

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-33
(ARC of High Point)

From: Chris Andrews,
Interim Planning & Development Director

Meeting Date: February 21, 2022

Public Hearing: Yes

Advertising Date: February 9, 2022, and
February 16, 2022

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the ARC of High Point to rezone approximately 3.5 acres from the Residential Single Family - 5 (R-5) District to the Parks and Natural Resources (PNR) District. The site is located west of the intersection of Bellevue Drive and School Park Road (153 Bellevue Drive).

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their January 25, 2022 public hearing. All members of the Commission were present except for Mr. Alex Moore. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

The applicant, Ms. Stephanie Antkowiak, Executive Director of the ARC of High Point, 4816 Weston Place, Jamestown, spoke in favor of the request. Ms. Antkowiak stated that ARC is a non-profit organization that helps individuals with intellectual and developmental disabilities, and is a partner agency of the United Way. They have no plans to change what they do or to expand in the near future.

There were no speakers in opposition to the request.

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 8-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 8-0 to approve the following statement:

That Zoning Map Amendment 21-33 is consistent with the City's adopted policy guidance because the proposed PNR District does not conflict with any adopted land use policies. Furthermore, the requested PNR District, and its allowable land uses, are similar and compatible with the surrounding zoning and development pattern of this area.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-21-33
January 25, 2022**

Request	
Applicant: ARC of High Point	Owner: ARC of High Point
Zoning Proposal: To rezone approximately 3.5 acres	From: R-5 Residential Single Family - 5 District
	To: PNR Parks and Natural Resources District

Site Information	
Location:	The site is located west of the intersection of Bellevue Drive and School Park Road (153 Bellevue Drive).
Tax Parcel Number:	Guilford County Tax Parcel 197384
Site Acreage:	Approximately 3.5 acres
Current Land Use:	The site is developed with a one-story structure with a gross area of 8,200 square feet. The site is currently used as a minor cultural facility use type.
Physical Characteristics:	The northern portion of the site is currently developed with the ARC of High Point facility, while the southern half of the site is undeveloped and heavily wooded.
Water and Sewer Proximity:	A 6-inch City water line and an 8-inch City sewer line lie adjacent to the site along Bellevue Drive.
General Drainage and Watershed:	The site drains in a general northerly direction and development is subject to the Oak Hollow Lake Watershed Critical Area (WCA) requirements. Primary stormwater control measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more. The site is within Tier 4 of this WCA, development is limited to 2 dwelling units per acre or 50% built-upon area.
Overlay District:	Oak Hollow Lake Watershed Critical Area - Tier 4.

Adjacent Property Zoning and Current Land Use			
North:	PNR	Parks and Natural Resources District	Public Park (A.J. Simeon Stadium)
South:	R-5	Residential Single Family - 5 District	Undeveloped parcel
East:	R-5	Residential Single Family - 5 District	Single family detached dwellings
West:	R-5	Residential Single Family - 5 District	Religious institution (Northside Church of Christ)

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	This request is neither consistent or inconsistent with the goals and objectives of the Community Growth Vision Statement.

Land Use Plan Map Classification:	The site has a Low-Density Residential land use designation. This classification includes primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Land Use Plan Goals, Objectives & Policies:	This request is neither in conflict with the Land Use Plan's goals and objectives nor does it promote those goals and objectives.
Relevant Area Plan:	There are not any area plans that cover this area.
Zoning History:	This property received a Special Use Permit approval in 1998 to allow the current minor cultural facility, formally classified as an Adult Day Care Center (SUP Case 98-08). With the adoption of the current Development Ordinance in 2017, this use type is no longer a permitted use in the R-5 District. As the ARC of High Point's facility has been continuously operating, it is considered a permitted non-conforming use.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Bellevue Drive		Collector Street	60 ft.
	School Park Road		Collector Street	None
Vehicular Access:	Existing driveway access from Bellevue Drive.			
Traffic Counts: <i>(Average Daily Trips)</i>	Bellevue Drive		None	
Estimated Trip Generation:	Not applicable, there is no new development or change in use.			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	A TIA is not required.	
Comments:	The City of High Point Transportation Director shall approve the exact location and design of all new or updated access points and improvements.			

School District Comment
Not applicable to this zoning case.

