

MINUTES
PLANNING AND ZONING COMMISSION
September 26, 2023
City of High Point
Municipal Office Building
City Council Chambers
6:00 p.m.

MEMBERS

PRESENT: Tom Kirkman, Chairman
Steve Galanti
Thad Juszczak
Mark Morgan
Joan Swift
Terry Venable
Mark Walsh

MEMBERS

ABSENT: Ray Wheatley
(Note: There is one vacant seat on the commission.)

STAFF

PRESENT: Sushil Nepal, Planning & Development Director
David Fencl, Senior Planner
Herbert Shannon, Senior Planner
Gina Lindsey, Recording Secretary
Andrew Edmonds, Transportation Administrator
George Eckart, Transportation Engineer
Nick Tosco, Counsel to the Board

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. August 22, 2023 Planning and Zoning Commission Regular Meeting

Mr. Kirkman made a motion to approve the August 22, 2023 minutes of the regular meeting of the Planning and Zoning Commission as presented. Ms. Swift seconded the motion. The minutes were approved by a vote of 7-0.

C. Continued Public Hearing Items

1. City of High Point Text Amendment 23-03

A request by the City of High Point to amend the Development Ordinance to revise the powers and duties of the Planning and Zoning (P&Z) Commission. This amendment proposes to grant the P&Z Commission the authority to make the final decision on various Zoning Map Amendment requests. In conjunction with the proposed expanded P&Z Commission authority, this request also amends the review procedures, appeals process, and amends the Conditional Zoning, Planned Development, Zoning Map Amendment and Overlay (Historic & Manufactured Housing) District zoning process.

Mr. Herbert Shannon, Senior Planner, gave a brief review of Text Amendment 23-03 after the item was continued at the August 22, 2023 meeting. He also reiterated that staff recommends approval of the request as outlined in the staff report.

The following people spoke on the request:

- Ms. Judy Stalder, Regulatory Affairs Director, Triad Release Estate and Building Coalition (TREBIC), 115 S Westgate Dr., Greensboro, NC

Ms. Stalder noted that TREBIC is supportive of the proposed Text Amendment related to delegation but encouraged the commissions to exclude the proposed changes noted in Section 4 of the ordinance pertaining to Citizen Information Meeting requirements. Ms. Stalder said they do not believe it is necessary to mandate having a concept plan at a Citizens Information Meeting and added that they wish to keep the option of not requiring such a meeting based upon the merits of individual zoning proposals.

In addition, Ms. Stalder read a letter from Mr. Thomas Terrell, Jr., a local land use attorney who presents many zoning cases in the City of High Point. In this letter Mr. Terrell touched upon the following subjects in opposition to the Citizen Information Meeting portion of the Text Amendment:

- Keep the ordinance flexible.
- A developer should be trusted to determine what level and kind of communication are required based upon the specific zoning request.
- It can be costly to develop a concept plan and it may change during the official plan review process.
- Finally, if a developer is being intentionally noncommunicative or misleading toward neighbors, the P&Z Commission and City Council can delay or turndown a zoning request.

Once the public hearing was closed, the Commission deliberated on the text amendment request. Several members stated that they were very supportive of the proposed text amendment, and that changes to the process for the Citizens Information Meeting standards, in their opinion, were minor.

Text Amendment 23-03

Mr. Walsh made a motion to recommend approval of Text Amendment 23-03 as presented by staff. Mr. Juszczak 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

Mr. Juszczak made a motion that the Commission adopt a statement that Text Amendment 23-03 is consistent with the City's adopted policy guidance because the proposed amendment: 1) Expands the authority of the PZ Commission; 2) Clarifies and provides for consistent review and decision-making procedures among the various boards; and 3) Makes the zoning process more flexible and supportive of the City's adopted policy guidance documents. Furthermore, the request is reasonable and in the public interest because, the proposed text amendment provides for an updated, streamlined zoning process for noncontroversial requests and provides citizens the ability to appeal the PZ Commissions decision to their elected officials. Mr. Walsh 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, October 2, 2023 at 5:30 p.m.

D. Public Hearing Items

1. City of High Point Street Name Change SN-23-02

A request by the City of High Point to rename Village Springs Court to Waterford Oaks Trail.

Mr. Herbert Shannon, Senior Planner, presented Street Name Change SN-23-02 and recommended approval of the request as outlined in the staff report. He also noted that the request is intended to eliminate confusion with similar street names, and that changing Village Springs Court impacted the fewest number of addresses.

Mr. Shannon explained that while there is no significant cost to the city, only replacing street signs, it does impose a financial impact on the affected property owners. He added that staff is suggesting an effective date for the street name change of January 8, 2024 if approved.

