

MINUTES
PLANNING AND ZONING COMMISSION
March 28, 2023
City of High Point
Municipal Office Building
City Council Chambers
6:00 p.m.

MEMBERS

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

MEMBERS

ABSENT: Angela Jiménez
Ray Wheatley

STAFF

PRESENT: Sushil Nepal, Planning & Development Director
Chris Andrews, Development Administrator
Herbert Shannon, Senior Planner
Gina Lindsey, Recording Secretary
George Eckart, Transportation Engineer
Andrew Edmonds, Transportation Planning Administrator
John Hanes, Transportation Planner
Meghan Maguire, Deputy 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. February 28, 2023 Planning and Zoning Commission Regular Meeting

Mr. Kirkman made a motion to approve the February 28, 2023 minutes of the regular meeting of the Planning and Zoning Commission as presented. Mr. Walsh seconded the motion. The minutes were approved by a vote of 7-0.

C. Public Hearing Items

1. High Point University Street Name Change 23-01

A request by High Point University to rename E. Farriss Avenue (the northern portion, east of N. Centennial Street) to Alumni Avenue.

Mr. Herbert Shannon, Senior Planner, presented Street Name Change 23-01 and recommended approval of the request as outlined in the staff report.

The following people spoke on behalf of the applicant:

- Ms. Lyndsey Ayers, Director of Community Partnerships for High Point University, 1 University Parkway, High Point

Ms. Ayers noted that because there is a northern and southern intersection of E. Farriss Avenue along the east side of N. Centennial Street, the request will eliminate confusion on how to enter the university's campus. She also noted that the requested name change would also honor the University's alumni.

There were no public comments regarding the request.

Street Name Change 23-01

Mr. Walsh made a motion to approve Street Name Change 23-01 as presented by staff with an effective date of May 15, 2023. Ms. Swift seconded the motion. The Planning and Zoning Commission approved the request by High Point University by a vote of 7-0.

2. Woodhaven Development Group, LLC Zoning Map Amendment 23-02

A request by Woodhaven Development Group, LLC to rezone approximately 5.7 acres from the Retail Center (RC) District to a Conditional Zoning General Business (CZ-GB) District. The site is located southeast of the intersection of N. Main Street and N. University Parkway (2620 N. Main Street).

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-02 and recommended approval of the request as outlined in the staff report.

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 provided an overview of the proposal to convert this former shopping center into a single use commercial facility. He noted the existing 42,000 square foot multi-tenant commercial structure is proposed to be redeveloped for a Tesla Dealership/Maintenance facility. He explained that the site is within an established commercial corridor and redevelopment will be compatible with other commercial uses along this corridor.

There were no public comments regarding the request.

Zoning Map Amendment 23-02

Mr. Morgan made a motion to recommend approval of Zoning Map Amendment 23-02 as presented by staff. Mr. Walsh seconded the motion. The Planning and Zoning Commission recommended approval of the request by Woodhaven Development Group, LLC by a vote of 7-0.

Consistency & Reasonableness Statements

Mr. Juszczak made a motion that the Commission adopt a statement that Zoning Map Amendment 23-02 is consistent with the City's adopted policy guidance because similar properties fronting along this section of the N. Main Street corridor, that are classified by the Land Use Plan as Community/Regional Commercial, are in the GB District. Furthermore, the request is reasonable and in the public interest because along this segment of the N. Main Street corridor, the GB District has been applied to individual parcels, small group developments, and other non-shopping center developments similar to the rezoning site. 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, April 17, 2023 at 5:30 p.m.

3. Wynnfield Properties, Inc. Zoning Map Amendment 23-05

A request by Wynnfield Properties, Inc. to rezone approximately 3.6 acres from the Residential Single Family – 5 (R-5) District to a Conditional Zoning Residential Multifamily – 26 (CZ RM-26) District. The site is located at the northwest corner of Old Winston Road and N. University Parkway (503, 601 and 701 Old Winston Road).

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-05 and recommended approval of the request as outlined in the staff report.

The following people spoke on behalf of the applicant:

- Mr. Craig Stone, Wynnfield Properties, Inc., 5614 Riverdale Rd., Jamestown.

