

MINUTES
PLANNING AND ZONING COMMISSION
August 22, 2023
City of High Point
Municipal Office Building
City Council Chambers
6:00 p.m.

MEMBERS

PRESENT: Tom Kirkman, Chairman
Thad Juszczak
Mark Morgan
Joan Swift
Terry Venable
Mark Walsh
Ray Wheatley

MEMBERS

ABSENT: NONE
(Note: there are two vacant seats on the commission)

STAFF

PRESENT: Sushil Nepal, Planning & Development Director
Herbert Shannon, Senior Planner
Genine Solis, Acting Recording Secretary
Andrew Edmonds, Transportation Administrator
George Eckart, Transportation Engineer
Meghan Maguire, City Attorney

The meeting began at 6:00 p.m. in the City Council Chambers.

A. Call to Order

Mr. Kirkman called the meeting to order at 6:00 p.m. and it was determined that a quorum was present.

B. Approval of Minutes

1. July 25, 2023 Planning and Zoning Commission Regular Meeting

Mr. Kirkman made a motion to approve the July 25, 2023 minutes of the regular meeting of the Planning and Zoning Commission as presented. Mr. Morgan seconded the motion. The minutes were approved by a vote of 7-0.

C. Public Hearing Items

1. Phillips Funeral Service, Inc. Zoning Map Amendment 23-20

A request by Phillips Funeral Service, Inc. to rezone approximately 0.7 acres from the Residential Multifamily - 16 (RM-16) District to a Conditional Zoning Office Institutional (CZ-OI) District. The site is located along the north side of Brockett Avenue, approximately 200 feet east of Herbert Place.

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-20 and recommended approval of the request as outlined in the staff report.

The following people spoke on behalf of the applicant:

- Mr. Thomas Terrell, Attorney, Fox Rothchild, LLP, 230 N. Elm St., Greensboro

Mr. Terrell provided an overview of the proposal to rezone the site to support a minor personal service use (funeral home). He also outlined conditions offered by the applicant to ensure development will be compatible with the surrounding residential neighborhood. Mr. Terrell concluded by noting that the proposed use is a very low traffic generator.

There were no speakers in opposition to this request.

Zoning Map Amendment 23-20

Mr. Walsh made a motion to recommend approval of Zoning Map Amendment 23-20 as presented by staff. Ms. Swift seconded the motion. The Planning and Zoning Commission recommended approval of the request by Phillips Funeral Service, Inc. by a vote of 7-0.

Consistency & Reasonableness Statements

Mr. Venable made a motion that the Commission adopt a statement that Zoning Map Amendment 23-20 is consistent with the City's adopted policy guidance because prior zoning approval has established policy allowing a minor personal service use (funeral home) in this residentially classified area. As conditioned, the requested CZ-OI District is neither consistent nor in conflict with the Land Use Plan and goals and objectives of the Community Growth Vision Statement. Furthermore, the request is reasonable and in the public interest because, as conditioned, the requested CZ-OI District will be compatible with surrounding residential land uses and is similar to previous personal service conditional zoning approvals granted in this area. Mr. Morgan seconded the motion. The Planning and Zoning Commission adopted these statements by a vote of 7-0.

The Chair announced that the request is tentatively scheduled to be heard by City Council on Monday, September 18, 2023 at 5:30 p.m.

2. City of High Point Zoning Map Amendment 23-22

A request by the City of High Point to rezone approximately 196 acres as part of the Comprehensive Zoning Map Amendment project. To rezone the Swansgate Subdivision and the Swans Landing Subdivision from the Conditional Use Residential Single Family – 3 (CU R-3) District to a Residential Single Family – 3 (R-3) District. These subdivisions are located along the north side of W. Lexington Avenue, approximately one-mile west of Wallburg-High-Point Road, along Swansgate Lane and Bennington Way.

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-22 and recommended approval of the request as outlined in the staff report.

There were no speakers in favor or opposition to this request. There were two members of the public in attendance regarding this request, and once the proposal was explained to them, there were no objections noted.

Zoning Map Amendment 23-22

Mr. Morgan made a motion to recommend approval of Zoning Map Amendment 23-22 as presented. Mr. Walsh seconded the motion. The Planning and Zoning Commission recommended approval of the request by the City of High Point by a vote of 7-0.

Consistency & Reasonableness Statements

Ms. Swift made a motion that the Commission adopt a statement that Zoning Map Amendment 23-22 is consistent with the City's adopted policy guidance because the zoning map amendment is supported by the Low-Density Residential land use classification of the Land Use Plan governing this portion of the City. Furthermore, the request is reasonable and in the public interest because the proposed R-3 District matches the surrounding City of High Point zoning pattern of this area. Mr. Venable seconded the motion. The Planning and Zoning Commission adopted these statements by a vote of 7-0.

The Chair announced that the request is tentatively scheduled to be heard by City Council on Monday, September 18, 2023 at 5:30 p.m.

3. City of High Point Text Amendment 23-03

A request by the City of High Point to amend the powers and duties of the Planning and Zoning Commission, pertaining to Review Procedures Subject to Decision-Making Body Review and Decision.

Mr. Herbert Shannon, Senior Planner, presented Text Amendment 23-03 and recommended approval of the request as outlined in the staff report.

This amendment proposes to grant the Planning and Zoning Commission the authority to make the final decision on various Zoning Map Amendment requests. Mr. Shannon explained that the intent of the text amendment is for the Commission to address straight-forward cases and streamline the process for applicants. It will also limit City

Council involvement in zoning cases to the more complex requests. If someone disagrees with the Planning and Zoning Commission decision (applicant, surrounding property owner, etc.,) they will be able to appeal the commission decision to the City Council. He also noted that there will be a simple, one-page application for appeals, along with an associated fee. The fee has not been decided and recommendations from the Planning & Zoning Commission will be considered for budget approval for 2024.