The following people spoke on the request:

- Mr. Daniel Peters, 3750 Village Springs Ct., High Point
- Mr. Kumar Abhisek, 3710 Village Springs Ct., High Point
- Mr. Kevin Yu, 3730 Village Springs Ct., High Point

These speakers expressed the following concerns:

- Residents of Village Springs Court have not noticed any issues with receiving mail or delays in emergency service response times.

- Mr. Peters asked if the city could study the issue further to determine if the change is really needed. Other speakers agreed with his comments and echoed that the change is not necessary.

Mr. Kirkman noted that he struggles with changing the address of residents who do not want the change. He asked those in favor of the street name change to raise their hand – no one did so. Mr. Kirkman then asked staff if the name of Village Springs Drive could be changed instead since that is where most of the issues were reported, or if the house numbers on Village Springs Court could be changed as an alternative.

Mr. Sushil Nepal, Planning & Development Director, confirmed that the complaints originated from Village Springs Drive and not Village Springs Court. However, while he understands that people don't want their address changed on Village Springs Court, he said it only takes one incident in which someone knocks on the wrong door and someone gets hurt. He asked rhetorically, who would be responsible for that? He added that as staff looked for a possible solution, they weighed the impact of different options and changing the name of Village Springs Court would effect the fewest number of people. He also reiterated that the house numbers would not be changed, only the street name, and that residents would be responsible for changing their address on bills and their driver's license, similar to when someone moves.

There was some discussion by commissioners as to why residents of Village Springs Drive were not in attendance. Mr. Shannon noted that notification was only sent to residents of Village Springs Court and not Village Springs Drive.

Mr. Morgan noted that it comes down to a life safety issue. Mr. Kirkman agreed that it is a safety issue and that he's not opposed to changing the street name of one or the other [Village Springs Court or Village Springs Drive] for that reason.

Street Name Change 23-02

Mr. Walsh made a motion to recommend approval of Street Name Change 23-02 as presented by staff with an effective date of January 8, 2024. Mr. Morgan 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.

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

A request by the City of High Point to rezone approximately 11.7 acres as part of the Comprehensive Zoning Map Amendment project.

- a. To rezone approximately 0.7 acres from the Residential Single Family – 5 (R-5) District to the General Business (GB) District. The site is located along the south side of W. Farris Avenue, approximately 640 feet west of N. Main Street (149, 151 & 153 W. Parris Avenue).
- b. To rezone approximately 11 acres from the Heavy Industrial (HI) District to the Limited Business (LB) Districts. The site is located along Beddington Street, between Blake Avenue and Tower Avenue.

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

There were no speakers in opposition to this request for Area A (W. Parris Avenue). For Area B (Beddington Street), there were two speakers in favor and one speaker in opposition of the request.

The following people spoke in favor of the request:

- Mr. Bruce Shipwash, 220 & 222 Beddington St., High Point
- Donald Shipwash, 218 Beddington St., High Point

They noted they have been constructing affordable homes along Beddington Street since 2008. With the change in the Development Ordinance in 2017, new residential uses are no longer permitted in Heavy Industrial-zoned areas. They support rezoning to protect the existing residential homes and to continue to allow development of affordable homes on the few remaining undeveloped lots along Beddington Street.

The following person spoke in opposition of the request:

- Lemuel James Dildine, 236 Beddington St., High Point

Mr. Dildine, the owner of Sixth-Eight Motors Inc., noted that he prefers the area retain its HI District zoning, including his property and all the other homes along this street. He added that due to recent robberies at his facility, he does not desire to have any additional residential uses in the area and that there is already too much traffic on Beddington Street.

Zoning Map Amendment 23-23

Mr. Kirkman made a motion to recommend approval of Zoning Map Amendment 23-23 as presented by staff. Mr. Venable 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

Mr. Venable made a motion that the Commission adopt a statement that Zoning Map Amendment 23-23 is consistent with the City's adopted policy guidance because the zoning map amendment is supported by goals and objectives of the Land Use Plan that speak to promote an urban growth pattern that occurs in an orderly fashion; and encourages development that enhances and preserves established neighborhoods. Furthermore, the request is reasonable and in the public interest because the amendments are needed to match the manner in which these neighborhoods have developed and to remove unneeded restrictions. 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, October 2, 2023 at 5:30 p.m.

Before hearing Zoning Map Amendment 23-34, Mr. Steve Galanti requested to be recused from the public hearing due to a close business relationship between his place of work, Davis Martin Powell & Associates, and Bricks & Beams, LLC.

Mr. Kirkman made a motion to accept Mr. Galanti's recusal. The motion was seconded by Mr. Walsh. The recusal was accepted by a vote of 6-0 and Mr. Galanti exited the dais.