Mr. Stone provided an overview of the proposal to rezone this site, located behind the Walmart Super Center, to support a multifamily development. He also provided a summary of some of the positive feedback they received from their neighborhood meeting and outlined the conditions they have offered to ensure compatibility with abutting parcels.

The following members of the public spoke regarding this request.

- Mr. Matthew Stafford, 120 James Road, High Point, supported more affordable housing being provided near the N. Main Street commercial corridor.
- Ms. Linda Gomez, 2019 Arden Place, High Point, spoke neither in favor nor opposition. She had general questions about the proposed development.
- Mr. Greg Shepard, 709 Old Winston Road, noted this is a valuable piece of land at a key intersection. It is going to be developed one day and he would rather see a multifamily use on this corner rather than a commercial use.

- A letter in opposition was received from William and Connie Barnett, 100 Oakview Road, High Point. They live across the street from the site and are in opposition to the zoning request. They express concerns about current traffic volumes on Old Winston Road, lack of noise barrier and difficulties they already have entering and exiting their property. Additional development would only increase these issues.

Zoning Map Amendment 23-05

Mr. Morgan made a motion to recommend approval of Zoning Map Amendment 23-05 as presented by staff. Mr. Walsh seconded the motion. The Planning and Zoning Commission recommended approval of the request by Wynnfield Properties, Inc. by a vote of 7-0.

Consistency & Reasonableness Statements

Mr. Juszczak made a motion that the Commission adopt a statement that Zoning Map Amendment 23-05 is consistent with the City's adopted policy guidance because the requested CZ RM-26 District supports several goals and objectives of the Community Growth Vision Statement and the Land Use Plan by providing for higher-density residential developments at appropriate locations, such as this signaled intersection of two thoroughfare streets. Furthermore, the request is reasonable and in the public interest because adopted land use policies support the establishment of higher intensity commercial and/or residential development for land at the northwestern and southwestern intersections of N. University Parkway and Old Winston Road. 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, April 17, 2023 at 5:30 p.m.

4. Wynnfield Properties, Inc. Zoning Map Amendment 23-06

A request by Wynnfield Properties, Inc. to rezone approximately 6.7 acres from a Conditional Use Office Institutional (CU-OI) District to a Conditional Zoning Residential Multifamily – 26 (CZ RM-26) District. The site is located south of E. Russell Avenue, between Brentwood Street and Worth Street (*1400 Brentwood Street*).

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-06 and recommended approval of the request as outlined in the staff report.

The following people spoke on behalf of the applicant:

- Mr. Craig Stone, Wynnfield Properties, Inc., 5614 Riverdale Rd., Jamestown.

Mr. Stone provided an overview of the proposal to rezone this site to support redevelopment of this property for a 120-unit multifamily development. He concluded by noting the site (a former school) has been vacant since the 1990s and this would be a good reuse of this long-standing vacant property.

Speaking in opposition to this request was Mr. Victor McCullen, 2006 E. Russell Street, High Point. He noted that he lives behind this site and unless this is a community for

people 60 years old and up, he does not support rezoning for a multifamily development. He also has concerns about the speed of vehicles that travel along E. Russell Avenue and that traffic calming devices need to be installed. In conclusion, Mr. McCullen noted this is a quiet neighborhood and he does not support development that will disrupt the area.

Mr. Matthew Stafford, 120 James Road, High Point, spoke in favor of have more affordable housing being developed.

In response to a question by the commission, Mr. George Eckhart, Transportation Engineer, explained that the statistics used in estimating trips along a roadway come from all over the country. He also clarified that the numbers provided as peak hour trips are for one hour during the peak window, not for the entire peak time period. He added later that transportation staff will work with Mr. Shannon to make the language in the staff report clearer regarding the TIA estimates.

Mr. Walsh asked if the property was in the vicinity of a city bus route. Mr. Andrew Edmonds, Transportation Administrator, responded that the current bus route along Brentwood may not go all the way to the rezoning site. However, the Transportation Department does review where trips are generated from and the proposed development may prompt future changes in the route.

