**AGENDA**
**PLANNING AND ZONING COMMISSION**

City of High Point
Municipal Office Building
City Council Chambers
December 13, 2016
6:00 P.M.

1. Call To Order And Determination Of Quorum

2. Approval Of October 25, 2016 Minutes

3. Public Hearing Items

3.I. Vintage Investment Company Zoning Map Amendment 16-25
A request by Vintage Investment Company to rezone approximately 0.34-acre parcel from a Conditional Use General Business (CU-GB) to the General Business (GB) District. The site is lying along the north side of Scott avenue, approximately 780 feet west of N. Main Street *(126 Scott Avenue)*.

Documents:

ZA-16-25 STAFF REPORT (PDF).PDF

3.II. 350 South Land Holding, LLC Zoning Map Amendment 16-26
A request by 350 South Land Holding, LLC to amend a Planned Unit Development-Mixed (PDM) District. The zoning site is approximately 510 acres and general lies south of I-40, west of Sandy Ridge Road, north of Boylston Road and east of Bunker Hill Road.

Documents:

ZA-16-26 STAFF REPORT (PDF).PDF

3.III. Sean Jones Zoning Map Amendment 16-27
A request by Sean Jones to rezone an approximately 6.25-acre parcel form the Residential Single Family-3 (R-3) District to a Conditional Zoning General Business (CZ-GB) District. The property is lying along the west side of Eastchester Drive, approximately 200 feet north of Meadowlark Road *(2505 Eastchester Drive)*.

Documents:

ZA-16-27 STAFF REPORT (PDF).PDF

3.IV. City Of High Point Plan Amendment 16-05
A request by the City of High Point Planning & Development Department to change the Land Use Map classification for approximately 4.3 acres from Low-Density Residential and Medium-Density Residential to an Office classification and to change the Land Use Map classification for approximately 1.1 acres from Medium-Density Residential to a Community Regional Commercial classification. The site is lying approximately 275 feet west of N. Main Street, between Fisher Avenue and Idol Street.

Documents:

ZA16-28) STAFF REPORT.PDF

3.V. City Of High Point Zoning Map Amendment 16-28

A request by the City of High Point City Council to rezone an approximately 2.14-acre parcel from the Residential Single Family-5 (R-5) District to the Office & Institutional (OI) District. The site is lying along the south side of Fisher Avenue, approximately 440 feet west of N. Main Street *(213 Fisher Avenue)*.

Documents:

ZA16-28) STAFF REPORT (PDF).PDF

3.VI. City Of High Point Text Amendment 16-03

The request by the City of High Point Planning & Development Department to adopt miscellaneous amendments to the New Development Ordinance.

Documents:

TA-16-03 STAFF REPORT.PDF

4. New Business

Consideration of the Planning & Zoning Commission 2016 Regular Meeting Schedule

Documents:

2017 PZ MEETING DATES [DRAFT].PDF

5. Director's Report

6. 5:30 P.m. Commission Dinner Session (Third Floor Conference Room)

**CITY OF HIGH POINT**
**PLANNING AND DEVELOPMENT DEPARTMENT**

# STAFF REPORT
# ZONING MAP AMENDMENT 16-25
**December 13, 2016**

| Request | |
|---|---|
| **Applicant:**<br>Vintage Investment Company | **Owner:**<br>Vintage Investment Company |
| **Zoning Proposal:**<br>To rezone a 0.34-acre parcel | **From: CU-GB** Conditional Use General Business District<br>**To: GB** General Business District |

| Site Information | |
|---|---|
| **Location:** | Lying along the north side of Scott Avenue, approximately 780 feet west of N. Main Street *(126 Scott Avenue)*. |
| **Tax Parcel Number:** | Guilford County Tax Parcel 0194675 |
| **Site Acreage:** | Approximately 0.34 acres (14,548 square feet) |
| **Current Land Use:** | Undeveloped |
| **Physical Characteristics:** | The site is relatively flat with no noteworthy features. |
| **Water and Sewer Proximity:** | A 6-inch City water and an 8-inch City sanitary sewer line lie adjacent to the site along Scott Avenue. |
| **General Drainage and Watershed:** | The site drains in a westerly direction, and is within the Yadkin Pee-Dee (non-water supply) watershed. Based on the size of the site, stormwater controls are not required. |
| **Overlay District:** | None |

| Adjacent Property Zoning and Current Land Use | | | |
|---|---|---|---|
| **North:** | R-5 | Residential Single Family-5 District | Single family dwellings |
| **South:** | CU-GB | Conditional Use General Business District | Commercial garden center/ nursey |
| **East:** | CU-GB | Conditional Use General Business District | Office use |
| **West:** | GB | Conditional Use General Business District | Research testing facility and lawnmower service facility |

| Relevant Land Use Policies and Related Zoning History | |
|---|---|
| **Community Growth Vision Statement:** | This request is neither in conflict with the Community Growth Vision Statement's goals and objectives, nor does it promote those goals and objectives. |
| **Land Use Plan Map Classification:** | The site has a Community/Regional Commercial land use designation. This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers. |

| | |
|---|---|
| **Land Use Plan Goals, Objectives & Policies:** | The following objective of the Land Use Plan is relevant to this request:<br>Obj. #8. Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations. |
| **Relevant Area Plan:** | Not applicable |
| **Zoning History:** | There have been no recent zoning map amendments in this area. The majority of the parcels in this block were rezoned from a residential to a commercial or office zoning district during the 1980s and 1990s. |

| **Transportation Information** | | | |
|---|---|---|---|
| **Adjacent Streets:** | **Name** | **Classification** | **Approx. Frontage** |
| | Scott Avenue | Local Street | 87 ft. |
| **Vehicular Access:** | Driveway access is proposed from Scott Avenue. | | |
| **Traffic Counts:** *(Average Daily Trips)* | Scott Avenue | None available | |
| **Estimated Trip Generation:** | None available | | |
| **Traffic Impact Analysis:** | **Required** | | **TIA Comment** |
| | Yes | No<br>X | None |
| **Pedestrian Access:** | Development of the site is subject to the sidewalk requirements of the Development Ordinance. | | |
| **Comments:** | None | | |

| **School District Comment** |
|---|
| Not applicable to this zoning case. |

## Details of Proposal

The zoning site was part of a larger one-acre tract of land that was granted commercial zoning, CU-GB District, in 1988. Due to the fact this was predominately a residential area in the 1980s, the zoning approval restricted the one-acre parcel to one point of access to Scott Avenue. The previous property owner developed an office building on the eastern portion of the tract where driveway access was provided. The parcel was subdivided in 2001 so that the developed eastern portion of the site (existing office building) may be sold off as a separate parcel. This left the zoning site, the western undeveloped area, as a separate parcel with no direct means of access to Scott Avenue. Per the zoning condition, this parcel would be required to take access through the parking lot of this adjacent office use.

Although the driveway from the former single family home is still located on the zoning site, whenever the property is redeveloped, this driveway cannot be used for a nonresidential use. To more effectively market the property for sale and development, and to remove zoning conditions imposed over 28 years ago, the applicant has requested rezoning to the GB District, which would allow a commercial driveway for the property.

## Staff Analysis

The adopted Land Use Map classifies the two block area between W. Parris Avenue and Westchester Drive, from N. Main Street to Idol Street, as Community/Regional Commercial. This land use classification supports a wide range of retail and service uses. This two block area is lying northwest of a major commercial intersection, being the N. Main Street and Westchester/Eastchester Drive intersection. Since the early 1980s there have been multiple zoning approvals in this area, transforming it from a residential to a commercial area. Based on review of aerial photos, there were approximately 29 residential dwellings in this area in 1985, and only seven remain today. All of the other parcels have been rezoned and developed with commercial uses. The site currently has commercial zoning, so this request to rezone from a CU-GB District to a GB District will not change the character in which this area has emerged over the past 30 years. Landscaping and screening requirements of the Development Ordinance will protect the remaining single family dwellings until such time as they are redeveloped for commercial uses.

**Consistency with Adopted Plans:**
**The proposed Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans**

*Staff Comments:*
The proposed GB District zoning is appropriate for this location, because it was zoned for commercial use for a number of years, albeit with a conditional use permit. Much of the surrounding area is also zoned the same. This change is needed to market the property for potential infill development, which is encouraged by the Land Use Plan.

**Reasonableness/Public Interest:**
**An approval of the proposed Zoning District is considered reasonable and in the public interest.**

*Staff Comments:*
In this case, staff suggests that the approval of this request is reasonable and in the public interest because:

1) The subject site is part of a larger two-block area bounded by W. Parris Avenue, N. Main Street, Westchester Drive and Idol Street that is classified on the Land Use Map as Community/Regional Commercial. The requested GB District will be consistent with the land use map.
2) This two-block area, as described above, is almost entirely zoned GB or CU-GB District and mostly developed with commercial uses. The applicants request is consistent with the zoning and development pattern that has been established in this area.
3) The basic effect of this zoning change is to allow direct commercial driveway access to the parcel.

## Recommendation

**Staff Recommends Approval:**
The Planning & Development Department recommends approval of the request to rezone this 0.34-acre parcel to the GB District. This zoning map amendment request will be compatible with the surrounding area and in conformance with adopted plans.

## Required Action

**Planning and Zoning Commission:**

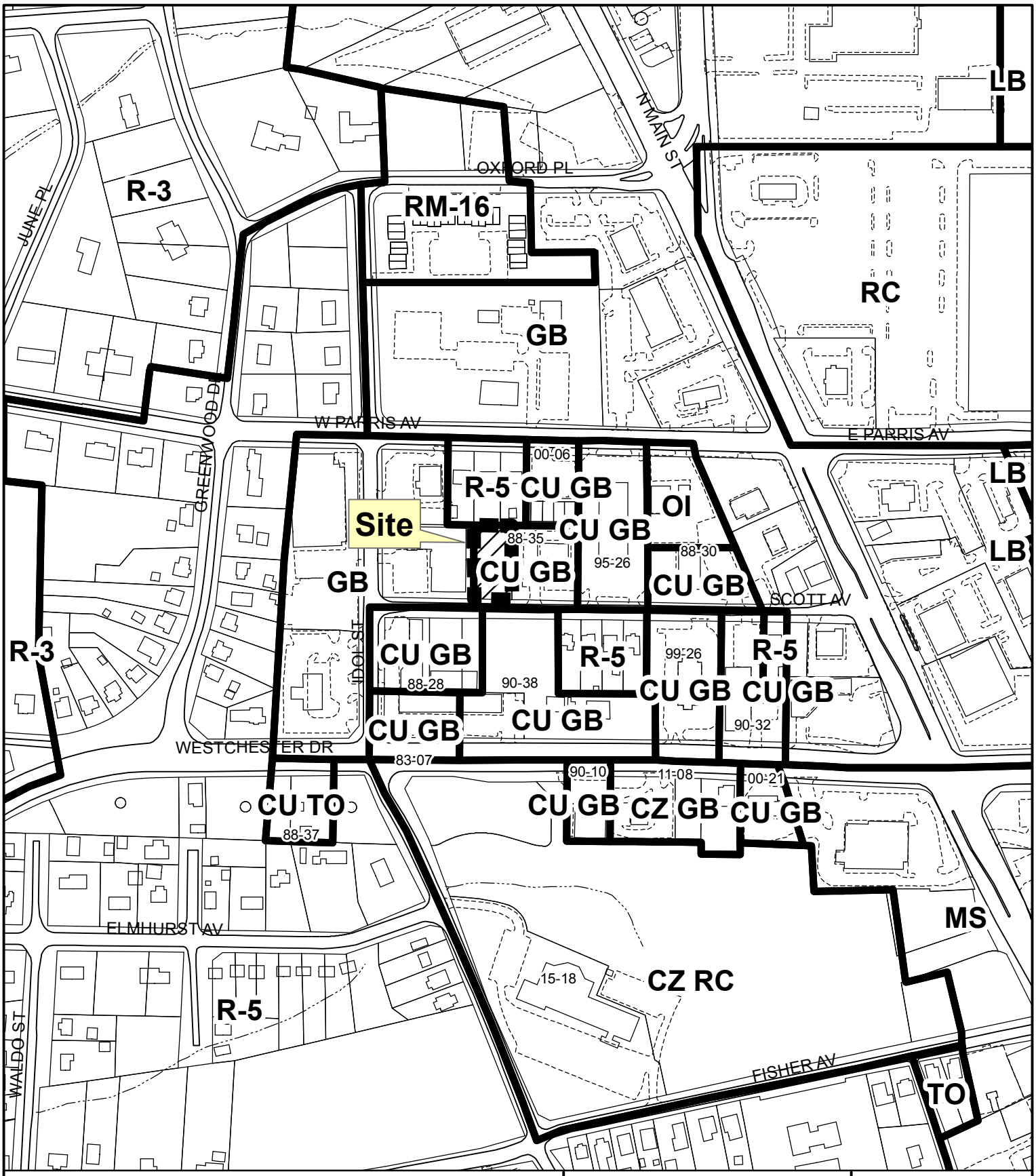
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

**City Council:**

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

## Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.




# ZONING MAP AMENDMENT ZA16-25

**From: Conditional Use General Business**
**To: General Business**

**Existing Zoning Boundary** ———
**Subject Property Boundary** - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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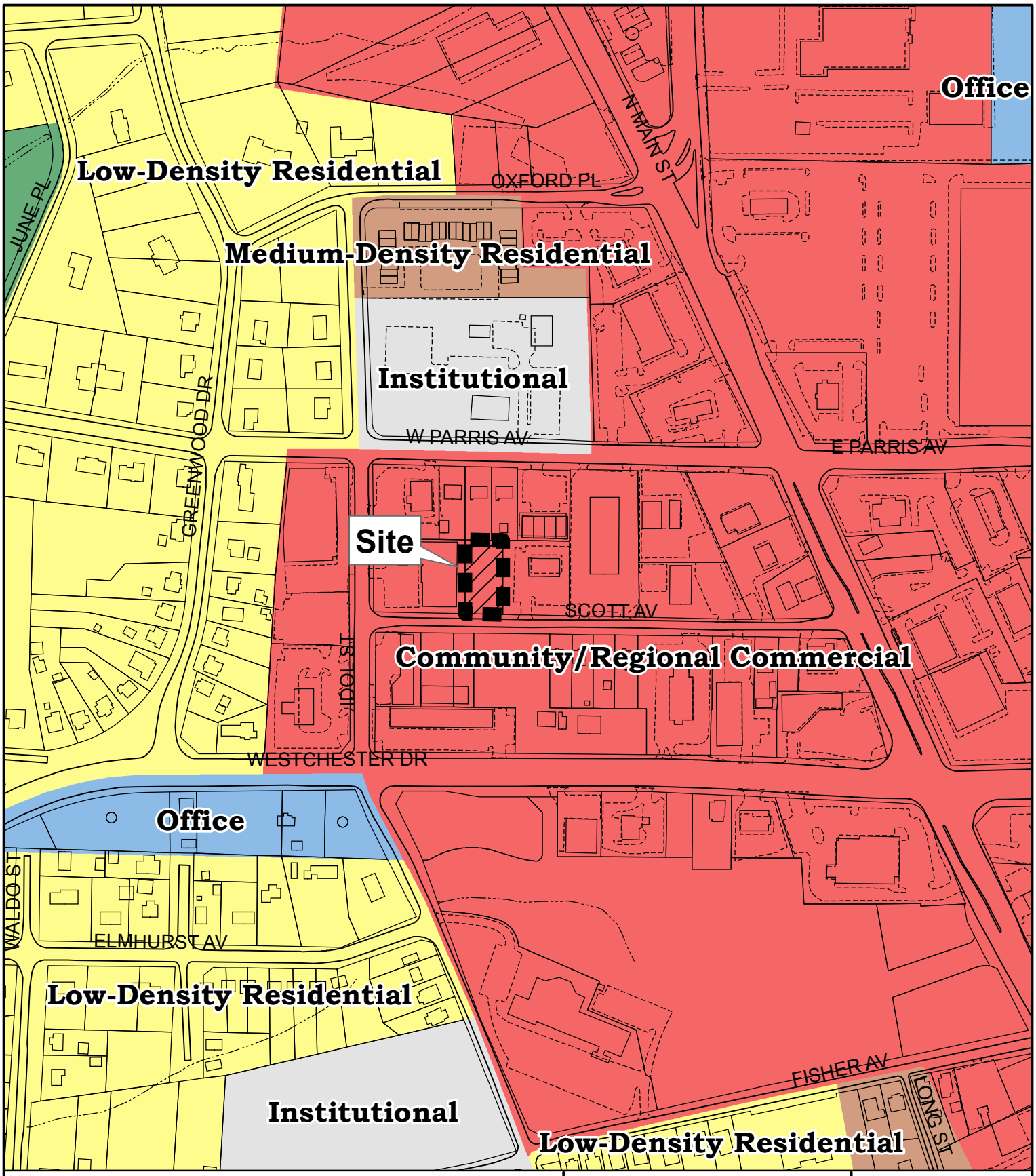


# ZONING MAP AMENDMENT ZA16-25

**Land Use Plan**

**Existing Land Use Boundary** ———————

**Subject Property Boundary** - - - - - - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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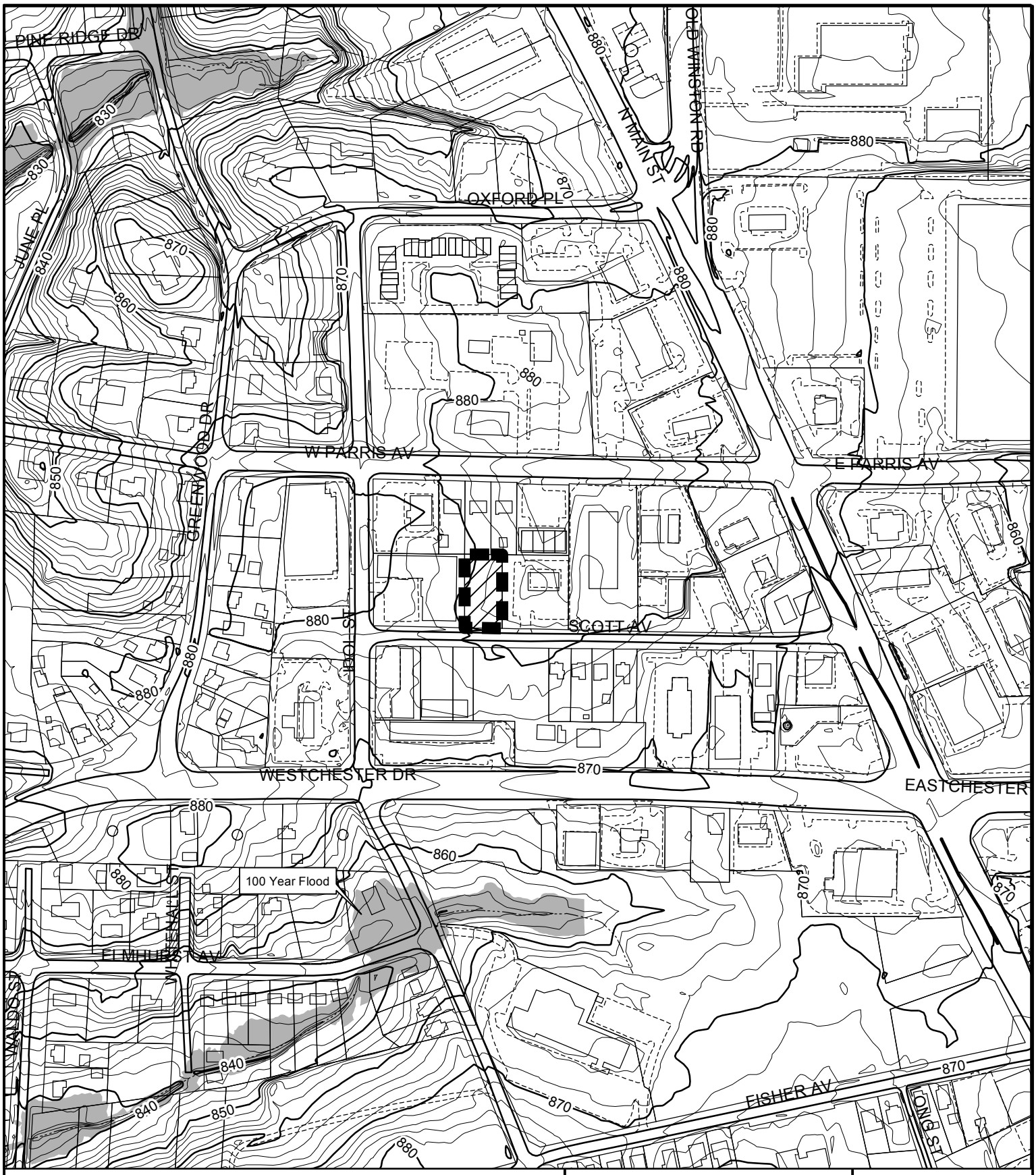


# ZONING MAP AMENDMENT ZA16-25

**Topography**

**Subject Property Boundary** - - - - - - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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# ZONING MAP AMENDMENT ZA16-25

**CITY OF HIGH POINT**
**PLANNING AND DEVELOPMENT DEPARTMENT**

# STAFF REPORT
# ZONING MAP AMENDMENT 16-26
**December 13, 2016**

| Request | | | |
|---|---|---|---|
| **Applicant:**<br>350 South Land Holdings, LLC. | **Owner:**<br>350 South Land Holding, LLC. | | |
| **Zoning Proposal:**<br>To amend permitted uses and development standards for a 24-acre portion of the larger 510-acre PUD | **From:** | **PDM** | Planned Unit Development-Mixed District (CZ12-11) |
| | **To:** | **PDM** | Planned Unit Development-Mixed District (CZ16-26) |

| Site Information | |
|---|---|
| **Location:** | The larger overall zoning site consists of multiple parcels generally lying south of I-40, west of Sandy Ridge Road, north of Boylston Road and east of Bunker Hill Road. However, the focus of the zoning amendment pertains to a 24-acre parcel lying at the western terminus of Norcross Road *(8530 Norcross Rd).* |
| **Tax Parcel Numbers:** | Guilford County Tax Parcels 0168770, 0168791, 0168792, 0168794, 0168949, 0170697, 0170699 thru 0170704, 0170710, 0170731, 0170794, 0170826, 0170831, 0170834, 0170990, 0171055, 0171067, 0171075, 0171077, 0171092 and 0170876 (26 Parcels). |
| **Site Acreage:** | Total site area - approximately 510 acres.<br>8530 Norcross Road portion of site – approximately 24 acres |
| **Current Land Use:** | The parcel at 8530 Norcross Road is currently developed with two industrial buildings with a total area of 53,850 square feet. |
| **Physical Characteristics:** | The parcel at 8530 Norcross Road has a relatively flat to moderately sloping terrain, with only the eastern portion of the property being developed. An intermittent stream, running in an east to west direction, runs through the middle of the property. |
| **Water and Sewer Proximity:** | No City water or sanitary sewer lines are located in Norcross Road. |
| **General Drainage and Watershed:** | The site drains in a general westerly direction. Development of the site will be subject to the Oak Hollow Lake General Watershed Areas (GWA) requirements of the water supply watershed regulations. Engineered stormwater treatment measures are required for non-residential development with an impervious surface area greater than 24% of the site. |
| **Overlay Districts:** | Oak Hollow Lake GWA and Airport Overlay - Zone 2 |

| Adjacent Property Zoning and Current Land Use | | | |
|---|---|---|---|
| **North:** | AG | Agricultural District *(Guilford County)* | Single family dwelling *(across I-40)* |
| **South:** | PDM | Planned Unit Development-Mixed District | Undeveloped. |
| **East:** | LI | Light Industrial District *(Guilford County)* | Undeveloped parcel and RV Sales and storage facility. |
| **West:** | PDM | Planned Unit Development-Mixed District | Two single family dwellings. |

| Relevant Land Use Policies and Related Zoning History | |
|---|---|
| **Community Growth Vision Statement:** | This request is neither in conflict with the Community Growth Vision Statement's goals and objectives, nor does it promote those goals and objectives. |
| **Land Use Plan Map Classification:** | The site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research & development, distribution, and light manufacturing or assembly uses on larger sites in unified developments. |
| **Land Use Plan Goals, Objectives & Policies:** | This request is neither in conflict with the Land Use Plan's goals and objectives nor does it promote those goals and objectives. |
| **Relevant Area Plan:** | Northwest Area Plan:<br>The site is located within the Business Center Area described in the Northwest Area Plan. The plan recommends that all new non-residential development in this area meet additional design guidelines in order to create high quality development that is visually attractive. |
| **Zoning History:** | The 510-acre PUD is within the northwestern portion of the City of High Point Planning Area and was annexed in May 2013 (Zoning Case 12-11). The northwestern portion of the City's Planning Area extends northward to I-40 and from Sandy Ridge Road westward to just past the Guilford/Forsyth County line. From 1998 to 2016, there have been several annexations and zonings, totaling over 870 acres in this area. |

| Transportation Information | | | | |
|---|---|---|---|---|
| **Adjacent Streets:** | **Name** | | **Classification** | **Approx. Frontage** |
| | Norcross Road | | Local Street | 60 ft. |
| **Vehicular Access:** | Access will be from an existing driveway from Norcross Road. | | | |
| **Traffic Counts:** *(Average Daily Trips)* | Norcross Road | | None Available | |
| **Estimated Trip Generation:** | This request will not significantly increase vehicular trips. | | | |
| **Traffic Impact Analysis:** | **Required** | | **TIA Comment** | |
| | Yes | No<br>X | If a use or redevelopment of property at 8530 Norcross Road generates over 150 new trips in the peak hour, the property owner shall be required to submit a TIA for review and approval by the Transportation Department. The property owner shall be required to install any improvement noted in this TIA to mitigate impact of development. Said improvement shall be required to be installed prior to the use being established on this parcel. | |
| **Pedestrian Access:** | Development of the site is subject to the sidewalk requirements of the Development Ordinance. | | | |
| **Comments:** | None | | | |

| School District Comment |
|---|
| Not applicable to this zoning case, the site is within Airport Overlay - Zone 2, which prohibits any new residential development. |

## Planned Unit Development (PUD) Overview

A PUD is an optional form of land development designed to permit land uses that are planned for and controlled by a master plan called a PUD Master Plan. Specific development standards pertaining to density, size, location and arrangement of buildings, lot dimensions, and landscaping are set aside by the Ordinance. In their place, the general development standards for PUDs, found in Section 9-4-3(a)(3), and the site-specific development standards approved in the Conditional Zoning Ordinance and the accompanying PUD Master Plan govern the land uses permitted on the site and the manner in which they may develop.

This proposed amendment is to a PUD that was approved under the 1992 Development Ordinance. This PUD is subject to the approved PUD Master Plan, the conditional zoning ordinance and the 1992 Development Ordinance.

## Details of Proposal

In 2013, City Council approved a request to annex and apply initial City zoning for approximately 510 acres in the northwestern portion of the City's Planning Area (CZ12-11). A Planned Unit Development-Mixed (PDM) District zoning was granted for the property to facilitate the development of a business/industrial park.

The zoning approval divided the 510 acres into two phases. Phase I permits Corporate Park (CP) District and Light Industrial (LI) District uses for that portion of the site lying to the south and east of Adkins Road. Phase II, lying north and west of Adkins Road, was limited primarily to Agricultural (AG) District uses. This phase will be evaluated at a future date for possible allowance of CP and LI District uses.

The property at 8530 Norcross Road is located at the northern limits of the zoning site, next to I-40, in Phase II of the proposed development. In the mid-1980s two industrial/warehouse buildings were constructed on this property and it was used as a wholesale building supply facility. At the time of annexation and rezoning in 2013, the site was vacant or in the process of being vacated by a former tenant. It was included, in Phase II of this PDM District it is currently limited to AG District uses.

The property owner has a client that wishes to rent the buildings at 8530 Norcross Road for rental and sales of construction equipment. This amendment proposes to remove this parcel from Phase II and add it to Phase I of the 350 South development in order to allow reuse of the existing buildings on this property with an industrial use. The applicant did not hold a Citizens Information Meeting, but their representative submitted a written statement stating the reasons in accordance with the Development Ordinance.

## Staff Analysis

The Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Development Ordinance and shall give consideration to the following specific PUD Findings and Conditional Zoning Review Factors in its review and discussion of any PUD application.

Since this application only amends conditions pertaining to the use of property at 8530 Norcross Road, only this proposed use of this property is being addressed in the review factors.

| **Consistency with Adopted Plans:** **The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans** |
|---|
| *Staff Comments:* The proposed changes to this PDM District are appropriate for this location, because the site has existing development that previously included outdoor storage, and the rest of the developed properties on Norcross Road are similar in nature. In addition, the revised conditions are consistent with the recommendations in the Northwest Area Plan, because any future redevelopment will need to meet the building standards that were approved. Complying with these standards will also make the site consistent with the Restricted Industrial land use plan designation. |

| **Review Factors:** **The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:** | |
|---|---|
| **Factor #1** | **Produces a development that is compatible with surrounding development character and land uses;** |
| | *Staff Comments:*<br>❖ Adjacent uses along Norcross Road are industrial in nature, thus allowance of industrial uses on this parcel will be compatible with surrounding development.<br>❖ Due to the manner in which the intermittent stream runs through the property, only the previously improved eastern portion of the site is available to be used for an industrial use. |
| **Factor #2** | **Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;** |
| | *Staff Comments:*<br>Any new construction will still be subject to the previously adopted zoning conditions; therefore, the amended PUD District still effectively mitigates adverse impacts. |
| **Factor #3** | **Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;** |
| | *Staff Comments:*<br>An intermittent stream runs in an east to west direction through the middle of the property off Norcross Road. A 50-foot stream buffer is required to be preserved along the top of bank of both sides of this stream. |
| **Factor #4** | **Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;** |
| | *Staff Comments:*<br>The requested amendment to the PUD District has no known added impact on municipal services. |
| **Factor #5** | **Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.** |
| | *Staff Comments:*<br>Parcels abutting the Norcross Road site are heavily wooded, thus reuse of the existing industrial buildings will not adversely effect adjacent property owners. |

| **Changes in the Area:**<br>**There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.** |
|---|
| *Staff Comments:*<br>Since being annexed in 2013, there have been no significant changes in the area near Norcross Road. |

| **Development Patterns:**<br>**The proposed Conditional Zoning District would result in development that promotes a logical, preferred and orderly development pattern.** |
|---|
| *Staff Comments:*<br>Existing uses in the unincorporated portion of Guilford County, along Norcross Road, are industrial in nature. The reuse of the existing buildings on this site will be comparable with the development pattern that has been established there. |

## PUD FINDINGS

As an additional framework for review of planned unit development proposals, the City has established specific findings, in addition to those normally required for a conditional zoning district, that must be made for approval of a PUD. These findings help ensure that the proposed development will be constructed as a cohesive, unified project; that it will utilize an efficient, attractive, and environmentally sensitive design; and that it will generally be of a higher quality than otherwise required by the application of conventional the Development Ordinance zoning district regulations.

| **PUD Findings:**<br>**Applications for Planned Unit Development Districts shall be approved only if all of the following findings are made:** | |
|---|---|
| **Finding#1** | **That application of planned unit development requirements to the property will produce a development of equal or higher quality than otherwise required by the strict application of conventional regulations of districts designated by the adopted Land Use Plan;** |
| | *Staff Comments:*<br>This amendment to the PDM District will allow reuse of existing industrial buildings on this one parcel. If the property is ever redeveloped or new building construction is proposed, all previously adopted architectural and development condition of the PDM District shall still apply. |
| **Finding#2** | **That application of planned unit development requirements to the property will encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design;** |
| | *Staff Comments:*<br>This amendment request does not change the initial findings used for approving this PDM District. |
| **Finding#3** | **That application of planned unit development requirements to the property will produce a development functioning as a cohesive, unified project and;** |
| | *Staff Comments:*<br>The initial zoning approval provides for unified cohesive development along with some common building design standards and an interconnected roadway network. This amendment request does not change these unifying design components of the PUD |

| | |
|---|---|
| **Finding#4** | **That application of planned unit development requirements to the property will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the City.** |
| | *Staff Comments:*<br>This amendment request does not change the initial findings used for approving this PDM District. |

**Reasonableness/Public Interest:**
**An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.**

*Staff Comments:*
In this case, staff suggests that the approval of this request is reasonable and in the public interest because:

1) The reuse of this existing developed industrial site, off Norcross Road, will not negatively affect the value of abutting parcels; and
2) This proposed amendment will allow the reuse of an existing developed parcel that was part of the initial zoning approval. Any new building construction will be subject to previously adopted zoning conditions of the PDM District

## Recommendation

**Staff Recommends Approval**

The Planning & Development Department recommends approval to:

1. Amend the PUD Master Plan to add Guilford County Tax Parcel 0170702 to Phase I;
2. Amend the permitted uses of this PDM District to allow Equipment Rental & Leasing (with outside storage) on Guilford County Tax Parcel 0170702;
3. Amend Development and Dimensional Requirements of the PUD (Part II Conditions A.) to exempt the parcel from the new development standards until such time it is redeveloped;
4. Amend the Transportation conditions (Part II 1.b) to allow reuse of Guilford County Tax Parcel 0170702;
5. Amend signage conditions to the parcel from the Common Signage Plan requirements of the PUD and subject it to the Corporate Park sign standards.

