

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-32
(City of High Point)

From: Chris Andrews,
Interim Planning and Development Director

Meeting Date: January 18, 2022

Public Hearing: Yes

Advertising Date: January 5, 2022, and
January 12, 2022

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the High Point City Council to rezone two properties, totaling approximately 18.3 acres, as part of the Comprehensive Zoning Map Amendment project.

- a) To rezone an approximate 0.3-acre parcel from the Conditional Use Limited Business (CU-LB) District to the Limited Business (LB) District. The property is located at the northwest corner of Washington Street and N. Hoskins Street (101 N. Hoskins Street).
- b) To rezone an approximate 18-acre parcel from the Office Institutional (OI) District and the Residential Single Family – 5 (R-5) District to the Residential Multifamily – 16 (RM-16) District and the Residential Multifamily -5 (RM-5) District. The property is located south of Cedrow Drive and west of the I-74 corridor (southwest of the Cedrow Drive bridge crossing I-74).

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their December 14, 2021 public hearing. All members of the Commission were present except for Ms. Angela McGill, Mr. Alex Moore and Ms. Joan Swift. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking on this request were Mr. Eric Wardlaw and Ms. Latasha Wardlaw, 1328 Cedrow Drive. They own a single-family home off Cedrow Drive abutting the zoning site included in Map 2. They wanted to know how this rezoning would impact them and expressed concerns as to impact of any new residential development, environmental impact and keeping the area livable and safe.

Chairman Kirkman explained that the rezoning is part of the comprehensive rezoning project and that nothing is currently planned for the site, though the possibility exists in the future.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

Staff recommended *approval* of this request as outlined in the attached staff report.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended *approval* of this request, as recommended by staff, by a vote of 6-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 6-0 to *approve* the following statement:

That Zoning Map Amendment 21-32 is consistent with the City's adopted policy guidance because the zoning map amendment is supported by Goal #1 of the Land Use Plan, which speaks to encouraging 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.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
ZONING MAP AMENDMENT ZA-21-32
December 14, 2021**

Request

A request by the High Point City Council to rezone two properties, totaling approximately 18.3 acres, as part of the Comprehensive Zoning Map Amendment Project. This request focuses on lands within the central portion of the City along Washington Avenue and Cedrow Drive.

Background

The purpose of the Comprehensive Zoning Map Amendment Project is to review and evaluate the zoning of land throughout the city, identify areas where the zoning is out of sync with the existing use of land or is inconsistent with current land use policy, and propose appropriate changes in zoning for those areas. A primary goal of the project is to remove improper or obsolete zoning districts that may be acting as a barrier to development. The Comprehensive Zoning Map Amendment Project was initiated in 2017. The City Council initiated this current fourth round of zoning evaluations, associated with this request, in December 2020.

Details of Proposal

The following is a summary of the two properties to be considered under this Zoning Map Amendment.

From	To	Development/Use	Location
CU-LB	LB	Minor retail sales establishment	Lying at the northwest corner of Washington Street and N. Hoskins Street.
R-5 OI	RM-5 RM-16	Undeveloped	Lying at the southwest corner of Cedrow Drive and the I-74 corridor.

Analysis

The requested rezoning of these two parcels is intended to remove outdated zoning conditions and update zoning to match the development pattern of the surrounding area. See attached evaluations for further detail.

Consistency with Adopted Policy Guidance

Whether and the extent to which the proposed conditional zoning district is appropriate for its proposed location, and is consistent with the City's adopted policy guidance.

The zoning map amendment is supported by Goal #1 of the Land Use Plan, which speaks to encouraging development that enhances and preserve established neighborhoods.

Reasonableness/Public Interest:

Why a decision to approve, or to deny, the proposed conditional zoning would be reasonable and in the public interest.

The amendments are needed to match the manner in which these neighborhoods have developed and to remove unneeded restrictions.

Recommendations

Staff recommends approval of the following zoning map amendments:

- 1) Rezone the parcel at 101 N. Hoskins Street (Tax Parcel 193229) from a Conditional Use Limited Business (CU-LB) District to the Limited Business (LB) District
- 2) Rezone the parcel at the southwest corner of Cedrow Drive and I-74 (Tax Parcel 182039) from the Residential Single Family – 5 (R-5) District and the Office Institutional (OI) to the Residential Multifamily – 5 (RM-5) District and the Residential Multifamily – 16 (RM-16) District.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City’s Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the statement(s) as written in this report or with any additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City’s Land Use Plan and other plans as may be applicable. This may be done by adopting the statement(s) as written in this report, or with any additions or changes as agreed upon by the Council, or, if the Council is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