Details of Proposal

The ARC of High Point (ARC) is requesting rezoning to make their existing facility along Bellevue Drive a conforming use. The ARC is a non-profit Medicaid funded facility serving people with intellectual and developmental disabilities with day programming, advocacy, employment support, and support for families. They also provide creative arts programs, advocacy services, dental clinic, workshops, and training for families. Their existing facility on Bellevue Drive is licensed by the North Carolina Department of Health & Human Services (NCDHHS) for adult day activity for people with intellectual/developmental disabilities.

This use is classified by the Development Ordinance as a minor cultural facility, which is defined as a civic type of institutional use that provides education, training, or resources of a public/nonprofit or charitable nature. The ARC's Bellevue Drive facility obtained special use approval, under standards of the prior development ordinance, to allow an Adult Day Care with over 30 persons. With

adoption of the current Development Ordinance in 2017, this use type is no longer permitted in residential zoning districts. However, as the facility has been continuously operating, it is classified as an existing nonconforming use. Under the nonconforming use regulations, it may continue as long as that use does not cease operation for more than 180-days.

The applicant is requesting rezoning to the PNR District. The PNR District allows the minor cultural facility use type as a permitted principal use and, if approved, would remove the nonconforming status of the facility. This will assist the ARC of High Point when submitting applications for future State license renewals and funding request.

Staff Analysis

The zoning site is classified by the Land Use Plan as Low Density Residential and of primary concern is the establishment of a zoning district that introduces land uses not compatible with the residential neighborhood, or the introduction of a spot zoning situation. The following are key to support this district and use type at this location:

Locational considerations

- The zoning site sits isolated at the outer edge of this subdivision, adjacent to the U.S. 311/I-74 interchange.
- Both Bellevue Drive and School Park Road are classified as collector streets, which are designed to carry traffic between lower intensity local streets to streets of a higher capacity and classification.
- The site abuts the A.J. Simeon Stadium Stadium/Miracle Field complex to the north, which is also zoned PNR District. Thus, rezoning to the PNR District would not introduce a zoning district that hasn't already been established in this area.

Use/development intensity

- The proposed PNR District allows minor cultural facilities, public & semi-public uses, and various civic related uses. The proposed PNR District is one of the lowest intensity zoning districts that will permit a minor cultural facility use.
- The Development Ordinance lists Major & Minor Cultural Facility use types. A minor cultural facility is limited to a gross floor area of 15,000 square feet. A major cultural facility exceeds the 15,000 square foot threshold and is not a permitted use in the PNR District.

With the site being situated on the outer edge of this subdivision, adjacent to the I-74 corridor and abutting a larger PNR zoned area, the requested PNR District will be compatible with the current zoning and development pattern in this area.

Section 2.4.20.C. of the Development Ordinance states that the advisability of a zoning map amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed zoning map amendment, the City Council shall weigh the relevance of and consider the following:

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 proposed PNR District does not conflict with any adopted land use policies.

Reasonableness/Public Interest:

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

The requested PNR District, and its allowable land uses, are similar and compatible with the surrounding zoning and development pattern of this area.

Recommendation

Staff Recommends Approval:

The Planning and Development Department recommends approval of the request to rezone this 3.5-acre parcel to the PNR District. The requested PNR District will be compatible with the surrounding area and does not conflict with adopted plans.

Required Action

Planning and Zoning Commission:

The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

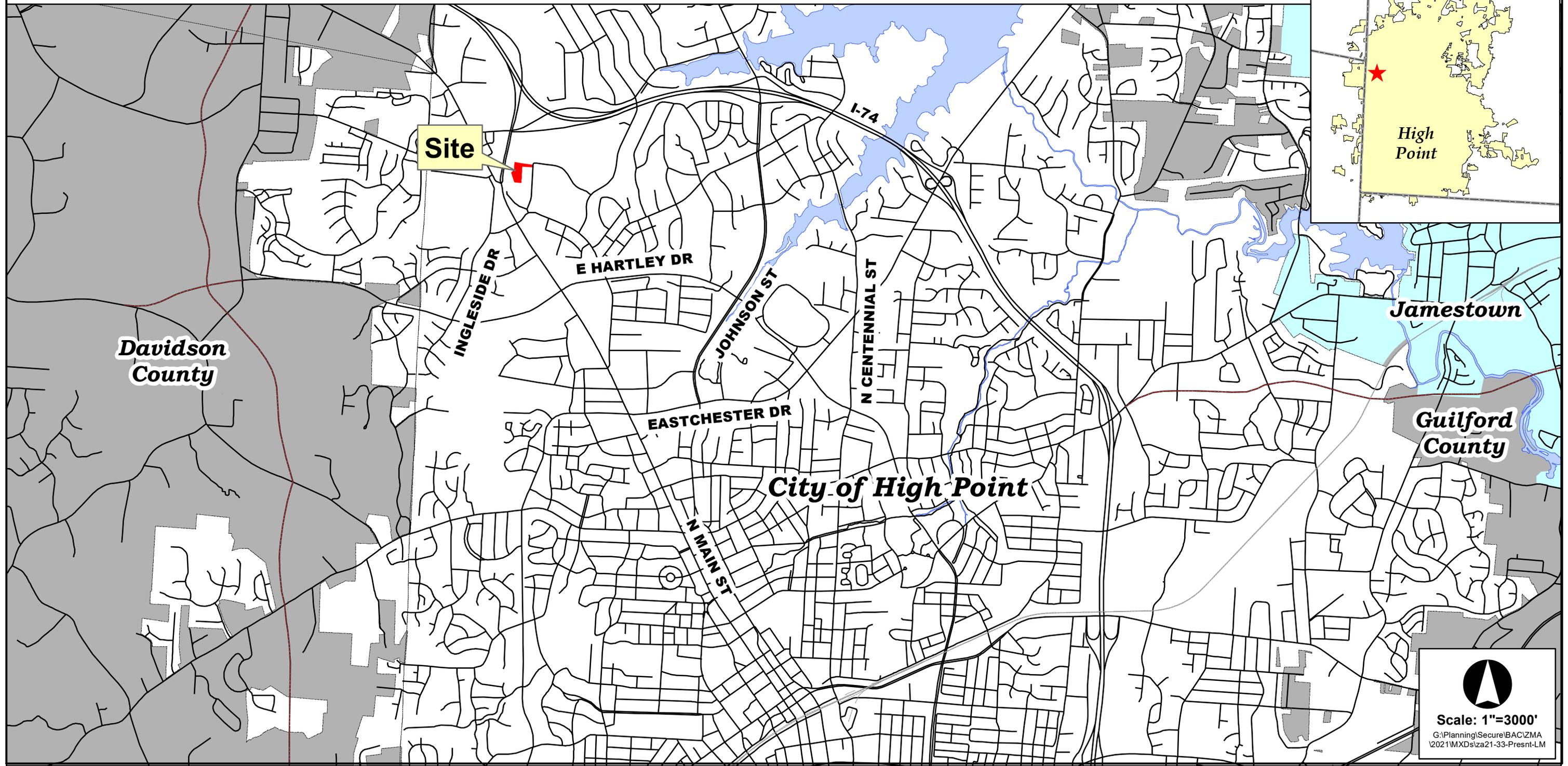
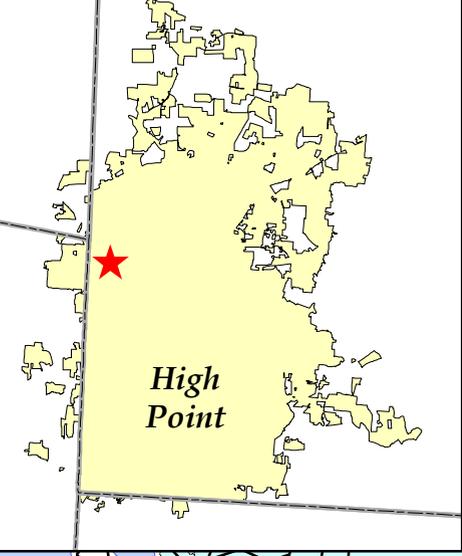
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Interim Planning and Development Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-21-33