## Required Action

**Planning and Zoning Commission:**

The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

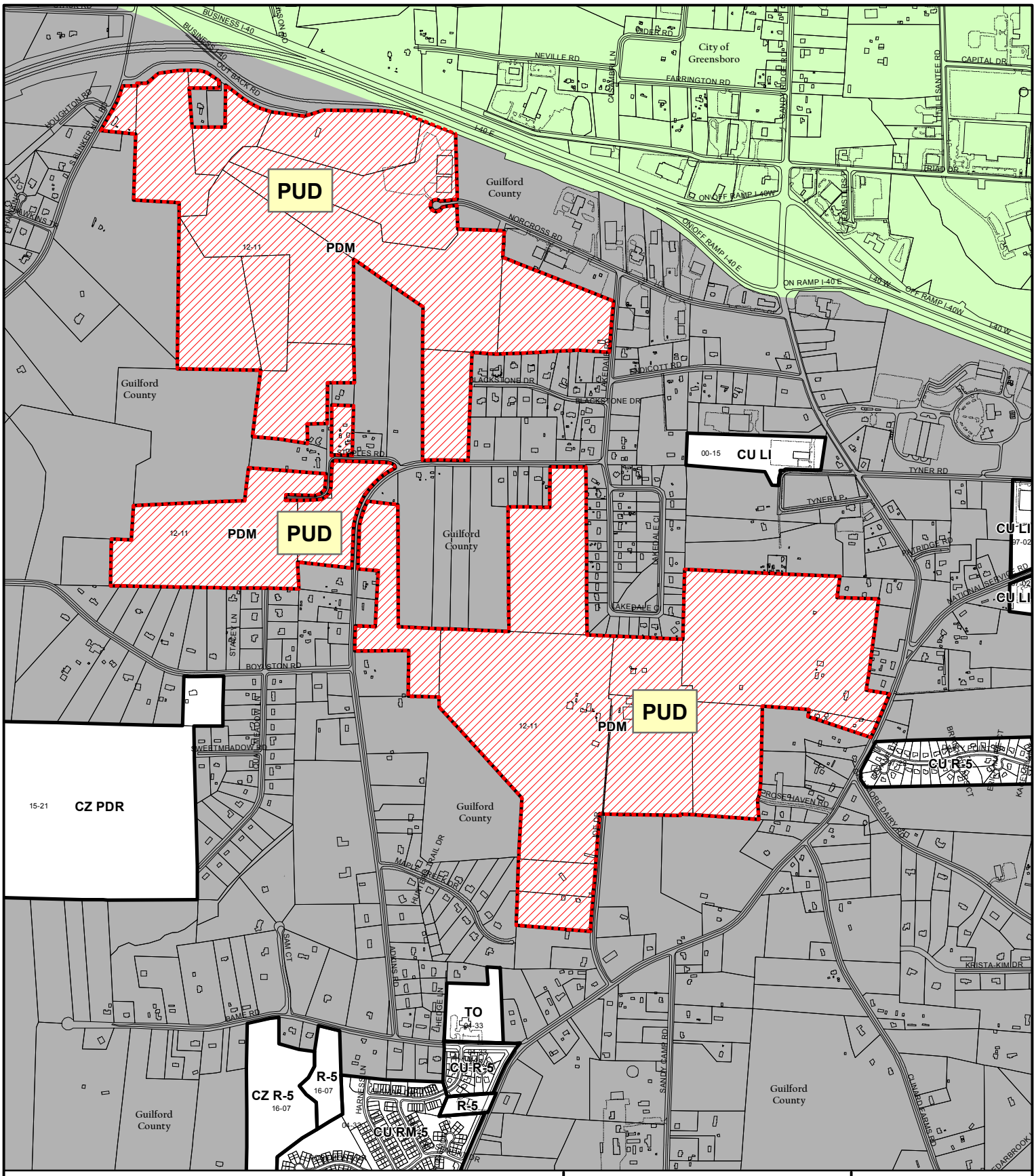
**City Council:**

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be

accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

## Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.




# ZONING MAP AMENDMENT ZA-16-26

**From: Planned Unit Development-Mixed**
**To: Planned Unit Development-Mixed**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=1,300'**

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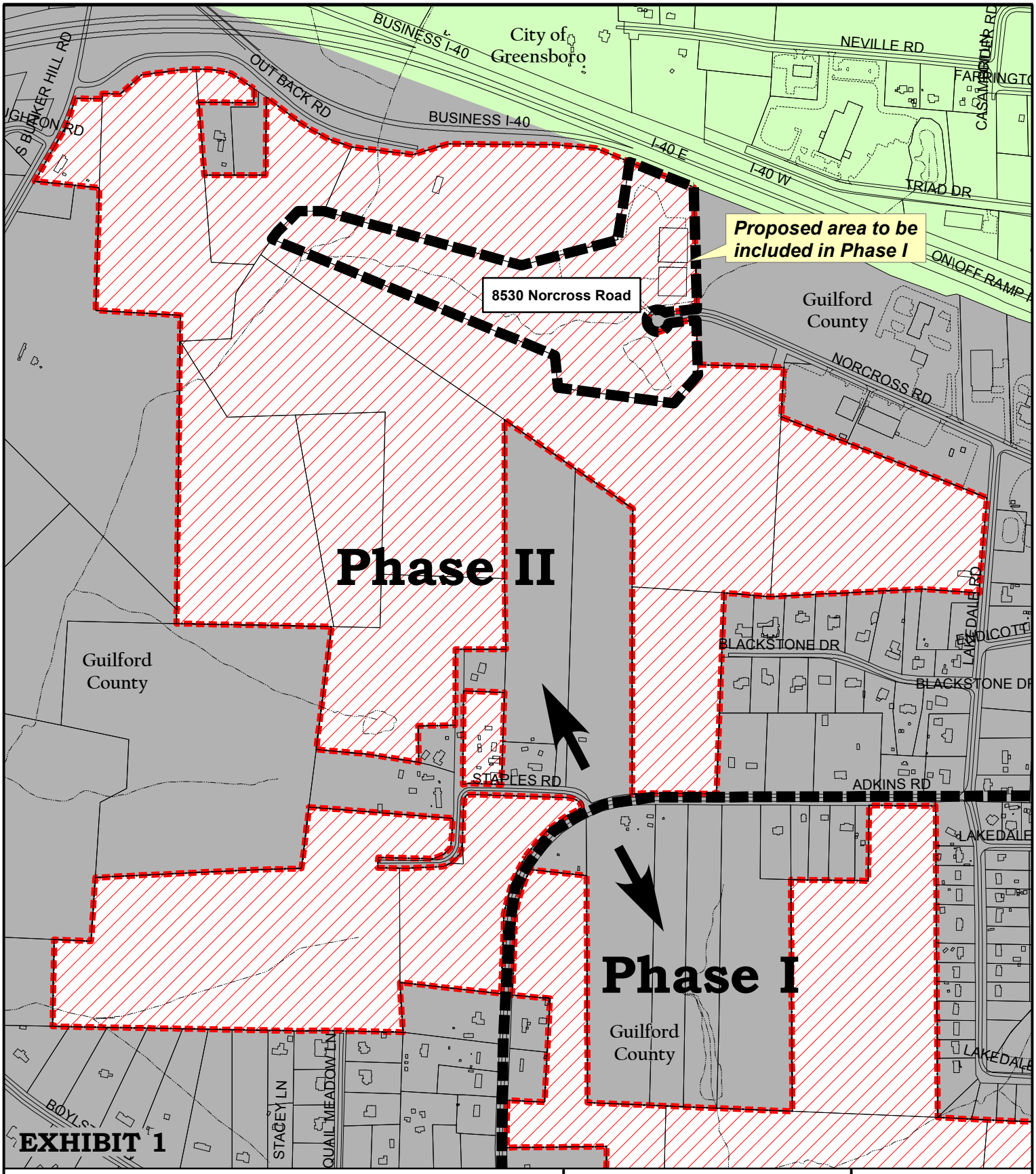


## ZONING MAP AMENDMENT ZA-16-26

**From: Planned Unit Development-Mixed**
**To: Planned Unit Development-Mixed**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=700'**

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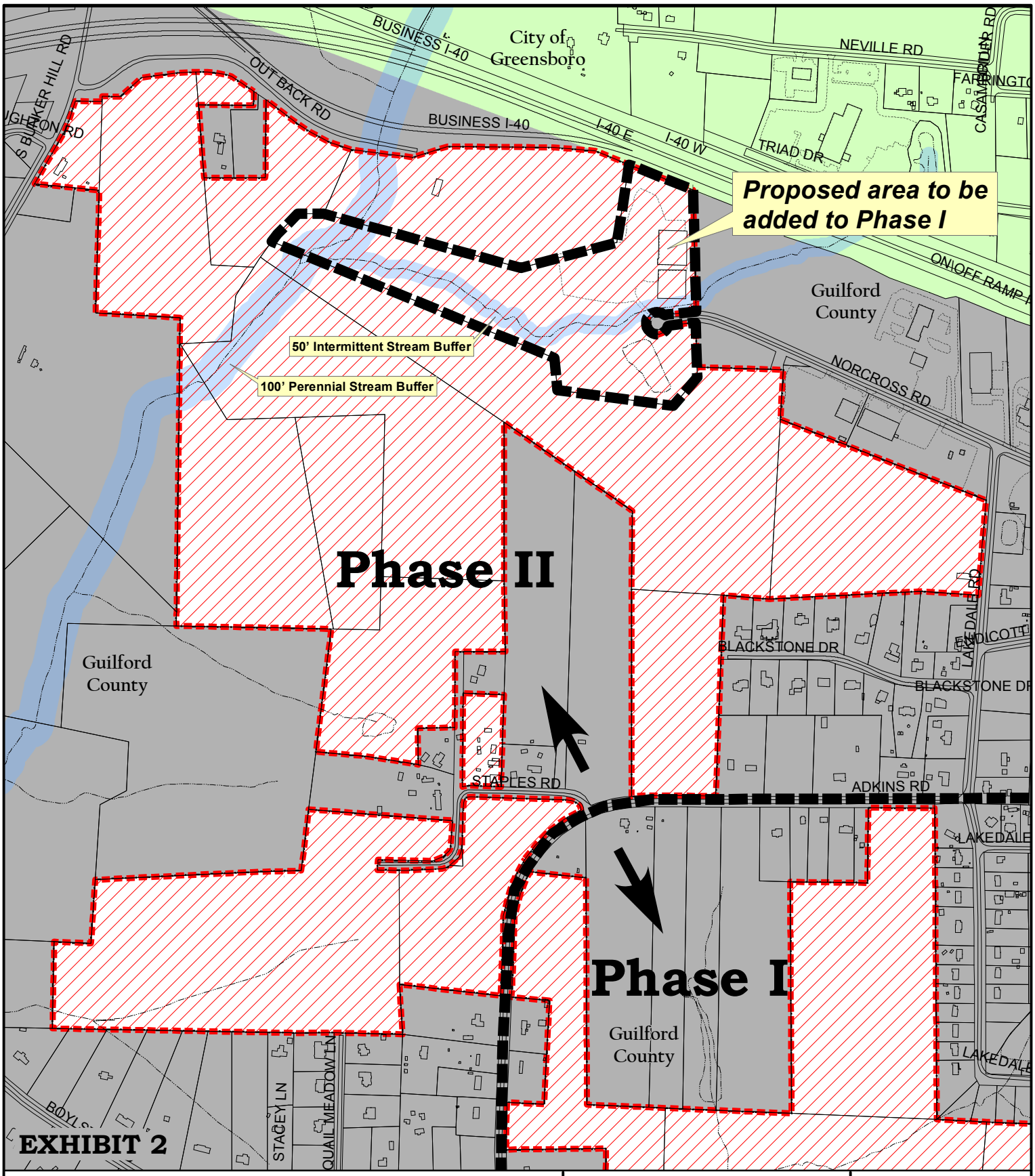


# ZONING MAP AMENDMENT ZA-16-26

**From: Planned Unit Development-Mixed**
**To: Planned Unit Development-Mixed**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=700'**

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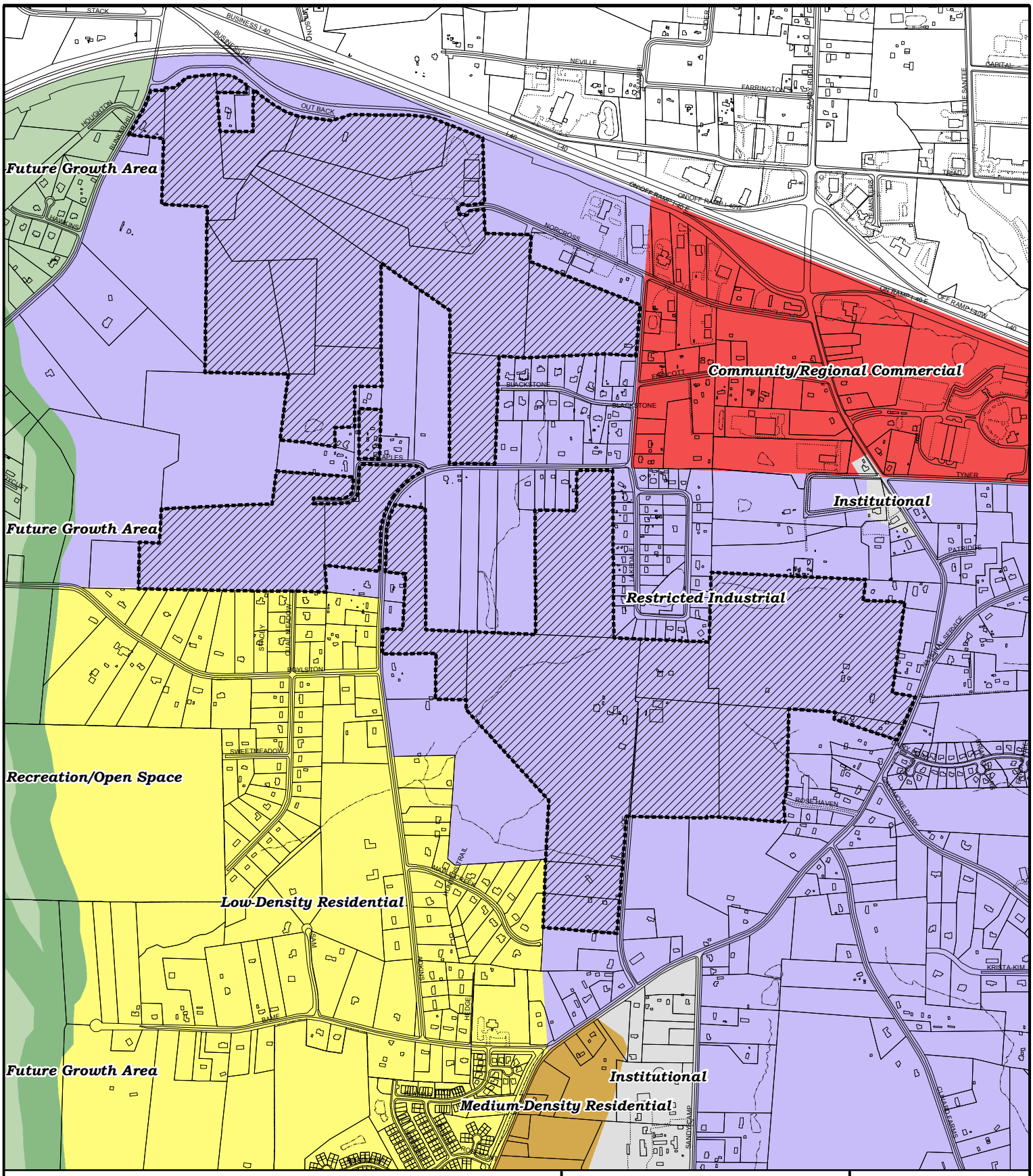


# ZONING MAP AMENDMENT ZA16-26

## Land Use Plan

**Existing Land Use Plan**

**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1'=1,300'**

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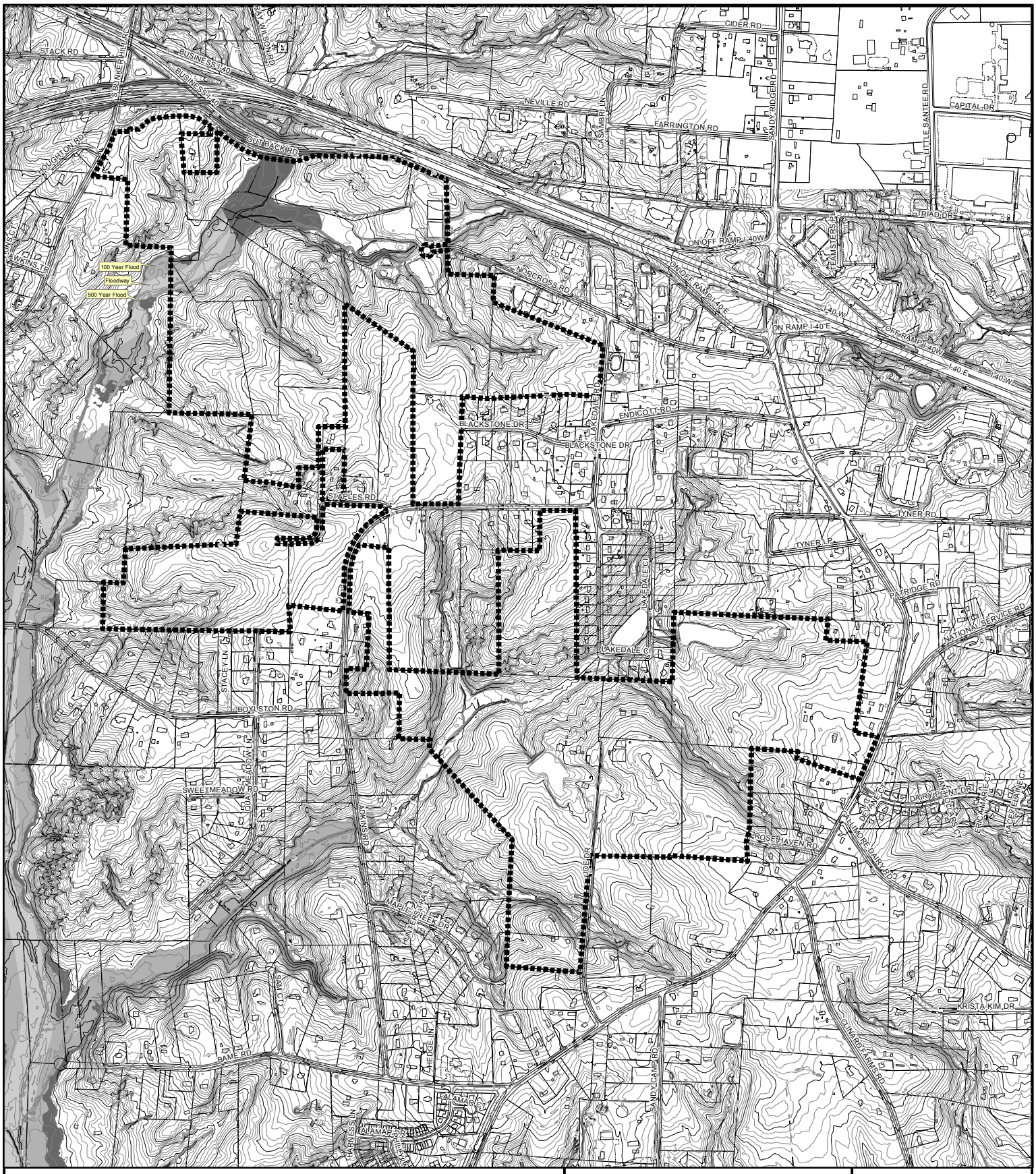


# ZONING MAP AMENDMENT ZA-16-26

**Topography**

**Subject Property Boundary** - - - - - - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=1,300'**

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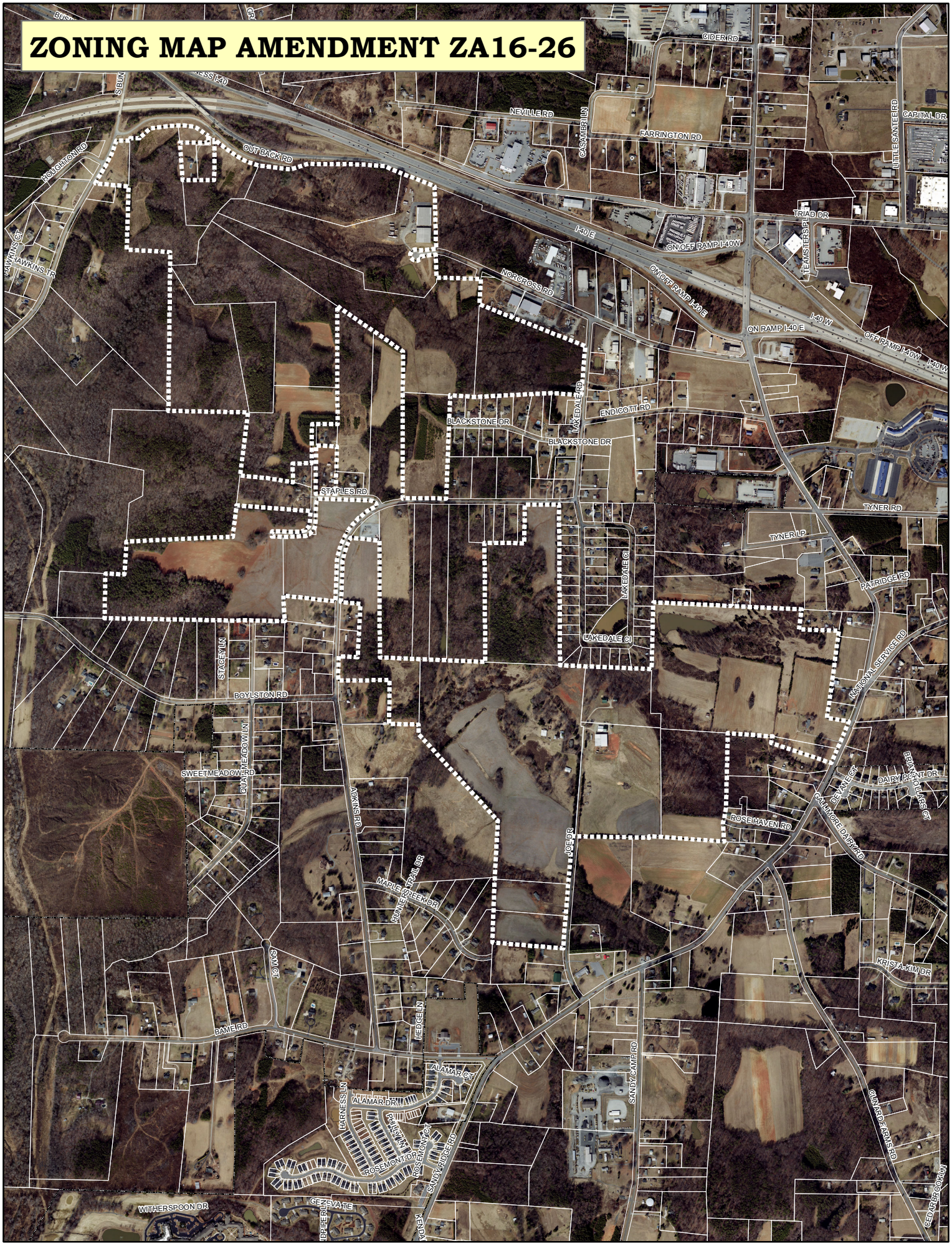
# ZONING MAP AMENDMENT ZA16-26



AN ORDINANCE AMENDING "THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE," PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted "The City of High Point Development Ordinance" on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on December 13, 2016 and before the City Council of the City of High Point on January 17, 2017 regarding **Zoning Map Amendment 16-26 (Amendment to Conditional Zoning Case 12-11)** a proposed amendment to the Official Zoning Map of the "City of High Point Development Ordinance";

WHEREAS, notice of the public hearings was published in the High Point Enterprise on December 4, 2016**,** for the Planning and Zoning Commission public hearing and on January 4, 2017 and January 11, 2017, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on xxxxxxxxxxxxxxxxx.

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

SECTION 1
That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Planned Unit Development – Mixed (PDM) District** The property is approximately 511.54 acres consisting of multiple parcels generally lying south of I-40, west of Sandy Ridge Road, north of Boylston Road and east of Bunker Hill Road. The property is also known as Guilford County Tax Parcels 0168770, 0168791, 0168792, 0168794, 0168949, 0170697, 0170699 thru 0170704, 0170710, 0170731, 0170794, 0170826, 0170831, 0170834, 0170990, 0171055, 0171067, 0171075, 0171077, 0171092 and 0170876 (26 Parcels), including the northern 1,190 feet of the former Joe Drive right-of-way abandoned by NCDOT and Guilford County in September 2013 as recorded in Book 7750 Page 112 in the Office of the Register of Deeds of Guilford County, North Carolina.

SECTION 2
That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES:

a. Uses permitted by this Conditional Zoning Ordinance are permitted as allowed by Table 4-7-1 of the Development Ordinance. All uses shall be subject to development

standards, Special Use Permit public hearing approval or additional standards as noted in Table 4-7-1. Except as provided for by this Planned Unit Development-Mixed (PDM) District, development shall be subject to all of the applicable standards, procedures, and regulation of the City of High Point Development Ordinance (including watershed regulation and airport overlay standards).

b. Any existing use(s) on the date of adoption of this ordinance which do not conform with the new zoning district, shall be considered a legal nonconforming use and subject to requirements of Section 9-4-17(b) (Nonconforming Situations - Nonconforming Use of Land).

c. The following land uses shall be permitted subject to the development and dimensional requirements of the Development Ordinance, the approved Master Plan, and the specific conditions listed in this ordinance.