Report Preparation

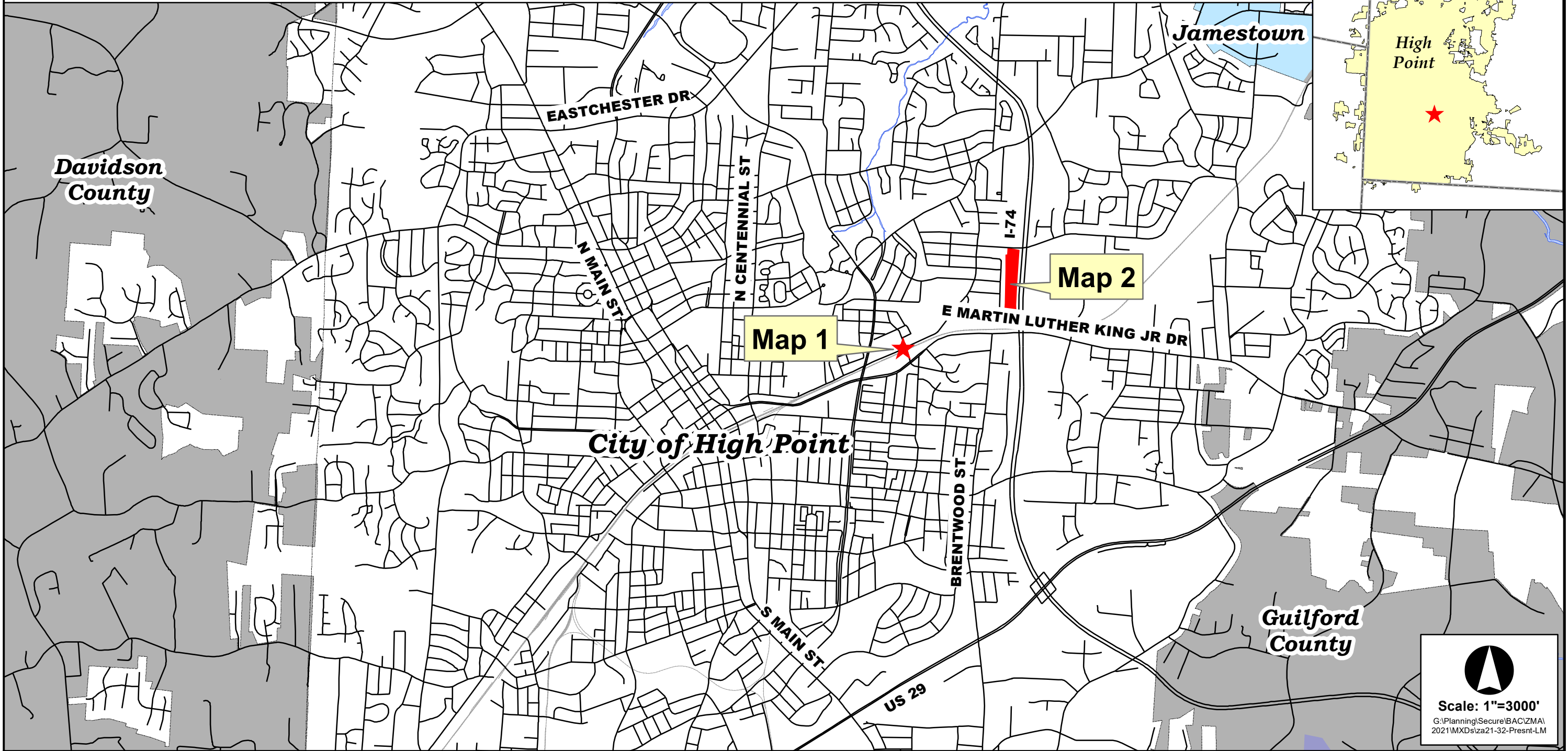
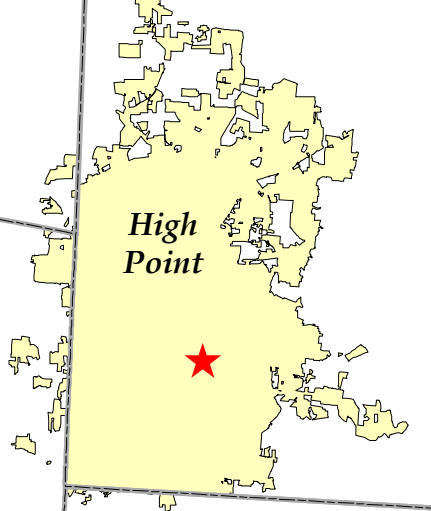
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Heidi Galanti AICP, Planning Services Administrator.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-21-32

