

MINUTES
PLANNING AND ZONING COMMISSION
Remote Public Hearing
February 23, 2021
City of High Point
Municipal Office Building
City Council Chambers
6:00 p.m.

MEMBERS

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

MEMBERS

ABSENT:

STAFF

PRESENT: Lee Burnette, Planning & Development Director
Chris Andrews, Development Administrator
Heidi Galanti, Planning Administrator
Herbert Shannon, Senior Planner
Genine Solis, Recording Secretary (Feb. 23, 2021)
Gina Lindsey, Recording Secretary (Feb. 25, 2021)
George Eckart, Transportation Engineer
Greg Venable, Transportation Planning Administrator
John Hanes, Transportation Planner (Remote)
Meghan Maguire, Assistant City Attorney (Remote)

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. He also noted that all public hearing items would be continued to Thursday, February 25 at 6:00 p.m. to allow time for the public to submit comments.

B. Approval of Minutes

1. Approval of the January 26, 2021 Minutes of the Planning and Zoning Commission

Mr. Walsh made a motion to approve the January 26, 2021 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 8-0.

Ms. Swift arrived immediately after the Commission approved the minutes.

C. Public Hearing Items

Staff and applicant presentations occurred during the February 23 portion of the meeting. Questions from the Commission were also answered at that time.

All votes on public hearing items took place on February 25 when the Commission reconvened with all 9 members present.

Public comments were received via e-mail at build@highpointnc.gov or by calling (336) 883-3522 and leaving a message. Written comments could also be submitted by placing them in the City of High Point's utility payment drop-boxes located on both sides of the Municipal Building located at 211 S. Hamilton Street in the Green Drive and Commerce Avenue parking lots. The comment period was extended 24 hours after the close of the last public hearing held on February 23, 2021.

1. Leoterra Development, Inc. Zoning Map Amendment 21-01

A request by Leoterra Development, Inc. to rezone approximately 20.8 acres from the Conditional Use Office Institutional (CU-OI) District to a Conditional Zoning Office Institutional (CZ-OI) District. The site is located along the east side of Eastchester Drive, approximately 1,300 feet south of Deep River Road.

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 21-01 as outlined in the staff report and recommended approval.

The following people spoke on behalf of the applicant:

- Mr. Tom Terrell, attorney, Fox Rothschild LLP, 230 N. Elm St, Ste. 1200, Greensboro

Mr. Terrell gave an overview of the applicant's proposal to amend the current CU-OI District zoning governing this 20.8-acre parcel. He stated that the applicant is proposing to develop office/personal service uses along the Eastchester Dive frontage and multifamily on the middle portion of the site. He provided details on the conditions offered to limit building height and to provide a buffer area along the southern boundary of the site next to the Foxwood Meadows subdivision. He also stated that any grading within 45 feet of the southern boundary of the site will trigger the condition offered to install an opaque fence and a double row of evergreen trees. In conclusion, Mr. Terrell noted that any development of the site is required to meet environmental regulations of the Development Ordinance and that the requested amended CZ-OI District is consistent with the policies of the Land Use Plan and the Eastchester Drive Corridor plan.

Comments from the public in opposition to the request were submitted by:

- Penni Sue Brough, 1922 Halifax Ct.
- James Cutler, 1923 Halifax Ct.
- Patricia and Nicholas Gasko, 1921 Halifax Ct.
- JulieAnna K. Kirsch and Edgar P. Forehand IV, 1924 Halifax Ct.

The public comments are provided with the minutes.

Key concerns from those in opposition were:

- Compatibility: Concern with a multifamily development being next to a single family subdivision and the number of units proposed. Requested that the width of the buffer area be increased.
- Environmental Impacts: Concern development will lead to additional flooding in the Foxwood Meadows subdivision and questions as to what environmental regulation will the developer be required to meet.
- Traffic Impact: Concern the development will increase traffic congestion.

After review of comments from the public, the Commission had a lengthy discussion on this request. The Commission had questions as to compatibility with surrounding area, density of proposed development, what uses are allowed in OI District and why the previous zoning request on this site in 2005 was denied.

Mr. Terrell addressed the Commission members questions by stating that compatibility does not mean it must be the same use. It is not uncommon to have multifamily uses near or next to single family developments. Mr. Terrell restated his previous comments on conditions offered to ensure compatibility next to abutting single family homes.