1. Agricultural Uses
   a. Agricultural Production (crops)
   b. Agricultural Production (livestock))
   c. Animal Services (livestock)
   d. Fish Hatcheries
   e. Forestry
   f. Horticultural Specialties
   g. Veterinary Services (livestock)

*2.* Accessory Uses and Structures *(See Section 9-4-13 of Development Ordinance for additional requirements for accessory structures)*
   a. Accessory Uses and Structures (customary)
   b. Bulky Item Outdoor Display *(Phase I only)*
   c. Communication Towers (exceeding height limits of zoning district)
   d. Communication Towers (not exceeding height limits of zoning district)
   e. Livestock (as accessory to residential uses)
   f. Satellite Dishes/TV and Radio Antennae (Accessory)
   g. Swimming Pools

3. Recreational Uses
   a. Athletic Fields *(Phase I only)*
   b. Clubs or Lodges *(Phase I only)*
   c. Physical Fitness Centers (*(Phase I only)*
   d. Public Parks *(Phase I only)*
   e. Public Recreation Facilities *(Phase I only)*
   f. Sports & Recreation Clubs, Indoor *(Phase I only)*
   g. Swim and Tennis Clubs *(Phase I only)*

4. Educational & Institutional Uses
   i. Ambulance Services *(Phase I only)*
   ii. Auditoriums, Coliseums, or Stadiums (capacity < 100) *(Phase I only)*

iii. Auditoriums, Coliseums, or Stadiums (capacity > 100) *(Phase I only)*
iv. Day Care Centers, Adult (29 or less) *(Phase I only)*
v. Day Care Centers, Adult (30 or more) *(Phase I only)*
vi. Day Care Centers, Child (29 or less) *(Phase I only)*
vii. Day Care Centers, Child (30 or more) *(Phase I only)*
viii. Fire Stations *(Phase I only)*
ix. Government Offices *(Phase I only)*
x. Libraries *(Phase I only)*
xi. Museums or Art Galleries *(Phase I only)*
xii. Police Stations, Neighborhood *(Phase I only)*
xiii. Post Offices *(Phase I only)*

5. Business, Professional & Personal Services
   a. Accounting, Auditing, or Bookkeeping *(Phase I only)*
   b. Administrative or Management Services *(Phase I only)*
   c. Advertising Agencies or Representatives *(Phase I only)*
   d. Advertising Services, Outdoor *(Phase I only)*
   e. Automobile Rental or Leasing *(Phase I only)*
   f. Automobile Repair Services, Minor *(Phase I only)*
   g. Automobile Parking (commercial) *(Phase I only)*
   h. Banks, Savings & Loans, or Credit Unions *(Phase I only)*
   i. Barber Shops *(Phase I only)*
   j. Beauty Shops *(Phase I only)*
   k. Building Maintenance Services *(Phase I only)*
   l. Business Incubators *(Phase I only)*
   m. Computer Maintenance and Repairs *(Phase I only)*
   n. Computer Rental and Leasing *(Phase I only)*
   o. Computer Services *(Phase I only)*
   p. Economic, Socio., or Educational Research *(Phase I only)*
   q. Employment Agencies, Personnel Agencies *(Phase I only)*
   r. Engineering, Architect, or Survey Services *(Phase I only)*
   s. Equipment Rental & Leasing (no outside storage) *(Phase I only)*
   **t. Equipment Rental & Leasing (with outside storage)** ***(Phase I, only on Tax Parcel 0170702)***
   u. Equipment Repairs, Light *(Phase I only)*
   v. Finance or Loan Offices *(Phase I only)*
   w. Funeral Homes or Crematoriums *(Phase I only)*
   x. Furniture Repair Shops *(Phase I only)*
   y. Hotels or Motels *(Phase I only)*
   z. Insurance Agencies (no on-site claims inspections) *(Phase I only)*
   aa. Insurance Agencies (carriers/on-site claims) *(Phase I only)*
   bb. Landscape and Horticultural Services *(Phase I only)*
   cc. Laundry or Dry Cleaning Plants (*(Phase I only)*
   dd. Laundry or Dry Cleaning Substations *(Phase I only)*
   ee. Law Offices *(Phase I only)*

ff. Medical, Dental or Related Offices *(Phase I only)*
gg. Medical or Dental Laboratories *(Phase I only)*
hh. Medical Equipment Rental and Leasing *(Phase I only)*
ii. Motion Picture Productions *(Phase I only)*
jj. Noncommercial Research Organizations *(Phase I only)*
kk. Office Uses Not Otherwise Classified *(Phase I only)*
ll. Pest or Termite Control Services *(Phase I only)*
mm. Photocopying and Duplicating Services *(Phase I only)*
nn. Photofinishing Laboratories *(Phase I only)*
oo. Photography, Commercial *(Phase I only)*
pp. Photography Studios *(Phase I only)*
qq. Real Estate Offices *(Phase I only)*
rr. Refrigerator or Large Appliance Repairs *(Phase I only)*
ss. Rehabilitation or Counseling Services *(Phase I only)*
tt. Research, Development or Testing Services *(Phase I only)*
uu. Shoe Repair or Shoeshine Shops *(Phase I only)*
vv. Stock, Security or Commodity Brokers *(Phase I only)*
ww. Tanning Salons *(Phase I only)*
xx. Television, Radio, or Electronic Repairs *(Phase I only)*
yy. Travel Agencies *(Phase I only)*
zz. Truck & Utility Trailer Rental and Leasing, Light (Phase II only)
aaa. Truck & Utility Trailer Rental and Leasing, Heavy (Phase II only)
bbb. Veterinary Service (Other) *(Phase I only)*
ccc. Vocational, Business or Secretarial Schools *(Phase I only)*
ddd. Watch or Jewelry Repair Shops *(Phase I only)*
eee. Wireless Communication Business *(Phase I only)*

6. <u>Retail Trade Uses</u>
   a. Bars *(Phase I only)*
   b. Bars (capacity > 100 persons) *(Phase I only)*
   c. Caterers *(Phase I only)*
   d. Computer Sales *(Phase I only)*
   e. Garden Centers or Retail Nurseries *(Phase I only)*
   f. Newsstands *(Phase I only)*
   g. Office Machine Sales *(Phase I only)*
   h. Restaurants (no drive-thru) & Banquet Hall *(Phase I only)*
   i. Restaurants (serving mixed alcoholic beverage) *(Phase I only)*

7. <u>Wholesale Trade Uses</u>
   a. Agricultural Products, Other
   b. Apparel, Piece Goods and Notions *(Phase I only)*
   c. Beer/Wine/Distilled Alcoholic Beverages *(Phase I only)*
   d. Books, Periodicals and Newspapers *(Phase I only)*
   e. Drugs and Sundries *(Phase I only)*
   f. Durable Goods, Other *(Phase I only)*

g. Electrical Goods *(Phase I only)*
h. Farm Supplies, Other
i. Flowers, Nursery Stock & Florists Supplies
j. Forest Products *(Phase I only)*
k. Furniture and Home Furnishings *(Phase I only)*
l. Groceries and Related Products *(Phase I only)*
m. Hardware *(Phase I only)*
n. Jewelry, Watches, Precious Stones & Metals *(Phase I only)*
o. Lumber and Millwork *(Phase I only)*
p. Lumber and Other Construction Materials *(Phase I only)*
q. Machinery, Equipment, and Supplies *(Phase I only)*
r. Metals *(Phase I only)*
s. Motor Vehicle Parts and Supplies *(Phase I only)*
t. Motor Vehicle Tires and Tubes *(Phase I only)*
u. Nondurable Goods *(Phase I only)*
v. Paints and Varnishes *(Phase I only)*
w. Paper and Paper Products *(Phase I only)*
x. Plastics Materials *(Phase I only)*
y. Plumbing and Heating Equipment *(Phase I only)*
z. Professional & Comm. Equipment & Supplies *(Phase I only)*
aa. Sporting & Recreational Goods & Supplies *(Phase I only)*
bb. Tobacco and Tobacco Products *(Phase I only)*
cc. Toys and Hobby Goods and Supplies *(Phase I only)*
dd. Wallpaper and Paint Brushes *(Phase I only)*

8. <u>Transportation, Warehousing and Utilities Uses</u>
   a. Bulk Mail and Packaging *(Phase I only)*
   b. Bus Terminals *(Phase I only)*
   c. Communication or Broadcasting Facilities *(Phase I only)*
   d. Communication Towers (exceeding height limits of zoning district)
   e. Communication Towers (not exceeding height limits of zoning district)
   f. Courier Services, Central Facility *(Phase I only)*
   g. Courier Service Substations *(Phase I only)*
   h. Demolition Debris Landfills, Minor *(Phase I only)*
   i. Heliports *(Phase I only)*
   j. Moving and Storage Services *(Phase I only)*
   k. Utility Company Offices *(Phase I only)*
   l. Utility Lines and Related Appurtenances
      - Distribution Poles, Transmission Poles & Towers
      - Other
   m. Utility Service Facilities
   n. Warehouses (general storage/enclosed) and Distribution Centers*(Phase I only)*

9. <u>Manufacturing and Industrial Uses</u>
   a. Apparel and Finished Fabric Products *(Phase I only)*
   b. Arms and Weapons *(Phase I only)*

c. Audio, Video and Communications Equipment *(Phase I only)*
d. Bakery Products *(Phase I only)*
e. Beverage Products (nonalcoholic) *(Phase I only)*
f. Bicycle Assembly *(Phase I only)*
g. Bicycle Parts and Accessories *(Phase I only)*
h. Brooms and Brushes *(Phase I only)*
i. Burial Caskets *(Phase I only)*
j. Coffee *(Phase I only)*
k. Computer and Office Equipment *(Phase I only)*
l. Contractors (no outside storage) *(Phase I only)*
m. Costume Jewelry and Notions *(Phase I only)*
n. Dairy Products *(Phase I only)*
o. Drugs *(Phase I only)*
p. Electrical Industrial Apparatus, Assembly *(Phase I only)*
q. Electrical Industrial Apparatus, Manufac. *(Phase I only)*
r. Electrical Components *(Phase I only)*
s. Electrical Equipment *(Phase I only)*
t. Fabricated Valve and Wire Products *(Phase I only)*
u. Fats and Oils, Plant (*(Phase I only)*
v. Food and Related Products, Miscellaneous *(Phase I only)*
w. Furniture Framing *(Phase I only)*
x. Furniture and Fixtures Assembly *(Phase I only)*
y. Furniture and Fixtures *(Phase I only)*
z. Glass Products from Purchased Glass *(Phase I only)*
aa. Grain Mill Products *(Phase I only)*
bb. Heating Equipment and Plumbing Fixtures *(Phase I only)*
cc. Household Appliances *(Phase I only)*
dd. Ice *(Phase I only)*
ee. Industrial and Commercial Machinery *(Phase I only)*
ff. Jewelry and Silverware (no plating) *(Phase I only)*
gg. Leather and Leather Products (no tanning) *(Phase I only)*
hh. Lighting and Wiring Equipment *(Phase I only)*
ii. Manufactured Housing and Wood Buildings *(Phase I only)*
jj. Measurement, Analysis & Control Instruments*(Phase I only)*
kk. Medical, Dental and Surgical Equipment *(Phase I only)*
ll. Metal Fasteners (screws, bolts, etc.) *(Phase I only)*
mm. Metal Processing *(Phase I only)*
nn. Millwork, Plywood and Veneer *(Phase I only)*
oo. Musical Instruments *(Phase I only)*
pp. Paperboard Containers and Boxes *(Phase I only)*
qq. Pens and Art Supplies *(Phase I only)*
rr. Pharmaceutical Preparations *(Phase I only)*
ss. Photographic Equipment *(Phase I only)*
tt. Photographic Supplies *(Phase I only)*
uu. Pottery and Related Products *(Phase I only)*

vv. Preserved Fruits & Vegetables (no can mfg.) *(Phase I only)*
ww. Printing and Publishing *(Phase I only)*
xx. Rubber and Plastics, Miscellaneous *(Phase I only)*
yy. Signs *(Phase I only)*
zz. Soaps and Cosmetics *(Phase I only)*
aaa. Sporting Goods and Toys *(Phase I only)*
bbb. Sugar and Confectionery Products *(Phase I only)*
ccc. Textile Products (no dyeing & finishing) *(Phase I only)*
ddd. Textile Products (with dyeing & finishing*(Phase I only)*
eee. Wood Containers *(Phase I only)*

10. Other Uses
    a. Automotive Parking (subj. to Sec. 9-5-6)
    b. High Mast Outdoor Lighting > 50' in ht.
    c. Temporary Construction, Storage or Offices; Real Estate Sales or Rental Offices (with concurrent building permit for permanent building)
    d. Storage Containers, Portable (accessory use)
    e. Temporary Events, including but not limited to: (Refer to Section 9-3-3(f))
        - Arts and Crafts Shows
        - Carnivals and Fairs
        - Christmas Tree Sales
        - Concerts, Stage Shows
        - Conventions, Trade Shows
        - Outdoor Religious Events
        - Turkey Shoots

Part II. CONDITIONS:

**A. Tax Parcel 0170702:**
**Allowable land uses on tax parcel 0170702 may be continued or established utilizing the existing buildings and site improvements. Such uses are not subject to the development and dimensional requirements in Part II Conditions, Section B and C below, until such time as the parcel is proposed for redevelopment by new construction that alters any existing building footprint, expands the total existing building area, or replace existing buildings.**

B. Development and Dimensional Requirements:

1) Building Standards

a. Facades: The façade(s) of principal buildings, or any addition or alteration to a principal building, shall comply with the following standards:

i. Front Façade: Facades fronting or facing a street, or meeting the definition of a front facade, shall incorporate some combination of arcades, arches,

blind arches, awnings, columns, medallions, windows, false windows, cornice or decorative roofline trim, decorative entry areas or other architectural features so as to create visual interest and facade relief. Such features shall be incorporated in the total linear distance of the facade, and these features shall be interspersed throughout the length of the facade so as to best achieve a facade design that has visual interest and a high quality of appearance. Decorative painting of the facade or foundation landscaping may be incorporated into facade design to meet this requirement but shall not be deemed sufficient when used alone to fulfill the entirety of this requirement. Facades shall be constructed of material as provided in section (b) below (Building Materials). Buildings located on a comer lot that face two or more streets shall construct all facades that face those streets to the above standards.

ii. Interior side walls: The first 20 percent, up to a total of 60 feet, of any interior side wall (wall not facing a street) shall have the same facade treatment (including architectural features) and building material as the front facade,

iii. Windows: Windows that are flush to the facade may be used but shall not be counted toward the requirements of this section unless accompanied by further architectural embellishments that enhance the facade appearance, including, but not limited to, facades with recessed windows and visually prominent sills, lintels or other such forms of framing and trim.

b. Building Materials.

i. The front facade shall not consist of or have the appearance of metal siding, plain concrete block, or vinyl siding. Materials such as brick, stone, textured concrete block or materials of a similar nature shall be used in front facades,

ii. The use of high intensity colors, metallic colors, black or fluorescent colors on any facade is prohibited. All facade colors shall be of low reflectance, subtle, neutral, or earth tone colors. Building trim and accent areas may feature brighter colors or black; however, neon tubing shall not be an acceptable feature for building trim or accent elements. Roof colors shall be low reflectance and non-metallic. This provision includes all building facades, both treated and untreated.

c. Loading docks.

i. Loading docks shall not be located on the front facade, or comer side facade of a building, except as provided below.

ii. Loading docks located on the side facade of any building shall be located to the rear of the front wall of the building a length equal to 20 percent of

the length of the side wall, although this length shall not be required to exceed 60 feet; except as provided in section c. 5 below.

iii. A loading dock may be located on a corner side facade of a building provided that the facade does not front a major or minor thoroughfare. Such a loading dock shall be located on the facade that fronts the street of lower classification where applicable. The portion of such a comer facade that is occupied by loading docks shall not be required to provide architectural features as required in section a.l (Facade Treatment), although shall meet the building material standards of section b (Building Materials).

iv. All loading docks shall be screened from view from any street at a height of six (6) feet above ground level, as seen from the centerline of any adjacent street. Existing or newly planted vegetation, opaque or solid fencing, masonry walls, earthen berms or mounds, other structures or any combination thereof may be used to achieve an effective screen. Plantings used as screening material shall be of such variety and size as to obscure at least 50 percent of the desired view at the time of planting, as determined by the Enforcement Officer. The design and content of required screening shall be included with required landscaping plans for review and approval by the Enforcement Officer.

v. A loading dock may be located within the front 20 percent of a sidewall only if a wing-wall or other architectural or building feature is provided that filters the views of the loading dock. Such a wall or other building feature shall provide visual interest and maintain the visual quality and character of the front façade. While such a wall or other building feature shall not be required to entirely screen the applicable loading dock, it shall screen at least 50 percent of the view of the loading dock as seen from the street, as well as provide architectural elements that attempt to draw the viewers attention to the wall or other building feature instead of the visible portions of the loading dock.

2) Site Layout

a. <u>Greenway/Pedestrian Circulation Plan</u>

i. A Pedestrian Circulation Plan for the Planned Unit Development shall be submitted and approved prior to preliminary subdivision approval, group development plan approval or site plan approval.

ii. Sidewalks and marked pedestrian crossings in parking areas shall be provided so as to connect all principal buildings except as approved for modification by the Technical Review Committee. Any such crossing in a parking area shall be exclusive of a parking space. Sidewalks should also link greenway trails, pedestrian amenities and any potential future transit locations.

iii. It is the intent of this conditional zoning ordinance that open space shall be provided to the extent feasible and reasonable. Each site plan shall depict how open space has been preserved, where feasible. The open space shall be connected where possible, with greenways, greenway trails or other paths. At a minimum, greenways as shown on the 2012 version of the High Point Greenway Plan shall be dedicated.

b. Screening of equipment (ground or roof mounted) and outdoor storage or use:

i. Decorative screening and/or landscaping shall be installed to obscure from view, at a height of six (6) feet above ground level as seen from the centerline of any adjacent street, all trash rooms, trash-holding receptacles, roof mounted equipment or appurtenances, and loading or service areas not addressed in section c. (Loading Docks), mechanical or electrical equipment, or other unsightly building appurtenances. Dumpsters shall be screened in accordance with section 9-5-1(d) (Screening) of the Development Ordinance.

c. Outdoor storage (i) shall not cover an area greater than 25% of ground floor of principal building(s); (ii) shall be located between the building and rear property line; and (iii) shall be fully screened from ground level view from adjacent properties and public and private streets.

d. Outside manufacturing, processing, or assembly shall not be permitted.

e. <u>Building Coverage:</u> Complying with any of the following criteria shall result in an increase in 5% of maximum building coverage per tract for each criterion met.

i. The property owner supplies additional plantings by providing canopy and understory trees at double the rate listed in Development Ordinance (Table 5-11-2 Planting Yard Rate Chart) in all required planting yards. While any existing trees that are retained in the planting yards may still reduce the number of trees provided by the developer to meet the initial planting rate, the secondary or additional tree count shall be calculated regardless of existing trees retained in such yards. The species of these trees shall be selected from the preferred species list as provided in the Appendix of the Development Ordinance (Recommended Plant Materials List) or as approved by the Planning and Development Department. Any of the trees provided under this provision that cannot be planted in the peripheral or street yards due to space restrictions may be planted elsewhere on the site. Upon approval from the City of High Point such trees may be donated to the city if it is determined that planting them on the property will not further improve the landscaping of the site.

ii. Parking is not located between the front building line of a principal building and the street.

iii. The building design of the principal building qualifies for Leadership in Energy & Environmental Design (LEED) certification as administered by the U.S. Green Building Council.

iv. At least 50 percent of the provided parking within a parking structure is located under the principal building or similar structure, or underground.

f. Dimensional Standards – Phase I.

i. Lots standards

| | |
|---|---|
| Minimum lot size | 30,000 sq. ft |
| Minimum Lot width | 150 feet |
| Minimum street frontage | 100 feet |

ii. Setbacks:

| | |
|---|---|
| Sandy Ridge Road | 50 feet from property line or 95 feet from the centerline of the right of way, whichever is greater. |
| All other streets | 15 feet |
| | |
| Adjacent to Non-Residential Zoning | 20 feet (may be reduced to 10 ft. subject to meeting setback reduction condition) |
| Adjacent to Residential Zoning | 50 feet |
| Setback Reduction: The minimum interior setback adjacent to non-residential zoning may be reduced to 10 feet, provided that either one of the interior side lot lines or the street yard is planted as at least a C yard. | |
| | |
| Maximum building coverage | 50% (may be increased to subject to meeting building coverage condition) |

g. Dimensional Standards – Phase II

Permitted Agricultural (AG) Districts land uses, and their customary accessory uses, shall be subject to development and dimensional requirements of the AG District and requirements of the Development Ordinance.

C. Landscaping, Buffers, Screening and Lighting.

1). Planting Yard Width and Rate:

Landscaping (along Sandy Ridge Road frontage of the zoning site)

a. Foundation plantings shall be included in landscape designs along building facades facing Sandy Ridge Road.

b. Developments along the Sandy Ridge Road frontage of the zoning site shall install, at minimum, a Type C planting yard.

2). Prior to the development of the portion of Phase 1 that lies north and west of Sandy Ridge Road, west of Joe Drive, and that adjoins the Maple Creek subdivision, and beside Guilford County Tax Parcels 17-95-7080-0-1127-00-013 and 17-95-7080-0-1127-0036, 17-95-7080-0-1127-00-008 and 17-95-7080-0-1127-00-042 and 17-95-7080-0-1127-00-005, and 17-95-7080-0-1127-00-004 and 17-95-7080-0-1127-00-034, the developer shall plant a solid row of evergreens within the required Type A fifty (50) foot planting yard. The evergreens shall be of a type that, at maturity, shall be expected to grow at least twenty-five (25) feet in height. Where the buffer and offered plantings encroach upon a protected stream buffers, existing vegetation which is required by law to be protected shall remain (See Exhibit B).

3). Parking lot lighting or other external lighting within the portion of Phase 1 that lies adjacent to these properties shall be of a "cut-off" style that is designed not to allow lighting to stray onto adjoining residential properties. This condition shall not apply when parcel(s) listed are no longer zoned or used for residential proposes.

D. Transportation Conditions.

1. General

a. These conditions apply to the property in the rezoning that lies between Sandy Ridge Road and Adkins Road referred to as Phase 1.**, except for C.1.b below.** Any development on Phase 2 will require an updated Traffic Impact Analysis and additional transportation related conditions must be added to the zoning ordinance for the property.

b. **If a use upon Guilford County Tax Parcel 0170702 (8530 Norcross Rd) generates over 150 new trips in the peak hour, the property owner shall be required to submit a Traffic Impact Analysis (TIA) for review and approval by the Transportation Department. The property owner shall be required to install any improvements noted in this TIA to mitigate traffic impact generated by such use. Said improvements shall be required to be install prior to the use being established on this parcel.**

2. Access

a. Access to Joe Drive will be allowed per the City of High Point Driveway Ordinance.

b. Access to Sandy Ridge Road will be allowed through the existing tax parcel 0170831 addressed as 2519 Sandy Ridge Road. To maximize intersection spacing from Dairy Point Drive and Gallimore Dairy Road, this access will be located along the northern property line of this parcel.

c. No access shall be allowed to Adkins Road with Phase 1 development. Future access to Adkins Road shall be predicated upon the completion of an expanded traffic impact analysis that includes the internal and external roadway network serving the entire 350 South area.

3. Right-of-way

The Developer shall dedicate right-of-way seventy (70) ft as measured from the centerline along Sandy Ridge Road, and thirty (30) ft as measured from the centerline along Joe Drive.

4. Roadway and Intersection Improvements
   a. Sandy Ridge Road @ Joe Drive: The Developer shall construct a northbound left and a southbound right turn lane at this intersection.
   b. Sandy Ridge Road @ Clinard Farms Road: The Developer shall install a northbound right turn lane and a southbound left turn lane at this intersection.
   c. Sandy Ridge Road @ Gallimore Dairy Road: The Developer shall install a northbound right turn lane at this intersection, and shall improve the southbound left turn lane to provide for a minimum of 300 ft of storage and appropriate bay taper. The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, when warranted. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.
   d. Sandy Ridge Road @ Site Access Point: The Developer shall install a southbound right turn lane at this intersection, and a northbound left turn lane with a minimum of 300 ft of storage and appropriate bay taper. The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, when warranted. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.
   e. All roadway and intersection improvements (excluding traffic signals) must be completed prior to the issuance of Certificate of Occupancy for any building in Phase 1.

5. The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

E. Signs:
   1. The location of signage on the rezoning site shall conform to the approved common signage plan. All other signage issues shall be subject to the requirements of the Development Ordinance.
   2. Common signage plan for the Planned Unit Development shall be submitted and approved prior to preliminary subdivision approval, group development plan approval or site plan approval.
   3. Specifications of size, type, height, setback, location, design, illumination, and number of signs shall be included in a Common Sign Plan element in accordance with Section 9-4-3(a)(3)g. of the Development Ordinance.
   4. **Tax parcel 0170702 is subject to Corporate Park (CP) District sign standards until compliance with Part II Condition Section B and C is required as noted in Section A. above**

F. The rezoning site is subject to Section 9-4-3(a)(3) & (5) *(Planned Unit Development Requirements - Development Standards)* of the Development Ordinance as it pertains to dimensional standards, access, commercial areas, alleys, local street design, boundary treatment, signs, parking, environmental sensitive areas, open space and common recreational facilities, phased development, and owners' associations.

SECTION 3
That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans now required to be approved by the City of High Point.

SECTION 4
Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.
This ordinance shall become effective upon the date of adoption.
____day of January, 2017.

Lisa B. Vierling, City Clerk

| **Amendment to PDM District<br>Conditional Zoning Case 12-11 Supplemental Information** | |
|---|---|
| Initial Zoning Application<br>Conditional Zoning Case 12-11 | Adopted May 6, 2013 and became effective on May 19, 2013.<br>(Ordinance # 6992/13-24) |
| Amendment to CZ-12-11 | Adopted November 8, 2013 (Ordinance # 7015 / 13-47)<br>This amendment added the abandoned Joe Drive ROW to this PUD |
| | |
| | |

# Citizens' Communication Report

**350 South Land Holdings, Inc.**
**ZA 16-26**

**Submitted by**
**Thomas E. Terrell, Jr.**

1. No Meeting Considered Necessary

The subject property abuts Interstate 40. It has no residential neighbors within a reasonable distance. The historic use of the property is industrial. There would be no intermingling of traffic from residential areas except at the intersection of Sandy Ridge and I-40, which is being reconfigured to accommodate such traffic. Consequently, experience suggests that a letter, rather than a meeting that no one likely would attend, would suffice to fully inform citizens of the proposed change.

2. Letter

A letter was sent to all neighbors surrounding the 511 acre site. The letter included (a) a color map showing the site, and (b) a copy of the official citizens' information statement. The letter with attachments is attached as Exhibit A.

The letter provided ample direct, personal contact information for any person to use if they had questions. The applicant or its representatives stand ready to meet with anybody, personally, if requested or even suggested. To date, no contacts from neighbors have been received. This report will be updated as necessary.

3. Recipients

The list of recipients, prepared by the City of High Point Planning Department, is attached as Exhibit B.

# EXHIBIT A

SMITHMOORE
LEATHERWOOD
ATTORNEYS AT LAW

300 N. Greene Street
Suite 1400
Greensboro, NC 27401

November 23, 2016

350 SOUTH LAND HOLDING LLC
4716 HILLTOP ROAD
GREENSBORO, NC 27407

Dear Neighbor,

In 2013, the City of High Point rezoned 511 acres that are shown on the enclosed map. You will soon receive a notification from the City of High Point that 350 South Land Holdings requests a small amendment to this rezoning. Because there are no neighbors living nearby, I am only sending a letter of notification rather than setting a time and place for a neighborhood meeting.

When the original rezoning occurred only land in Phase 1 was allowed to develop with commercial or industrial uses. Phase 2 was reserved primarily for residential and agricultural use.

However, two small buildings in Phase 2 have historically been used for light industrial purposes. You will see these two buildings circled in blue near the top of the enclosed map. They lie adjacent to I-40 in the cul-de-sac of Norcross Road.

350 South's proposal would allow this parcel to be developed as a Phase 1 tract. The entire parcel is outlined in black dashed lines, but the narrowness of that tract and the stream that runs through the middle of it likely make the remainder of that tract undevelopable.

Also enclosed is a sheet that explains how zoning decisions are heard by the Planning and Zoning Commission and City Council. The Planning and Zoning Commission will hear the matter at 6:00 pm on Tuesday, December 13, in High Point City Hall.

If you have any questions, please call me either at my direct office line (336) 378-5412 or on my cell (336) 847-2000. Or call John Purdie at (336) 207-2175.

Sincerely,

Tom Terrell

Thomas E. Terrell, Jr.

Direct: 336.378.5412 | Fax: 336.433.7482 | tom.terrell@smithmoorelaw.com | www.smithmoorelaw.com

ATLANTA | CHARLESTON | CHARLOTTE | GREENSBORO | GREENVILLE | RALEIGH | WILMINGTON

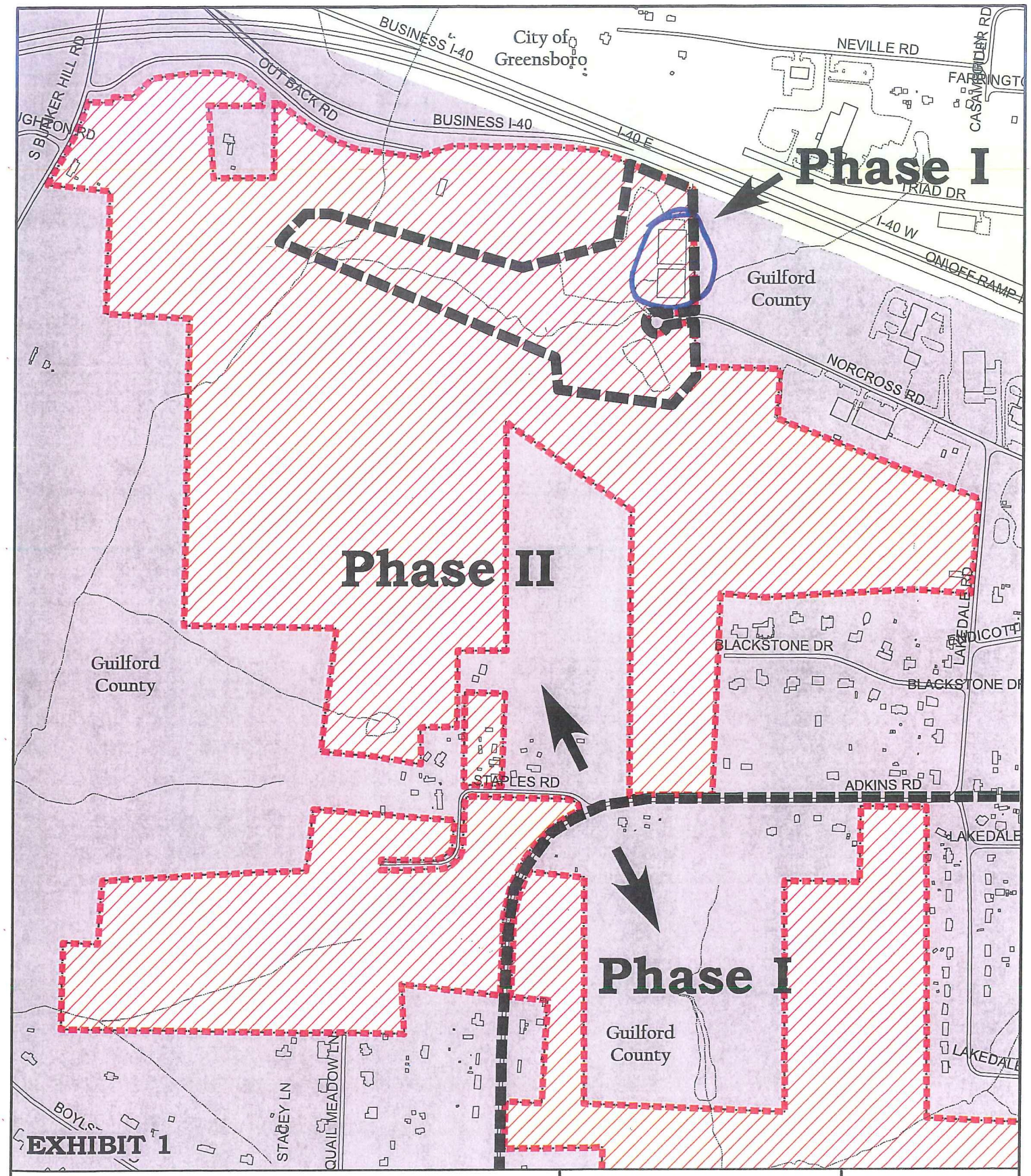



EXHIBIT 1

**ZONING MAP AMENDMENT ZA-16-26**

**From: Planned Unit Development-Mixed**
**To: Planned Unit Development-Mixed**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date:**

N

**Scale: 1"=700'**

G:/Planning/Secure/ba-pz /2016/pz/za16-26exh1.mxd

Planning & Development

Development Services Division

# City of High Point
# Conditional Zoning District Zoning
# Citizen Information Meetings

Anyone planning to file a zoning application for a Conditional Zoning district from the City of High Point is required to hold a citizen information meeting prior to filing the application. This requirement applies only to an application for a conditional zoning district or an application to amend a previously approved conditional zoning district. Conditional zoning is a type of zoning where property owners can impose specific conditions or restrictions on the development and use of their property, and where the conditions are enforceable by the City regardless of the property's future ownership.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person planning to file an application, otherwise known as the applicant, the opportunity to inform citizens about the development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed zoning site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a written description of the development proposal and any other available information that would help citizens to better understand it. After the zoning application is filed with the City's Planning & Development Department, the

Administration 336.883.3328 | Planning Services 336.883.3328 | Development Services 336.883.3328 | Inspection Services 336.883.3151

City of High Point, P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.883.3056 www.highpointnc.gov/plan Permit Fax: 336.883.8518 TDD 336.883.8517

applicant submits to the City a written report of the citizen information meeting(s). At a minimum, this report records the property owners notified; date, time and location of the meeting(s); the written description of the development proposal; and any comments, ideas or suggestions from citizens that were incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300-feet of the zoning site. This notice provides information on the conditional zoning district request; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the zoning site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the zoning site.

No condition can be included in a conditional zoning district that specifies ownership status, race, religion or characteristics of the development's occupants, the minimum size of a dwelling, the minimum value of buildings or improvements, or ones that otherwise excludes specific races, religions or classes of people.

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the department's website for additional information on the City's zoning process, and for information about specific development proposals.

