

MINUTES
PLANNING AND ZONING COMMISSION
June 28, 2022
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: Angela McGill
Alex Moore

STAFF

PRESENT: Herbert Shannon, Senior Planner
Gina Lindsey, Recording Secretary
Greg Venable, Interim Transportation Director
George Eckart, Transportation Engineer
John Hanes, Transportation Planner
Meghan Maguire, Assistant 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. Approval of the May 24, 2022 Minutes of the Planning and Zoning Commission

Mr. Walsh made a motion to approve the May 24, 2022 minutes of the regular meeting of the Planning and Zoning Commission as presented. Mr. Juszczak seconded the motion. The minutes were approved by a vote of 7-0.

C. Public Hearing Items

1. Efincia Companies, Inc. Zoning Map Amendment 22-14

A request by Efincia Companies, Inc., to rezone approximately 2.9 acres from the Residential Single Family - 3 (R-3) District to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District. The site is located along the north side of Futrelle Drive, approximately 300 feet west of Bridges Drive (1817 Futrelle Drive).

Mr. Herbert Shannon, Senior Planner, presented ZA-22-14 and recommended denial of the request as outlined in the staff report.

The following person spoke on behalf of the applicant:

- Mr. Eric Dickinson, Manager of Efincia Companies, Inc., 603-A Eastchester Dr., High Point

Mr. Dickinson outlined the proposal to develop a three-story, 46-unit, multifamily development that will target the 55 and older population. He outlined how the state of North Carolina is a top 5 state in housing shortages and that by 2029, 20 percent of the population in North Carolina will be 65 years old or older. Mr. Dickinson stated that the request is consistent with the City's Community Growth and Vision Statement and with the goals and objectives of the Land Use Plan. In conclusion, he outlined how the proposed development will be a positive for the City and the community.

The following people spoke on the request:

- Ms. Debbie Darby, 1813 Futrelle Dr., High Point
- Ms. Nicole Arnold, 1610 Bridges Dr., High Point
- Ms. Martha Stewart, 436 Chester Woods Ct., High Point
- Ms. Tammy Slate, 1815 Futrelle Dr., High Point

These speakers noted the following concerns:

- Use not supported by the neighborhood: At the request of Ms. Arnold approximately 20 people stood to display their opposition to this rezoning request.
- Inconsistent with adjacent properties and character of the area:
 - Concern with the placement of large multifamily structures in the middle of a single family area and within 15 feet of their rear property lines.
 - The proposed multifamily development is inconsistent with established development along Futrelle Drive, which consists of primarily single family homes.
- Traffic Impact:
 - Futrelle Drive is a narrow neighborhood street and not designed for higher trip volumes.
 - The primary access drive to the site lies between two single family homes and residents will be negatively impacted by noise, headlights and service vehicles (garbage trucks and delivery vehicles).

Mr. Juszczak noted that while High Point needs housing, especially for seniors, he does not believe this is the right place for this [development.] He noted that it seems like there are a lot of problems in developing this piece of property that is surrounded by single-family homes.

Zoning Map Amendment 22-14

Mr. Walsh made a motion to recommend denial of Zoning Map Amendment 22-14 as presented by staff. Ms. Swift seconded the motion. The Planning and Zoning Commission recommended denial of the request by Efinca Companies, 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 22-14 is not consistent with the City's adopted policy guidance because while the requested CZ-RM-16 District does not conflict with adopted land use policies; that policy assumed the assemblage of land to form larger development tracts and improvement of abutting streets as development occurs. Furthermore, the request is not reasonable and in the public interest because, based upon the site's current configuration and limited conditions to mitigate impacts, it would not be harmonious with the current development pattern to insert a multifamily development of this intensity at this time. 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, July 18 at 5:30 p.m.

2. Genrock Capital Management Zoning Map Amendment 22-15

A request by Genrock Capital Management to rezone approximately 1.7 acres from the Residential Single Family - 3 (R-3) District to a Conditional Zoning Office Institutional (CZ-OI) District. The site is located at the northwest corner of Eastchester Drive and Ramsay Street (2525 Eastchester Drive).

Mr. Herbert Shannon, Senior Planner, presented ZA-22-15 and recommended approval of the request as outlined in the staff report.