Applicant: ARC of High Point

Vicinity Map



Jamestown

Guilford County

Davidson County

City of High Point

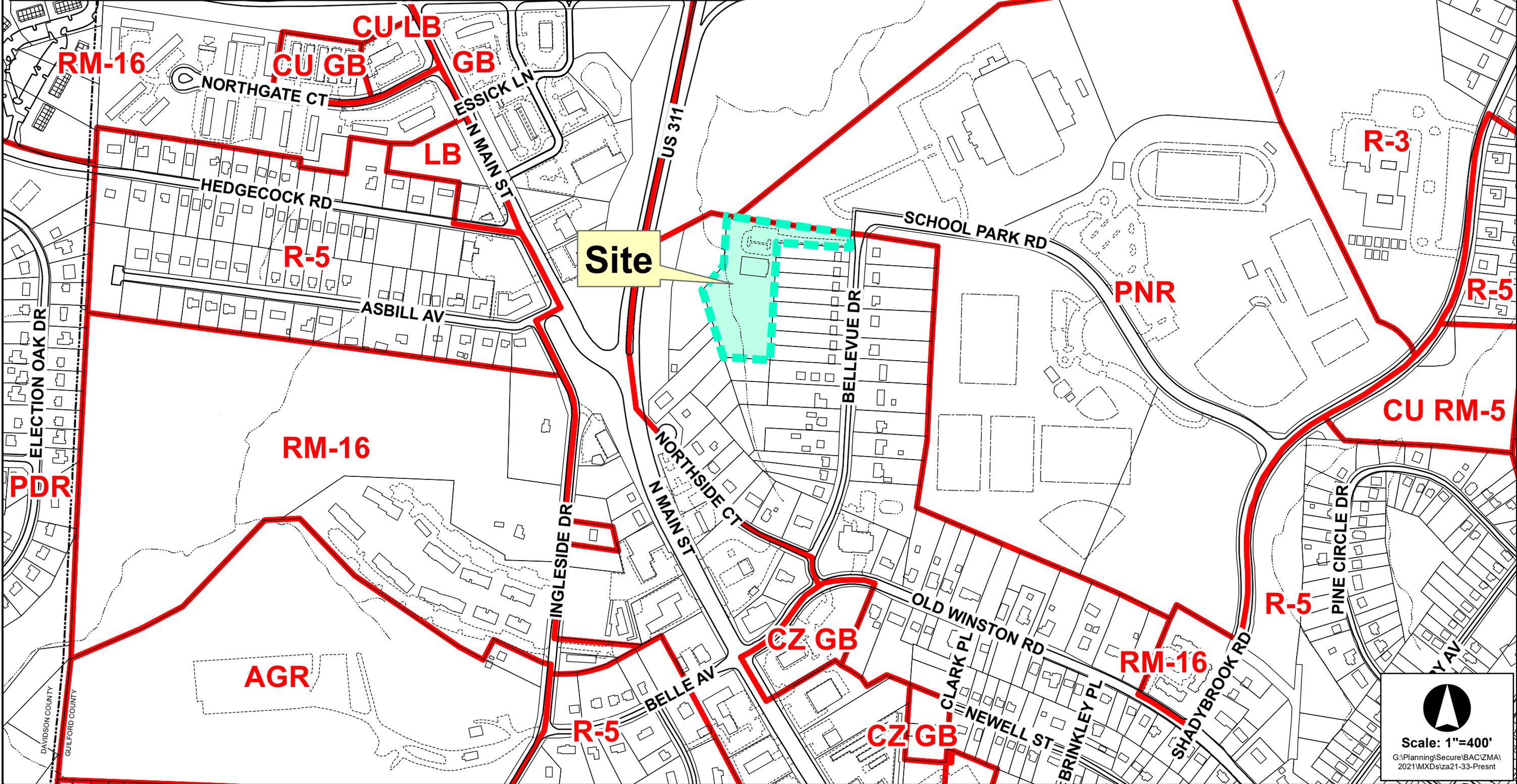


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ZONING MAP AMENDMENT ZA-21-33