Contact:

Planning & Development Department 336-883-3328
www.highpointnc.gov/plan/
www.buildhighpoint.com

Revised 02-24-16

# EXHIBIT B

350 SOUTH LAND HOLDING LLC
2022 SHIMER DR
JAMESTOWN NC 27282

350 SOUTH LAND HOLDING LLC
4716 HILLTOP ROAD
GREENSBORO NC 27407

A&B PARTNERS
PO BOX 789
COLFAX NC 27235

ABSHER, ARNOLD ALLEN ; ABSHER, PATIENCE GALE
8501 BLACKSTONE RD
COLFAX NC 27235

ATKINS, JOSEPH SAMUEL
707 LAKEDALE RD
COLFAX NC 27235

BAER, RONALD J ; PIERCE, JAYE M
702 STACEY LN
COLFAX NC 27235

BAME, MARK ALLEN
113 LITTLE STREAM LANE
WINSTON-SALEM NC 27101

BARHAM, ADRIAN WILL ; BARHAM, WENDY N
702 LAKEDALE RD
COLFAX NC 27235

BEAGLE, ROY L ; BEAGLE, YVETTE L
3300 DAIRY POINT DR
HIGH POINT NC 27265

BLACKWOOD, HUBERT W ; BLACKWOOD, LENI
3046 LAUREL SPRINGS DR
GREENSBORO NC 27410

BLACKWOOD, THOMAS W
8727 OUT BACK RD
COLFAX NC 27235

BLANKENSHIP, BENJAMIN LEE ; BLANKENSHIP, FRANCES ANNE
8826 BOYLSTON RD
COLFAX NC 27235

BOOHER, GARY S ; BOOHER, WILMA J
2401 SANDY RIDGE RD
HIGH POINT NC 27265

BULL, PAUL MARTIN ; BULL, PAULETTE R
2521 SANDY RIDGE RD
COLFAX NC 27235

BYUNGURA, FIDELE ; BYUNGURA, VERONIQUE M
930 MAPLE CREEK DR
COLFAX NC 27235

CARTER, TIMOTHY C ; CARTER, MARIE N
746 QUAILMEADOW LN
COLFAX NC 27235

CASAS, LUIS M ; CASAS, PATRICIA L
4915 DEVANE CT
HIGH POINT NC 27265

CHARLES W IRVIN JR REVOCABLE TRUST OF 2012 ; IRVIN, JOHN L ; EGERTON, DORIS I
2102 W MARKET ST
GREENSBORO NC 27403

CIENER, DAVID B
547 S BUNKER HILL RD
COLFAX NC 27235

COOK, LEMUEL CLAY SR ; COOK, VIRGINIA H
711 LAKEDALE RD
COLFAX NC 27235

CREED, MARSHALL A ; ROBBINS, MORGAN G
8708 BOYLSTON RD
COLFAX NC 27235

CRUMP, JERRY W ; CRUMP, SHELBY L
8414 ADKINS RD
COLFAX NC 27235

DILLARD, WENDELL D ; DILLARD, ANITA T
8822 BOYLSTON RD
COLFAX NC 27235

DILLON, JEANETTE R ; DILLON, WILLIAM VERNON
8059 NATIONAL SERVICE RD
COLFAX NC 27235

DIPIAZZA, ANNE P
717 LAKEDALE RD
COLFAX NC 27235

DIPIAZZA, JOSEPH A ; DIPIAZZA, ANNE P
904 MONTROSE DRIVE
GREENSBORO NC 27410

DOGGETT, JUDY M ; DOGGETT, TRUMAN B
2218 SCALESVILLE RD
SUMMERFIELD NC 27358

EDWARDS, JANE J ; EDWARDS, LAWRENCE O JR
1312 KENSINGTON DR
HIGH POINT NC 27262

EFINCIA CONSTRUCTION LLC
6309 MARY LEE WAY
HIGH POINT NC 27265

EFIRD, DONALD B ; EFIRD, CAROL B
8831 NEVILLE RD
COLFAX NC 27235

ENERGYUNITED ELECTRIC MEMBERSHIP CORP
PO BOX 1831
STATESVILLE NC 28687

FAENZA, ANDREW T ; FAENZA, RENEE H
745 QUAILMEADOW LN
COLFAX NC 27235

FARRELL, SEAN F
8512 BLACKSTONE DR
COLFAX NC 27235

FARRINGTON, JESSE ; FARRINGTON, MARY T
8538 ADKINS RD
COLFAX NC 27235

FARRINGTON, LYNN S
8334 TYNER LOOP
COLFAX NC 27235

FITZ-GERALD, ALEXANDRA J/T R/S ; HAYES, NICHOLAS J/T R/S
722 LAKEDALE RD
COLFAX NC 27235

FLOOD, ALMA C ; FLOOD, CORNELIOUS
934 MAPLE CREEK DR
COLFAX NC 27235

FRAZIER, JULIUS CONRAD
747 JOE DR
HIGH POINT NC 27265

FRAZIER, KEITH
2317 SANDY RIDGE RD
HIGH POINT NC 27265

FRAZIER, TERRY W
747 JOE DR
HIGH POINT NC 27265

GATHEWRIGHT, JESSE L ; GATHEWRIGHT, LISA
8510 BLACKSTONE DR
COLFAX NC 27235

GIES, DONALD L JR ; GIES, LYNDA G
8508 BLACKSTONE DR
COLFAX NC 27235

GRACE UNDERHILL LIVING TRUST ; UNDERHILL, GRACE N B TR
2007 RANKIN MILL RD
GREENSBORO NC 27405

GRAVES, CORY ARTHUR
747 QUAILMEADOW LN
COLFAX NC 27235

GRAY, JESSE A L/T ; GRAY, PHYLLIS L L/T ; 350 SOUTH LAND HOLDING LLC
8706 STAPLES RD
COLFAX NC 27235

GRAY, PHILIP H ; GRAY, PEGGY ANN
8528 ADKINS RD
COLFAX NC 27235

GRAY, STANLEY D ; GRAY, DONA R
549 ARBOR HILL RD APT 60-C
KERNERSVILLE NC 27284

HANNON, BRYAN P ; HANNON, BONNIE L
8514 BLACKSTONE DR
COLFAX NC 27235

HAYDEN, CINDY G ; HAYDEN, JEFFREY L
705 LAKEDALE RD
COLFAX NC 27235

HAYDEN, LLOYD ; HAYDEN, CAROL
8413 ADKINS RD
COLFAX NC 27235

HAYNES, HARRY L ; HAYNES, MARY H
708 LAKEDALE RD
COLFAX NC 27235

HEDGECOCK, JOHN H ; HEDGECOCK, LOIS I
8545 ADKINS RD
COLFAX NC 27235

HENDRIX, BRADLEY C
610 LAKEDALE RD
COLFAX NC 27235

HENDRIX, GARY C ; HENDRIX, HELEN M
612 LAKEDALE RD
COLFAX NC 27235

HENRY, KEVIN ROBERT ; TOLOZA, ERIN MARGARET
932 MAPLE CREEK DR
COLFAX NC 27235

HESS, JENNIFER
128 BENJAMIN RD
EDEN NC 27288

HILL, EUGENE R ; HILL, LINDA K
8818 BOYLSTON RD
COLFAX NC 27235

HILL, LINDA ; SANDS, PAUL
4506 WALPOLF RD
HIGH POINT NC 27265

HOFFNER, TIMOTHY C ; COX, LINDA GRAY
11670 SHINN RD
MT. ULLA NC 28125

HOLT LIVING TRUST ; HOLT, STEVEN A TRUSTEE ; HOLT, CHERYL D HOLT TRUSTEE
8424 ADKINS RD
COLFAX NC 27235

HOLYOAK, HOWARD JOSEPH
748 JOE DR
HIGH POINT NC 27265

IDOL, TONY G ; IDOL, KATHERINE P ; IDOL, RICKY S ; IDOL, PATRICIA L
680 PICKETTS LAKE DR
ACWORTH GA 30101

INMAN, ROSEMARY V ; INMAN, THOMAS R III
8505 BLACKSTONE DR
COLFAX NC 27235

J AND G LAND HOLDING LLC ; 350 SOUTH LAND HOLDING LLC
109 WESTHAVEN CIRCLE
WINSTON SALEM NC 27104

JACKSON, THOMAS C ; JACKSON, BRENDA L
8814 BOYLSTON RD
COLFAX NC 27235

JAMES, CAROL BRAME
PO BOX 74
KERNERSVILLE NC 27285

JOE W FRAZIER JR & JOANN W FRAZIER REVOCABLE LIVING TRUST ; FRAZIER, JOE W JR TRUSTEE ; FRAZIER, JOANN W TRUSTEE
2313 SANDY RIDGE RD
COLFAX NC 27235

JOHNSON, HENRY C ; JOHNSON, GERALDINE ; CRUMP, SHELBY LONG
8718 STAPLES RD
COLFAX NC 27235

JOHNSON, JEREMIAH DAVID ; JOHNSON, ANNIE B
8710 STAPLES RD
COLFAX NC 27235

JONES, BRANDI R
716 LAKEDALE RD
COLFAX NC 27235

JONES, KENNETH R ; JONES, LINDA P
8337 LAKE DALE CIRCLE
COLFAX NC 27235

JONES, SCOTT WILLIAM ; JONES, JULIE J
8326 LAKEDALE CIR
COLFAX NC 27235

JOU, SHIN SHAN ; JOU, JEANETTE BIK
3305 DAIRY POINT DR
HIGH POINT NC 27265

KIEHL, JOSEPH WAYNE
712 LAKEDALE RD
COLFAX NC 27235

KIVETT, VIRGINIA E HEIRS
8810 BOYLSTON RD
COLFAX NC 27235

KORKOWSKI, JAMES A
714 LAKEDALE RD
COLFAX NC 27235

KWK LAND CORP
1416 OLD THOMASVILLE RD
WINTON-SALEM NC 22107

LAMP, CHARLENE S
8503 BLACKSTONE DR
COLFAX NC 27235

LARA, JOSE MANUEL VACA ; CONTRERAS, BLANCA
902 REDLAND DR
MCLEANSVILLE NC 27301

LOGGINS, JERALENE H ESTATE
1120 WHISPERING PINES DR
KERNERSVILLE NC 27284

LONG, CLARENCE S JR
2613 SANDY RIDGE RD
COLFAX NC 27235

LTR INDUSTRIAL PARK ASSOC
4302 JOSEPH HOSKINS RD
SUMMERFIELD NC 27358

MASTERS, RICHARD K ; MASTERS, CAROL J
515 LAKEDALE RD
COLFAX NC 27235

MCINTYRE, DONALD L ; MCINTYRE, LYNNE C
636 BROWNING PLACE
WINSTON-SALEM NC 27103

MCLAUCHLIN, H CHARLES JR ; MCLAUCHLIN, SUSAN L
8329 LAKEDALE CIR
COLFAX NC 27235

MOODY, RICKY THOMAS ; MOODY, RACHELLE R
2503 SANDY RIDGE RD
HIGH POINT NC 27265

MOOREFIELD, JAMES W ; MOOREFIELD, ELAINE H
8834 BOYLSTON RD
COLFAX NC 27235

NC DEPT OF TRANSPORTATION
PO BOX 14996
GREENSBORO NC 27415

NORCROSS BUSINESS CENTER LLC
PO BOX 35169
GREENSBORO NC 27425

NUCKLES, CLYDE W ; NUCKLES, CAROL A
8303 LAKEDALE CIRCLE
COLFAX NC 27235

NUCKLES, DORIS W
8324 TYNER LOOP
COLFAX NC 27235

OLINICK, JOHN B ; OLINICK, JANE C
8345 LAKEDALE CIR
COLFAX NC 27235

OUT-OF-DOORS MART INC
PO BOX 799
KERNERSVILLE NC 27285

PARKER, HOWARD F JR ; PARKER, ALINE H
808 KENREED DR
THOMASVILLE NC 27360

PEGRAM, JO ANNE
710 LAKEDALE RD
COLFAX NC 27235

PENLEY, KELLY ; PENLEY, MATTHEW
928 MAPLE CREEK DR
COLFAX NC 27235

PENNY, BRADLEY C ; PENNY, ANGELA RENEE
8402 ROSE HAVEN RD
HIGH POINT NC 27265

POPP, ALEXANDER J ; POPP, DEANEE S
8321 LAKEDALE CIR
COLFAX NC 27235

PRICE, BOYD EUGENE ; PRICE, NANCY B
704 LAKEDALE RD
COLFAX NC 27235

PRIME PROPERTIES LLC
5841 BEAVER HILL LANE
OAK RIDGE NC 27310

QUICK, JAMES ANTHONY
713 LAKEDALE RD
COLFAX NC 27235

RAIFORD, SUSAN M
8417 ADKINS RD
COLFAX NC 27235

RANDOLPH FAMILY TRUST
3672 BARBARY DR
TALLAHASSEE FL 32309

RANSONE, LARRY R ; RANSONE, PATRICIA G
P O BOX 789
COLFAX NC 27235

RBG PROPERTIES LLC
8511 NORCROSS RD
COLFAX NC 27235

ROBINSON, DENNIS WADE ; ROBINSON TERESA M ; PAULETTE D BULL
PO BOX 207
COLFAX NC 27235

ROBINSON, JASON LEE ; ROBINSON, MELISSA BREWER
2601 SANDY RIDGE RD
COLFAX NC 27235

ROGERS, RICHARD R ; ROGERS, VERA G
8527 ADKINS RD
COLFAX NC 27235

SANDY RIDGE COMMUNITY DEVELOPMENT ASSOC INC
4704 SANDY CAMP RD
HIGH POINT NC 27265

SANDY RIDGE METHODIST CHURCH
2223 SANDY RIDGE ROAD
HIGH POINT NC 27265

SERVANTS HEART INC
6605 ASHTON PARK DR
OAK RIDGE NC 27310

SHAW, ANN K
8331 LAKEDALE CIR
COLFAX NC 27235

SHIELDS, ANNE
2505 SANDY RIDGE RD
HIGH POINT NC 27265

SHIELDS, JAMES DONNIE
PO BOX 635
COLFAX NC 27235

SHUE, KEENAN S ; SHUE, SHARON H
8513 BLACKSTONE DR
COLFAX NC 27235

SMITH GROVE BAPTIST CHURCH
P O BOX 57
COLFAX NC 27235

SMITH, HENRY CLAY ; SMITH, ALOAH JEAN
709 LAKEDALE RD
COLFAX NC 27235

SMITH, SONYA SACAJAWEA
715 LAKEDALE RD
COLFAX NC 27235

SNIDER, ROBERT ; SNIDER, ALISON T
381 RUNNING SPRINGS LANE
KERNERSVILLE NC 27284

SOLOMON, AMANDA
8536 ADKINS RD
COLFAX NC 27235

TAYLOR, CHRISTOPHER S ; TAYLOR, STACY W
8506 BLACKSTONE DR
COLFAX NC 27235

TEDDER, FRANCES H ; TEDDER, GLENN C
520 S BUNKER HILL RD
COLFAX NC 27235

TEDDER, MAXINE H
500 S BUNKER HILL RD
COLFAX NC 27235

TUCKER, LONNIE L ; TUCKER, CELESTE W
8534 ADKINS RD
COLFAX NC 27235

TURTLETOPIA LLC
812 WESTBOURNE GROVE CT
COLFAX NC 27235

UNDERWOOD, CHRISTOPHER B ; UNDERWOOD, HEATHER L
8339 LAKEDALE CIR
COLFAX NC 27235

VALLEY DALE ACRES LAKE ASSOCIATION
8337 LAKEDALE CIRCLE
COLFAX NC 27235

VARAS, ENRIQUE ; VARAS, GLORIA
8407 ROSE HAVEN RD
HIGH POINT NC 27265

WADE, JASON W
8415 ADKINS RD
COLFAX NC 27235

WAGNER, LOUIS E ; WAGNER, VIRGINIA P
3302 EDWARDS CT
GREENVILLE NC 27858

WARNER, JOEL T ; WARNER, REBECCA H
929 MAPLE CREEK DR
COLFAX NC 27235

WELBORN, R J
8607 ADKINS RD
COLFAX NC 27235

WELLS, KATHLEEN W ; WELLS, PATSY LEE W PERRY ; DUNHAM, CATHY W
411 S BUNKER HILL RD
COLFAX NC 27235

WESTMORELAND, DENNIS P
8406 ADKINS RD
COLFAX NC 27235

WESTMORELAND, DOLLY L L/T ; WESTMORELAND, DENNIS P T/C ; MATTHEWS, EDITH W T/C
520 LAKEDALE RD
COLFAX NC 27235

WHIGHAM, ANTHONY D ; WHIGHAM, VIRGINIA A
3301 DAIRY POINT DR
HIGH POINT NC 27265

WILLIAMS, MILTON LENWOOD JR ; WILLIAMS, ANGELA L
8516 BLACKSTONE DR
COLFAX EM NC 27235

WILSON, CAROL SMOAK
706 LAKEDALE RD
COLFAX NC 27235

WOMBLE, ASHLEY TAYLOR ; WOMBLE, JAMES BRENT
744 QUAILMEADOW LANE
COLFAX NC 27235

YARBRAY, BRYAN PAUL ; YARBRAY, MARCIE
8504 BLACKSTONE DR
COLFAX NC 27235

**CITY OF HIGH POINT**
**PLANNING AND DEVELOPMENT DEPARTMENT**

# STAFF REPORT
# ZONING MAP AMENDMENT 16-27
**December 13, 2016**

| Request | | |
|---|---|---|
| **Applicant:**<br>Sean P. Jones | **Owner:**<br>The estate of R.E. Mitchell<br>John Mitchell and Ronnie Mitchell (Executors) | |
| **Zoning Proposal:**<br>To rezone an approximately 6.25-acre parcel | **From: R-3** | Residential Single Family-3 District<br>*(former RS-15 District)* |
| | **To: CZ-GB** | Conditional Zoning General Business District |

| Site Information | |
|---|---|
| **Location:** | Lying along the west side of Eastchester Drive, approximately 200 feet north of Meadowlark Road *(2505 Eastchester Drive).* |
| **Tax Parcel Number:** | Guilford County Tax Parcel 0196566 |
| **Site Acreage:** | Approximately 6.25 acres |
| **Current Land Use:** | Single family dwelling |
| **Physical Characteristics:** | A single family dwelling is located on the eastern portion of the site, near Eastchester Drive, the western portion of the property is wooded. |
| **Water and Sewer Proximity:** | A 12 & 16-inch City water line and an 8-inch City sanitary sewer line both lie adjacent to the site along Eastchester Drive. To the south, within Meadowlark Road, are a 6-inch City water line and an 8-inch City sanitary sewer line. |
| **General Drainage and Watershed:** | The site drains in a northwesterly direction and development is subject to the Oak Hollow Lake Watershed Critical Area (WCA) requirements. Engineered stormwater treatment measures are required for development with a total impervious surface area greater than 24% of the site. |
| **Overlay Districts:** | Eastchester Gateway Corridor Overlay District<br>Oak Hollow Lake Watershed Critical Area (WCA) Tiers 3 |

| Adjacent Property Zoning and Current Land Use | | | |
|---|---|---|---|
| **North:** | CU R-5 | Conditional Use Residential Single Family-5 District | Single family dwelling<br>*(Sutton Place Subdivision)* |
| **South:** | R-3 | Residential Single Family-3 District | Single family dwellings and an undeveloped parcel |
| **East:** | CU-GB | Conditional Use General Business District | Various commercial retail uses |
| **West:** | R-3 | Residential Single Family-3 District | Single family dwellings |

| Relevant Land Use Policies and Related Zoning History | |
|---|---|
| **Community Growth Vision Statement:** | Obj. 5B: Focus particular attention on the appearance of key gateways into High Point to convey to visitors a positive first and last impression of the community. |
| **Land Use Plan Map Classification:** | The site has an Office and a Low-Density Residential classification. The Office classification includes professional, personal and business service uses. The Low-Density Residential classification typically indicates locations for single family detached dwellings not to exceed five units per acre. |
| **Land Use Plan Goals, Objectives & Policies:** | The following goal and objectives of the Land Use Plan are relevant to this request:<br>Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.<br>Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.<br>Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses. |
| **Relevant Area Plan:** | Eastchester Drive Corridor Plan – Phase II:<br>The general intent of the plan is to encourage high quality office development along the corridor. It also recommends the construction of deceleration lanes and limitations on the number of access points to Eastchester Drive in order to reduce potential disruptions to traffic flow. |
| **Zoning History:** | Zoning Map Amendment 06-10:<br>A site just to the south of Meadowlark Road received approval of a CU GO-M District to allow an office development. |

| Transportation Information | | | |
|---|---|---|---|
| **Adjacent Streets:** | **Name** | **Classification** | **Approx. Frontage** |
| | Eastchester Drive | Major Thoroughfare | 345 feet |
| **Vehicular Access:** | Driveway access from Eastchester Drive | | |
| **Traffic Counts:** *(Average Daily Trips)* | Eastchester Drive | 43,000 ADT<br>NCDOT 2013 Traffic Counts | |
| **Estimated Trip Generation:** | A 60,000 square foot storage facility is anticipated to generate approximately 150 vehicular trips over a 24-hour time period. A similar size office use would generate approximately 650 trips over a 24-hour time period. | | |
| **Traffic Impact Analysis:** | **Required** | | **TIA Comment** |
| | Yes | No<br>X | None |
| **Pedestrian Access:** | Development of the site is subject to the sidewalk requirement of the Development Ordinance. | | |
| **Conditions:** | One right in/right out access point shall be allowed to Eastchester Drive. A right turn lane shall be constructed with appropriate storage and taper per NCDOT standards. A minimum four (4) foot wide monolithic median | | |

| | |
|---|---|
| | island is required on Eastchester Drive from the intersection of Meadowlark Road/Hickswood Road to extend fifty (50) feet past the northern radius point of the driveway, where it ties into the edge of the travel way on Eastchester Drive. The island shall be positioned along the east side of the center turn lane, such that extra storage is given to the left turn lane for Hickswood Road. |

## Details of Proposal

The applicant has requested rezoning of this residential parcel to facilitate development of a self-storage, internal access, warehousing facility. The property is located along the Eastchester Corridor Gateway Overlay and is currently developed with a single family dwelling. The applicant has requested a Conditional Zoning General Business (CZ-GB) District.

In conjunction with the application, a conditional zoning ordinance is provided in which the applicant has offered a condition that restricts the site to a single GB District use, a self-storage facility with internal access only. All other commercial/retail uses of the GB District are prohibited. Additionally, at the recommendation of staff, the applicant has also offered a condition to allow those uses permitted in the office use category since the land use plan supports office uses along this segment of the Eastchester Corridor Gateway Overlay. The office use category includes use types that are conducted in an office setting and generally focus on business, professional, or financial services.

The applicant has also offered site development and transportation related conditions. A sketch plan has been submitted depicting the general manner in which the site would develop for a storage facility. Finally, they have offered transportation related conditions restricting the number and type of access point permitted to Eastchester Drive and right-of-way improvements pertaining to the installation of a right turn lane and a raised median in the Eastchester Drive right-of-way.

## Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Development Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

**Consistency with Adopted Plans:**
**The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans**

*Staff Comments:*
The frontage of the site is designated Office on the land use plan map, and the entire property is located within the Eastchester Corridor Gateway Overlay, thus office-type development is appropriate on the whole site. As conditioned, the proposed CZ-GB zoning district is consistent with this designation, because allowable uses have been restricted to those uses listed in the Offices use category in the new Development Ordinance, and to an internal access self-storage use with conditions related to the design of the building that will visually make it similar to an office use. In addition, the transportation conditions will mitigate disruptions to the flow of traffic on Eastchester

| |
|---|
| Drive as called for in the corridor plan through the construction of a deceleration lane and by limiting the number of access points. Overall, based on the conditions offered, the land use impact will be similar to office development of the site. |

| **Review Factors:**<br>**The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:** | |
|---|---|
| **Factor #1** | **Produces a development that is compatible with surrounding development character and land uses;** |
| | *Staff Comments:*<br>❖ The Land Use Map classifies this site as office and land use policies from previous City Council decisions does not support commercial or other type of retail uses along this side of the Eastchester Drive corridor at this location. However, the applicant has requested the property be rezoned to a CZ-GB District. The GB District was established to accommodate a wide range of general retail, business and service uses. The applicant desires to develop a self-storage, internal access, warehouse use at this location. This use is permitted in the General Business (GB), Central Business (CB), Light Industrial (LI) and Heavy Industrial (HI) zoning district. The GB District was selected because it is the least intensive zoning district that permits this use. To ensure the requested GB District would be compatible with surrounding uses and adopted land use policies, the applicant has conditioned the zoning to only allow a self-storage, internal access use and office uses.<br>❖ Landscaping standards of the Development Ordinance require a higher rate planting yard with wider widths and more planting materials to be installed where a warehouse use category abuts a residential use category. Thus creating a separation between the different uses. This standard of the development ordinance will also assist in ensuring compatibility between different uses. |
| **Factor #2** | **Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;** |
| | *Staff Comments:*<br>To ensure the free flow of traffic along this corridor and the safety of the motoring public, the applicant has offered transportation related conditions requiring installation of a right turn lane and the installation of a median to ensure only right turn-in and right turn-out movement will occur. |
| **Factor #3** | **Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;** |
| | *Staff Comments:*<br>The site is within the Oak Hollow Lake Watershed Critical Area, and as such, development is required to meet the watershed standards of the Development Ordinance. |

| | |
|---|---|
| **Factor #4** | **Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;** |
| | *Staff Comments:*<br>The site is within an area currently served by City of High Point utilities and municipal services. The zoning submittal has no known adverse impacts on municipal services. |
| **Factor #5** | **Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.** |
| | *Staff Comments:*<br>❖ The following standards of the new development ordinance will assist in ensuring development will not adversely impact adjacent property owners:<br>• Installation of a Type A planting yard where a storage use abuts a residential use;<br>• Eastchester Gateway Corridor architectural requirements; and<br>• Outdoor storage is prohibited in the district and all evidence of the storage operation shall not be visible from the Eastchester Drive public right-of-way.<br><br>❖ The following zoning conditions offered by the applicant will assist in ensuring development will not adversely impact adjacent property owners:<br>• Restricting development to one-story in height; and<br>• Restricting use of the property to a single low trip generating warehouse use and to office uses. |

**Changes in the Area:**
**There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.**

*Staff Comments:*
There have been no significate changes in the City's land use policy for development along the west side of the Eastchester corridor, lying south of the Sutton Place Subdivision. Since the 1990s, the Eastchester Corridor plan and the Land Use Map has designated development of this portion of the corridor for office type uses.

**Development Patterns:**
**The proposed Conditional Zoning District would result in development that promotes a logical, preferred and orderly development pattern.**

*Staff Comments:*
❖ The applicant has offered to restrict the property to office uses and a low impact internal warehousing type use. Based on the proposed size of the building, the self-storage, internal access use is anticipated to generate less trips over a 24-hour period and during the peak hours then a similar size office use. Thus, the impact of development is consistent with the office type activity supported by the Land Use Plan for this area.
❖ Based on the sketch plan and preliminary building elevations provided by the applicant, the proposed self-storage, internal access, facility use will visually appear similar to an office use, thus fitting the preferred development pattern along this segment of the Eastchester Gateway Corridor.

**Reasonableness/Public Interest:**
**An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.**

*Staff Comments:*

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because:

1) By conditioning the allow uses to office and only one low traffic generating non-office use, the request is generally consistent with the Land Use Plan and consistent with the established and preferred development pattern along this segment of the Eastchester Gateway Corridor;
2) The applicant has offered conditions to mitigate negative impacts by restricting building height, and installing transportation related improvements. Additionally, standards of the new Development Ordinance will further ensure development will be compatible with surrounding uses; and
3) The applicant has offered a conditions that development be generally consistent with the attached sketch plan if the site is developed as a self-storage use.

## Recommendation

**Staff Recommends Approval:**

As addressed in the Staff Analysis section of this report, conditions offered by the applicant address objectives of the Land Use Plan and will ensure development of the zoning site will be compatible with adjacent uses. The Planning & Development Department recommends approval of the request to rezone this 6.25-acre parcel to the CZ-GB District. As conditioned, the requested CZ-GB District will be compatible with the surrounding area and in conformance with adopted plans.

## Required Action

**Planning and Zoning Commission:**

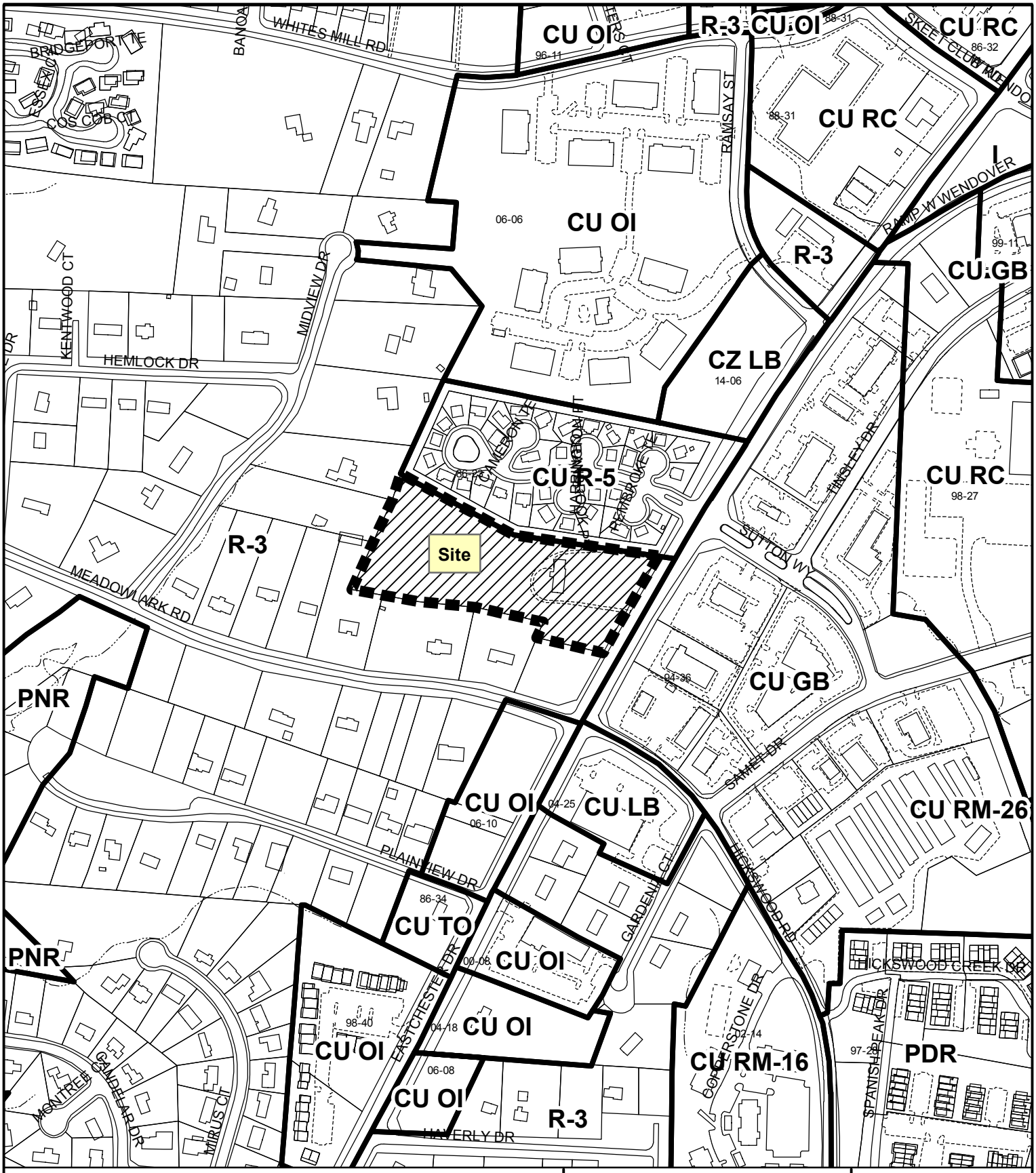
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

**City Council:**

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

## Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.