The following person spoke on behalf of the applicant:

- Mr. William Pierquet, Development Consultant, Stonefield Real Estate Solutions, 6797 Yacht Club Dr., Acworth, GA.

Mr. Pierquet outlined the proposal to redevelop this site with a childcare facility. He stated this is a great location for such a use as it adjacent to two major travel corridors (Eastchester Drive and W. Wendover Avenue) that parents use to travel to and from work. Furthermore, the site is within close proximity to two elementary schools to facilitate afterschool care options. In conclusion, Mr. Pierquet noted how the request is consistent with land use policy for this area and made himself available for questions.

There were no public comments regarding the request.

Zoning Map Amendment 22-15

Mr. Wheatley made a motion to recommend approval of Zoning Map Amendment 22-15 as presented by staff. Mr. Walsh seconded the motion. The Planning and Zoning Commission recommended approval of the request by Genrock Capital Management by a vote of 7-0.

Consistency & Reasonableness Statements

Ms. Swift made a motion that the Commission adopt a statement that Zoning Map Amendment 22-15 is consistent with the City's adopted policy guidance because the proposed zoning map amendment supports established policy guidance documents and policy set by prior zoning approvals at this intersection. Furthermore, the request is reasonable and in the public interest because the requested CZ-OI District is similar to previous zoning approvals granted at the intersection of Eastchester Drive and Ramsay Street. 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, July 18 at 5:30 p.m.

3. Leoterra Development, Inc. Zoning Map Amendment 22-16

A request by Leoterra Development, Inc. to rezone approximately 75.3 acres from the Residential Single Family - 3 (R-3) District to a Conditional Zoning Residential Multifamily - 5 (CZ RM-5) District and a Residential Single Family - 5 (R-5) District. The site is located along the south side of Old Mill Road and east of Skeet Club Road.

Mr. Herbert Shannon, Senior Planner, presented ZA-22-16 and recommended approval of the request as outlined in the staff report with amendments.

Mr. George Eckart, Transportation Engineer, explained why the city's transportation department is recommending a roundabout be installed at the intersection of Old Mill Road and Wheat Street. He noted that a single-lane roundabout was included in the Traffic Impact Analysis proposal submitted by Davenport Engineering on behalf of the developer in March 2022. Transportation staff believes that a roundabout in that location would help mitigate the existing vehicle speed concerns along this segment of Old Mill Road and provided for safer ingress and egress from the zoning site.

Mr. Eckart also noted that while the posted speed limit along that stretch of road is 40 mph, many cars regularly exceed that limit with the 85-percentile speed at almost 50 mph. He said that one would expect to see crashes of a high speed and high angle nature when they do occur as vehicles turn onto Old Mill from Wheat Street, along with the hills and limited visibility on the road.

The following people spoke on behalf of the applicant:

- Mr. Tom Terrell, attorney, Fox Rothschild LLP, 230 N. Elm St., Ste. 1200, Greensboro.
- Mr. Frank Amenya, Traffic Engineer, Davenport Engineering, 9144 Arrowpoint Blvd., Ste. 130, Charlotte.

Mr. Terrell gave an overview of the proposal and explained some of the tools and data used in a traffic impact analysis. He also emphasized the importance of managing the costs in a development. If the developer were to install a roundabout, which they are not proposing at this time, something else would have to go to balance the costs.

Mr. Amenity noted that given the cost of roundabouts, which are very expensive, they would like to avoid installing one if possible.

Mr. Terrell added later that the reason the developer is not offering a roundabout is in response to neighbors who spoke in opposition of the roundabout at the April meeting of the Planning and Zoning Commission.