3. Bricks & Beams, LLC Zoning Map Amendment 23-24

A request by Bricks & Beams, LLC to rezone approximately 6.5 acres from the Light Industrial (LI) District to the Central Business (CB) District. The site is located along the south side of E. Green Drive, between S. Centennial Street and Park Street (313 S. Centennial Street).

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-24 and recommended approval of the request as outlined in the staff report.

The following people spoke on behalf of the applicant:

- Ms. Elizabeth Koonce, Attorney, Roberson Haworth & Reese PLLC, 300 N. Main St., High Point

Ms. Koonce provided an overview of her client's proposal to renovate the former Slane Hosiery Mill off S. Centennial Street. The Slane Hosiery facility has relocated to a new site in the southern portion of the city off W. Fairfield Drive. She stated that the reuse of this former industrial building for a market showroom and corporate office uses will be an excellent repurposing of this site. Ms. Koonce concluded by noting that the requested CB District is consistent with the surrounding zoning pattern and with the City's Land Use Plan.

There were no speakers in opposition to this request.

Mr. Kirkman noted that the proposed rezoning appears to be a win-win in repurposing an existing site. Mr. Venable agreed this would be a great use of building.

Zoning Map Amendment 23-24

Ms. Swift made a motion to recommend approval of Zoning Map Amendment 23-24 as presented by staff. Mr. Walsh seconded the motion. The Planning and Zoning Commission recommended approval of the request by Bricks & Beams, LLC by a vote of 6-0. Mr. Galanti was recused from the case.

Consistency & Reasonableness Statements

Mr. Venable made a motion that the Commission adopt a statement that Zoning Map Amendment 23-24 is consistent with the City's adopted policy guidance because the requested CB District zoning is supported by the Community/Regional Commercial designation of the Land Use Plan and by the site being identified as lying within the Showroom District by the Core City Plan. Furthermore, the request is reasonable and in the public interest because similar properties fronting along this section of S. Centennial Street, classified by the adopted Land Use Plan as Community /Regional Commercial, are zoned as a CB district. Mr. Morgan seconded the motion. The Planning and Zoning Commission adopted these statements by a vote of 6-0.

The Chair announced that the request is tentatively scheduled to be heard by City Council on Monday, October 2, 2023 at 5:30 p.m.

Mr. Galanti rejoined the Commission at the dais at the conclusion of the public hearing for Bricks & Beams, LLC.

4. Kumasi Management Services, LLC Zoning Map Amendment 23-25

A request by Kumasi Management Services, LLC to rezone approximately 14.2 acres from a Conditional Use Light Industrial (CU-LI) District to a Conditional Zoning General Business (CZ-GB) District. The site is located along the north and south sides of Furniture Avenue, approximately 0.3 mile (1,800 feet) east of Riverdale Road (4257, 4265, 4262 & 4268 Furniture Avenue).

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-25 and recommended approval of the request as outlined in the staff report.

The following people spoke on the request:

- Mr. Simon Johnson, applicant, 3296 Kittering Ln., Winston-Salem
- Mr. Matt McCarthy, Pastor of Vertical Church, 1235 Gatehouse Road

These speakers noted that the Vertical Church is proposing to relocate from its Furniture Avenue location to another facility and rezoning this 20,000 square-foot building for a school will be an excellent reuse of this building. The College Preparatory and Leadership Academy of High Point has an existing school west of this site, and the zoning request would support expanding their operations to support S.T.E.M. classrooms and laboratories for their elementary and middle school students.

There were no speakers in opposition to this request.

Mr. Galanti noted that he didn't see an area designated for student drop-off and pick-up. Mr. Johnson responded that those activities take place at the existing campus, which is a short walk from the proposed zoning site.

Zoning Map Amendment 23-25

Mr. Juszczak made a motion to recommend approval of Zoning Map Amendment 23-25 as presented by staff. Ms. Swift seconded the motion. The Planning and Zoning Commission recommended approval of the request by Kumasi Management Services, LLC by a vote of 7-0.

Consistency & Reasonableness Statements

Mr. Morgan made a motion that the Commission adopt a statement that Zoning Map Amendment 23-25 is consistent with the City's adopted policy guidance because the requested CZ-GB District is similar and compatible with previous conditional zoning approvals granted in this area. Furthermore, the request is reasonable and in the public interest because the zoning site is adjacent to other CZ-GB District zonings that have been approved in 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, October 2, 2023 at 5:30 p.m.

5. City of High Point Zoning Map Amendment 23-26

A request by the City of High Point to establish a new Local Historic Overlay (LHO) District to approximately 50.1 acres bordering Washington Street from N. Centennial Street on the west to the Toussaint L'Ouverture Lodge No.524 (1215 Washington Street) on the east.

Mr. David Fencl, Senior Planner, presented Zoning Map Amendment 23-26 and recommended approval of the request as outlined in the staff report.