# ZONING MAP AMENDMENT ZA-16-27

**From: Residential Single Family-3**
**To: Conditional Zoning General Business**

**Existing Zoning Boundary** ———
**Subject Property Boundary** - - - - -

**Planning & Development Department**

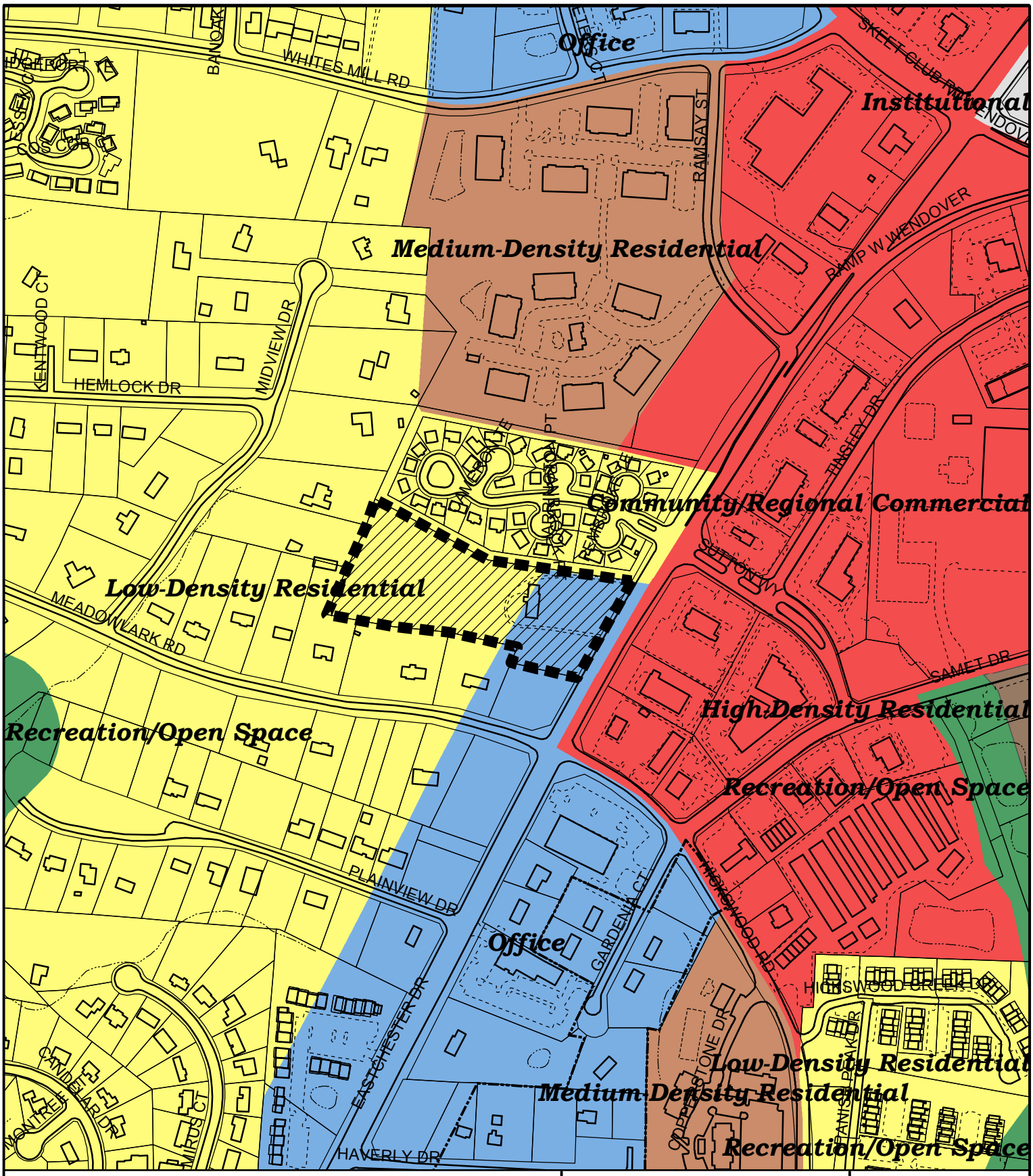
**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1'=400'**

G:/Planning/Secure/ba-pz/2016/pz/za16-27.mxd




# ZONING MAP AMENDMENT ZA-16-27

**Land Use Plan**

**Existing Land Use Plan**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=400'**

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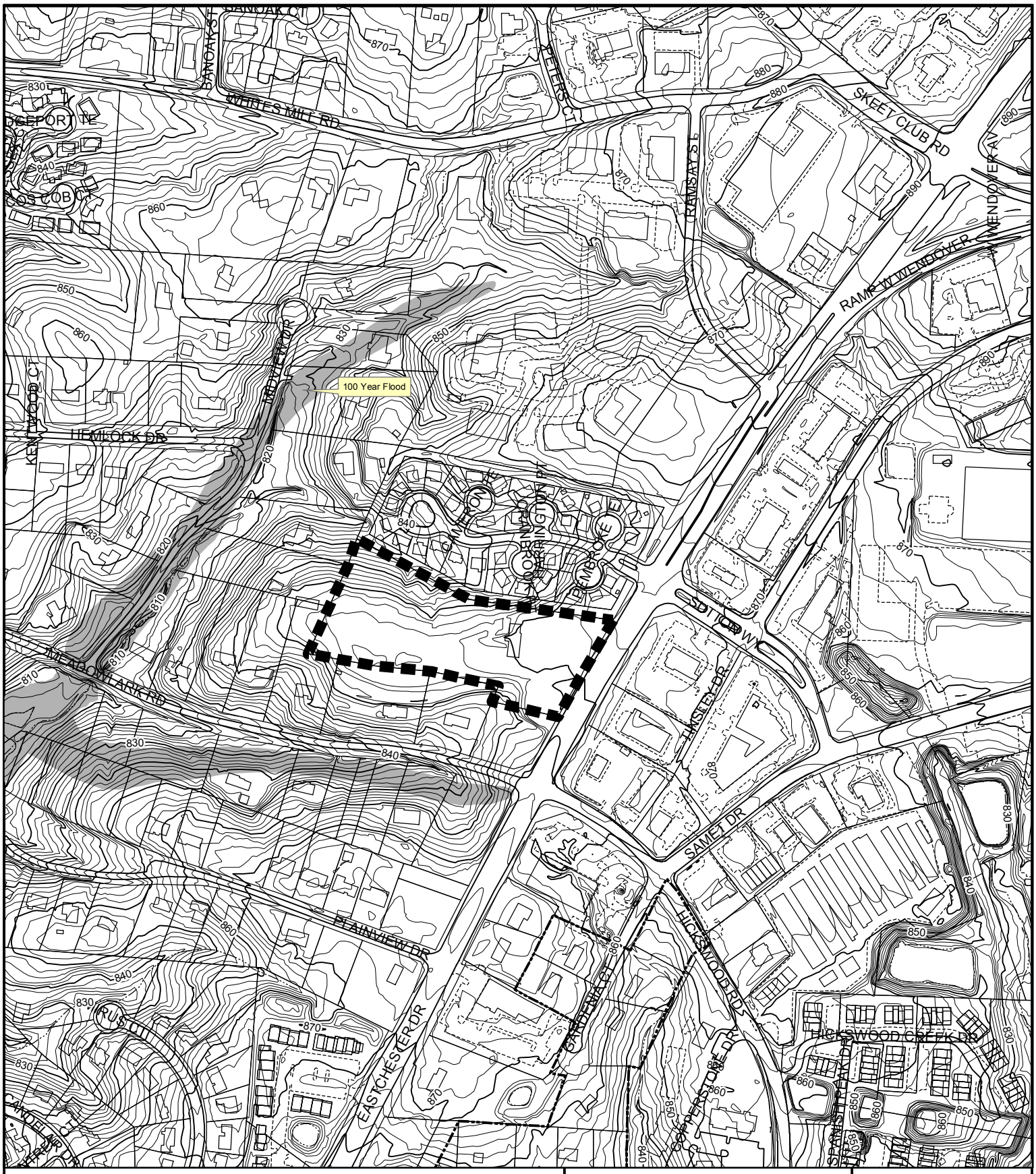


# ZONING MAP AMENDMENT ZA-16-27

**Topography**

**Subject Property Boundary** - - - - - - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=400'**

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# ZONING MAP AMENDMENT ZA-16-27

AN ORDINANCE AMENDING "THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE," PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted "The City of High Point Development Ordinance" on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on December 13, 2016 and before the City Council of the City of High Point on January 17, 2017 regarding **Zoning Map Amendment Case 16-27 (ZA-16-27)** a proposed amendment to the Official Zoning Map of the "City of High Point Development Ordinance";

WHEREAS, notice of the public hearings was published in the High Point Enterprise on December 4, 2016, for the Planning and Zoning Commission public hearing and on January 4, 2017 and January 11, 2017, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on **xxxxxx, xx, 20xx**.

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

SECTION 1
That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Conditional Zoning General Business (CZ-GB) District.** The property is approximately 6.25 acres and lying along the west side of Eastchester Drive, approximately 200 feet north of Meadowlark Road (2505 Eastchester Drive). The property is also known as Guilford County Tax Parcel 0196566.

SECTION 2
That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES:
Only a Self-Storage, internal access, use and any use in the Offices Use Category of the Principal Use Table 4.1.9 shall be permitted subject to the requirements of the GB District, the Development Ordinance, and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.
1. Development of the property for a self-storage use shall be generally consistent with the attached sketch plan in regards to 1) building orientation; 2) building location; and 3) location of parking, loading areas and driveway.
2. Building height shall be restricted to one-story.

3. Parking shall be prohibited in front of the building and along the north side of the building.

B. Transportation Conditions.

1. Access
   One right in/right out access point shall be allowed to Eastchester Drive.

2. Improvements
   a) A right turn lane shall be constructed with appropriate storage and taper per NCDOT standards.
   b) A minimum four (4) foot wide monolithic median island is required to be installed on Eastchester Drive from the intersection of Meadowlark Road/Hickswood Road to extend a minimum of fifty (50) feet past the northern radius point of the driveway, where it ties into edge of travel way on Eastchester Drive. The island shall be positioned along the east side of the center turn lane, such that extra storage is given to the left turn lane for Hickswood Road.

3. Other Transportation Conditions
   The City of High Point Transportation Director shall approve the location, design and construction of all driveways and other transportation improvements.

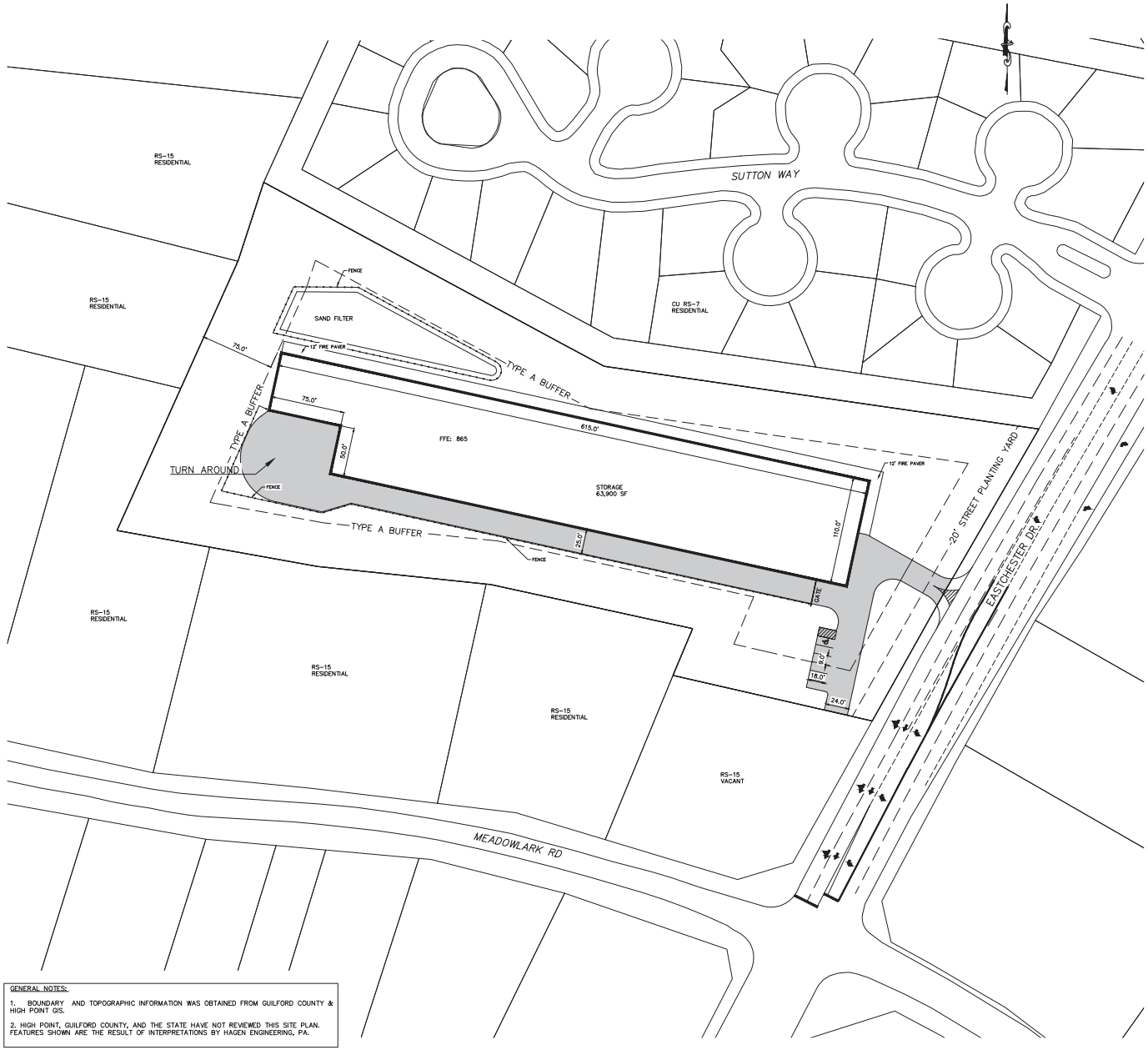
SECTION 3
That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

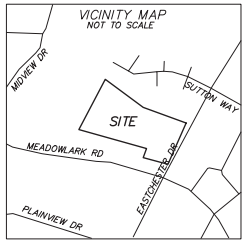
SECTION 4
Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.
This ordinance shall become effective upon the date of adoption.
____th day of XXXXXXXXXX xx, 20XX.

Lisa B. Vierling, City Clerk




| PARKING SUMMARY | | |
|---|---|---|
| BUILDING TYPE | NUMBER OF UNITS | PARKING REQUIRED |
| SELF STORAGE | 1/400 SF OF GFA OF OFFICE | 5 |
| PARKING PROVIDED | | 6 |
| TOTAL PARKING PROVIDED | | 6 |

## SITE DATA

PARCEL NUMBER – 0196566

PIN ID – 7812291876-000

DB-PG: N/A

EXISTING ZONING – RS-15

PROPOSED ZONING – LI

LOT SIZE – ±5.62 AC (GIS) OR ±6.38 AC (DEED)

LI ZONING REQUIREMENTS:

MINIMUM STREET FRONTAGE – 75'

MAXIMUM BUILDING COVERAGE – 60%

MAXIMUM BUILDING HEIGHT – 50'

SETBACKS FROM THIS ZONING ARE SMALLER THAN THAT OF THE OVERLAY AND WATERSHED.

SCENIC CORRIDOR OVERLAY:

MAXIMUM BUILT UPON AREA – 70%

AVERAGE STREET YARD WIDTH: 20'

TREE SURVEY DEPTH FROM EASTCHESTER: 100'
MIN TREES REQUIRED WITHIN SURVEY AREA: 1/20
MIN SHRUBS REQUIRED WITHIN SURVEY AREA: 25/100

INTERIOR PARKING LANDSCAPES REQUIRED: 1TREE/12 SPACES

SETBACKS
FRONT – 50'
SIDE – 50'
REAR – 50'

TIER 3 WATERSHED:

35% BUA = 97,269 sf (BASED ON 6.38 AC)

TOTAL BUA = 93,707 sf

GENERAL NOTES:

1. BOUNDARY AND TOPOGRAPHIC INFORMATION WAS OBTAINED FROM GUILFORD COUNTY & HIGH POINT GIS.

2. HIGH POINT, GUILFORD COUNTY, AND THE STATE HAVE NOT REVIEWED THIS SITE PLAN. FEATURES SHOWN ARE THE RESULT OF INTERPRETATIONS BY HAGEN ENGINEERING, PA.

GRAPHIC SCALE

50 0 25 50 100 200

( IN FEET )
1 inch = 50 ft.

**PRELIMINARY**
NOVEMBER 22, 2016

**FOR REVIEW ONLY**

**NOT FOR CONSTRUCTION**

HAGEN ENGINEERING, PA
3859 BATTLEGROUND AVE, SUITE 300
GREENSBORO, NC 27410
PHONE (336) 404-9796 FAX (336) 899-7890
bhagen@hagen-eng.com
LICENSE NO. C-3595

# SKETCH SITE PLAN
# EASTCHESTER AAA STORAGE
2505 EASTCHESTER DR.
HIGH POINT, NORTH CAROLINA

| Drn. | BJH | Des. | BJH | Chk. | BJH | Date | 6/29/2016 | JOB NUMBER | 2016-20 |
|---|---|---|---|---|---|---|---|---|---|

| REVISIONS | | |
|---|---|---|
| NO. | BY | DESCRIPTION | DATE |

C–1.0

# Citizens Information Meeting Report

# Zoning Case za16-27

Submitted by: Chad Hockaday

City of High Point Rezoning Case za16-27

AAA Storage Management

Conditional Rezoning

# Report

# Citizens Information Meeting

# Held November 21, 2016

The meeting was held at the Deep River Recreation Center, 1525 Skeet Club Rd. High Point, NC. There were a total of 11 property owners in attendance, as follows:

Bob Carter (2500 Midview Dr.)

Eugenia Tabon (3705 Sutton Way)

Laura Darden (3702 Sutton Way)

Vicki Bare (2218 Meadowlark Rd.)

Lori & Rick Smith (2408 Midview Dr.)

Amber Robinson (3706 Sutton Way)

Toby Hammer (2210 Meadowlark Rd.)

Don & Karen Daugherty (3720 Cranbrook Dr.)

Jacob' Boles (3704 Sutton Way)

The handwritten sign-in sheet can be seen as Attachment 1.

Sean Jones and Chad Hockaday, the developers were also in attendance. James "Jim" F. Morgan, attorney for the developers was in attendance.

A notification letter dated and mailed November 14, 2016 was sent to 58 parties as supplied by the High Point Planning Department. The list of parties/addresses to which it was mailed is attached as Attachment 2, the notification letter is attached as Attachment 3.

On display at the meeting was an updated Site Plan with changes and modifications that were discussed with the neighbors at the first meeting with the developers on September 26, 2016. An elevations drawing was also on display, to show the exterior design of the building. The landscape design was on display to represent the Type A buffer yard.

Chad Hockaday opened with a statement for the purpose of the meeting, and summarized the rezoning process and the breakdown of the steps to follow. Chad Hockaday addressed the topic of a "conditional rezoning", being that the proposed use of an all interior climate control self-storage facility is what the rezoning application is based on. Sean Jones went on to explain the updates and specifics regarding the Site Plan.

Next were questions from the attendees.

1. Don Daugherty: *How will the property be secure?* Mr. Jones replied that all access points will be enclosed with a fence. Security is also monitored with security cameras and an electronic gate system that tracks who is entering and exiting the property.
2. Rick Smith: *What will be the access hours?* Mr. Jones explained that access will be limited and this can be controlled through the electronic gate system.
3. Amber Robinson: *What will the design of the building on the sides look like?* Mr. Jones stated that all four sides will be brick and stucco material. This is shown on the elevation drawing which was submitted to the City of High Point.
4. Eugenia Tabon: *Inquired about the sidewalk parallel to Eastchester?* Mr. Jones explained this will be included to meet this City of High Point's plan.
5. Vicki Bare: *Wanted to know how the water from the site will be managed.* Mr. Jones explained how the sand trap filter is designed and how AAA will be responsible to manage and maintain the water that falls on the building or paved areas of the site.

The meeting was ended with a handout to provide the City Council member, Jason Ewing's contact information. This handout also included the date for the Zoning Meeting. This will be Attachment 4. Chad Hockaday and Sean Jones also left the attendees with contact information if there are any other follow up questions or concerns. Chad Hockaday and Sean Jones thanked everyone for their attendance. In conclusion AAA Storage Management, believes the development is viewed in a positive light.

Submitted by

Chad H. Hockaday 11/22/2016

#1

# Sign-In Sheet

## Rezoning Meeting

**11/21/2016** **6:00pm-7:00pm** **Deep River Community Center**

**1525 Skeet Club Rd. High Point, NC**

| Name – Print | Address & Phone Number | Signature |
|---|---|---|
| Bob Carter | 2500 Midview Dr. H.P. NC 27265 829-0192 | Robert W. Carter |
| Eugenia Taban | 3705 Sutton Way 883-1983 | Eugenia Taban |
| Laura Darden | 3702 Sutton Way 886-3186 | Laura E Darden |
| Vicki Bare | 2218 Meadowlark Rd. 841-7302 | Vicki Bare |
| Lori Smith / Rick Smith | 2408 Midview Dr. 885-2320 | Lori Smith |
| Amber Robinson | 3706 Sutton Way 688-1771 | [illegible] |
| Toby Hamner | 2210 Meadowlark R. 869-7842 | Toby Hamner |
| Don & Karen Dougherty | 3720 Cranbrook Dr. 870-0599 | Karen Dougherty |
| Jacob Boles | 3704 Sutton Way 420-1462 | Jacob Boles |
| | | |
| | | |
| | | |
| | | |
| | | |

ZA-16-27

#2

1407 EVERGREEN LLC
5562 RANDLEMAN RD
RANDLEMAN NC 27317

BARE, RONALD J ; BARE, VICKI R
2218 MEADOWLARK RD
HIGH POINT NC 27265

BELLO, BETH A
3713 CAMERON TER
HIGH POINT NC 27265

BOSCH, ANGELA J
600 N 4TH ST APT 850
PHOENIX AZ 85004

BRIDGES, RONALD EUGENE
2410 EASTCHESTER DR
HIGH POINT NC 27260

BRILEY, KEITH E ; MINTZ, THERESA A
3731 PEMBROKE TER
HIGH POINT NC 27265

BROWN, KEITH T ; BROWN, PAMELA J
3728 PEMBROKE TER
HIGH POINT NC 27265

BV 166 LLC
1414 YANCEYVILLE ST SUITE 300
GREENSBORO NC 27405

CANA HOLDING COMPANY LLC
3131 SOUTHAMPTON DR
JAMESTOWN NC 27282

CARTER, LAWRENCE WESLEY ; CARTER, LAVERNE NANETTE
3732 PEMBROKE TERRACE
HIGH POINT NC 27265

CARTER, ROBERT WILSON ; CARTER, DIANNA T
2500 MIDVIEW DR
HIGH POINT NC 27265

CASANELLI, AGNES L/T ; BULGER, CAROL ANN
3700 SUTTON WAY
HIGH POINT NC 27265

CASTRO, FLORENCIO
3710 SUTTON WY
HIGH POINT NC 27265

CETTO, GINA M
3707 CAMERON TER
HIGH POINT NC 27265

CLARK, PAMELA ; COX, CHRISTOPHER LEE
3725 HARRINGTON PT
HIGH POINT NC 27265

CONREX RESIDENTIAL PROPERTY GROUP 2013-4 OPERATING COMPANY LLC
P O BOX 2086
LAWRENCEVILLE GA 30046

DARDEN, LAURA ELZABETH
3702 SUTTON WAY
HIGH POINT NC 27265

DAUGHERTY, DONALD E
3720 CRANBROOK PT
HIGH POINT NC 27265

DORIS, JOHN JOSEPH ; DORIS, ROSEMARIE TERESA
3719 HARRINGTON PT
HIGH POINT NC 27265

EASTCHESTER MEDICAL LLC
3150 N ELM ST STE 206
GREENSBORO NC 27408

FRANCES G GARNER REVOCABLE TRUST ; GARNER, FRANCES G TRUSTEE
2214 MEADOWLARK RD
HIGH POINT NC 27265

HAMMER, TOBY S
2210 MEADOWLARK RD
HIGH POINT NC 27265

HARMAN CONSULTANTS INC
4404 BLACKBERRY BROOK TRAIL
HIGH POINT NC 27265

HARRIS, CHERYL A
3701 SUTTON WAY
HIGH POINT NC 27265

HAWTHORNE, W EDWARD ; HAWTHORNE, MARCIA M
3722 CRANBROOK PT
HIGH POINT NC 27265

HEDGES, GRACE P
3709 CAMERON TER
HIGH POINT NC 27265

JOHNSON, JOSEPH QUENTIN ; JOHNSON, BETHANY FRANCES
3711 CAMERON TERRACE
HIGH POINT NC 27265

LEDBETTER, PALMER L ; LEDBETTER, EDITH N
1238 MONTEGO CT
ELK GROVE VILLAGE IL 60007

MANCHEGO, GABRIELA ; MANCHEGO, JOEL E
3703 SUTTON WAY
HIGH POINT NC 27265

MCCALLUM-BOLES, ANN SHERON ; BOLES, JACOB CHARLES
3704 SUTTON WAY
HIGH POINT NC 27265

ZA-16-27

#2

MITCHELL, R E ; MITCHELL, MARY E
2505 EASTCHESTER DR
HIGH POINT NC 27265

MONROE, SHARON DARK
2502 MIDVIEW DR
HIGH POINT NC 27265

MOORE, ANGELA L
3735 PEMBROKE TER
HIGH POINT NC 27265

NANJ CORPORATION INC
P O BOX 2246
JAMESTOWN NC 27282

NIELSON, VEE ANN
2552 HUFFINE MILL RD
MCLEANSVILLE NC 27301

PERRYMAN, PAUL JEFFREY ; KOONTZ, KANDACE N
3721 HARRINGTON PL
HIGH POINT NC 27262

PHILLIPS, CHARLES D ; PHILLIPS, HEATHER D
2216 MEADOWLARK RD
HIGH POINT NC 27265

RICHARDSON, ALEX L
700 KERRY ST
DUBLIN VA 24084

ROBINSON, AMBRE D
3706 SUTTON WAY
HIGH POINT NC 27265

SALCIN, SEDIN
3723 HARRINGTON POINT
HIGH POINT NC 27265

SMITH, RICHARD F JR
2408 MIDVIEW DR
HIGH POINT NC 27265

SPELLANE, GLORIA
3727 HARRINGTON PT
HIGH POINT NC 27265

SUGGS, LINDA K
2212 MEADOWLARK RD
HIGH POINT NC 27265

SUMNER, DARRELL HOUSTON
2206 MEADOWLARK RD
HIGH POINT NC 27265

SUTTON PLACE HOMEOWNERS ASSOCIATION INC
1616 BATTLEGROUND AVE STE C
GREENSBORO NC 27408

TABON, ELVIS LYNN ; TABON, EUGENIA P
3705 SUTTON WAY
HIGH POINT NC 27265

THOMPSON, CHRISTOPHER L ; THOMPSON, MELISSA W
3708 SUTTON WAY
HIGH POINT NC 27265

THREE IN ONE INVESTMENTS LLC
7269 TROTTERS RUN
TRINITY NC 27370

TRIAD HOLDING CO LLC
2006 GUILFORD RD
JAMESTOWN NC 27282

TRIFUNOVIC, BRANISLAV
2204 MEADOWLARK RD
HIGH POINT NC 27265

TRUHE, KERI R ; TRUHE, SCOTT A
2008 HICKSWOOD RD
HIGH POINT NC 27265

WAGNER, ARDEN WAYNE ; WAGNER, JOYCE S
2211 MEADOWLARK RD
HIGH POINT NC 27265

WELCH, DERRICK W ; WELCH, SHARON E
3737 PEMBROKE TER
HIGH POINT NC 27265

WENDOVER LANDING PROPERTY OWNERS ASSOCIATION INC
PO BOX 2756
HIGH POINT NC 27261

WINDSOR COMMERCIAL PROPERTIES LL ; WINDSOR DEVELOPMENT GROUP LLC ; BUCKLAND, STEVEN R ; BUCKLAND, TAMARA S
5603 GARDEN VILLAGE WAY
GREENSBORO NC 27410

WOOD, REBECCA HUTCHINS
2205 MEADOWLARK RD
HIGH POINT NC 27265

WOOD, TERRY LANE
3733 PEMBROKE TERRACE
HIGH POINT NC 27265

WOODARD, NOVA C
3716 CRANBROOK POINT
HIGH POINT NC 27265

#3

*7622 Bentley Rd., Greensboro, NC 27409*
*336-299-4500*
*FAX # 336-852-8710*
*chockaday@aaastorage4u.com*

Dear Property Owner:

We would like to reach out to set up a meeting to formally discuss our conditional rezoning application, in regards to the property located at:

> *2505 Eastchester Dr. High Point, NC 27265(Property is located adjacent to the Sutton Place Development)*

AAA Self-Storage has applied for a conditional rezoning with the City of High Point. We look forward to meeting with some of you again. A conditional rezoning states the rezoning is only true based on the conditions we have discussed with you and presented to the City of High Point. We truly believe with our intended use and design of the property, AAA Self-Storage will make a great neighbor. Our use will be low traffic and have minimal effect to your neighborhood. The building will be constructed to have an office style exterior. The building will be one-story, with brick on all sides, 100% climate controlled with no roll-up doors on the exterior. To create a pleasing border, the most adequate landscape buffer (Type A) has been planned.

We look forward to meeting you. A Neighborhood Information Meeting will be held to provide you an opportunity to become fully aware of our development intentions and to give you an opportunity to influence the form of development. AAA Self-Storage looks forward to working with its neighbors. AAA-Self Storage is a locally owned and operated company with more than 20 years' experience in the industry. We strive to provide a safe, secure, and clean environment for the public to store their goods.

At this meeting the AAA Self-Storage will make every effort to illustrate how the property will be developed and to answer any questions. Should you have questions prior to the meeting, please contact me.