The following people spoke on the request:

- Mr. Rick Wells, 137 Windmill Tr., High Point
- Mr. John Mickler, 170 Windmill Dr., High Point
- Mr. Rocco Pandone, 3715 Wheat St., High Point
- Mr. Greg Painter & Ms. Sarah Painter, 173-B Old Mill Rd., High Point
- Mr. Raymond Williams, 154 Windmill Tr., High Point

These speakers expressed the following concerns:

- Density of Development:
 - Concern that the requested R-5 zoning is too intense of a development for this area and out of character with the surrounding low-density residential area. There is no other R-5 zoning in the area.
- Traffic & Road Impact:
 - There is an existing problem with speeding on Old Mill Road and the proposed rezoning for a higher development density will add to this problem and create additional traffic safety/congestion problems.
 - Several of the speakers spoke in opposition to the proposed roundabout on Old Mill Road, which was proposed by the Transportation Department to slow down traffic on the street.
 - Wheat Street is not the correct location for a roundabout as the street is too narrow there, but one speaker noted he was not opposed to a roundabout at a better location along Old Mill.
 - The construction vehicles will damage the roads.
- Stormwater & Utilities:
 - There are already stormwater runoff and flooding problems in this neighborhood and the proposal will add to the problem.
 - There is failing infrastructure and poor water pressure. There is concern the sewer drains are not designed to handle the additional stormwater runoff.
- School Overcrowding: The schools cannot accommodate the additional students that the development would add.

In response to concern that if the land is sold, another developer could build apartments, Mr. Shannon explained that the proposed conditional zoning ordinance offered by the applicant prohibits the multifamily use type and if approved the zoning conditions in

the conditional zoning ordinance run with the land, not the owner, so another owner would have the same restrictions.

Commissioners had a lengthy discussion regarding the opposing opinions of transportation staff and the developer's transportation engineers on installation of a roundabout at the Old Mill Road and Wheat Street intersection. At the recommendation of Ms. Maguire, Assistant City Attorney, the applicant agreed to have the case go to the August 1, 2022 City Council meeting to allow time for the applicant and city staff to work out the details.

Zoning Map Amendment 22-16

Mr. Walsh made a motion to recommend approval of Zoning Map Amendment 22-16 as presented by staff (with the amendments/additional zoning conditions recommended by staff in the staff report for ZA-22-16). Mr. Wheatley seconded the motion. The Planning and Zoning Commission recommended approval of the request, with amendments recommended by staff, by a vote of 7-0.

Consistency & Reasonableness Statements

Mr. Morgan made a motion that the Commission adopt a statement that Zoning Map Amendment 22-16 is consistent with the City's adopted policy guidance because the requested R-5 and CZ RM-5 zoning districts are in harmony with the Low-Density Residential Map classification and adopted policy guidance documents governing this portion of the City's planning area. Furthermore, the request is reasonable and in the public interest because, as conditioned, the request promotes residential land use and a development density similar to existing developments that have been established in this area. Mr. Juszczak 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, Aug. 1 at 5:30 p.m.

D. Election of Officers (Chair and Vice Chair)

Mr. Juszczak made a motion for Mr. Kirkman to serve as chairman of the Planning and Zoning Commission until June 30, 2023. Mr. Morgan seconded the motion. The Commission passed the motion by a vote of 7-0.

Mr. Wheatley made a motion for Mr. Walsh to serve as vice chair of the Planning and Zoning Commission until June 30, 2023. Ms. Swift seconded the motion. The Commission passed the motion by a vote of 7-0.

E. Director's Report

Status of Key Projects

- Sign Ordinance: Staff held a public drop-in session on June 14, 2022 from 4-7 p.m. related to the proposed amendments, as well as the draft sign standards in ordinance form. There were limited attendees, and staff is waiting on select

members of the development community to provide some final feedback on a few items. Staff will process final comments and bring a draft to the Commission in the coming months.

- Comprehensive Plan: City Council allocated funding for the City's Comprehensive Plan update through the American Rescue Plan Act (ARPA) at its February 21, 2022 meeting. The city dedicated \$400,000 to a new comprehensive plan.
 - The City's Purchasing Department advertised the RFQ on Friday, June 10, 2022, and provided placement of the RFQ on the American Planning Association and Congress of New Urbanism websites.
- Airport Overlay District Revisions: Planning and Development staff held a public drop-in session on June 27, 2022 at the clubhouse at River Landing at Sandy Ridge from 5-7 p.m. Staff will process final comments and bring a draft of needed amendments to the Commission in the coming months.

Information

- July 16, 2022 Meeting
 - Election of P&Z Officers at the end of the June meeting
 - Two zoning map amendment applications, including one Comprehensive Zoning Map Amendment Project item.

F. 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 8:26 p.m.



Tom Kirkman, Chairman

7-26-22

Date