Applicant: City of High Point

Vicinity Map



Davidson
County

Jamestown

High
Point

Map 2

Map 1

City of High Point

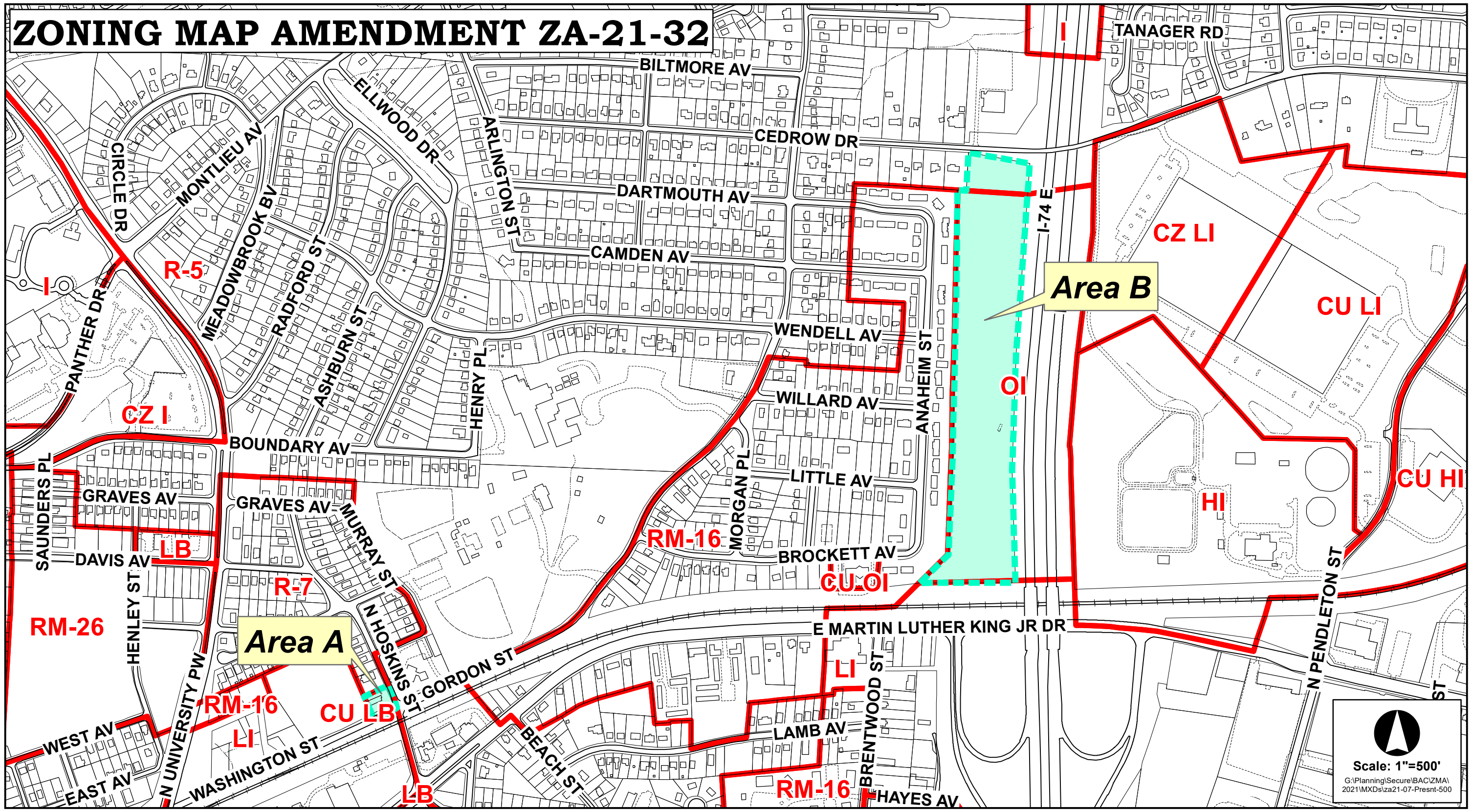
Guilford
County



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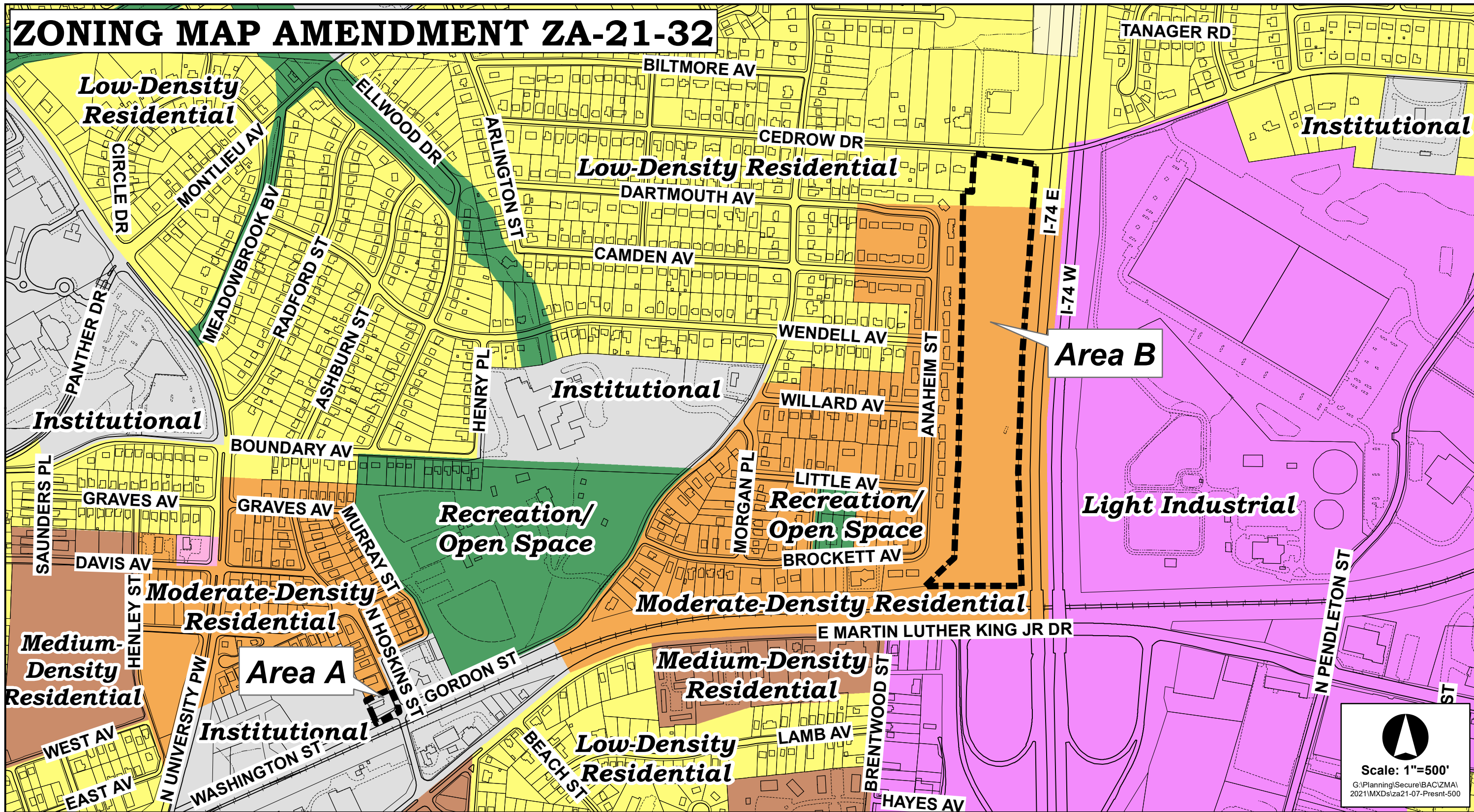
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ZONING MAP AMENDMENT ZA-21-32



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ZONING MAP AMENDMENT ZA-21-32



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MAP #1

Location: Parcel lying at the northwest corner of Washington Street and N. Hoskins Street.
101 N. Hoskins Street (Tax Parcel 193229)

Current Use: Minor retail sales establishment

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Conditional Use Limited Business (CU-LB) District	Limited Business (LB) District
<i>Purpose & Intent:</i>	<u>LB District</u> The LB district is established to primarily accommodate low to moderate intensity office, retail, and personal service uses adjacent to and within residential neighborhoods. In addition to commercial uses, the district also allows a variety of residential and institutional uses in stand-alone structures as well as in mixed-use developments.	Same
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	<u>Zoning Case 98-16 (CU 98-16)</u> <ul style="list-style-type: none"> • Access only from N. Hoskins St. • Removal access from Washington St. 	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Single Family – 7 (R-7) District	Religious institution
South:	Light Industrial (LI) District	Utility facility (<i>across Washington Street</i>)
East:	Residential Single Family – 5 (R-5) District	Religious institution
West:	Institutional (I) District	Undeveloped (<i>former utility facility</i>)

Land Use Plan Classification

The area is designated as follows:

- **Institutional:** Public, quasi-public and institutional uses on large tracts are included in this classification.