Furthermore, Mr. Shannon stated that the site has already has an Office Land Use Plan classification and the current CU-OI District permits office and various personal serves uses. He explained that along this segment of the Eastchester Gateway Corridor staff has been encouraging a development patten of office uses along the street frontage and various residential use behind the office uses. A similar zoning and development pattern lie along the opposite side of Eastchester Drive were the Lake Pointe townhome development is located to the rear of CU-OI District.

Zoning Map Amendment 21-01

Mr. Wheatley made a motion to recommend approval of Zoning Map Amendment 21-01 as recommended by staff. Mr. Walsh seconded the motion. The Planning and Zoning Commission recommended approval of the request by Leoterra Development, Inc. by a vote of 9-0.

Consistency & Reasonableness Statements

Mr. Wheatley made a motion that the Commission adopt a statement that Zoning Map Amendment 21-01 is consistent with the City's adopted policy guidance because the requested CZ-OI District is supported by the relevant goals and objectives of the Land Use Plan and the Eastchester Corridor Plan as referenced in the staff report. Furthermore, the request is reasonable and in the public interest because the requested

CZ-OI District will enable a development pattern that is consistent with the existing land use pattern established along this segment of Eastchester Drive, which is office uses along the street frontage and residential uses on the remaining area of the site. Mr. Venable seconded the motion. The Planning and Zoning Commission adopted these statements by a vote of 9-0.

The Chair announced that the request was tentatively scheduled to be heard by City Council on Monday, March 15, 2021 at 5:30 p.m.

2. True Homes Zoning Map Amendment 21-02

A request by True Homes to rezone approximately 39.5 acres from the Residential Single Family - 3 (R-3) District to a Conditional Zoning Residential Single Family - 5 (CZ R-5) District. The site is located south of Quail Run Drive at the southern terminus of Derby Court/Dukes Hollow Court/William Joseph Lane.

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 21-02 and recommended approval of the request as outlined in the staff report.

The following people spoke on behalf of the applicant:

- Ms. Judy Stalder, 3735 Admiral Dr.

Ms. Stalder provided an overview of the proposal to rezone this site to a CZ R-5 District to develop an 80-lot residential subdivision. Due to several environmental constraints on the site, True Homes requested rezoning to the R-5 District to allow some flexibility in lot sizes. She stated that the zoning request results in a decreased density by putting a cap on the number of homes permitted. In conclusion, Ms. Stalder stated that this zoning request allows for a reasonable use of the land and provides for an efficient way to use this property while still meeting environmental standards of the Development Ordinance.

Comments from the public in opposition to the request were submitted by:

- Johnny and Barbara Johnson, 2905 Derby Circle
- Keith Yokley, 1602 Audubon Street

The public comments are provided with the minutes.

They expressed concern with development encroaching onto their property, increased traffic, not having a second way out of their existing subdivision, and the development density should not exceed 3 units per acre.

After review of comments from the public, the Commission had questions as to vehicle access, how construction equipment will get to the site and if the difference in lot sizes between the R-3 to the R-5 District raised any compatibility concerns.

Ms. Stalder stated that as to compatibility, a smaller lot size does not mean a smaller home will be constructed. Mr. Shannon noted the existing Quail Run subdivision was developed under different street connectivity standards and that access is limited due

to the location of the I-73 corridor to the west, and that there are streams and flood zone areas to the south and southeast of the zoning site. Construction traffic must use Quail Run Drive as there are no other access alternatives. Finally, Mr. Shannon noted there are no compatibility concerns as the proposed rezoning will support a continuation of the current single-family home development pattern, and as conditioned, a similar density of 2 units per acre is proposed.

Zoning Map Amendment 21-02

Mr. Walsh made a motion to recommend approval of Zoning Amendment 21-02 as presented by staff. Mr. Moore seconded the motion. The Planning and Zoning Commission recommended approval of the request by True Homes by a vote of 9-0.

Consistency & Reasonableness Statements

Ms. Swift made a motion that the Commission adopt a statement that Zoning Map Amendment 21-02 is consistent with the City's adopted policy's guidance because the requested CZ R-5 zoning is supported by the Low-Density Residential land use classification of the adopted Land Use Plan. Furthermore, the request is reasonable and in the public interest because the requested CZ R-5 District, along with the physical constraints of the zoning site, will produce a residential development with a density similar to the surrounding area. Mr. Walsh seconded the motion. The Planning and Zoning Commission adopted these statements by a vote of 9-0.

