification of a location that may consist of a number, road name, unit number if any, and ZIP Code.

Address Assignment: Issuance of an address by either the County Planning and Zoning Department or the Municipality. All address assignments shall be in writing and contain the information as required based upon the definition of an *address*.

Address Change: The process by which addresses are changed to reflect new or updated roads or information.

Address Number Sequence: The sequential numerical order in which address numbers shall be assigned. For example, on the right side of a road proper sequence would be 100, 102, 104, 106, etc., as traveling along the road. The improper sequence would be 100, 104, 106, 102, etc., along the road.

Parcel: A piece of land that is intended to be sold as one unit of land.

Parcel Identification Number: A number that is constructed from the North Carolina State Plane Coordinate System of the visual center of a parcel of land to identify it and its location in the County Tax Mapping system.

Plat: A map or plan of a parcel of land that is to be or has been subdivided.

Principal Building: The main building or structure on a single lot where the principal use of the property is conducted.

Private Drive: A travel way not dedicated or offered for dedication as a public street providing access to 3 or more principal buildings. A private drive is not part of the State maintenance system and is designed for use and naming for public safety only.

Private Road: A vehicular right-of-way indicated on an approved survey plat and recorded in the Office of the Register of Deeds intended to serve residential subdivision of lots or tracts and not offered for dedication as a public road.

Private Street: An undedicated private right-of-way that affords access to abutting properties and requires a subdivision streets disclosure statement under NCGS § 136-102.6. Emergency and other public services may not be provided over such private streets, and they shall be privately maintained.

Retired Streets: Street names that are unavailable for use because they have been previously used. To avoid confusion, the policy is to not assign a new address that was previously used at another location.

Road Name: The approved and adopted name of any road or street.

Site Plan: A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site-specific details such as building areas, building heights and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines, and locations, parking, access points, roads, and stormwater control facilities that are depicted to show compliance with all legally required development regulations that apply to the project and the site plan review.

Structure Number: The address number assigned to a structure on a parcel of land.

VI. EFFECTIVE DATE OF AGREEMENT:

By authority duly given by the governing Boards of the Municipality and the County, the Chairman of the Board of Commissioners and the Mayor of the Municipality may execute this agreement on behalf of their respective governing Board.

This Agreement has been entered into pursuant to authority duly granted by the governing body of the Municipality on the _____ day of _____, 20____ and the Board of Commissioners of Randolph County at its duly held meeting on the _____ day of _____, 20____.

(SEAL)

Clerk, Randolph County Board of
Commissioners

Chair, Randolph County Board of
Commissioners

(SEAL)

Clerk

Mayor, Municipality