Zoning Map Amendment 23-06

Mr. Walsh made a motion to recommend approval of Zoning Map Amendment 23-06 as presented by staff. Mr. Juszczak seconded the motion. The Planning and Zoning Commission recommended approval of the request by Wynnfield Properties, 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 23-06 is consistent with the City's adopted policy guidance because the requested CZ RM-26 District is supported by several goals and objectives of adopted policy guidance. Furthermore, the request is reasonable and in the public interest because the zoning site is within the Core City Area, includes most of a city block where the land use plan supports multifamily uses, and it is situated at the outer edge of a neighborhood along a 4-lane major thoroughfare. 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, April 17, 2023 at 5:30 p.m.

5. Keystone Group, Inc. Zoning Map Amendment 23-07

A request by Keystone Group, Inc. to rezone approximately 114.79 acres from a Planned Unit Development - Residential (PDR) District to an amended Planned Unit Development – Residential (PDR) District. The site is located south of Boylston Road, approximately 1,300 feet west of Adkins Road.

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-07 and recommended approval of the request as outlined in the staff report.

In response to a question by the commission, he added that the developer cannot do anything within the floodplain area. Mr. Shannon clarified that the floodplain is outside of the house area.

The following people spoke on behalf of the applicant:

- Ms. Judy Stalder, applicant's representative, 3735 Admiral Drive, High Point
- Mr. Scott Wallace, Keystone Group, Inc., 3708 Alliance Dr., Greensboro

The speakers outlined their proposed adjustment to the Northborough Subdivision zoning conditions, to allow minor encroachments into the flood zone area. An environmental study, for the road crossing of this stream, has been submitted and approved by the Federal Emergency Management Agency (FEMA) and to the North Carolina Floodplain Mapping Program. This study documents that the flood zone mapping of this area should be amended. In conclusion, the applicant noted that the proposed amendment to the environmental condition is minor and only for the last phase of this subdivision.

Speaking in opposition was Mr. Jim Hedgecock 8857 Boylston Road. He lives north of the site and this stream flows from north to south through his property, then through the zoning site. Mr. Hedgecock is concerned that a culvert is being used to cross the stream rather than a bridge. He has already seen erosion along that portion of the stream running through his property. Mr. Hedgecock is concerned that if a culvert, rather than a bridge, is used, the stream will back-up during storm events, and will create more flooding and stream bank erosion problems on his property. Ms. Connie Valderrey, 2905 McLaurin Ct., also expressed concern about flooding noting that flooding events are becoming more frequent. She stated that she grew up in a 100-year floodplain and within 5 years, there were two 100-year floods that decimated her town.

Mr. Kirkman clarified that the request before the board is not about the installation of a culvert or specifically about how stormwater is redirected. Mr. Morgan added that the applicant will still be required to get all the necessary state and federal permits related to stormwater controls.

Zoning Map Amendment 23-07

Mr. Morgan made a motion to recommend approval of Zoning Map Amendment 23-07 as presented by staff. Mr. Moore seconded the motion. The Planning and Zoning Commission recommended approval of the request by Keystone Group, Inc. by a vote of 7-0.

Consistency & Reasonableness Statements

Mr. Morgan made a motion that the Commission adopt a statement that Zoning Map Amendment 23-07 is consistent with the City's adopted policy guidance because land use policies for this area has not changed since the property was annexed in 2016. The requested amendment still supports development that will be in keeping with adopted policy guidance and documents. Furthermore, the request is reasonable and

in the public interest because based upon FEMA's issuance of a Conditional Letter of Map Revision, which could revise the effective Flood Insurance Study Report and Flood Insurance Rate Map of this area, the requested amendment to environmental conditions is reasonable. Ms. Swift 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, April 17, 2023 at 5:30 p.m.

- 6. Diversified Estate Holdings, LLC Zoning Map Amendment 23-08**
A request by Diversified Estate Holdings, LLC to rezone approximately 9.6 acres from a Conditional Use Agricultural (CU-AGR) District to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District. The site is located west of the intersection of Penny Road and East Fork Road (*1711 and 1701 Penny Road*).

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-08 and recommended denial of the request as outlined in the staff report. He added that a few conditions have yet to be finalized by the applicant and are listed as TBD (to be determined) in the report.