The Chair announced that the request was tentatively scheduled to be heard by City Council on Monday, March 15, 2021 at 5:30 p.m.

3. Eastchester Drive/I-74 Land Use Assessment

A request by the Planning and Development Department to consider the Eastchester Drive/I-74 Land Use Assessment. The City conducted a land use assessment of a 148-acre area along an approximately one-mile section of Eastchester Drive, from the entrance to Festival Park on the northern end, to Lassiter Drive on the southern end, to review the impacts and to evaluate the current land use policies for this portion of the corridor.

Ms. Heidi Galani, Planning Administrator, presented the Eastchester Drive/I-74 Land Use Assessment as outlined in the staff report and recommended approval of the request.

No public comments were received on this public hearing item.

On February 25, Mr. Morgan noted the importance of the Land Use Assessment and that it will shape the [Eastchester] Corridor for the next 20 years. As such, he suggested the Commission table consideration on both land use assessments [Eastchester Drive/I-74 and Jamestown Bypass] to allow the commissioners more time to review the proposals.

Eastchester Drive/I-74 Land Use Assessment

Mr. Morgan made a motion to postpone consideration for the Eastchester Drive/I-74 Land Use Assessment to the March 23, 2021 meeting. Mr. Walsh seconded the motion. The motion passed by a vote of 9-0.

4. Jamestown Bypass Land Use Assessment

A request by the Planning and Development Department to consider the Jamestown Bypass Land Use Assessment. The City conducted a land use assessment of a 1.4-square-mile area along the Greensboro Road and Jamestown Bypass corridors from Montlieu Avenue in High Point to that portion of the Town of Jamestown corporate limits lying east of Dillon Road abutting the Deep River.

Ms. Heidi Galani, Planning Administrator, presented the Jamestown Bypass Land Use Assessment as outlined in the staff report and recommended approval of the request.

No public comments were received on this public hearing item.

Mr. Walsh noted that like with the Eastchester Drive/I-74 Land Use Assessment it would be a good idea to table consideration of the Jamestown Bypass Land Use Assessment to allow commissioners more time to review it.

Jamestown Bypass Land Use Assessment

Mr. Walsh made a motion to postpone consideration for the Jamestown Bypass Land Use Assessment to the March 23, 2021 meeting. Mr. Morgan seconded the motion. The motion passed by a vote of 9-0.

D. Director's Report

The report was reviewed during the February 23, 2021 portion of the regular meeting.

Status of Key Projects

- Comprehensive Zoning Map Amendments: Staff is preparing amendments for consideration at the P&Z regular meetings in 2021.
- Eastchester Drive/I-74 Land Use Assessment: Placed on the February 23, 2021 regular agenda for public hearing and consideration.
- Jamestown Bypass Land Use Assessment: Placed on the February 23, 2021 regular agenda for public hearing and consideration.
- NCGS 160D Legislation Amendments: Staff is preparing a text amendment to the Development Ordinance that must be adopted and made effective by July 1, 2021 to comply with recently revised State planning legislation.
- Sign Standards Revisions: The consultant is preparing a draft of sign regulations that will be presented for public review and comment.
- Southwest Downtown Area Plan: Staff is working with a steering committee on developing a small area plan for the older industrial area south of the downtown and west of Main Street; due to COVID-19, committee meetings are delayed.

Information

- FY21-22 Draft Planning Work Program
- Next regular meeting – March 23 & March 25 – 2 zoning map amendments

On February 23, after the conclusion of staff and applicant presentations, Mr. Kirkman made a motion to recess the meeting until Thursday, February 25 at 6:00 p.m. Mr. Walsh seconded the motion. The Planning and Zoning Commission approved the motion by a vote of 9-0.

On February 25, Mr. Kirkman made a motion to adjourn the meeting. Mr. Walsh seconded the motion. The motion passed by a vote of 9-0.

Being no further business, the meeting adjourned on Thursday, February 25, 2021 at 6:39 p.m.



Tom Kirkman, Chairman

3-23-2021

Date