*Meeting to be held on Monday November 21st at 6pm at Deep River Recreation Center, located at 1529 Skeet Club Rd., High Point, NC 27265

Sincerely,

Chad H. Hockaday

#4

Planning & Zoning Meeting Date:

**December 13, 2016**

City Council Contact: Jason Ewing

Email: Jason.Ewing@highpointnc.gov

Phone: 336-862-6102

**CITY OF HIGH POINT**
**PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT**
**PLAN AMENDMENT CASE 16-05 AND ZONING MAP AMENDMENT 16-28**
**December 13, 2016**

| **Requests** | | | |
|---|---|---|---|
| **Applicant:**<br>City of High Point City Council | **Owner:**<br>City of High Point | | |
| **Plan Amendment Proposal:**<br>To change the Land Use Map classification for approximately 5.4 acres | **From:** | Low Density Residential and Medium Density Residential | |
| | **To:** | Office and Community/Regional Commercial | |
| **Zoning Map Amendment Proposal:**<br>To rezone an approximately 2.14-acre parcel | **From:** | **R-5** | Residential Single Family – 5 District |
| | **To:** | **OI** | Office & Institutional District |

| **Site Information** | | |
|---|---|---|
| **Location:** | The zoning request pertains to a parcel lying along the south side of Fisher Avenue, approximately 470 feet west of N. Main Street *(213 Fisher Avenue*). The plan amendment pertains to the land area lying approximately 300 feet west of N. Main Street, lying between Fischer Avenue and Idol Street. | |
| **Tax Parcel Numbers:** | **Plan Amendment** | **Zoning Request** |
| | Guilford County Tax Parcels 0188745, 0188747, 0188756 thru 59, 0188766, 0188772, 0188773, 0188776 and 0188778 | Guilford County Tax Parcel 0188745 |
| **Site Acreage:** | **Plan Amendment** | **Zoning Request** |
| | Approximately 5.4 acres | Approximately 2.14 acres |
| **Current Land Use:** | **Plan Amendment** | **Zoning Request** |
| | City of High Point Fire Department Maintenance facility, residential dwellings, and portions of commercial parcels | City of High Point Fire Department Maintenance facility |
| **Physical Characteristics:** | The property has no noteworthy features | |
| **Water and Sewer Proximity:** | An 8-inch City water line and an 8-inch City sewer line both lie adjacent to the site along Fisher Avenue. | |
| **General Drainage and Watershed:** | The site drains in a northeasterly direction and development is subject to the Oak Hollow Lake General Watershed Area (GWA) requirements. Engineered stormwater treatment measures are required for multi-family development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more. | |
| **Overlay District:** | Oak Hollow Lake General Watershed Area | |

| Adjacent Property Zoning and Current Land Use | | | |
|---|---|---|---|
| **North:** | **CZ-RC** | Conditional Zoning Regional Commercial District | Construction is currently proceeding on a commercial development |
| **South:** | **R-5** | Residential Single Family-5 District | Single family dwellings |
| **East:** | **R-5** | Residential Single Family-5 District | Single family dwellings |
| **West:** | **R-5** | Residential Single Family-5 District | Single family dwellings |

| Adjacent Land Use Plan Designations | |
|---|---|
| **North:** | Community/Regional Commercial |
| **South:** | Medium Density Residential and Low Density Residential |
| **East:** | Community/Regional Commercial |
| **West:** | Low Density Residential |

| Purpose of Existing and Proposed Land Use Plan Designations | |
|---|---|
| **Existing Designation:** | **Medium-Density Residential:** This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwelling units per gross acre.<br>**AND**<br>**Low-Density Residential:** These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre. |
| **Proposed Designation:** | **Office:** This classification includes professional, personal & business service uses.<br>**AND**<br>**Community/Regional Commercial:** This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers. |

| Relevant Land Use Policies and Related Zoning & LUPA History | |
|---|---|
| **Community Growth Vision Statement** | This request is neither in conflict with nor does it promote the goals and objectives of the Community Growth Vision Statement. |
| **Land Use Plan Goals, Objectives & Policies:** | The following goals and objective of the Land Use Plan are relevant to this request:<br>Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.<br>Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses. |
| **Relevant Area Plan:** | <u>Core City Plan (Mixed Use Corridor District)</u><br>This district is intended to reinforce the Core City's existing commercial spine along Main Street. While the area features numerous retail and service uses, it is an objective of this plan that other compatible uses also occur here, including offices, high-density housing and institutional uses. |

| | |
|---|---|
| **Zoning History:** | In January 2016, Zoning Map Amendment 15-18 was adopted and rezoned approximately 13 acres, along the north side of Fisher Avenue, to a CZ-RC District. The site is proposed to be developed with a 55,000 square foot commercial use (Publix Grocery Store) and includes commercial outparcels that will front along N. Main Street and Westchester Drive. |
| **LUPA History: PA15-05** | In January 2016, Plan Amendment 15-05 was adopted. This amendment changed the Land Use Map classification for approximately 12.1 acres along the north side of Fisher Avenue, between N. Main Street and Idol Street, from Institutional, Office and Low Density Residential classifications to a Community/Regional Commercial classification. |

| **Transportation Information** | | | |
|---|---|---|---|
| **Adjacent Streets:** | **Name** | **Classification** | **Approx. Frontage** |
| | Fisher Avenue | Local Street | 295 ft. |
| **Vehicular Access:** | Two existing driveways on Fisher Avenue. | | |
| **Traffic Counts:** *(Average Daily Trips)* | Fisher Avenue | None available | |
| **Estimated Trip Generation:** | None available | | |
| **Traffic Impact Analysis:** | **Required** | | **TIA Comment** |
| | Yes | No X | None |
| **Pedestrian Access:** | Development of the site is subject to the sidewalk requirements of the Development Ordinance. | | |
| **Comments:** | None | | |

| **School District Comment** |
|---|
| Not applicable to this zoning case. |

## Details of Proposal

1. General Overview:
   With the adoption of the new Development Ordinance and its corresponding transition from former zoning districts to new zoning districts on January 1, 2017, the City's Fire Department maintenance facility off Fischer Avenue has become a non-conforming use. The zoning application proposes to apply a compatible zoning district that will allow this facility to remain a conforming use. Additionally, with the adoption and implementation of the Main Street (MS) zoning district along this segment of N. Main Street corridor and the recent amendment of the Land Use Map to facilitate construction of the commercial development along the north side of Fisher Avenue, the Planning & Development Department is recommending a Land Use Map amendment for land area along the south side of Fisher Avenue.

2. Summary of Land Use Plan Amendment Request:
   The request is to amend the Land Use Plan for an approximate 5.4-acre area between Fisher Avenue and Idol Street from Low Density Residential and Medium Density Residential to Office and Community/Regional Commercial. This area contains a mixture of an institutional use, residential homes, commercial uses, and undeveloped lots. The lot on the northeast corner of

Idol Street and Long Streets was recently developed as a parking lot and the northwest corner remains unimproved. Also, within the past year, some of the residential structures in this area have been removed which could indicate that this area may be in a state of transition to other uses.

3. Summary of Zoning Request:
   The rezoning of this existing City of High Point Fire Department maintenance facility is necessary as such uses are not permitted in residential zoning districts under the new Development Ordinance. The proposed OI District supports a wide variety of moderate and high intensity office, institutional, and residential uses and would be compatible with adjacent residential uses.

## Staff Analysis

This area has undergone a fairly significant change over the course of the last year. The area on the north side of Fisher Avenue is in the process of being developed as a shopping center and two residential structures on Long Street at the intersection with Idol Street have been demolished. One of the former residential lots has been developed as a parking lot and the other lot remains unimproved. These changes seem to indicate that this area is ready for a transition into other uses. The Core City Plan identifies this area of Main Street as a mixed use corridor which supports retail sales and service uses along with other compatible uses such as offices, high density housing, and institutional uses. This area could support those additional compatible uses and serve as a transition to the neighborhood that is further to the west.

This Fire Department maintenance facility is proposed to be rezoned to the Office and Institutional (OI) District for the use to be conforming in the new ordinance; however, the Land Use Plan shows this area as Low Density Residential and Medium Density Residential. Staff recommends that the area along the west side of Long Street including the maintenance facility be changed to the Office Land Use classification to serve as a transition between the commercial uses along N. Main Street and Fisher Ave and the residential uses to the west. Staff also recommends revising the Land Use Plan for the portions of the lots along the east side of Long Street from Medium Density Residential to Community/Regional Commercial to better reflect the uses that have grown into this area from Main Street over the years.

**Consistency with Adopted Plans:**
**The requested Plan Amendment and the requested Zoning District are appropriate for the proposed location and are consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans.**

*Staff Comments:*
This request is appropriate for the area based on the changes that are occurring in this area and it is supported by the Land Use Plan and the Core City Plan, which promote the orderly growth of the City and the incorporation of offices, higher density housing and institutional uses along the City's mixed use corridors.

**Reasonableness/Public Interest:**
**An approval of the proposed Zoning District is considered reasonable and in the public interest.**

*Staff Comments:*

In this case, staff suggests that the approval of this request is reasonable and in the public interest because:

1) Subject to approval of the associated Land Use Plan Amendment 16-05, the requested OI District will be consistent with the Land Use Plan;
2) The request is consistent with Goal #5 and Objective #9 of the Land Use Plan as it promotes an urban growth pattern that occurs in an orderly fashion and stimulates more efficient use of the City's land resources by encouraging in-fill development at appropriate locations and provide a transition in land uses between more and less intensive land uses;
3) The Core City Plan envisions a mixture of various uses in close proximity to each other, which is not unusual in urban environments near commercial corridors; and
4) The Plan Amendment and requested OI District along the south side of Fisher Avenue will assist in meeting redevelopment goals of the Core City Plan.

## Recommendation

1. **Plan Amendment 16-05:**
   **Staff Recommends Approval:**
   Staff recommends approval of the request to change the land use designation for approximately 5.4 acres to an Office and Community/Regional Commercial land use classification. The request meets the goals and objectives of the Land Use Plan and the Core City Plan and it will be in harmony with the land use pattern of the surrounding area.

2. **Zoning Map Amendment 16-28:**
   **Staff Recommends Approval:**
   The Planning & Development Department recommends approval of the request to rezone this 2.14 -acre parcel to the OI District. Subject to adoption of Plan Amendment 16-05, the request will be compatible with the surrounding area and in conformance with adopted plans.

## Required Action

**Planning and Zoning Commission:**

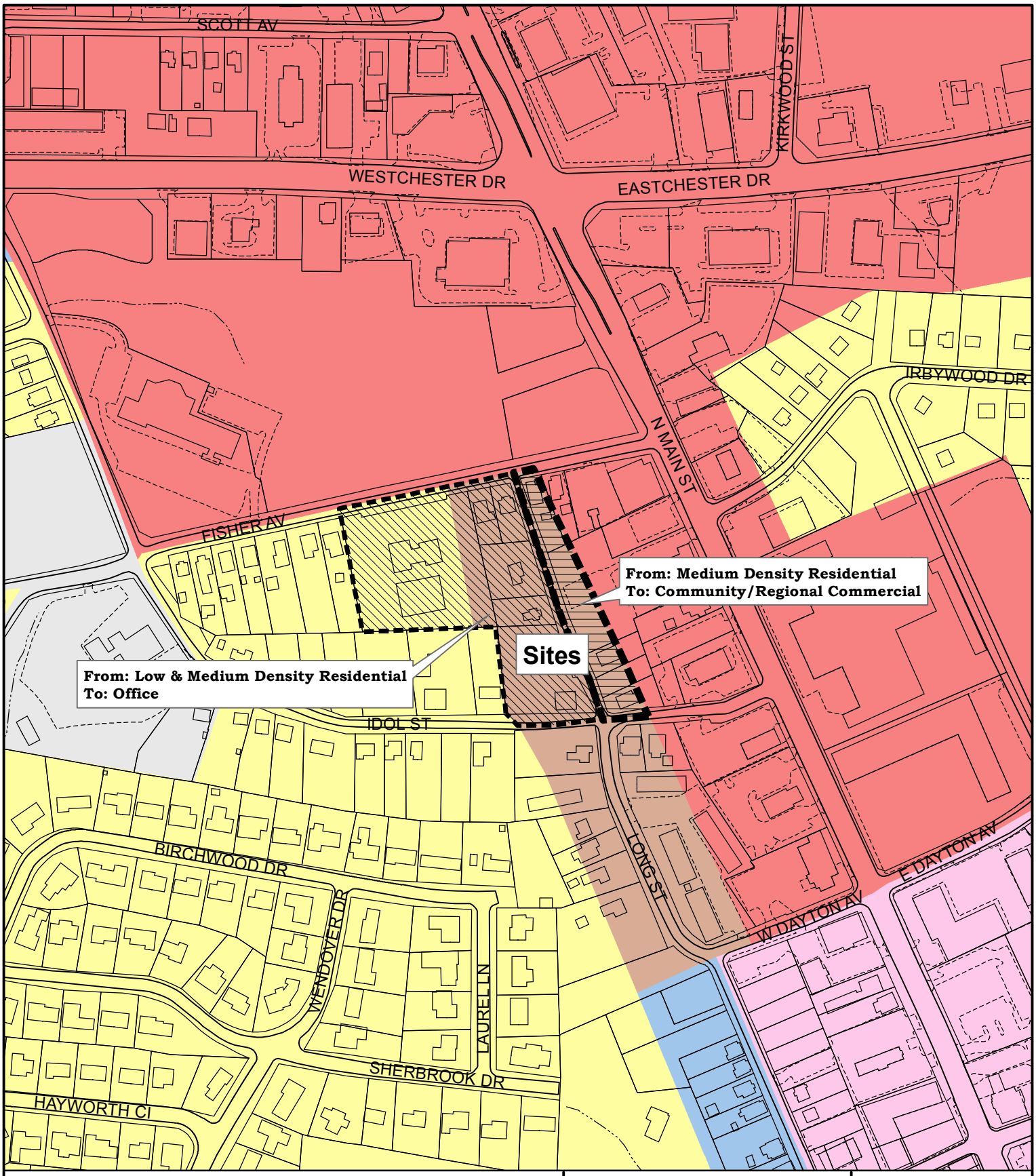
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

**City Council:**

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

## Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.




# PLAN AMENDMENT PA-16-05

**Request: From: Low & Medium Density Residential**
**To: Office and Community/Regional Commercial**

**Existing Land Use Boundary** ———
**Subject Property Boundary** - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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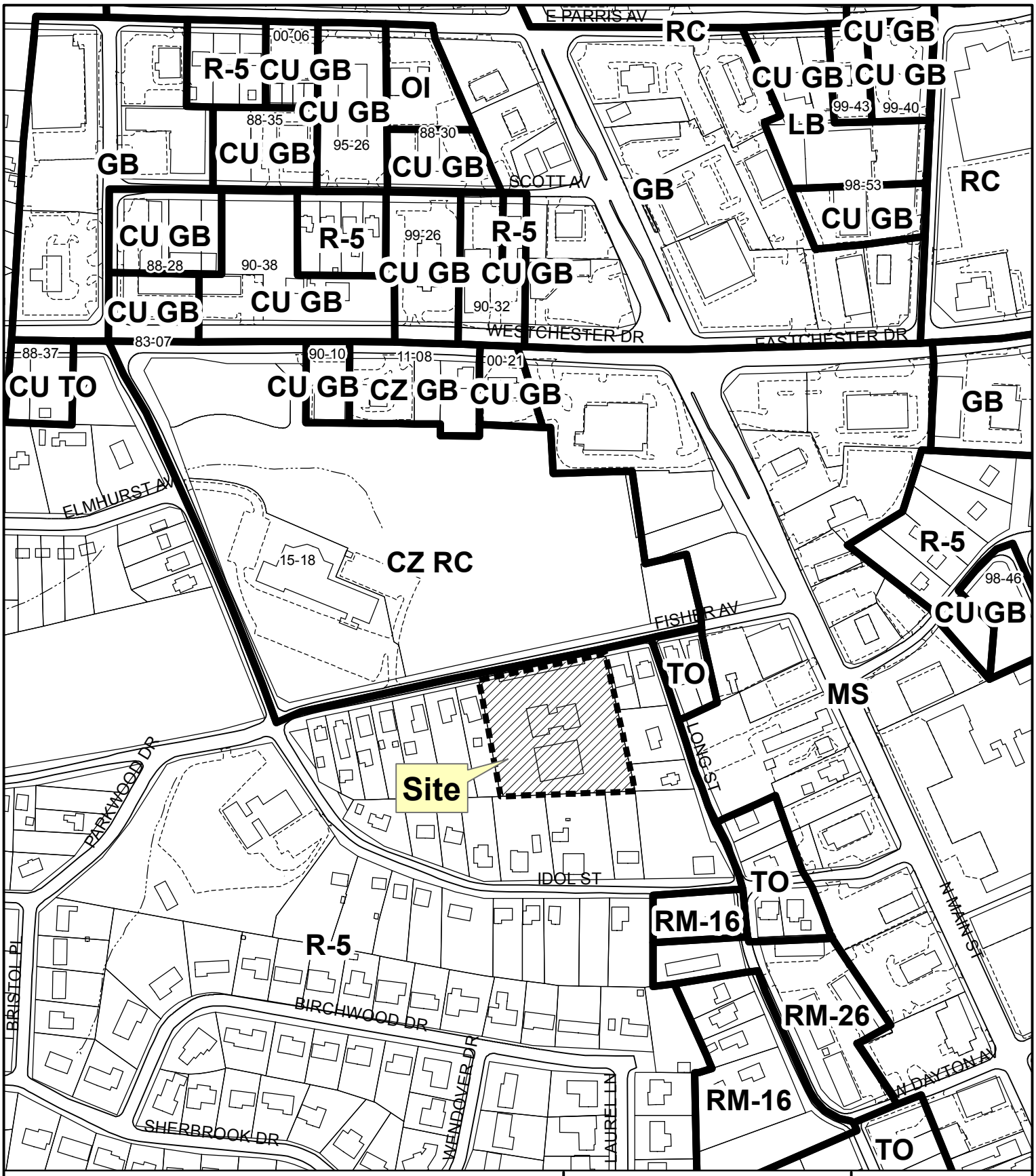


# ZONING MAP AMENDMENT ZA-16-28

**From: Residential Single Family-5**
**To: Office and Institutional**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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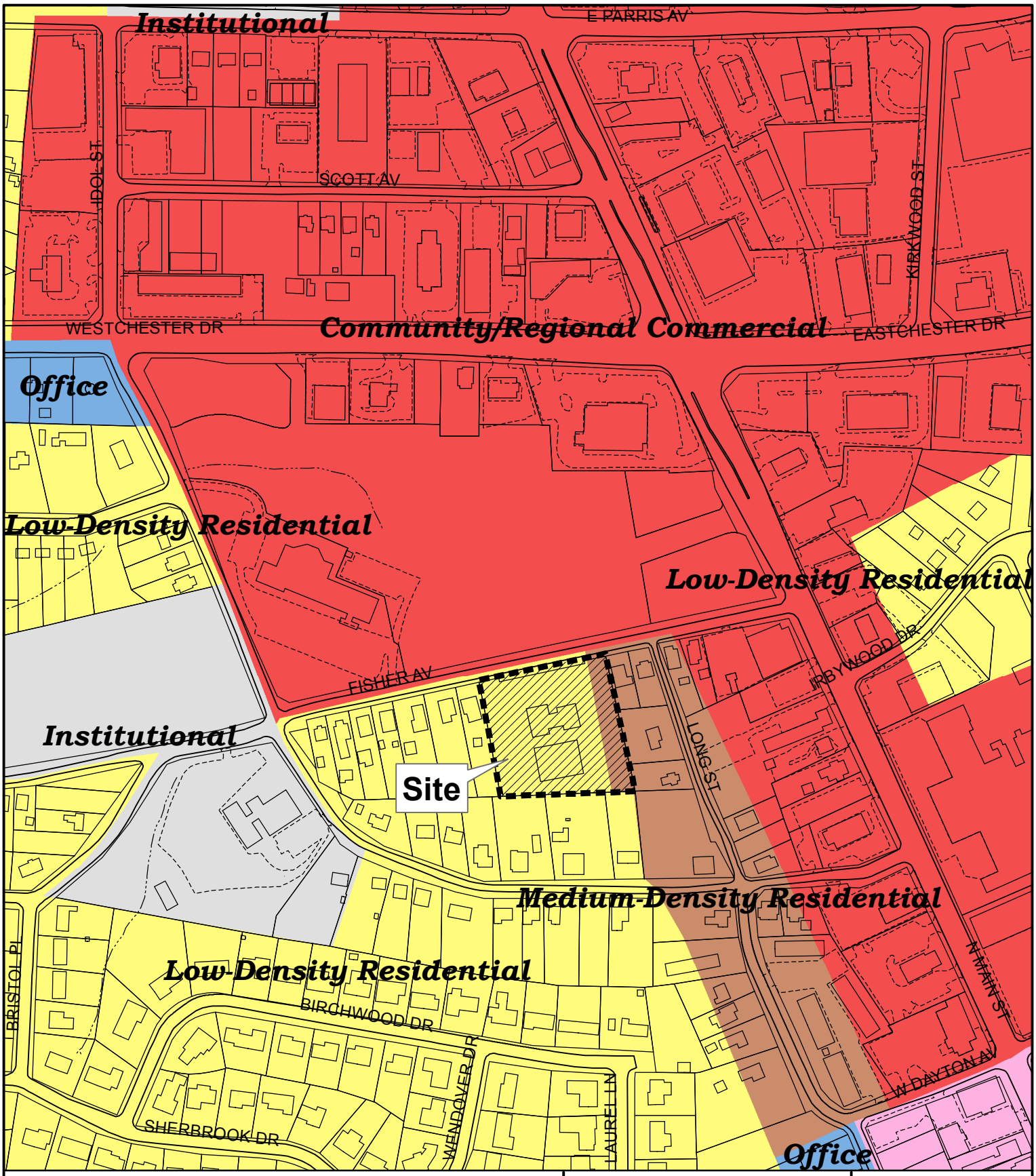


# ZONING MAP AMENDMENT ZA-16-28

**Land Use Plan**

**Existing Land Use Plan**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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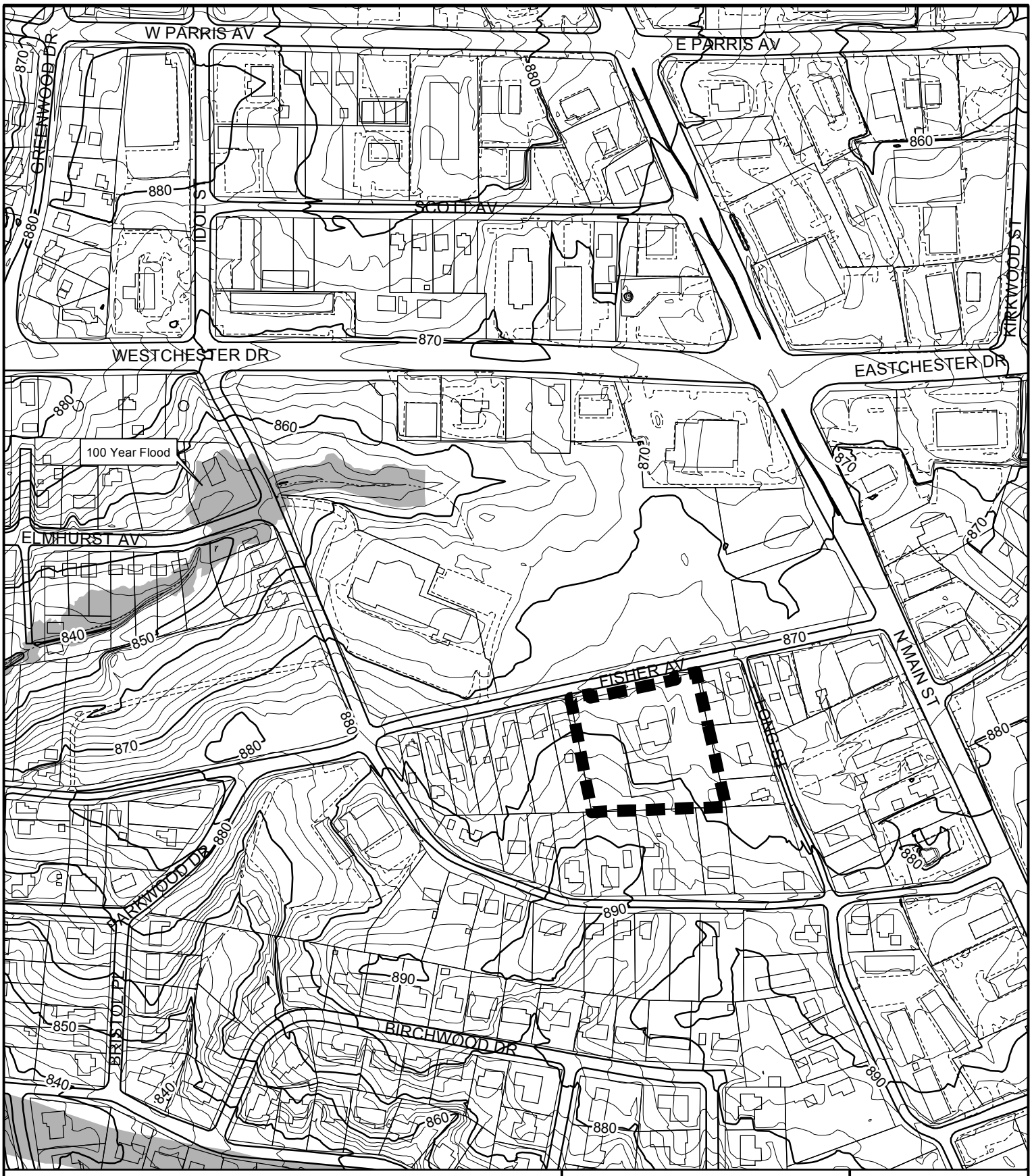


# ZONING MAP AMENDMENT ZA-16-28

**Topography**

**Subject Property Boundary** - - - - - - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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# ZONING MAP AMENDMENT ZA-16-28

**CITY OF HIGH POINT**
**PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT**
**PLAN AMENDMENT CASE 16-05 AND ZONING MAP AMENDMENT 16-28**
**December 13, 2016**

| **Requests** | | | |
|---|---|---|---|
| **Applicant:**<br>City of High Point City Council | **Owner:**<br>City of High Point | | |
| **Plan Amendment Proposal:**<br>To change the Land Use Map classification for approximately 5.4 acres | **From:** | Low Density Residential and Medium Density Residential | |
| | **To:** | Office and Community/Regional Commercial | |
| **Zoning Map Amendment Proposal:**<br>To rezone an approximately 2.14-acre parcel | **From:** | **R-5** | Residential Single Family – 5 District |
| | **To:** | **OI** | Office & Institutional District |

| **Site Information** | | |
|---|---|---|
| **Location:** | The zoning request pertains to a parcel lying along the south side of Fisher Avenue, approximately 470 feet west of N. Main Street *(213 Fisher Avenue*). The plan amendment pertains to the land area lying approximately 300 feet west of N. Main Street, lying between Fischer Avenue and Idol Street. | |
| **Tax Parcel Numbers:** | **Plan Amendment** | **Zoning Request** |
| | Guilford County Tax Parcels 0188745, 0188747, 0188756 thru 59, 0188766, 0188772, 0188773, 0188776 and 0188778 | Guilford County Tax Parcel 0188745 |
| **Site Acreage:** | **Plan Amendment** | **Zoning Request** |
| | Approximately 5.4 acres | Approximately 2.14 acres |
| **Current Land Use:** | **Plan Amendment** | **Zoning Request** |
| | City of High Point Fire Department Maintenance facility, residential dwellings, and portions of commercial parcels | City of High Point Fire Department Maintenance facility |
| **Physical Characteristics:** | The property has no noteworthy features | |
| **Water and Sewer Proximity:** | An 8-inch City water line and an 8-inch City sewer line both lie adjacent to the site along Fisher Avenue. | |
| **General Drainage and Watershed:** | The site drains in a northeasterly direction and development is subject to the Oak Hollow Lake General Watershed Area (GWA) requirements. Engineered stormwater treatment measures are required for multi-family development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more. | |
| **Overlay District:** | Oak Hollow Lake General Watershed Area | |

| Adjacent Property Zoning and Current Land Use | | | |
|---|---|---|---|
| **North:** | **CZ-RC** | Conditional Zoning Regional Commercial District | Construction is currently proceeding on a commercial development |
| **South:** | **R-5** | Residential Single Family-5 District | Single family dwellings |
| **East:** | **R-5** | Residential Single Family-5 District | Single family dwellings |
| **West:** | **R-5** | Residential Single Family-5 District | Single family dwellings |

| Adjacent Land Use Plan Designations | |
|---|---|
| **North:** | Community/Regional Commercial |
| **South:** | Medium Density Residential and Low Density Residential |
| **East:** | Community/Regional Commercial |
| **West:** | Low Density Residential |

| Purpose of Existing and Proposed Land Use Plan Designations | |
|---|---|
| **Existing Designation:** | **Medium-Density Residential:** This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwelling units per gross acre.<br>**AND**<br>**Low-Density Residential:** These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre. |
| **Proposed Designation:** | **Office:** This classification includes professional, personal & business service uses.<br>**AND**<br>**Community/Regional Commercial:** This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers. |

| Relevant Land Use Policies and Related Zoning & LUPA History | |
|---|---|
| **Community Growth Vision Statement** | This request is neither in conflict with nor does it promote the goals and objectives of the Community Growth Vision Statement. |
| **Land Use Plan Goals, Objectives & Policies:** | The following goals and objective of the Land Use Plan are relevant to this request:<br>Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.<br>Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses. |
| **Relevant Area Plan:** | <u>Core City Plan (Mixed Use Corridor District)</u><br>This district is intended to reinforce the Core City's existing commercial spine along Main Street. While the area features numerous retail and service uses, it is an objective of this plan that other compatible uses also occur here, including offices, high-density housing and institutional uses. |

| | |
|---|---|
| **Zoning History:** | In January 2016, Zoning Map Amendment 15-18 was adopted and rezoned approximately 13 acres, along the north side of Fisher Avenue, to a CZ-RC District. The site is proposed to be developed with a 55,000 square foot commercial use (Publix Grocery Store) and includes commercial outparcels that will front along N. Main Street and Westchester Drive. |
| **LUPA History: PA15-05** | In January 2016, Plan Amendment 15-05 was adopted. This amendment changed the Land Use Map classification for approximately 12.1 acres along the north side of Fisher Avenue, between N. Main Street and Idol Street, from Institutional, Office and Low Density Residential classifications to a Community/Regional Commercial classification. |

| **Transportation Information** | | | |
|---|---|---|---|
| **Adjacent Streets:** | **Name** | **Classification** | **Approx. Frontage** |
| | Fisher Avenue | Local Street | 295 ft. |
| **Vehicular Access:** | Two existing driveways on Fisher Avenue. | | |
| **Traffic Counts:** *(Average Daily Trips)* | Fisher Avenue | None available | |
| **Estimated Trip Generation:** | None available | | |
| **Traffic Impact Analysis:** | **Required** | | **TIA Comment** |
| | Yes | No X | None |
| **Pedestrian Access:** | Development of the site is subject to the sidewalk requirements of the Development Ordinance. | | |
| **Comments:** | None | | |

| **School District Comment** |
|---|
| Not applicable to this zoning case. |

## Details of Proposal

1. General Overview:
   With the adoption of the new Development Ordinance and its corresponding transition from former zoning districts to new zoning districts on January 1, 2017, the City's Fire Department maintenance facility off Fischer Avenue has become a non-conforming use. The zoning application proposes to apply a compatible zoning district that will allow this facility to remain a conforming use. Additionally, with the adoption and implementation of the Main Street (MS) zoning district along this segment of N. Main Street corridor and the recent amendment of the Land Use Map to facilitate construction of the commercial development along the north side of Fisher Avenue, the Planning & Development Department is recommending a Land Use Map amendment for land area along the south side of Fisher Avenue.

2. Summary of Land Use Plan Amendment Request:
   The request is to amend the Land Use Plan for an approximate 5.4-acre area between Fisher Avenue and Idol Street from Low Density Residential and Medium Density Residential to Office and Community/Regional Commercial. This area contains a mixture of an institutional use, residential homes, commercial uses, and undeveloped lots. The lot on the northeast corner of

Idol Street and Long Streets was recently developed as a parking lot and the northwest corner remains unimproved. Also, within the past year, some of the residential structures in this area have been removed which could indicate that this area may be in a state of transition to other uses.

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   The rezoning of this existing City of High Point Fire Department maintenance facility is necessary as such uses are not permitted in residential zoning districts under the new Development Ordinance. The proposed OI District supports a wide variety of moderate and high intensity office, institutional, and residential uses and would be compatible with adjacent residential uses.

## Staff Analysis

This area has undergone a fairly significant change over the course of the last year. The area on the north side of Fisher Avenue is in the process of being developed as a shopping center and two residential structures on Long Street at the intersection with Idol Street have been demolished. One of the former residential lots has been developed as a parking lot and the other lot remains unimproved. These changes seem to indicate that this area is ready for a transition into other uses. The Core City Plan identifies this area of Main Street as a mixed use corridor which supports retail sales and service uses along with other compatible uses such as offices, high density housing, and institutional uses. This area could support those additional compatible uses and serve as a transition to the neighborhood that is further to the west.

This Fire Department maintenance facility is proposed to be rezoned to the Office and Institutional (OI) District for the use to be conforming in the new ordinance; however, the Land Use Plan shows this area as Low Density Residential and Medium Density Residential. Staff recommends that the area along the west side of Long Street including the maintenance facility be changed to the Office Land Use classification to serve as a transition between the commercial uses along N. Main Street and Fisher Ave and the residential uses to the west. Staff also recommends revising the Land Use Plan for the portions of the lots along the east side of Long Street from Medium Density Residential to Community/Regional Commercial to better reflect the uses that have grown into this area from Main Street over the years.

**Consistency with Adopted Plans:**
**The requested Plan Amendment and the requested Zoning District are appropriate for the proposed location and are consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans.**

*Staff Comments:*
This request is appropriate for the area based on the changes that are occurring in this area and it is supported by the Land Use Plan and the Core City Plan, which promote the orderly growth of the City and the incorporation of offices, higher density housing and institutional uses along the City's mixed use corridors.