Mr. Shannon also highlighted the many barriers to construction on the site, including two telecommunication towers at the rear of the site, a 150-foot-wide Duke Power easement, and two electrical transmission towers that run through the middle of the site. As such, he said most of the site is undevelopable. Structures are limited to a triangular area to the southwestern portion of the site where the applicant has proposed a 145-unit multifamily development.

Mr. Shannon explained that staff is concerned about the intensity and compatibility of the development with adjacent properties. He noted that as submitted, the request lacks sufficient development conditions to ensure that the development pattern would be consistent with surrounding properties. A full list of recommended zoning conditions is included on pages 7 and 8 of the staff report.

Mr. Kirkman expressed concern that there is not enough property included in the site to allow for greater buffering without cutting into reasonable use of the property. Mr. Shannon responded that the applicant could move buildings around to allow for more buffering, while noting that the Duke Energy easement hinders the applicant's options.

The following people spoke on behalf of the applicant:

- Ms. Judy Stalder, applicant's representative, 3735 Admiral Drive, High Point
- Mr. Scott Wallace, Keystone Group, Inc./Diversified Estate Holdings, LLC, 3708 Alliance Dr., Greensboro

Ms. Stalder provided a handout to commissioners detailing the obstacles that the developer is trying to overcome to develop multifamily housing units on the site and some proposed changes to their Conditional Zoning Ordinance. She highlighted the high demand for new apartments and pointed to a study released by the National Association of Home Builders and the National Multifamily Housing Council that shows that

regulations make up 40 percent of the cost of multifamily development. She added that zoning conditions are part of that cost. Ms. Stalder said the staff recommendations [for additional zoning conditions] are unnecessary. This particular site is limited to two areas where vertical development is possible, and one at the northeast corner of the site (abutting 1753 Penny Road a Guilford County landmark property). She said they are working with the owner of that adjacent property, Benjamin Briggs, to mitigate his concerns about development and will be proposing two more conditions as a result. The other area of possible development is at the southwestern corner of the property (abutting the Egal Glen Subdivision).

Ms. Stalder continued that when Keystone began looking at this property, which is adjacent to one of its other developments, they assumed that the conditions would be similar, but they are different. She said the applicant submitted one example of how the site could be developed, and they went with the most intense possible development since they don't know exactly how it will develop.

The following people spoke on the request:

- Mr. Arthur Patterson & Ms. Lisa Walker, 3973 Sorrell Ct., High Point
- Mr. Wayne Matlosz, 2917 Eagle Pointe Dr., High Point
- Ms. Diana Engel, 3971 Sorrell Ct, High Point
- Ms. Janice Doherty, 3971 Cobblestone Bend Dr., High Point
- Mr. Benjamin Briggs, 1753 Penny Rd., High Point
- Ms. Wanda McCorquodale, 3616 Rock Meadow Cir., High Point
- Mr. B.J. Fortson, 3618 Rock Meadow Cir., High Point

These speakers expressed the following concerns:

- Traffic: The proposed development will increase traffic in an area where traffic is already a problem, and the existing roads are not built to handle it.
- Overcrowded schools: The proposed development will add to the existing overcrowding issues at Florence Elementary, Southwest Middle and Southwest High schools.
- Density and building height too high: The proposed multifamily development is inconsistent with the low to medium density development around the site. The applicant has noted that 145 multifamily units are proposed and that 4-story multifamily apartment building would be overwhelming as they would be towering over adjacent single family homes.
- Stormwater Control & Flooding: The proposed developments of land to the north, along with this site, will cause flooding problems for surrounding residents.
- Light Pollution: The proposal will add to the existing light pollution issues.
- Environmental Impact: The removal of more trees will increase soil erosion and decrease habitat to animals in the area.

After the close of the public hearing, Mr. Kirkman asked the applicants, Ms. Stalder and Mr. Wallace to come back to the podium to address concerns that were raised by the public. In response, Ms. Stalder noted that the stormwater concerns will be addressed through the Technical Review Committee after a true development plan is submitted.

She said the applicant has also offered some transportation improvements, including right and left turn lanes with appropriate storage tapers. Mr. Wallace added that stormwater runoff will be collected and treated as required, so the development will not disperse additional stormwater. He also noted that if it makes sense at the time of development, they will connect to Penny Road in addition to other access points and extensive improvements to Penny Road and the traffic signal.