ENTRANCE 65 I-74 E

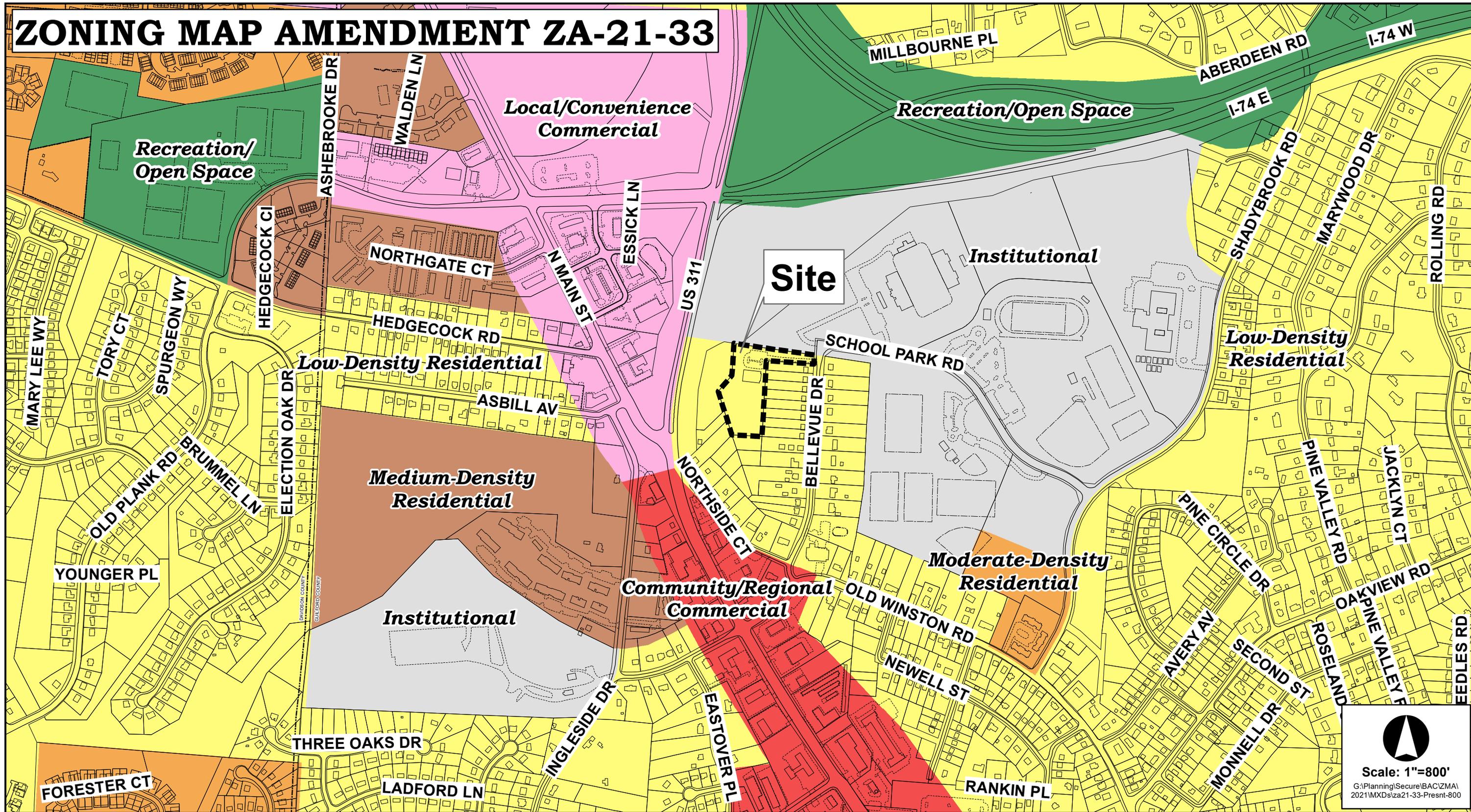


Site



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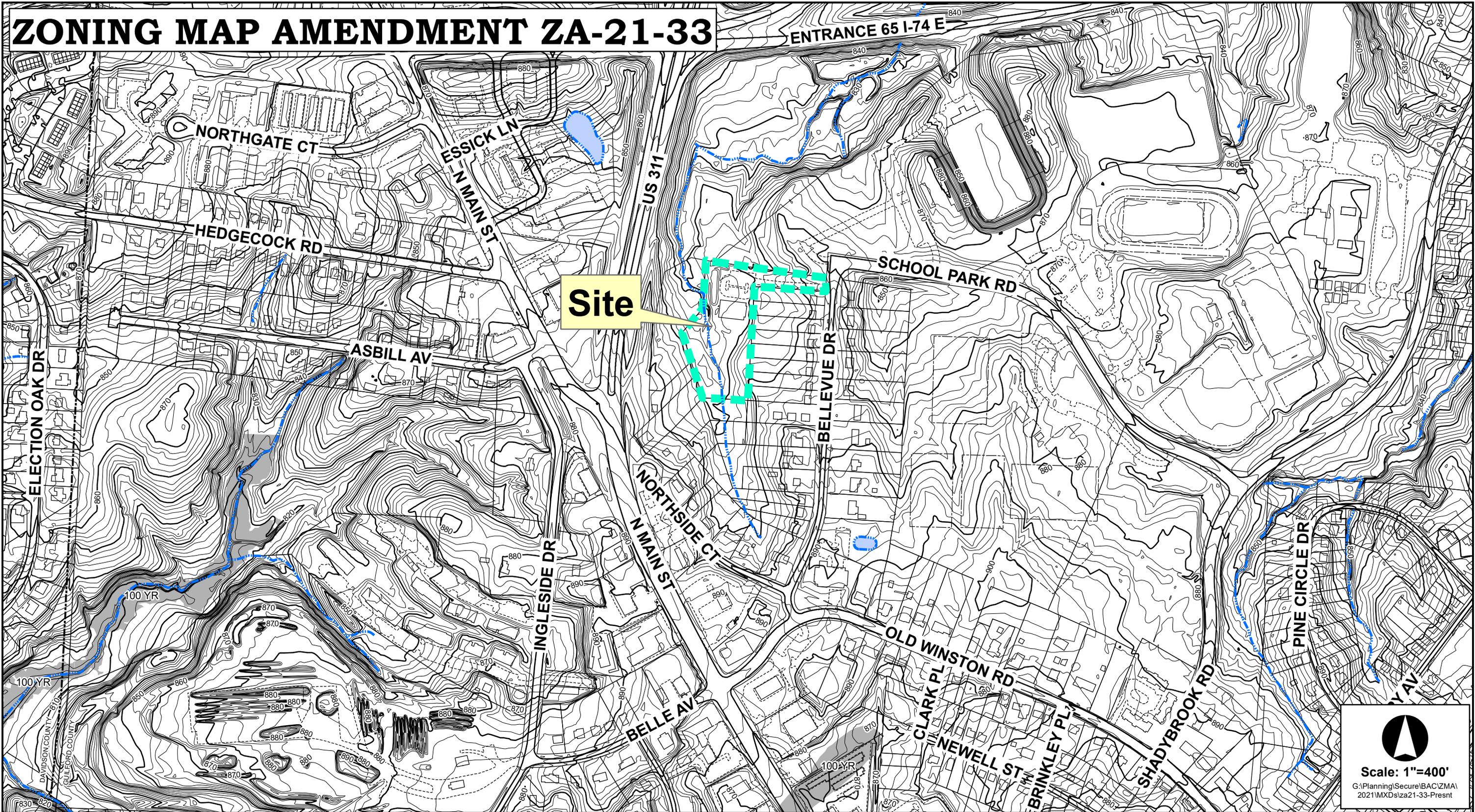
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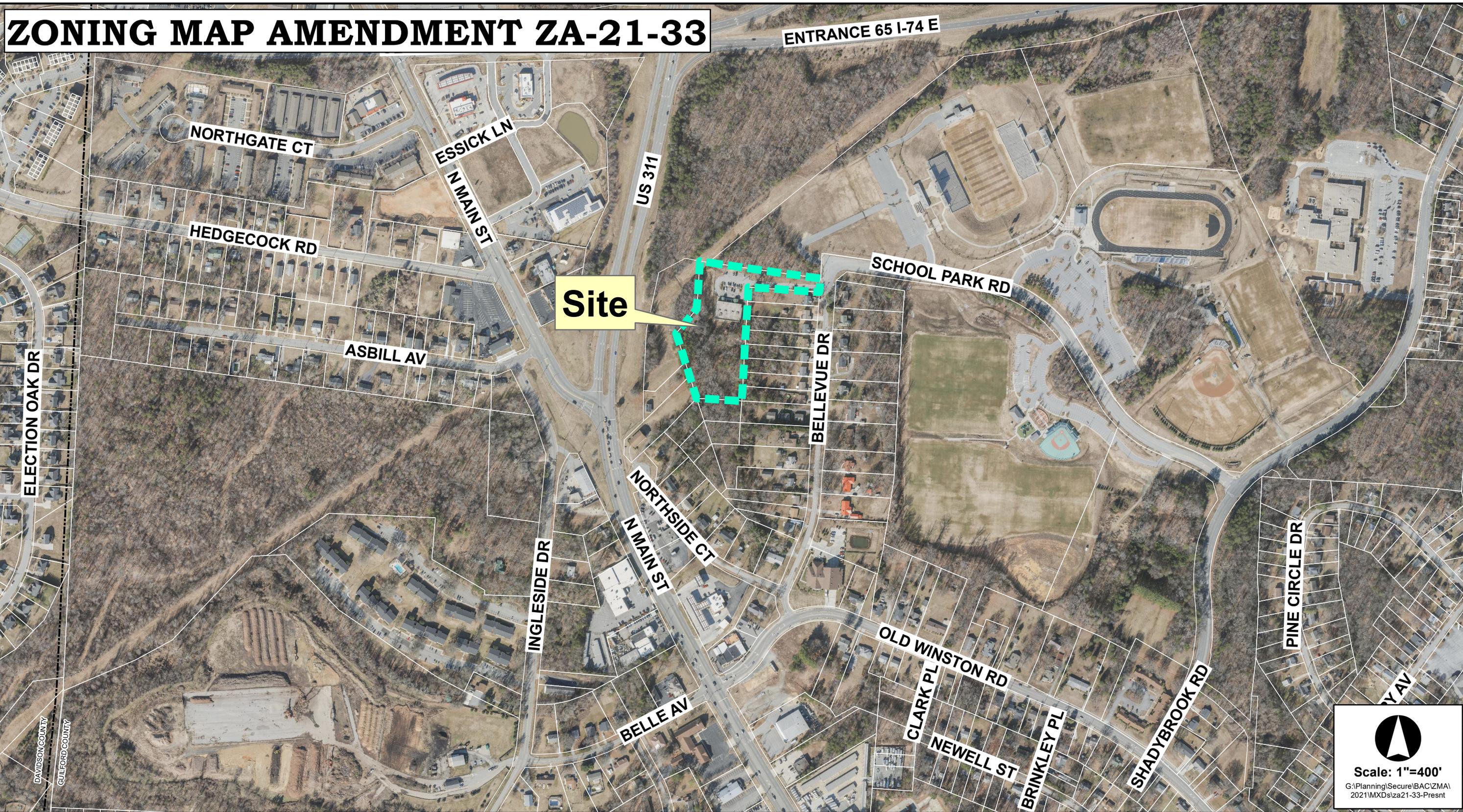
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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.20, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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, public hearings were held before the Planning and Zoning Commission of the City of High Point on January 25, 2022 and before the City Council of the City of High Point on February 21, 2022 regarding **Zoning Map Amendment Case ZA-21-33 (ZA-21-33)** 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 January 16, 2022, for the Planning and Zoning Commission public hearing and on February 9, 2022 and February 16, 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 **February 21, 2022**.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Parks and Natural Resources District (PNR) District**. The property is approximately 3.5 acres, located west of the intersection of Bellevue Drive and School Park Road (153 Bellevue Drive). The property is also known as Guilford County Tax Parcel 197384.

SECTION 2

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 3

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 21st day of February, 2022

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

Herbert Shannon Jr

Subject: FW: Citizens Information Meeting

From: Stephanie Antkowiak <stephaniearchp@gmail.com>
Sent: Monday, December 13, 2021 9:46 AM
To: Herbert Shannon Jr <herb.shannon@highpointnc.gov>
Cc: Scott Hooper <hoop1nc@aol.com>; Beth Mills <bethamills79@gmail.com>
Subject: Citizens Information Meeting

Hi Herb,

We held our meeting this past Saturday, but no one came to the meeting. We also offered a virtual option. Should we send a second mailing?

Thank you,

Stephanie

Stephanie Antkowiak | stephaniearchp@gmail.com

Executive Director | The Arc of High Point

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