**Reasonableness/Public Interest:**
**An approval of the proposed Zoning District is considered reasonable and in the public interest.**

*Staff Comments:*

In this case, staff suggests that the approval of this request is reasonable and in the public interest because:

1) Subject to approval of the associated Land Use Plan Amendment 16-05, the requested OI District will be consistent with the Land Use Plan;
2) The request is consistent with Goal #5 and Objective #9 of the Land Use Plan as it promotes an urban growth pattern that occurs in an orderly fashion and stimulates more efficient use of the City's land resources by encouraging in-fill development at appropriate locations and provide a transition in land uses between more and less intensive land uses;
3) The Core City Plan envisions a mixture of various uses in close proximity to each other, which is not unusual in urban environments near commercial corridors; and
4) The Plan Amendment and requested OI District along the south side of Fisher Avenue will assist in meeting redevelopment goals of the Core City Plan.

## Recommendation

1. **Plan Amendment 16-05:**
   **Staff Recommends Approval:**
   Staff recommends approval of the request to change the land use designation for approximately 5.4 acres to an Office and Community/Regional Commercial land use classification. The request meets the goals and objectives of the Land Use Plan and the Core City Plan and it will be in harmony with the land use pattern of the surrounding area.

2. **Zoning Map Amendment 16-28:**
   **Staff Recommends Approval:**
   The Planning & Development Department recommends approval of the request to rezone this 2.14 -acre parcel to the OI District. Subject to adoption of Plan Amendment 16-05, the request will be compatible with the surrounding area and in conformance with adopted plans.

## Required Action

**Planning and Zoning Commission:**

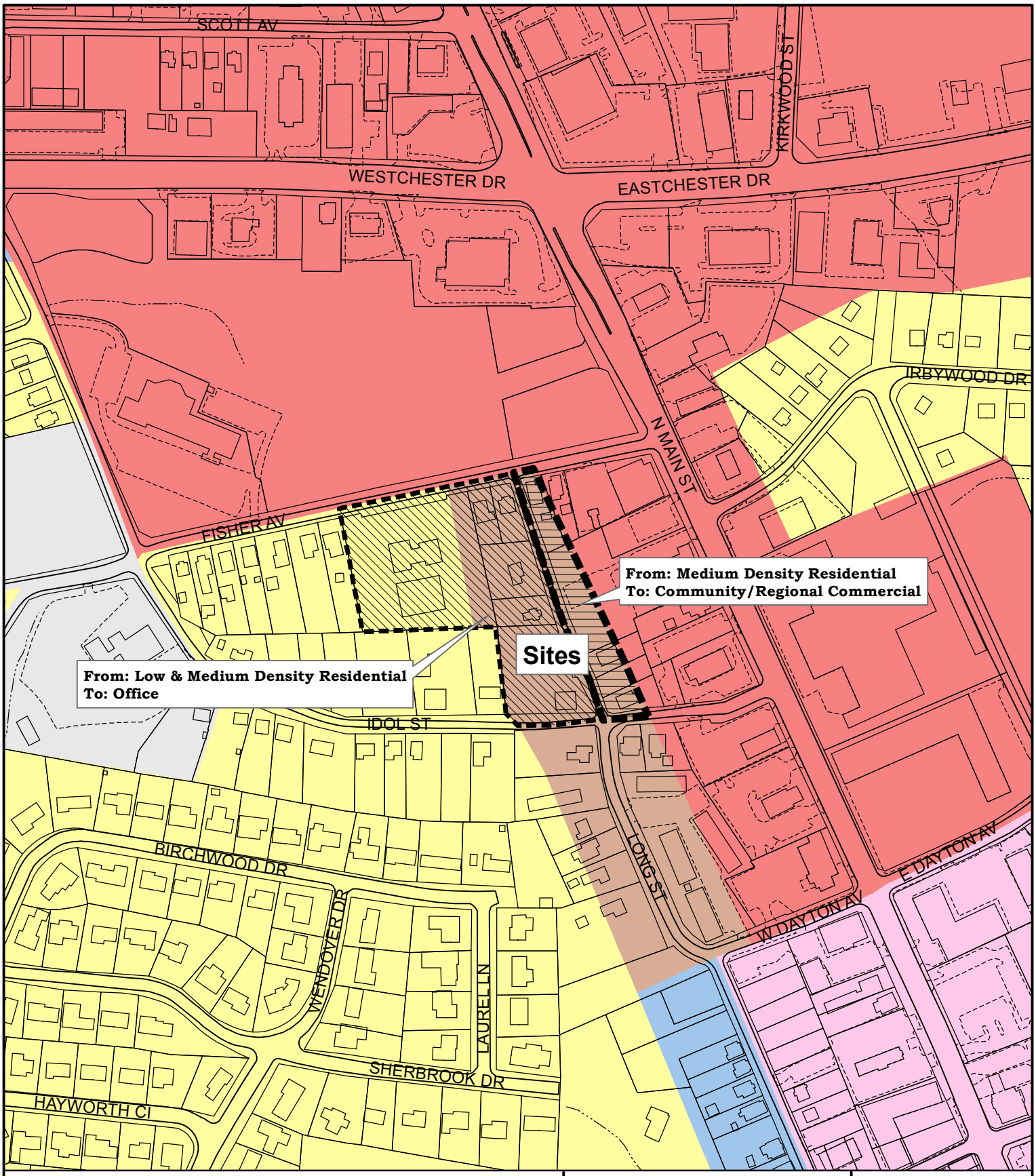
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

**City Council:**

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

## Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.




# PLAN AMENDMENT PA-16-05

**Request: From: Low & Medium Density Residential**
**To: Office and Community/Regional Commercial**

**Existing Land Use Boundary** ———
**Subject Property Boundary** - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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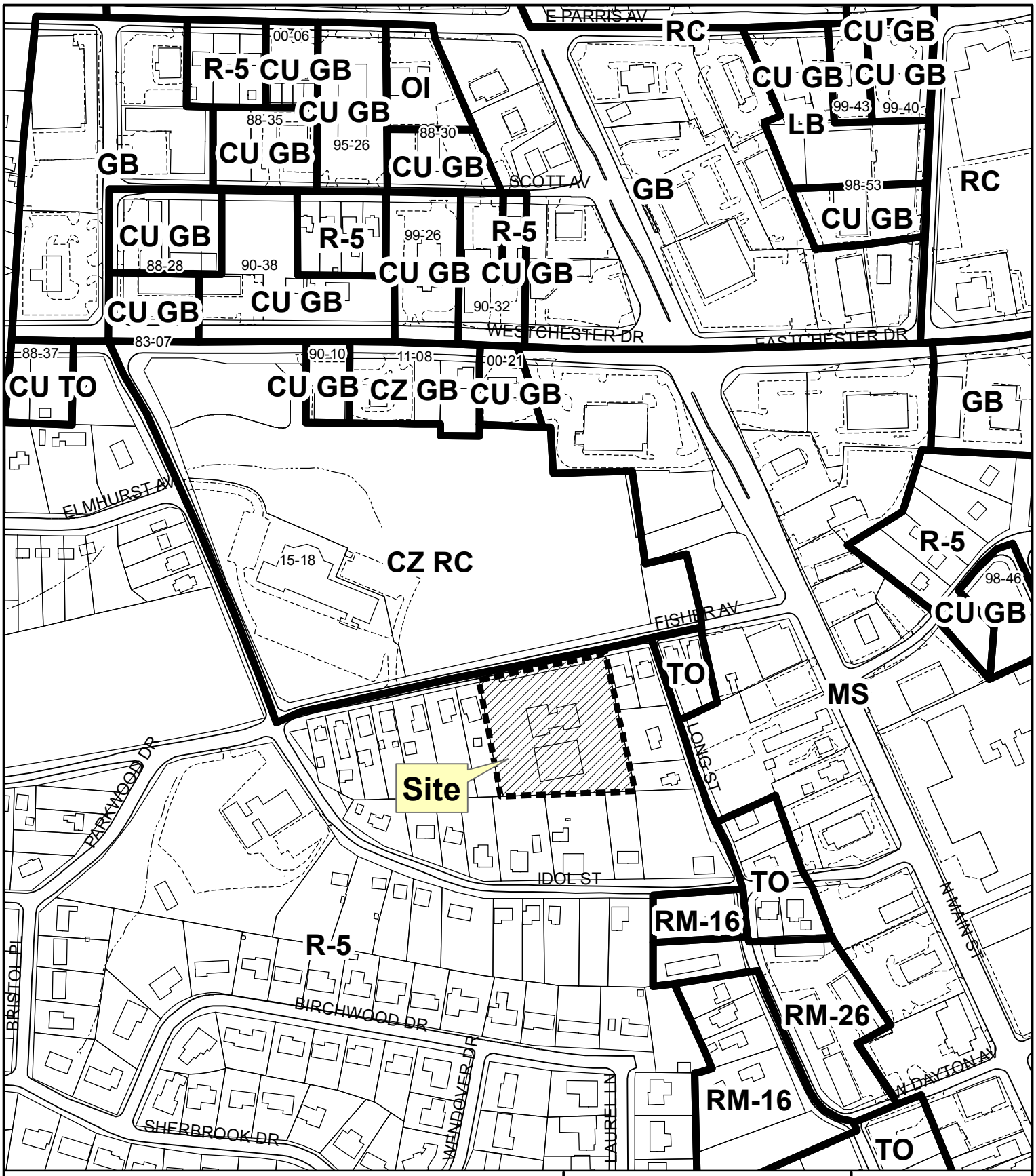


# ZONING MAP AMENDMENT ZA-16-28

**From: Residential Single Family-5**
**To: Office and Institutional**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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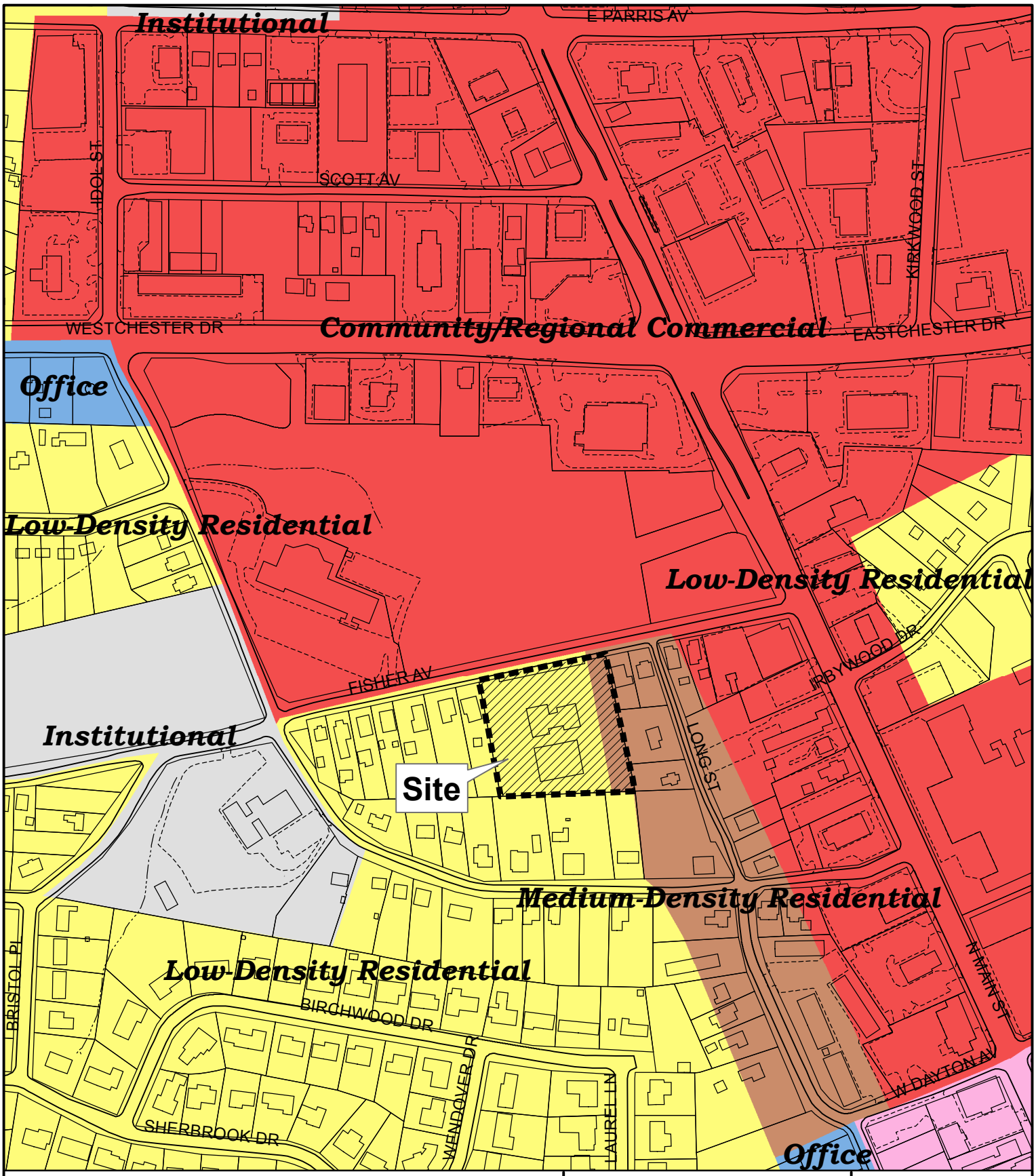


# ZONING MAP AMENDMENT ZA-16-28

**Land Use Plan**

**Existing Land Use Plan**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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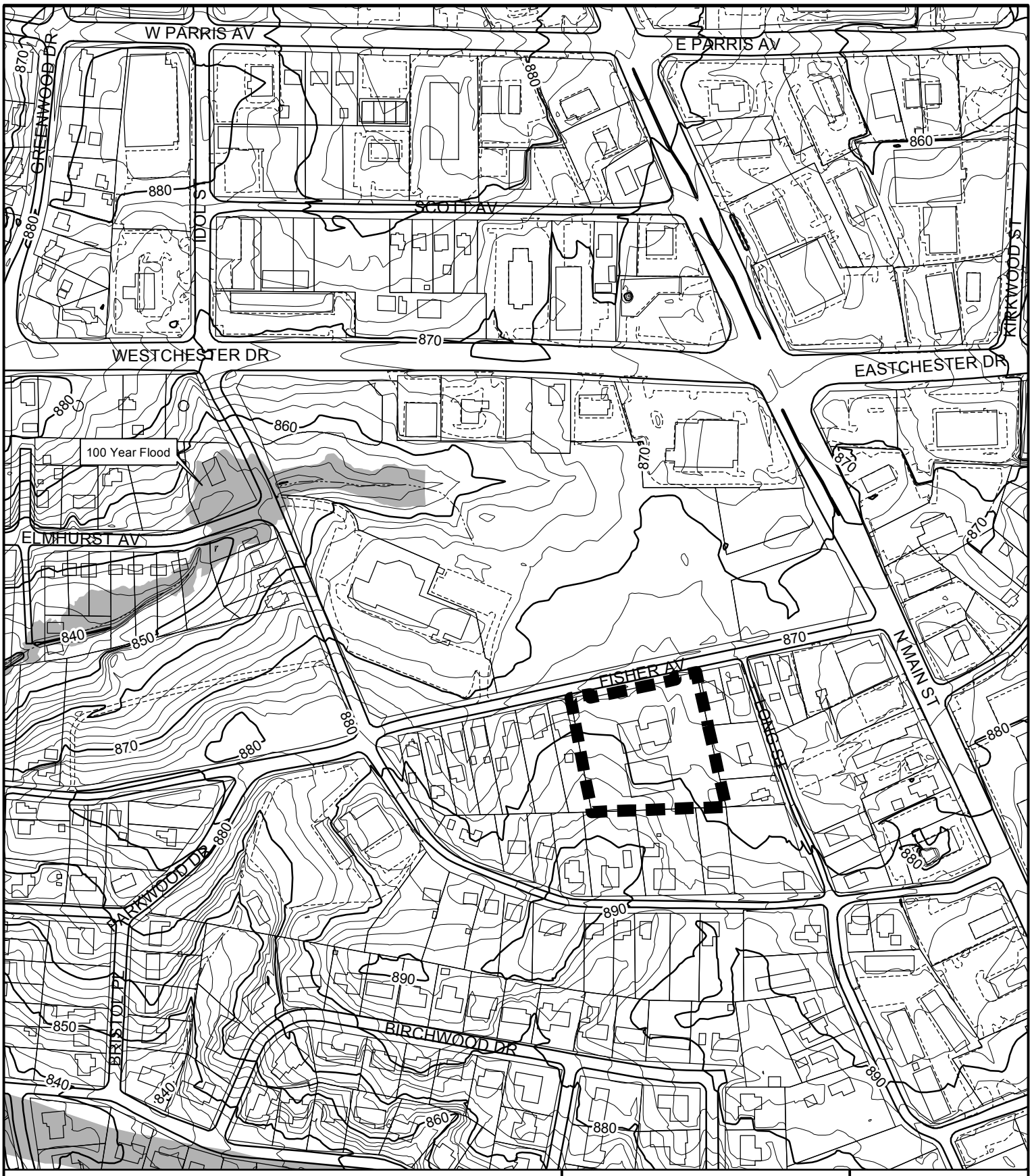


# ZONING MAP AMENDMENT ZA-16-28

**Topography**

**Subject Property Boundary** - - - - - - - - - -

**Planning & Development Department**

**City of High Point**

**Date: December 13, 2016**

N

**Scale: 1"=300'**

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# ZONING MAP AMENDMENT ZA-16-28

**CITY OF HIGH POINT**
**PLANNING AND DEVELOPMENT DEPARTMENT**

# STAFF REPORT
# TEXT AMENDMENT CASE 16-03
**December 13, 2016**

| Request | |
|---|---|
| **Applicant:**<br>City of High Point | **Affected Ordinance Sections:** Various sections throughout the ordinance. |
| **Proposal:**<br>Text amendments to the new Development Ordinance. | |

## Background

The new Development Ordinance was adopted on May 16, 2016 and since that time staff has been working with the new ordinance in preparation for the January 1, 2017 effective date. During this time, staff has discovered some errors and omissions that need correcting. In addition, a few other text amendments have arisen due to requests from the City Manager's Office and recent changes in City policy.

## Details of Proposal

A detailed description of the amendments is attached to this report in the ordinance of adoption. The following is a brief summary of the proposed amendments with section references to the attached ordinance of adoption:

- Section 1: Vested Rights, Section 1.10.1– Used incorrect term, change is needed to clarify correct meaning.
- Section 2: Term Limits for Review Authorities, Section 2.2 – At the request of the City Manager's Office, remove Term Limits for the Planning and Zoning Commission, Board of Adjustment and Historic Preservation Commission.
- Section 3: Public Services Director, Section 2.2.12.A.1 – Add a duty of the Public Services Director that was omitted.
- Section 4: Conditional Zoning, Sections 2.4.5 and 2.5.2 – Amend to clarify when and how amendments can be made to conditional zoning.
- Section 5: Watershed Variance Procedure, Section 2.4.18.B – Fix an error in the watershed variance definition to be consistent with State regulations.
- Section 6: Administrative Adjustments, Section 2.5.2 – Remove percentages to fix an error in the administrative adjustment section.
- Section 7: Employment Center District, Section 3.4.10 – Remove off-street parking requirement because staff further tested this provision against potential development and determined that it will likely hinder the use of this district.
- Section 8: Special Zoning Districts Purpose and Intent, Section 3.5.1 – Simplify the purpose and intent statement.

- Section 9: Drive-Throughs, Chapter 3 - There was an inadvertent omission of drive-through standards in the Main Street District which necessitated additional changes for consistency in the standards for the Limited Business, General Business, Retail Center, and the Eastchester Gateway Corridor Overlay districts.
- Section 10: Planned Development District Signage, Table 3.7.3.I – Fix an error in the sign standards to reference the RM-16 district.
- Section 11: Airport Overlay District, Section 3.8.5.B.1 – Add reference to the noise mitigation study.
- Section 12: Manufactured Housing Overlay District, Section 3.8.9.B – Add a reference to the principal use table to clarify where Manufactured Housing Overlays are allowed.
- Section 13: Principal Use Table, Table 4.1.9 – Add an asterisk to the R-5 and R-7 districts so that triplexes and quadplexes are only allowed in the Core City. Add Public Safety Facility, Major as a "P" in AGR so that the City's outdoor shooting range is a permitted use.
- Section 14: Wireless Telecommunications Facility, Section 4.3.3.F.3 – Amend standards so that zoning controls the placement of these facilities in the public right-of-way.
- Section 15: Chapter 5, Change the titles of Sections 5.2 and 5.5.
- Section 16: Principal Building on a Zone Lot, Section 5.2.1 – Add multiple lot developments as an exception to the limitation of principal buildings on a zone lot.
- Section 17: Street Access, Section 5.2.2 – Fix a formatting error in the street access section.
- Section 18: Applicability of Development Standards, Chapter 5 – Fix the inconsistencies in the applicability and exemption provisions of the development standards throughout the chapter.
- Section 19: Off-Street Parking Surface Material in AGR, Section 5.4.7.K.4 – At the request of the City Manager's Office, allow gravel parking for uses in the Agricultural/Rural district.
- Section 20: Signs on Water Tanks, Section 5.7.7 – Due to a recent change made by City Council, exempt signs on active water tanks from the sign regulations.
- Section 21: Nonresidential Wall Signs in Residential Districts, Table 5.7.10.B – Amend sign regulations to allow wall signs for nonresidential uses in residential districts
- Section 22: Fence Exemptions, Section 5.11.3.B - Change the names in the exemptions list for fences to match the appropriate new use types in Chapter 4.
- Section 23: Open Space Standards, Section 5.12.5.F – Clarify that active recreation features have to be within the development to get credit for them.
- Section 24: Corner Retail, Section 5.14.3.C.5 – Provide standards for wall signs.
- Section 25: Sustainable Development Incentives, Table 5.15.3 – Reword to remove "stories" and increase the maximum allowable height to give more of an incentive.
- Section 26: Public Tree Protection, Section 6.1.3.B.1 – Fix the wording in the public tree exemptions, as it was not carried forward correctly.
- Section 27: Watershed Protection, Section 6.2 - Correct the exemption text, correct codification, and remove certain activities regulated by other governmental agencies to be consistent with State regulations.
- Section 28: Lots Adjoining Public Open Space, Section 7.1.6.B.5 - Add the word "dedicated" for clarification.

- Section 29: Private Street Standards, Section 7.1.6.C - Remove the word "minimum" for clarification.
- Section 30: Water and Sewer Connections, Section 7.1.6.F.2 - Add that the Public Services Director must determine if a water or sewer connection is not feasible so that it is consistent with the City Code.
- Section 31: Nonconformities Purpose and Scope, Section 8.1.1 - Modify purpose and scope to remove references to "site features". They were originally proposed to be addressed as nonconformities, but later addressed in Chapter 5 and inadvertently left in this section.
- Section 32: Lot Area Averaging, Section 10.2.3.C.2 - Average Lot Area was incorrectly defined as contextual dimensional standards. Renaming and redefining is required for clarity.
- Section 33: Maximum Building Height, Section 10.2.6 – revise definition.
- Section 34 and 35: Definitions, Section 10.4 –
    - Group Development - refer to "lots" and not "lots of record"
    - Subdivision – revise to match the State definition

## Analysis

Over the past six months staff has been working with the new Development Ordinance in preparation for the January 1, 2017 effective date. During this time staff has identified errors and omissions that need to be corrected. Additionally, the City Manager's Office and City Council have requested some changes and made some policy decisions that require additional text amendments.

**Consistency with Adopted Plans:**
**The proposed text amendments are appropriate and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans**

*Staff Comments:*
The proposed text amendments are consistent with and supported by the City's adopted plans, especially the Core City Plan.

**Reasonableness/Public Interest:**
**An approval of the proposed text amendments is considered reasonable and in the public interest.**

*Staff Comments:*
Staff suggests the approval of the text amendments are reasonable and in the public interest because: 1) they fix errors and omissions, 2) they provide clarity and consistency in the text, and 3) incorporate recent changes in City policy.

## Recommendation

**Staff recommends approval**

Staff recommends approval of the text amendments to the Development Ordinance that was adopted on May 16, 2016 because they fix errors and omissions; they provide clarity and consistency in the text; and they incorporate recent changes in City policy into the text of the Ordinance.

## Required Action

**Planning and Zoning Commission:**

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with staff's findings, by adoption of its own statement.

**City Council:**

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, by adoption of its own statement.

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) they fix errors and omissions, 2) they provide clarity and consistency in the text, and 3) incorporate recent changes in City policy. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

## Report Preparation

This report was prepared by Planning and Development Department staff member(s) Heidi H. Galanti, AICP, Planning Services Administrator, and reviewed by Robert L. Robbins, AICP, Development Services Administrator and G. Lee Burnette, AICP, Director.

**TEXT AMENDMENT: 16-03**
Ordinance #XXXX/XX-XX
APPLICANT: City of High Point

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE.

**WHEREAS**, the City Council of the City of High Point adopted the "City of High Point Development Ordinance" on May 16, 2016, with an effective date of January 1, 2017; and

**WHEREAS**, public hearings were held before the Planning and Zoning Commission on December 13, 2016 and before the City Council on January 17, 2017 regarding **Text Amendment 16-03;** and

**WHEREAS**, notice of the public hearings was published in the High Point Enterprise on December 4, 2016 for the Planning and Zoning Commission public hearing and on January 4, 2017 and January 11, 2017 for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

**WHEREAS**, this amendment was adopted by the City Council of the City of High Point on XXXXXXX, 2017;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:**

Amendments affecting the following sections of the Development Ordinance:

**SECTION 1.**

Section 1.10.1 Building Permit revise as follows:
The issuance of a building permit establishes a vested right to development in accordance with Section 160A-385.1 of the North Carolina General Statutes, as long as the ~~**building permit**~~ **development** complies with the terms and conditions of approval of that building permit.

**SECTION 2.**

Term Limits

Table 2.2.3 Planning and Zoning Commission, subsection B.4 revise as follows:
4. MEMBER TERMS:
(a) Members may serve a 3-year term and shall continue to serve until their successors are appointed, provided that upon initial appointment their terms of office may be staggered.
(b) The terms of all members shall not expire at the same time.

~~**(c) Regular members shall not serve more than 2 full consecutive terms.**~~
~~**(d)**~~ (c) Vacancies shall be filled by a new member or an alternate member appointed to serve for the remainder of the unexpired term.

Table 2.2.4 Board of Adjustment, subsection B.4 revise as follows:
4. MEMBER TERMS:
(a) Members may serve a 3-year term and shall continue to serve until their successors are appointed, provided that upon initial appointment the terms of office may be staggered.
(b) The terms of all members shall not expire at the same time.
~~**(c) Regular members shall not serve more than 2 full consecutive terms.**~~
~~**(d)**~~ (c) Vacancies shall be filled by a new member or an alternate member appointed to serve for the remainder of the unexpired term.

Table 2.2.5 Historic Preservation Commission, subsection B.4 revise as follows:
4. MEMBER TERMS:
(a) Members may serve a 3-year term and shall continue to serve until their successors are appointed, provided that upon initial appointment the terms of office may be staggered.
(b) The terms of all members shall not expire at the same time.
~~**(c) Regular members shall not serve more than 2 full consecutive terms.**~~
~~**(d)**~~ **(c)** Vacancies shall be filled by a new member or an alternate member appointed to serve for the remainder of the unexpired term.

**SECTION 3.**

Section 2.2.12 Public Services Director, subsection A.1 add new paragraph (c) revise as follows:
**(c) Determine the infeasibility of water and sewer connections in accordance with this Ordinance and the City Code.**

**SECTION 4.**

Section 2.4.5 Conditional Zoning, subsection F.1(g) revise as follows:
Increases ~~**in residential density of up to 10 percent, not to exceed the zoning district maximum, and increases**~~ in nonresidential gross floor area of up to 10 percent, or 50,000 square feet, whichever is less; and

Section 2.5.2 Administrative Adjustment, subsection E add a new #7 to read as follows:
**7. The development standard being adjusted is not expressly prohibited by a condition of approval.**

**SECTION 5.**

Section 2.4.18 Watershed Variance, subsection B

Revise paragraph 1(c) as follows:
Any management requirement by a factor ~~**of**~~ **greater than** 10 percent under the low density option; or

Revise paragraph 2(b) as follows:
Any management requirement by a factor ~~**of**~~ **up to** 10 percent under the low density option; or

**SECTION 6.**

Section 2.5.2 Administrative Adjustment (Type I/Type II), subsection B revise as follows:

1. Type I Administrative Adjustment
   A type I administrative adjustment is reviewed and decided by the Planning and Development Director and allows an adjustment of the standards in accordance with Section 2.5.2.C, Administrative Adjustment Amount~~**, by up to 10 percent outside the Core City, and up to 20 percent in the Core City area**~~**.**

2. Type II Administrative Adjustment
   A type II administrative adjustment is reviewed and decided by the TRC and allows an adjustment to the standards in accordance with Section 2.5.2.C, Administrative Adjustment Amount~~**, by up to 25 percent throughout the City**~~**.**

**SECTION 7.**

Section 3.4.10 Employment Center, subsection G, delete paragraph 1(g) and reletter the remainder of the list as follows:

~~**(g) Off-Street Parking**~~
~~**When 30 or more parking spaces are provided, no more than 50 percent of the required off-street parking may be located between the primary building facade and the street it faces and comply with the standards in Section 5.4, Off-Street Parking and Loading.**~~

~~(h)~~**(g)** Accessory Buildings

Accessory buildings shall be located to the side or rear of the development they serve, and shall use the same materials and architectural styling as the principal building they serve.

~~(i)~~**(h)** Outdoor Storage

Outdoor storage shall:

(1) Not cover an area greater than 50 percent of the ground level gross floor area of the principal building;
(2) Be located between the rear building line of the principal building and the rear lot line;
(3) Not be located in any required landscape yard; and
(4) Be screened from view from adjacent lots and public streets with an opaque wall, fence, or other approved means to a height of 6 feet above grade level, provided the screen shall not be allowed in any required landscaping yard.

~~(j)~~**(i)** Outdoor Manufacturing, Processing, Repair, or Assembly

Outdoor manufacturing, processing, repair, or assembly is prohibited and must take place within an enclosed building.

**SECTION 8.**

Section 3.5.1 General Purpose and Intent, revise as follows:
The special zoning districts established in this section are intended to **achieve specific planning and design objectives in defined areas of the City and to create suitable environments for distinct uses and development outside the established residential and business districts** ~~**address special areas where typical urban growth and development does not, should not, or cannot occur, whether because the areas contain important natural resources or natural hazards (the Parkland and Natural Resource Area (PNR) district), rural character and productive natural resources (the Agricultural/Rural (ACR) district), special public or private institutions (the Institutional (I) district), special development considerations and constraints related to the City's current development template and economic situation (the Main Street (MS) district), or the City's adopted policy guidance with respect to the Core City area (the Mixed-Use (MX) district).**~~

**SECTION 9.**

Drive-Throughs

Section 3.4.5 Limited Business (LB), subsection G, revise paragraph 1 as follows:

1. Drive-Throughs
   (a) Outdoor speakers associated with a drive-through shall be located at least 50 feet from a residential district.
   (b) Drive-through windows, menu boards, **drive aisles,** and speakers shall not be located between the principal building line and the front street right-of-way. **For corner lots, the drive aisles shall not be located between the principal building line and the front street right-of-way, to the maximum extent practicable.**

Section 3.4.6 General Business (GB), subsection G, revise paragraph 1 as follows:

1. Drive-Throughs
   (a) Outdoor speakers associated with a drive-through shall be located at least 50 feet from a residential district.
   (b) Drive-through windows, menu boards, **drive aisles,** and speakers shall not be located between the principal building line and the front street right-of-way. **For corner lots, the drive aisles shall not be located between the principal building line and the front street right-of-way, to the maximum extent practicable.**

Section 3.4.7 Retail Center (RC), subsection G, revise paragraph 1 as follows:

1. Drive-Throughs
   (a) Outdoor speakers associated with a drive-through shall be located at least 50 feet from a residential district.
   (b) Drive-through windows, menu boards, **drive aisles,** and speakers shall not be located between the principal building line and the front street right-of-way. **For corner lots, the drive aisles shall not be located between the principal building line and the front street right-of-way, to the maximum extent practicable.**

Section 3.5.6 Main Street (MS), subsection G, revise paragraph 3(c) as follows:

(c) Drive-Throughs
   **(1)** Drive-through lanes and windows are prohibited in sub-district B.
   **(2) In sub-districts A, C, and D the following standards shall apply:**
      **i.** Outdoor speakers associated with a drive-through shall be located at least 50 feet from a residential district.