Mr. Kirkman noted the difficulty involved with developing the zoning site while recognizing that city staff made good points [about its concerns] too. He suggested that the applicant needs to work with city staff to finalize the zoning conditions before moving forward. Mr. Walsh added that the conditions need to be in writing after several new conditions were added during the meeting.

Zoning Map Amendment 23-08

Mr. Walsh made a motion to continue Zoning Map Amendment 23-08 to the next Planning and Zoning Commission meeting on April 25, 2023. Mr. Juszczak seconded the motion. The motion passed with a vote of 5-2 with Mr. Morgan and Mr. Venable voting against the motion.

7. Solution Architects, Inc. Zoning Map Amendment 23-09

A request by Solution Architects, Inc. to rezone approximately 18.4 acres from the Institutional (I) District to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District and a Conditional Zoning General Business (CZ-GB) District. The site is located north of Jamestown Parkway (formerly Greensboro Road), between Deep River Road and I-74.

Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment 23-09 and recommended approval of the request as outlined in the staff report.

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 provided an overview of the proposal to reuse this site for multifamily development, with accessory commercial uses. He stated that the Jamestown Parkway frontage of the site has been vacant since 2011 and that the proposed renovation of the existing multistory building would be a catalyst for the Five Points commercial area as it would stabilize and promote future revitalization of this area.

Also, speaking in favor were Mr. Tom Cross, 225 Spencer Street, High Point and Mrs. Connie Valderrey 2905 McLaurin Court, High Point. These speaker stress that the reuse of this vacant structure will be a positive development project for this area. They stated that the city needs to support the redevelopment of long-standing vacant buildings along our commercial corridors.

Zoning Map Amendment 23-09

Mr. Kirkman made a motion to recommend approval of Zoning Map Amendment 23-09 as presented by staff. Ms. Swift seconded the motion. The Planning and Zoning

Commission recommended approval of the request by Solution Architects by a vote of 7-0.

Consistency & Reasonableness Statements

Mr. Moore made a motion that the Commission adopt a statement that Zoning Map Amendment 23-09 is consistent with the City's adopted policy guidance because the combination of uses of the requested rezoning is supported by the Mixed Use Development land use designation governing the site, as well as the existing development pattern of the abutting Five Points area. Furthermore, the request is reasonable and in the public interest because the requested CZ RM-16 and CZ-GB Districts will further advance the goals for redevelopment envisioned for this area by the Jamestown Bypass Land Use Assessment, Core City Plan and the US 311 Bypass Interchange Study. 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, April 17, 2023 at 5:30 p.m.

D. Director's Report

Council Meeting Updates:

- Council items that were approved on Mar. 20, 2023:
 - Annexation 22-07 and Zoning Map Amendment 22-29, Jan. P&Z
 - Street Abandonment 22-02, Motes Ct., Feb. P&Z
 - Zoning Map Amendment 23-04, Underhill St., Feb. P&Z

Open Positions:

- Senior Planner: Interviews have begun.
- Planning Administrator: Andy Piper has been named Interim Planning Administrator while recruiting process continues.
- Planner (New Position): Position has been advertised.

Status of Key Projects:

Comprehensive Plan

- Kick off meetings were held March 7-9, 2023 with 40+ stakeholders, City Council, the Planning & Zoning Commission, the steering committee and city staff.
- April 5 Speaker Series – Anita Brown-Graham will speak at the Loft at Congdon Yards at 5:30 p.m. on “Discovering High Point of Tomorrow.”
- April 11 & 12 – Four different public open houses will be held during the afternoon and evening

Sign Ordinance

- Council provided some feedback during a special meeting on March 6. Roof signs, electronic copy signs and murals were discussed. Staff will present during a work session on April 17.

Planning Legislation

- Some early discussions with City Council were held at the special meeting on March 6 with more to follow on April 17.


Information

- Next Meeting: April 25, 2023

E. Adjournment

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

Being no further business, the meeting adjourned at 8:38 p.m.



Tom Kirkman, Chairman

4-25-23

Date