Mr. Fencl explained that the purpose of a local historic district is to protect, safeguard and conserve heritage within the city. He said the LHO zoning will impose additional requirements on the properties within the district to comply with local historic design standards. He said proposed changes will be reviewed by the Historic Preservation Commission to determine if they comply with the standards.

Mr. Venable asked if residents are involved in the process of determining the design standards [for the new local historic district] if approved. Mr. Fencl responded that the city has one set of design standards for the existing three local historic districts, which are mostly residential. He said that the design standards would need to change if Washington Street becomes a local historic district since the current standards do not address commercial buildings. Mr. Fencl also responded to a question noting that those with a current active permit will not need to get approval from the Historic Preservation Commission to continue work.

Mr. Kirkman asked what impact the change might have on the Penn Griffin School. Mr. Fencl responded that if the school wished to add modular classrooms, change the parking area or build an addition to the school campus, they would be required to get a Certificate of Appropriateness from the Historic Preservation Commission prior to getting any necessary permits.

Commissioners noted that they are in favor of preserving Washington Street's unique elements and history. However, they expressed concern that the added expense of renovations from needing higher-level or hard-to-find materials in order to meet the design standards might pose a financial burden on the impacted property owners and slow revitalization efforts in the area.

The following people spoke on the request:

- Ms. Anna Marie Mackie, Trustee of Pearson Memorial AME Church, 835 Washington St., High Point
- Mr. Willy Pressley and Pamela Watts Pressley, 1206 Day Place & 1200 West St., High Point
- Ms. Rishaundra Ewing Moses, 607 Washington St., High Point

- Ms. Phyllis Bridges, 115 Parkview Terrace, Jamestown

These speakers expressed a strong desire to have Washington Street designated as a local historic district. They noted that they understand what this designation will entail and that renovation costs will likely be higher but stressed that preserving the history of this area is too important not to do it. Speakers also explained that Washington Street is special in that during segregation, it was a city within a city, with all the necessities of life for the black community within a few city blocks. They also noted that they are not entering into this decision lightly and have had multiple meetings with city officials to advocate and prepare for this change.

The Pressleys said they weren't necessarily for or against the proposed rezoning to an LHO District, but wanted to make sure it would not impact their properties. They were also interested in how it would impact the adjacent school, Penn Griffin.

After listening to the speakers, the commissioners acknowledged the commitment of the speakers who are intent on designating Washington Street as a local historic district. They continued to express concern about the potential renovation costs that would require materials that have historical significance but lamented that this is clearly the path that they want to pursue.

Mr. Juszczak said that the commissioners have many of the concerns people would expect to have in looking at this [request]. He added that the questions raised are because they don't want people to be surprised. However, what they heard is that they know what they are getting into and they are asking for this, and [the Commission] should support this.

Zoning Map Amendment 23-26

Mr. Kirkman made a motion to recommend approval of Zoning Map Amendment 23-26 as presented by staff. Mr. Venable 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

Mr. Juszczak made a motion that the Commission adopt a statement that Zoning Map Amendment 23-26 is consistent with the City's adopted policy guidance because the proposed Washington Street Local Historic Overlay District does not conflict with adopted land use policies. Furthermore, the request is reasonable and in the public interest because approval of the proposed Washington Street Local Historic Overlay District supports adopted land use goals and policies and will not negatively impact adjoining property owners. Mr. Walsh 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, November 20, 2023 at 5:30 p.m.

E. Director's Report

September 18 Council items

- Zoning Map Amendment 23-20
 - Application by Philips Funeral Service; Property north of Brockett Avenue, east of Herbert Place.
 - **Rezoning approved:** 0.7 acres from Residential Multi-family (RM-16) District to the Conditional Office-Institutional (CZ-OI) District
- Zoning Map Amendment 23-22
 - Part of the City initiated Comprehensive Zoning Map Amendment; Swansgate and Swans Landing Subdivision off W. Lexington Avenue.
 - **Rezoning approved:** 196 acres from a Conditional Use Residential Single Family (CU-R3) to Single Family (R3)

Planning and Zoning Commission Vacancies (1)

- No appointments yet

Open staff positions

- Recruitment ongoing: Planner (Current Planning), Senior Planner (Long-Range Planning)

Status of Key Projects

- Comprehensive Plan (*High Point 2045 Comprehensive Plan Project*):
 - Continued conversation about the “Preferred Growth Scenario” – meeting held with staff, City Council, P&Z and the Steering Committee last week
 - Online Community Survey was opened last week and is available until October 8 seeking feedback on preferred growth elements. Help us spread the word.

Information

- Next Meeting: Tuesday, November 14, 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 8:03 p.m.

Tom Kirkman, Chairman

Date