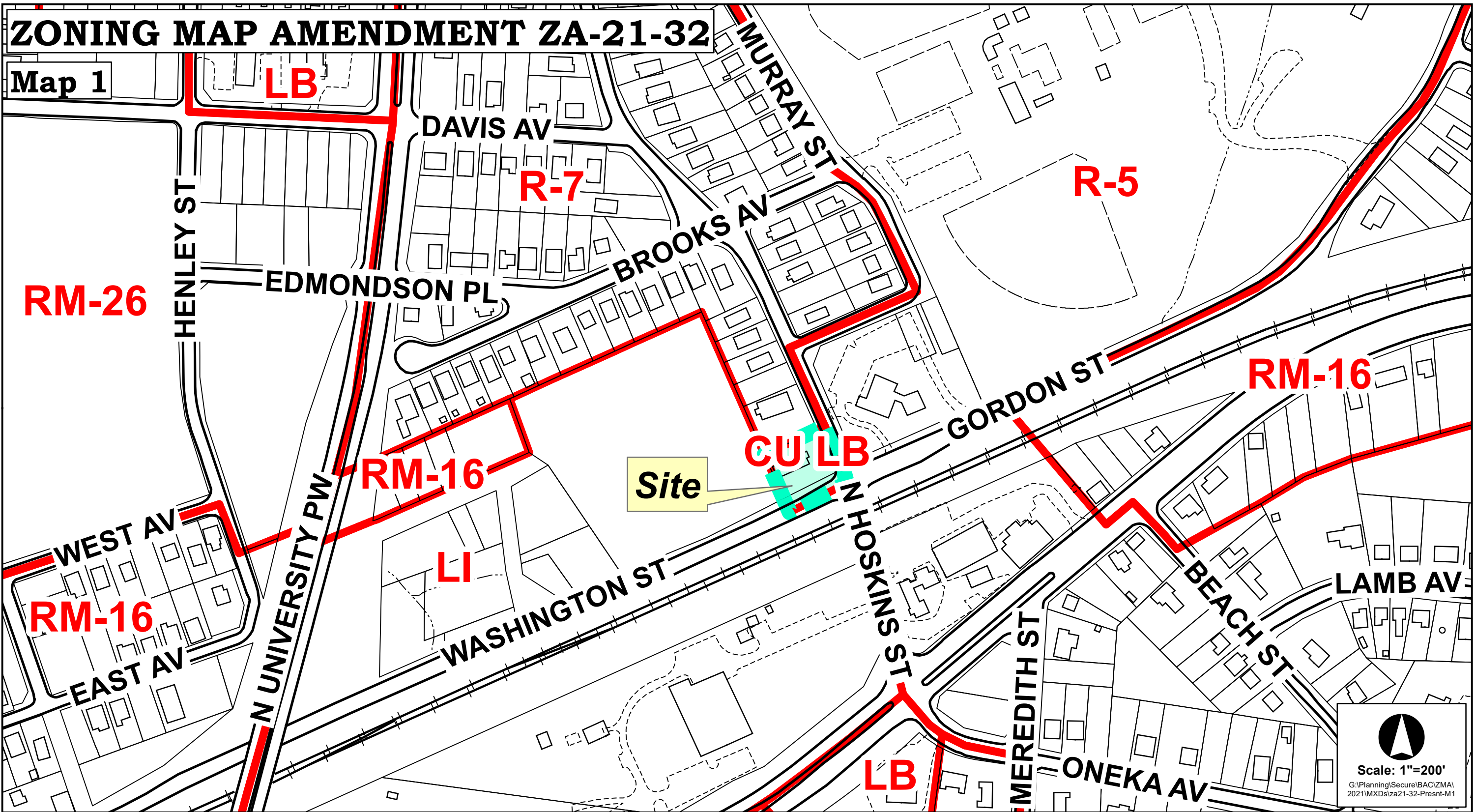
Analysis/Recommendation

This parcel lies along the north side of the Washington Street corridor and on the outer edge of an abutting single family neighborhood. The zoning site obtained its current CU-LB District zoning in 1998 and is developed with a minor retail establishment. As part of the parcels zoning approval, the adopted Conditional Use (CU) ordinance requires access to be from N. Hoskins Street and requires the property owner to remove the driveway apron and access point to Washington Street. This has been completed.

Because conditions from the 1998 zoning approval have been met, staff is recommending removal of the CU designation and to rezoning the site from the CU-LB District to a LB District.