Staff provided the following answers to questions from the Commission:

- The timeframe to appeal a rezoning decision will still be 15 days from the date of the decision, including holidays. As such, a special meeting may be required by the City Council if they wish to initiate an appeal application if there is no regularly scheduled meeting within the 15 day time period.
- Each individual wishing to appeal a rezoning decision will be required to submit a separate application and fee. In the event there are multiple appeal applications for the same case, the applications will be heard by the City Council at one time.
- The current notification requirements for rezoning cases will also apply to appeals, including the requirements for advertisements, mailed notices, etc.
- An applicant may choose to provide the City Council with additional information prior to the public hearing for the appeal but will otherwise receive the same information provided to the Planning and Zoning Commission.
- The public hearings for appeals before the City Council would be open to anyone wishing to speak.

The following person spoke on the request:

- Ms. Judy Stalder, TREBIC representative, 3735 Admiral Dr., High Point

Ms. Stalder, who spoke on behalf of TREBIC, stated the organization generally supports this text amendment; however, they are concerned with the changes to the requirements for citizen information meetings. Members of TREBIC feel that the current requirements are adequate, and they do not feel it is necessary to present a plan to citizens. They also feel the timeline is too short and that the timeframe should be more flexible, particularly around holidays.

The following information was provided in response to concerns that Ms. Stalder expressed on behalf of TREBIC and further questions from the Commission:

- The citizen information meeting will not be required to be held in-person. It may be held virtually online, or, in a case in which only a small group of citizens are impacted by the proposal, the meeting may be conducted via phone call(s).
- Citizens need to be made aware that preliminary plans are not binding and may change at any time, which is the intended purpose of citing the Use Table of the Development Ordinance. The Use Table would cover any changes that are allowed.
- The timeline for the zoning map amendment application process is not changing. The only change is the additional requirement for the applicant to hold a citizen information meeting. Preparation by the applicant may begin earlier if they are concerned about the timeframe. City staff provides the applicant with a list of

property owners within the notification area as a courtesy; however, the applicant can gather their own list and begin the process earlier.

There was some discussion by the Commission should continue the case next meeting so that TREBIC and staff could work on a possible compromise.

Text Amendment 23-03

Mr. Morgan made a motion to continue Text Amendment 23-03 until the Tuesday, September 26, 2023 meeting of the Planning and Zoning Commission. Mr. Wheatley seconded the motion. The motion to continue passed by a vote of 4-3, with Mr. Juszczak, Mr. Venable, and Mr. Walsh dissenting as they thought there was enough information to proceed with a recommendation.

D. New Business

1. City of High Point

**Determination of Merit for
Street Name Change (SN-23-02)**

A request by the City of High Point to consider the merit and to set a public hearing date for consideration of renaming Village Springs Court to Waterford Oaks Trace.

Mr. Herbert Shannon, Senior Planner, gave a brief overview of the street name change application and asked the Commission to set a public hearing date for the request.

In response to questions by commissioners, staff provided the following information:

- Mail delivery complaints have come from residents of both Village Springs Court and Village Springs Drive, with the majority coming from the former.
- The addresses for the new Waterford Oak Trail were checked and there are no issues with similar house numbers.

Mr. Kirkman made a motion that the proposed street name change application by the City of High Point has merit and scheduled the public hearing for September 26, 2023. Mr. Wheatley seconded the motion. The motion passed by a vote of 7-0.

E. Director's Report

August 21 Council items

- Zoning Map Amendment 23-16
 - Property off W. English Road, just north of Westchester Drive intersection (2 parcels)
 - **Rezoning approved:** from Heavy Industrial (HI) District to the General Business (GB) District
- Zoning Map Amendment 23-17
 - Northwestern and northeastern corners of W. Green Drive and W. Grimes Avenue (3 parcels)
 - **Rezoning approved:** from Heavy Industrial (HI) District to the Light Industrial (LI) District
- Zoning Map Amendment 23-18

- Northeast corner of N. Centennial Street and Beaucrest Drive
- Rezoning approved: from Residential Multifamily-16 (RM-16) District and the Residential Single Family-5 (R-5) District to a Planned Development – Periphery (PD-P) District
- Comprehensive Zoning Map Amendment 23-19
 - Northeast corner of W. Lexington Avenue and Wallburg-High Point Road
 - Rezoning approved: from a Planned Development – Limited (PDL) District to the Residential Single Family-3 (R-3) District

Planning and Zoning Commission Vacancies (2)

- At their August 22, 2023 meeting, the City Council appointed Mr. Steve Galanti to fill the position vacated by Angela Jiménez.
- Council to appoint another member at a future meeting. Alex Moore vacated seat. Ms. Kara Blue was appointed by the City Council, but she was unable to serve.

Open staff positions

- Development Administrator (on hold)
- Planner – Current planning (interviews this week)
- Senior Planner – Long-range planning

Status of Key Projects

- Comprehensive Plan (*High Point 2045 Comprehensive Plan Project*):
 - Second phase of community engagement complete, focus on growth scenarios:
 - 5 different on-site open houses
 - Online engagement through August 13
 - Summary will be shared within next week

Information

- Next Meeting: Tuesday, September 26, 2023

F. Adjournment

Mr. Kirkman made a motion to adjourn the meeting. Mr. Venable seconded the motion. The motion passed by a vote of 7-0.

Being no further business, the meeting adjourned at 7:41 p.m.

Tom Kirkman, Chairman

Date