**ii.** Drive-through windows, menu boards, **drive aisles,** and speakers shall not be located between the principal building line and the front street right-of-way. **For corner lots, drive aisles shall not be located between the principal building line and the front street right-of-way, to the maximum extent practicable.**

Section 3.8.7 Gateway Corridor Overlay (GCO), subsection F, revise paragraph 4(a) as follows:

(a) Drive-Through**s**

(1) Outdoor speakers associated with a drive-through shall be located at least 50 feet from a residential district.

(2) Drive-through windows, menu boards, **drive aisles,** and speakers shall not be located between the principal building line and the front street right-of-way. **For corner lots, drive aisles shall not be located between the principal building line and the front street right-of-way, to the maximum extent practicable.**

## SECTION 10.

Table 3.7.3.I Planned Development Signage Standards, revise signage standards as follows:

| TABLE 3.7.3.I: PLANNED DEVELOPMENT SIGNAGE STANDARDS | |
|---|---|
| PREDOMINANT USE TYPE | SIGNAGE STANDARDS NO LESS RESTRICTIVE THAN THOSE IN: |
| Residential (other than live/work) | ~~Table 5.12.8~~ RM-16 |
| Live/Work | TO district |
| Office | OI district |
| Commercial | RC district |
| Industrial | LI district |

## SECTION 11.

Section 3.8.5 Airport Overlay (ARO), subsection B, revise paragraph 1 as follows:

1. The district boundaries are defined on the Official Zoning Map. The boundaries generally follow physical features and property lines and are associated with aircraft noise impact**s** ~~contours~~ **as identified by a FAR Part 150 Study**.

**SECTION 12.**

Section 3.8.9 Manufactured Housing Overlay (MHO), subsection B, insert a new paragraph 2 and renumber the remainder of the list as follows:

2. **MHO districts are permitted in accordance with Table 4.1.9, Principal Use Table.**

~~2.~~ **3.** In requesting the establishment of an MHO district, an applicant shall present factual information to ensure, in the discretion of the City Council, that property values of surrounding lands are protected, that the character and integrity of the neighborhood are adequately safeguarded, and the proposed MHO district is consistent with these standards.

~~3.~~ **4.** To assure acceptable similarity in exterior appearance between proposed manufactured dwellings and dwellings that are constructed on adjacent or nearby land, an applicant may, for illustrative purposes only, present examples of the types and design of such proposed dwellings.

**SECTION 13.**

Table 4.1.9 Principal Use Table, add an asterisk to the R-5 and R-7 districts for Triplex/Quadplex and add a "P" to AGR district for Public Safety Facility, Major as follows:

| | R-3 | R-5 | R-7 | RM-5 | RM-16 | RM-26 | TO | OI | LB | GB | RC | CB | EC | LI | HI | AGR | I | PNR | MS | MX |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Triplex/quadplex | | P* | P* | P | P | P | P | P | P | P | P | P | P | | | | P | | P | P |
| Public safety facility, major | | | | | | | | P | P | P | P | P | P | P | P | **P** | P | | | |

**SECTION 14.**

Section 4.3.3 Institutional Uses, subsection F Utilities, paragraph 3(d)(1), revise as follows:

(1) Minor Wireless Telecommunications

The following uses are considered minor wireless telecommunications facilities that may only be established in accordance with the standards of this section and Section 2.5.14, Site Plan:

(i) A new wireless support structure of 60 feet in height or less in any ~~**general**~~ zoning district;

(ii) A concealed or stealth wireless facility of 80 feet in height or less in a residential district;
(iii) A concealed or stealth wireless facility of 150 feet in height or less in a business, special, or planned development district;
(iv) A new wireless support structure of 200 feet in height or less in a PNR, I, LI, or HI district;
~~**(v) A monopole or replacement pole located on public land or within a utility easement or right-of-way, in any district;**~~
**(v~~i~~)** Collocation of equipment on an existing wireless telecommunications facility, support structure, or building in any district; or
**(vi~~i~~)** A substantial modification of an existing wireless facility or support structure in any district.

**SECTION 15.**

Chapter five change the titles of Sections 5.2 and 5.5 as follows:

Section 5.2 Zone Lot and Access ~~**Standards**~~

Section 5.5 Landscaping ~~**Standards**~~

**SECTION 16.**

Section 5.2.1 Principal Building on a Zone Lot, add paragraph C to read as follows:

**C. Multiple Lot Development**

**Two or more principal buildings are permitted on a zone lot pursuant to Section 5.14.5, Multiple Lot Development, and provided that vehicular access is maintained to each building for service and emergency vehicles.**

**SECTION 17.**

Section 5.2.2 Street Access, subsection C should be a subset of 5, paragraph D should be a 6, and 6 should be a 7 revise as follows:

5. ~~**Single-Family Lot of Record**~~ **Access Through Easement**
Lots of record established as of July 1, 1992 that do not abut a publicly-maintained street may establish access through a recorded access easement provided the lot is used for only 1 single-family detached dwelling **and meets the following criteria:**
**(a) The minimum easement width shall be 25 feet.**
**(b) The minimum separation between the easement and any other platted access or right-of-way shall be 150 feet.**
**(c) The location of the easement must be recorded on a plat.**

**(d) The easement shall permit ingress, egress, and regress and necessary utilities to serve the lot.**

**~~D~~ 6.** Access Through Unimproved Right-of-Way

A single zone lot that has frontage on an existing unimproved public right-of-way, may obtain access through such right-of-way, provided that the following minimum criteria are met:

**(a)~~1~~** A site plan, signed and sealed by a professional surveyor, shall be submitted that shows the lot has no other frontage on an improved public street;

**(b)~~2~~** The unimproved public right-of-way is at least 20 feet in width;

**(c)~~3~~** The access shall serve only 1 single-family detached dwelling and its uninhabited accessory structures;

**(d)~~4~~** The access shall serve only 1 zone lot. If the unimproved public right-of-way is the sole means of access to more than 1 zone lot in the same block, access pursuant to this subsection shall not be approved;

**(e)~~5~~** If the zone lot contains multiple parcels, they shall be combined into 1 parcel as a condition of approval;

**(f)~~6~~** The access shall be maintained by the lot owner; and

**(g)~~7~~** Utilities shall be located within the unimproved right-of-way and extended to the lot in accordance with City standards. The lot owner shall maintain water and sewer utility lines from the edge of the existing street right-of-way to the dwelling. Any proposed dwelling must be within 500 feet of an approved fire hydrant.

**~~6~~ 7.** Special Purpose Lot

Special purpose lots may establish access through an easement a minimum of 10 feet in width, in accordance with Section 7.1.6.B.6, Special Purpose Lots.

**SECTION 18.**

Cross-Access

Section 5.2.3 Cross-Access, subsection B, revise as follows:

B. Applicability

The provisions of this section **shall** apply to commercial and industrial uses**,** as defined in Section 4.2, Use Classifications, Use Categories, and Use types, **on zone lots** that front thoroughfare streets **with the following**, unless exempted in accordance with Section 5.2.3.C, Exemptions~~.~~:

1. New Buildings or Uses

New p~~P~~rincipal buildings ~~**constructed**~~ or **new** open uses of land ~~**established after the effective date of this Ordinance**~~**.**

Off-Street Parking and Loading

Section 5.4.2 Applicability, revise as follows:

Applicability

The provisions of this section **shall** apply to **zone lots with** the following, unless exempted in accordance with Section 5.4.3, Exemptions:

A. **New Buildings or Uses** ~~**General**~~
   **New principal buildings or new open uses of land.**
   ~~**Whenever a building is constructed, enlarged or increased in capacity, or a principal use is established or enlarged, the development shall meet the requirement of this section, except as specifically exempted in this Ordinance.**~~
B. Changes in Use
   **Changes in the principal use** ~~**If the principal use changes, the new principal use shall meet the requirements of this section**~~**,** except that if the use change results in an increase of less than 5 percent in the required number of parking spaces, or less than 5 additional parking spaces, no additional parking spaces area required.
**C. Expansions**
   **Expansions of existing principal buildings or open uses of land.**

Landscaping

Section 5.5.2 Applicability, revise subsections A and B as follows:

Applicability

The provisions of this section shall apply to **zone lots with** the following, unless exempted in accordance with Section 5.5.3, Exemptions:

A. New Buildings or Uses
   **New p**~~**P**~~rincipal buildings ~~**constructed**~~ or **new** open uses of land ~~**established after the effective date of this Ordinance**~~**.**
B. Changes in Use
   Changes in use of one or more in land use intensity (see Table 5.5.11.D, Land Use Intensity)~~**, in which case the landscaping requirements of this section apply to the entire zone lot**~~.

Section 5.5.3 Exemptions, insert a new subsection H to read as follows:

**H. No parking lot landscaping shall be required for parking lots on the same zone lot as the principal use they serve if they have less than 5 parking spaces outside the Core City, or 20 or fewer spaces inside the Core City.**

Section 5.5.10 Parking Lot Landscaping, revise as follows:

A. ~~**Applicability**~~ **General Standards**

~~**1. Unless exempted, in accordance with Section 5.5.3, Exemptions or Section 5.5.10.D., Exemptions, the parking lot landscaping standards in this section shall apply to all new development with 5 or more parking spaces.**~~

~~**2. Expansions of existing parking lots shall provide additional parking lot landscaping in accordance with Section 5.5.2.C, Expansions.**~~

**1. Two or more parking lots on the same zone lot that are physically separated by buildings and are not physically connected by internal drives shall be considered independently.**

~~**B. General Rate**~~

**2.** Parking lot landscaping shall include at least 1 canopy tree for every 12 parking spaces.

~~**C.**~~ **3.** Placement of Canopy Trees

~~**1.**~~ **(a)** Required interior and perimeter parking lot canopy trees shall be placed such that no parking space is more than 80 feet from the trunk of a canopy tree for new or redeveloped nonresidential parking areas, and 50 feet for new or redeveloped residential parking areas.

~~**2.**~~ **(b)** In cases where an approved alternate landscape plan permits understory trees to be substituted for canopy trees, they shall be placed such that no parking space is more than 50 feet from the trunk of an understory tree for nonresidential parking areas, and 30 feet for residential parking areas.

~~**3.**~~ **(c)** Additional trees above the minimum number required may be used to meet this standard.

~~**D. Exemptions**~~

~~**Off-street parking lots of 20 or fewer spaces located in the Core City and on the same zone lot as the principal use they serve are exempted from the standards of this section. Two or more parking lots on the same zone lot that are physically separated by buildings and are not physically connected by internal drives shall be considered independently for the purposes of determining exemption from these standards.**~~

Renumber the remainder of the section and renumber all section references accordingly within the text.

Section 5.5.11 Perimeter Landscape Yards, revise as follows:

A. ~~**Applicability**~~ **General Standards**

**1.** Landscape yards are required along the perimeter, extending inward from the lot line, of a zone lot or development site in accordance with Table 5.5.10.~~**C**~~ **B**, Perimeter Landscape Yard Types, and Table 5.5.10.~~**D**~~ **C**, Landscape Use Intensity. They are intended to mitigate potential adverse impacts that may result when higher intensity land uses are located adjacent to lower intensity land uses.

~~**B. General**~~

~~**1.**~~ **2.** The width of permitted driveways and permitted cross-access easements, measured at the lot line, shall be excluded from the calculation of required plant material.

~~**2.**~~ **3.** A perimeter landscape yard may be located along shared access easements between parcels in nonresidential development.

~~**3.**~~ **4.** A perimeter landscape yard in a multiple lot development that is configured and developed as a single entity, is only required around the outer perimeter of the development.

~~**4.**~~ **5.** Stormwater management devices that incorporate vegetation (e.g., bio-retention cell, rain garden, constructed wetlands, etc.) may be placed within a perimeter landscape yard provided the screening function of the landscape yard is maintained. Any plant material meeting the minimum requirements for the landscape yard may be counted toward the requirements.

Renumber the remainder of the section and renumber all section references accordingly within the text.

Screening

Section 5.6.2 Applicability, revise as follows:

Applicability

The provisions of this section **shall** apply to solid waste collection facilities, loading docks and loading bays, and ground-based mechanical equipment **on zone lots with** ~~**for**~~ the following, unless exempted in accordance with Section 5.6.3, Exemptions:

A. New Buildings or Uses

**New p**~~**P**~~rincipal buildings ~~**constructed**~~ or **new** open uses of land ~~**established after the effective date of this Ordinance**~~.

B. Changes in Use
Changes in use of one or more in land use intensity (see table 5.5.11.D, Land Use Intensity).

C. Expansions
Expansions of principal buildings that exceed 1,000 square feet of gross floor area (GFA) or the total ~~of additions or~~ expansions of principal buildings, open uses of land or off-street parking that individually or collectively exceed 3,000 square feet.

Signage

Section 5.7.2 Applicability, revise as follows:
Applicability
**The provisions of this section shall apply to signs erected, affixed, placed, painted or otherwise established, unless exempted in accordance with Section 5.7.7, Exempt Signs.** ~~**A sign may only be erected, affixed, placed, painted or otherwise established in the City in accordance with the standards of this section.**~~

Sidewalks

Section 5.9.2 Applicability, revise as follows:
Applicability
The provisions of this section **shall** apply to the following, unless exempted in accordance with Section 5.9.3, Exemptions:

A. **Subdivisions** ~~**General**~~
~~**Sidewalks must be installed along streets that are within or abutting a**~~ ~~**S**~~subdivisions**,** ~~**(**~~including group developments~~**)**~~ ~~**or development subject to a site plan**~~.

**B. New Buildings or Uses**
**New principal buildings or new open uses of land that are subject to a site plan.**

~~**B.**~~**C**. Expansions
Individual or collective expansions of existing principal buildings, open uses of land, or off-street parking **that are subject to a site plan** and that exceed 50 percent.

Exterior Lighting

Section 5.10.2 Applicability, subsection A, revise as follows:

Applicability

The provisions of this section shall apply to **zone lots with the following** ~~**all development**~~, unless exempted in accordance with Section 5.10.3, Exemptions.

A. **New Buildings or Uses** ~~**General**~~

**New principal buildings or new open uses of land.** ~~**Review for compliance with these standards shall occur as part of the review of an application for a site plan or group development plan, as appropriate.**~~

Nonconforming Signs

Section 8.5.5 Replacement of Nonconforming Signs, subsection C, revise as follows:

C. Renovation

Nonconforming sign shall be removed or replaced with conforming signage if any of the following occur:

1. ~~**If additions or**~~ **E**expansions of **principal** buildings **that** exceed 1,000 square feet of gross floor area (GFA) or the total ~~**of additions or**~~ expansions of **principal**-buildings, ~~**parking areas,**~~ open uses of land **or off-street parking** ~~**occur**~~ that individually or collectively exceed 3,000 square feet; or
2. ~~**If**~~ **S**~~**s**~~tructural or nonstructural alterations~~**,**~~ **(**excluding routine maintenance and repair of the façade of the principal building~~**,**~~**) that** exceed~~**s**~~ 50 percent of the façade's area, ~~**to be**~~ **which is** calculated from the area of the façade or wall used in calculating the maximum allowable sign area.

**SECTION 19.**

Section 5.4.7 Standards for Off-Street Parking Spaces and Loading Areas, subsection K.4, insert new (d) to read as follows:

4. Except for required parking facilities for the disabled, required parking may be constructed with gravel or other approved comparable all-weather surface for:
   (a) Parking used on an irregular basis for religious institutions, private minor assembly uses, and other similar nonprofits organizations;
   (b) Parking for residential uses or a bed and breakfast establishment where 6 or fewer spaces are required;
   (c) Parking for an office use converted from a single-family detached dwelling where 4 or fewer spaces are required; ~~**and**~~
   **(d) Parking for all uses in the AGR district; and**
   **(**~~**d**~~ **e)** Parking for industrial uses in the HI district, or manufacturing and production uses in the LI district.

**SECTION 20.**

Section 5.7.7 Exempt Signs, insert new subsection L to read as follows:
**L. A sign painted on an active public water tower.**

**SECTION 21.**

Table 5.7.10.B: Requirements for an Attached Sign Requiring a Sign Permit, revise Identification Signs Sign Type as follows:

| IDENTIFICATION SIGNS | | | | | |
|---|---|---|---|---|---|
| All nonresidential districts **and all nonresidential uses in residential districts** | 1 when average wall height > 35 feet | 75 | > 6 feet | top of wall | 1% of wall area |

**SECTION 22.**

Section 5.11.3 Exemptions, subsection B, revise as follows:
B. The fence height limitations in this section shall not apply to fences built in conjunction with the following:
1. ~~**Electric or gas substations**~~ **Utility Facilities, Major and Minor;**
2. ~~**Municipal solid waste disposal facilities**~~ **Landfills, Major and Minor;**
3. ~~**Water or sewage treatment plants or facilities**~~ **Correctional Facilities;**
~~**4. Municipal water storage facilities;**~~
~~**5. Public correctional and mental institutions;**~~
~~**6**~~ **4.** Military facilities; or
~~**7**~~ **5.** ~~**Hazardous or radioactive waste storage or disposal facilities**~~ **Hazardous Waste Disposal Facilities.**

**SECTION 23.**

Section 5.12.5 Open Space Standards, subsection F, revise as follows:
F. Incentives for Active Recreational Features
~~**Land associated with**~~ **If** a path, trail, greenway, or other allowable active recreational feature **is provided by the developer, then land associated the active recreational feature** ~~**located within an environmentally-sensitive area**~~ may be counted towards the requirements in Table 5.12.4, Minimum Open

Space Amount, above and beyond the maximum amount specified in Section 5.12.5.A, Features Counted as Open Space.

**SECTION 24.**

Section 5.14.3 Corner Retail, subsection C, paragraph 5(e) revise as follows:

(e) Signage

**(1)** Signs shall comply with the signage standards in Section 5.7, Signage, **for the Transitional Office (TO) district.**

**(2)** Free-standing shall ~~**also**~~ comply with the following:

**(~~1~~ i)** Free-standing signs may only be used if the street setback is more than 5 feet;

**(~~2~~ ii)** The sign shall be a monument type sign;

**(~~3~~ iii)** The sign shall be limited to a maximum area of 75 square feet; and

**(~~4~~ iv)** The sign shall be limited to a maximum height of 6 feet.

**SECTION 25.**

Table 5.15.3 Sustainable Development Incentives, revise the maximum height incentives as follows:

| | | |
|---|---|---|
| An increase in the maximum allowable height by up to ~~**2 stories or 20**~~ **30** feet beyond the maximum allowed in the zoning district in the Core City | 2 | 3 |
| An increase in the maximum allowable height by up to ~~**1 story or 10**~~ **15** feet beyond the maximum allowed in the zoning district outside the Core City | 2 | 3 |

**SECTION 26.**

Section 6.1.3 Tree Planting, Pruning and Removal, subsection B, paragraph 1, revise as follows:

1. Public and private utilities (water, sewer, electrical, gas, telecommunications, cable, etc.) in public rights-of-way, ~~**on land owned or controlled by the City,**~~ or in dedicated utility easements **on land owned or controlled by the City.**

**SECTION 27.**

Section 6.2 Watershed Protection revise as follows:

6.2.3. EXEMPTIONS

~~**A. General**~~

The following activities are exempt from the requirements of this section; however, this exemption shall not be construed to permit uses prohibited in the underlying zoning district, or uses prohibited by this section.

~~**1.**~~ **A**. Development on a lot of record less than 20,000 square feet in area existing on July 1, 1993 in all **water supply** watersheds except in the Randleman Lake Watershed.

~~**2.**~~ **B**. Development on a lot of record less than 20,000 square feet in area existing on January 1, 2000 in the Randleman Lake Watershed.

~~**3.**~~ **C.** Development on a lot of record less than 40,000 square feet in area existing on January 1, 2000 in the Downtown Area, which is shown on the High Point Watershed Map.

~~**4.**~~ **D.** Development of 1 single-family dwelling and its accessory structure(s) on:

~~**(a)**~~ **1.** A lot located outside (WCA) Tier 1 within the Oak Hollow Lake, City Lake, and Oakdale Reservoir Watersheds; or

~~**(b)**~~ **2.** A lot located outside (WCA) Tiers 1 and 2 within the Randleman Lake Watershed.

~~**5.**~~ **E.** Development of a duplex dwelling and its accessory structure(s) on a lot in the Oak Hollow Lake, City Lake, and Oakdale Reservoir Watersheds provided a sedimentation and erosion control plan is not required and it is located outside (WCA) Tiers 1 and 2.

~~**6.**~~ **F.** Development on a lot in a non-water supply watershed that disturbs less than an acre.

~~**7.**~~ **G.** Replacement of an existing built-upon area on a lot developed with a like or lesser amount of new built-upon area at the same location, or at a different location on the same lot if the TRC determines that equal or improved water quality will result.

~~**8.**~~ **H.** Development ~~**existing**~~ **with a vested right, in accordance with Section 1.10, Vested Rights,** on July 1, 1993 in all water supply watersheds except Randleman Lake Watershed where the effective date is January 1, 2000.

~~**9.**~~ **I** Development **with a vested right, in accordance with Section 1.10, Vested Rights, as of July 1, 2007**~~**existing**~~ in all non-water supply watersheds~~**, as of July 1, 2007**~~**.**

~~**B.**~~ **6.2.4** Exemption to the Plan Submission Requirements of This Section

The development of a small accessory building, structure, or small amount of other built-upon area on a lot is exempt from the plan submission requirements of this section, provided:

~~1.~~ **A.** The development is nonresidential or multi-family;
~~2.~~ **B.** The total built-upon area is no greater than 600 square feet;
~~3.~~ **C.** Less than 1 acre of land is disturbed;
~~4.~~ **D.** The built-upon area or land disturbance is not within a required surface water buffer;
~~5.~~ **E.** The exemption is not proposed on a lot subject to a watershed development plan on file with the Planning and Development Department; and
~~6.~~ **F.** The exemption is applied to a lot no more than once after July 1, 1993, in all watersheds except Randleman Lake Watershed, or after January 1, 2000 in the Randleman Lake Watershed.

~~C.~~ **6.2.5** Compliance with Previously Approved Plans
Any restrictions upon building location, drainageways, pavement, or other built-upon area, percentage of impervious surface area, location of built-upon area, or any other matter appearing on any previously approved watershed development plan covering the subject land shall be complied with unless and until replaced by an approved revised watershed development plan meeting the requirements of this section.

~~D.~~ **6.2.6** Activities Regulated by Other Governmental Agencies

~~**1. Agriculture**~~
~~**The Guilford Soil and Water Conservation District is the designated agency responsible for implementing the provisions of this section pertaining to agriculture.**~~

~~**2. Silviculture**~~
~~**The City of High Point is the designated management agency responsible for implementing the provisions of this section pertaining to silviculture activities.**~~

~~3.~~ **A.** Transportation
The NCDOT shall comply with the practices outlined in its document entitled "Best Management Practices for the Protection of Surface Waters," which is incorporated herein by reference.

~~4.~~ **B.** Hazardous Materials
~~(a)~~ **1.** The City of High Point Fire Marshall and the Guilford County Local Emergency Planning Committee are the designated management agencies responsible for implementing the provisions of this section pertaining to hazardous materials.
~~(b)~~ **2.** An inventory of all hazardous materials used and stored in the watershed shall be maintained.
~~(c)~~ **3.** A spill/failure containment plan and appropriate safeguards against contamination are required.
~~(d)~~ **4.** Waste minimization and appropriate recycling of materials is encouraged.

~~(e)~~ **5.** Land in the WSO where oil or other hazardous substances are stored shall comply with the following requirements:

**(~~1~~ a)** The Superfund Amendments and Reauthorization Act (SARA) Section 302 Extremely Hazardous Substances (42 USC 11000 et seq.); and

**(~~2~~ b)** Section 311 of the Clean Water Act (CWA), as amended (33 USC 1251 et seq.).

Renumber the remaining sections, Section 6.2.4 HOW TO USE THIS SECTION through 6.2.14 WATERSHED ACCOUNTING accordingly as Sections 6.2.7 HOW TO USE THIS SECTION through 6.2.17 WATERSHED ACCOUNTING and renumber all section references accordingly within the text.

## SECTION 28.

Section 7.1.6 Subdivision Standards, subsection B, paragraph 5 revise as follows:

5. Lots Adjoining **Dedicated** Public Open Space or Required Watershed Stream Buffer Areas
   Single-family lots with public water and sewer service that abut a dedicated public open drainageway, **dedicated** public open space areas, or a required watershed stream buffer when such buffer is in a common area, may have less area than the minimum lot size required, provided the following standards are met:
   (a) No lot area shall be less than 60 percent of the minimum lot size for the zoning district or less than 4,000 square feet.
   (b) A note shall be placed on the Final Plat stating:
   "The required area of Lots (insert lot #) through (insert lot #) has been reduced in accordance with Section 7.1.6.B.5 Lots Adjoining **Dedicated** Public Space or Required Watershed Stream Buffer Areas. All other dimensional requirements of the Development Ordinance shall apply."

## SECTION 29.

Section 7.1.6 Subdivision Standards, subsection C, paragraph 9(b) revise as follows:

(b) ~~**Minimum**~~ Design and Construction
   (1) The ~~**minimum**~~ street design standards for private streets are the same as for public streets.

## SECTION 30.

Section 7.1.6 Subdivision Standards, subsection F, paragraph 2(a) revise as follows:

(a) Connection of each lot to public water and sewer utilities shall be required if the proposed subdivision is within 300 feet of the nearest adequate line of a public

system, ~~and provided that no~~ **unless the Public Service Director determines** geographic or topographic factors ~~**would**~~ make such connection infeasible.

**SECTION 31.**

Section 8.1.1 Purpose and Scope revise as follows:
There are existing uses of land, structures, lots of record, **and** signs~~**, and site features (e.g., off-street parking, landscaping, etc.)**~~ that were lawfully established before the effective date of this Ordinance or a subsequent amendment thereto, that now do not conform to standards and requirements of this Ordinance. Such uses, structures, lots, **and** signs ~~**and site features**~~ are collectively referred to as "nonconformities." The purpose and intent of this chapter is to allow nonconformities to continue to exist, but to regulate and limit their continued existence and expansion so as to bring them into conformity to the extent that is reasonably practicable.

**SECTION 32.**

Section 10.2.3 Lot Dimensions, subsection C, paragraph 2 revise as follows:

2. ~~**Average Lot Area**~~ **Lot Area Averaging**
   **Lot area averaging may be applied to new single-family detached development located outside the Core City area in certain zoning districts as noted in the individual zoning district dimensional standards in Chapter 3 Zoning Districts. The areas of residential lots in the same development may be averaged in order to meet the required minimum lot area for the applicable zoning district in accordance with the following:**
   **(a) Lot area averaging must be proposed and approved at the time of preliminary plat approval.**
   **(b) All lots to be averaged must be for residential use and be within 75% to 125% of the minimum lot area required by the zoning district.**
   **(c) The areas of all such lots in the development are added together and divided by the total number of lots. The resulting number shall meet or exceed the required minimum lot area for the district.**
   **(d) Residential lots that are larger than 125% of the required minimum lot area for the district are permitted, but shall be excluded from lot area averaging.**

Chapter 3 Zoning Districts

Table 3.3.2 Residential Single Family-3 (R-3), Note 1 - revise as follows:
[1] Lots in projects 2 acres or greater in area may be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average

lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

Table 3.3.3 Residential Single Family-5 (R-5), Note 1 – revise as follows:
[1] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

Table 3.3.4 Residential Single Family-7 (R-7), Note 1 – revise as follows:
[1] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

Table 3.3.6 Residential Multifamily-5 (RM-5), Note 2 – revise as follows:
[2] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

Table 3.3.7 Residential Multifamily-16 (RM-16), Note 2 – revise as follows:
[2] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

Table 3.3.8 Residential Multifamily-26 (RM-26), Note 2 – revise as follows:
[2] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

Table 3.4.2 Transitional Office (TO), Note 2 – revise as follows:
[2] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

Table 3.4.3 Office Institutional (OI), Note 2 – revise as follows:
[2] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

Table 3.4.5 Limited Business (LB), Note 2 – revise as follows:
[2] May be between 75% and 125% of the district minimum lot area, provided the development as a whole maintains an average lot area that equals or exceeds the district minimum **(See Section 10.2.3.C.2 Lot Area Averaging)**.

**SECTION 33.**

Section 10.2.6 Height, subsection A, revise the Maximum Building Height definition as follows:
The vertical distance measured from the average elevation of the finished grade to the topmost section of the roof ~~**along the front facade**~~.

**SECTION 34.**

Section 10.4 Definitions, revise the Group Development definition as follows:
A development in which, in-lieu of **the** division of a tract of land into separate lots ~~**of record**~~ for separate principal buildings, a tract of land is divided into 2 or more principal building sites for the purpose of building development (whether immediate or future) and occupancy by separate families, firms, businesses, or other enterprises.

**SECTION 35.**

Section 10.4 Definitions, revise the Subdivision definition as follows:
A division of a tract or parcel of land into 2 or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and includes all divisions of land involving the dedication of a new street or a change in existing streets. The following are not included within this definition and are not subject to any subdivision regulations in this Ordinance:

a. The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this Ordinance.
b. The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved.
c. The public acquisition by purchase of strips of land for the widening or opening of streets**, or for public transportation system corridors**.
d. The division of a tract in single ownership, the entire area of which is not greater than 2 acres, into not more than 3 lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of this Ordinance.

**SECTION 36.**

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

**SECTION 37.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 38.**

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The XX$^{th}$ day of XXX, 2017
Lisa B. Vierling, City Clerk

# CITY OF HIGH POINT
# PLANNING & ZONING COMMISSION
# REGULAR MEETING SCHEDULE
# 2017

| Meeting Date | Application Deadline |
|---|---|
| January 24, 2017 | December 12, 2016 |
| February 28, 2017 | January 13, 2017 |
| March 28, 2017 | February 13, 2017 |
| April 25, 2017 | March 13, 2017 |
| May 23, 2017 | April 10, 2017 |
| June 27, 2017 | May 15, 2017 |
| July 25, 2017 | June 12, 2017 |
| August 22, 2017 | July 10, 2017 |
| September 26, 2017 | August 14, 2017 |
| October 24, 2017 | September 11, 2017 |
| November 14, 2017 | October 2, 2017 |
| December 12, 2017 | October 30, 2017 |
| January 23, 2018 | December 11, 2017 |

Regular meetings of the Planning & Zoning Commission are held at 6:00 p.m. in the City Council Chambers on the fourth Tuesday of each month unless otherwise scheduled to accommodate holidays.

Completed applications must be received in the Planning & Development Department by 5:00 p.m. on the date of the application deadline to be placed on the agenda.

Questions pertaining to the Planning & Zoning Commission should be directed to the Planning & Development Department at 883-3328.

**ALL DATES ARE TENTATIVE UNTIL APPROVED BY THE COMMISSION**