ZONING MAP AMENDMENT ZA-21-32

Map 1

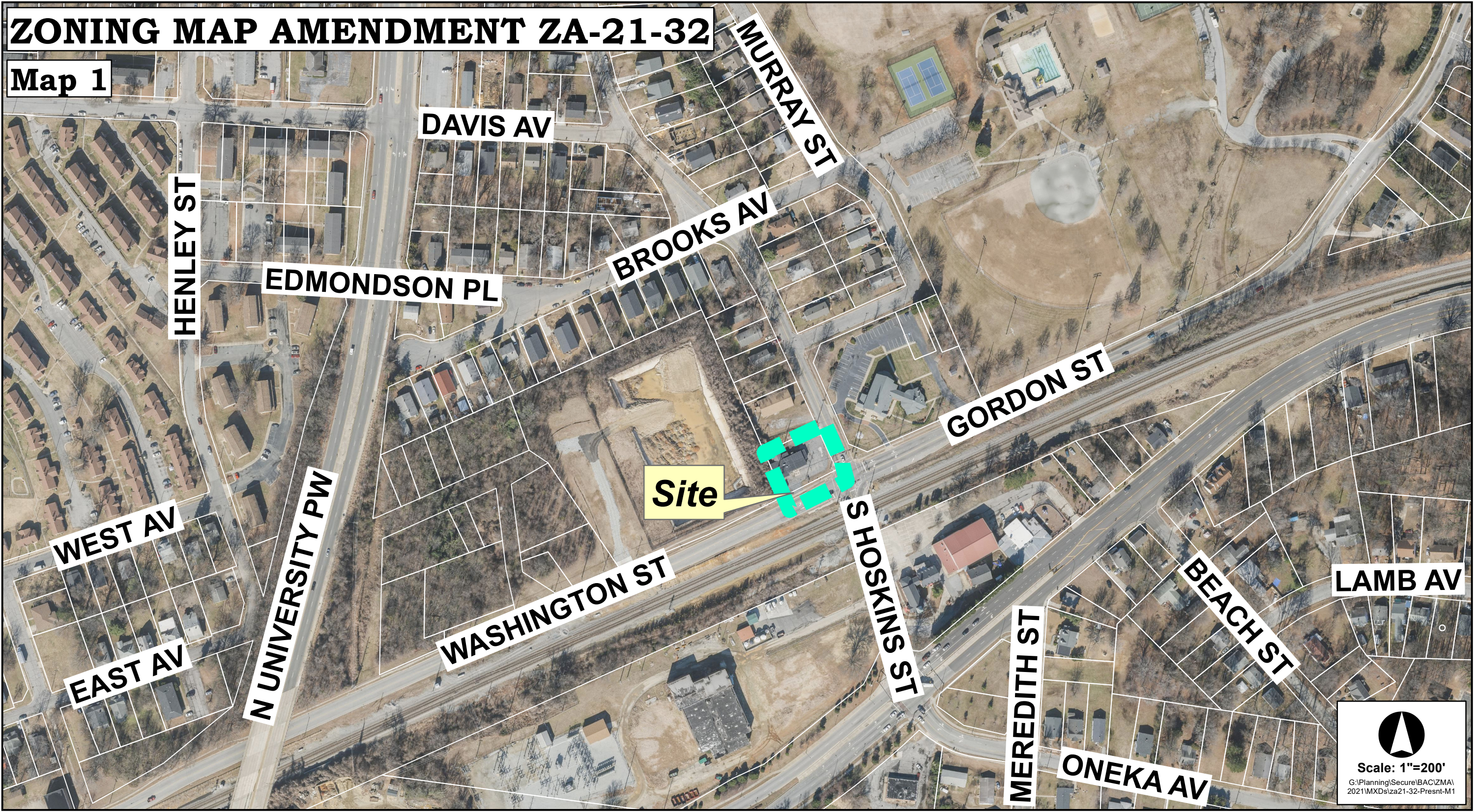


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ZONING MAP AMENDMENT ZA-21-32

Map 1



Scale: 1"=200'

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MAP #2

Location: Land lying at the southwest corner of Cedrow Drive and the I-74 corridor.

Current Use: Undeveloped

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Residential Single Family – 5 (R-5) District Office Institutional (OI) District	Residential Multifamily 5 (RM-5) District Residential Multifamily 16 (RM-16) District
<i>Purpose & Intent:</i>	<p><u>R-5 District</u> The R-5 district is established to accommodate principally single-family detached dwellings developed at a density of 5 units an acre that is served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed. District regulations discourage uses that interfere with the development of residential development or that is detrimental to the residential nature of the district.</p> <p><u>OI District</u> The OI district is established to primarily accommodate a wide variety of moderate and high intensity office, institutional, and residential uses. In addition, the district accommodates health care, personal services, and retail uses. Supporting services are permitted provided they are located in multi-tenant buildings and limited in floor area.</p>	<p><u>RM-5 District</u> The RM-5 district is established to accommodate a mix of residential development at densities of 5 units an acre, that are served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions and recreational facilities are also allowed. District regulations discourage any use that interferes with the development of residential development or that is detrimental to the residential nature of the district.</p> <p><u>RM-16 District</u> The RM-16 district is established to accommodate a mix of residential development at around 16 units an acre, that is served by public water and sewer. District regulations encourage the development of functioning neighborhoods that include a mix of housing types and a variety of institutional uses. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed.</p>
<i>Current Uses:</i>	Undeveloped	Not applicable as the site is undeveloped.
<i>Conditions</i>	None	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Single Family – 5 (R-5) District	Religious institution
South:	Light Industrial (LI) District	Railroad track and the E. Martin Luther King Jr. Drive right-of-way
East:	Light Industrial (LI) District Heavy Industrial (HI) District	Road right-of-way (I-74 corridor)
West:	Residential Single Family – 5 (R-5) District Residential Multifamily – 16 (RM-16) District	Single family dwelling and multifamily dwellings

Land Use Plan Classification

The area is designated as follows:

- **Low-Density Residential:** These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
- **Moderate-Density Residential:** This classification includes a variety of detached or attached dwellings, generally including single family homes, cluster homes, duplexes and townhouses. Development densities shall range from five to eight dwelling units per gross acre.

Analysis/Recommendation

This parcel is undeveloped and lies south of Cedrow Drive, west of I-74 and north of E. Martin Luther King Jr. Drive. The initial 200 foot depth, along its Cedrow Drive frontage, has an R-5 District zoning (approximately 8% of the parcel) while the remaining area has an Office Institutional (OI) District zoning (approximately 92% of the parcel). Staff is recommending rezoning to address conflicts with the adopted Land Use Map, and to address use and access limitations created by the current zoning pattern.

Land Use Map conflict.

The Land Use Plan classifies this area as Low-Density Residential and Moderate Density Residential. The adjacent zoning to the west is a mixture of R-5 and RM-16 Districts that is developed with single family and multifamily dwellings. The current OI District conflicts with the land use classification of this area. Staff reviewed previously adopted land use maps back to 1992, and none supported office type uses for this area. Rezoning to a residential zoning district would bring the site in line with the current land use policy for this area.

Access and use limitations

- a) There is no interchange access from I-74 to Cedrow Drive. Furthermore, the location of the railroad tracks and topography at the southern boundary of the parcel makes the establishment of an access point to E. Martin Luther King Jr. Drive extremely challenging. Thus, all access must come from the adjacent residential neighborhood. These access limitations support amending the zoning for residential type uses rather than OI District uses.
- b) The Cedrow Drive frontage of the site has a R-5 District (single family) zoning designation. Per access standards of the Development Ordinance, access through this R-5 portion of the parcel can only be used to serve a use permitted in the R-5 District (i.e., a single family development). Access cannot be taken through the R-5 zoned area of this parcel to serve an office or multifamily use.
- c) A development with more than 50 dwelling units would require at least two points of vehicular access. Unless a public street extension can be negotiated with the property owner to the west, the site would be limited to 50 dwelling units. Also, access cannot be taken from the residential neighborhood to the west to serve an office development.

Because of these issues, staff recommend the R-5 zoned portion of the site (Cedrow Drive frontage) be rezoned to the RM-5 District and that the OI zoned portion of the site be rezoned to the RM-16 District. The RM-5 and RM-16 District permit the same type of residential uses, except that the density in the RM-5 District is limited to 5 dwelling units per acre. Thus, rezoning the R-5 portion of the site to the RM-5 District allows access to be taken from Cedrow Drive to serve a single family, single family attached (townhome) or multifamily development on the rest of the site. But it will limit development

intensity of this northern portion of the site to 5 units per acre, which is the same development density permitted on adjacent single-family lots west of the site fronting along Cedrow Drive.

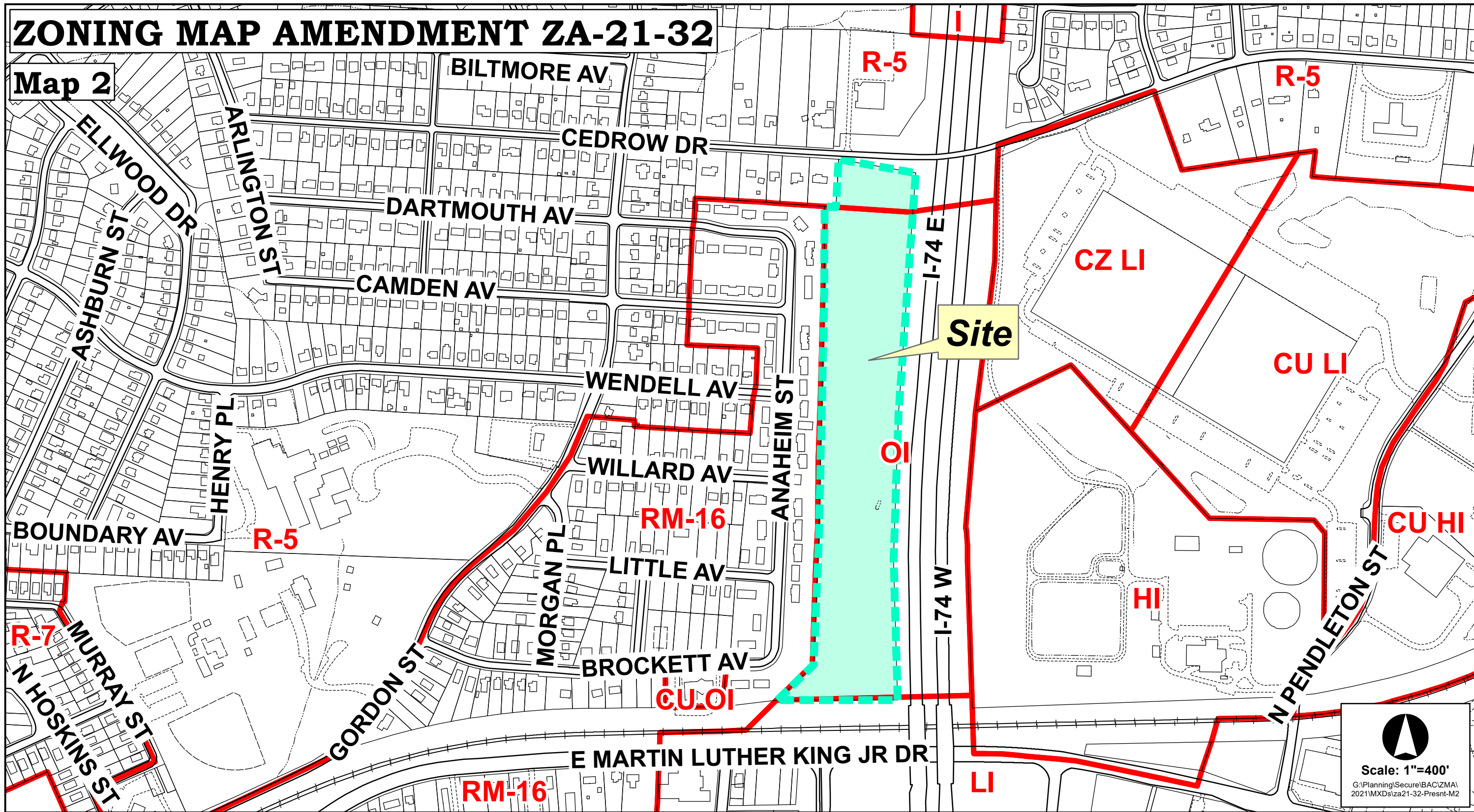
Rezoning the OI District portion of the site to the RM-16 District will bring zoning in line with the land use policy for this area and will establish the same zoning and development potential as exists on lands to the west of the site.

Staff recommendation.

1. Rezone the northern portion of the parcel from the R-5 District to the RM-5 District; and
2. Rezone the remaining land area of the parcel from the OI District to the RM-16 District.

ZONING MAP AMENDMENT ZA-21-32

Map 2



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ZONING MAP AMENDMENT ZA-21-32

Map 2




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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on December 14, 2021 and before the City Council of the City of High Point on January 18, 2022 regarding Zoning Map Amendment Case 21-32 (ZA-21-32) a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on December 5, 2021, for the Planning and Zoning Commission public hearing and on January 5, 2022 and January 12, 2022, for the City Council public hearing pursuant to Chapter 160D-602 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on January 18, 2022.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1

Map #1: 101 N. Hoskins Street

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Limited Business (LB) District**. An approximate 0.3 acre parcel lying at the northwest corner of Washington Street and N. Hoskins Street. The property is addressed as 101 N. Hoskins Street and also known as Guilford County Tax Parcel 193229.

SECTION 2

Map #2: 1336 Cedrow Drive

That the Official Zoning Map of the City of High Point be amended to establish the following described area as:

- A. **Residential Multifamily – 5 (RM-5) District** *(the northern portion of Guilford County Tax Parcel 182039)*

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Multifamily – 5 (RM-5) District**. Approximate 1.4 acres of the northern portion of Guilford County Tax Parcel 182039. The approximate northern 200 feet of this parcel (fronting along Cedrow Drive), aligning

with the backline of Lot No. 10 of the Williard Estate, recorded in Plat Book 11 – Page 71.

B. **Residential Multifamily – 16 (RM-16) District** *(the southern 16.6 acres of Guilford County Tax Parcel 193229)*

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Multifamily – 16 (RM-16) District**. Approximate 16.6 acres of the southern portion of Guilford County Tax Parcel 182039. All of that portion of the parcel lying approximate 230 feet ***south of the centerline*** of Cedrow Drive (south of the backline of Lot No. 10 of the Williard Estate, recorded in Plat Book 11 – Page 71).

SECTION 3

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The **18th** day of **January, 2022**

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk