

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-07
(Classic Dyestuff, Inc.)

From: Lee Burnette, Planning & Development
Director

Meeting Date: June 21, 2021

Public Hearing: Yes

Advertising Date: June 9, 2021, and
June 16, 2021

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by Classic Dyestuff, Inc. to rezone approximately 3.4 acres from the Light Industrial (LI) District to a Conditional Zoning Heavy Industrial (CZ-HI) District. The site is located east of the intersection of Brentwood Street and Gavin Drive (323 and 401 Brentwood Street) and west of the northern terminus of New Street (222, 226, 228 and 230 New Street).

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their May 25, 2021 regular meeting and took final action when the meeting was reconvened on May 27, 2021. On the date of final action, all members of the Commission were present except for Ms. Joan Swift and Mr. Terry Venable. Mr. Herbert Shannon, Senior Planner, presented the case and recommended denial of the request as outlined in the staff report.

Speaking on the request:

Speaking in favor of the request on behalf of the applicant was Mr. Grant Almond, attorney, Wyatt-Early-Harris-Wheeler, 1912 Eastchester Drive, Suite 400, High Point. Mr. Almond noted that Classic Dyestuff, Inc. has operated at 301 Brentwood Street, abutting this zoning site, since the late 1970s. He explained that Classic Dyestuff produces paints, dyes, coatings, and disinfectants. The company is preparing to expand the operation with the addition of a new 40,000-square-foot facility where they will continue the same type of business. Mr. Almond noted that his client understands that the Planning and Development Department has determined that their current use and proposed expansion would be classified as a minor manufacturing facility and not required to be rezoned. However, they are of the opinion their operation falls under the major manufacturing use type, which is only permitted in the HI District. Due to the cost of the proposed expansion and concern that future staff may interpret their proposed land use activity differently, they would feel more comfortable proceeding forward with this proposed expansion if all lands associated with their development are zoned HI District for a major manufacturing facility.

No public comments were received on this public hearing item.

Once the public hearing was closed the Planning and Zoning Commission deliberated on this request. The commission asked staff to address the applicant's concern that future staff may interpret this use differently. Mr. Shannon, Senior Planner and Mr. Burnette, Director addressed this question. They stated that the current Development Ordinance is more flexible than the prior ordinance. The principal use table focuses more on

the way a use operates rather than just a listing of uses. Since the applicant has noted that all activity of their current and future expansion will occur indoors, and there will be no smoke, odor, noise, or vibration that go beyond the limits of the site, this is considered a minor manufacturing use.

Several Commission members did express concern with expanding the HI District zoning in this area, especially if staff has determined that the current and proposed uses are permitted in the existing LI District zoning governing the site.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

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

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended *denial* of this request, as recommended by staff, by a vote of 7-0.

A zoning map amendment application receiving a recommendation of denial from the Planning and Zoning Commission shall only be approved by the City Council with a $\frac{2}{3}$ majority vote of the City Council members present and voting.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 7-0 to approve the following statement:

That Zoning Map Amendment 21-09 **is not** consistent with the City's adopted policy guidance because a goal of the Land Use Plan is to encourage development that enhances and preserves established neighborhoods and major manufacturing, and the wholesale trade of toxic chemicals as allowed in the requested CZ-HI District, does not enhance or protect the adjacent neighborhood; such uses should not be allowed within the proximity of the nearby residences without adequate protection. Furthermore, the request **is not** reasonable and in the public interest because the rezoning is not necessary to allow the proposed expansion as described.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-21-07
May 25, 2021**

Request	
Applicant: Classic Dyestuff, Inc.	Owners: Classic Dyestuff, Inc. and Labpro, LLC
Zoning Proposal: To rezone approximately 3.4 acres	From: LI Light Industrial District
	To: CZ-HI Conditional Zoning Heavy Industrial District

Site Information	
Location:	The site is located east of the intersection of Brentwood Street and Gavin Drive (323 & 401 Brentwood Street) and west of the northern terminus of New Street (222, 226, 228 & 230 New Street).
Tax Parcel Number:	Guilford County Tax Parcels 184070 through 184073, 184126 and 184130
Site Acreage:	Approximately 3.4 acres
Current Land Use:	Except for a 4,800 square foot vacant warehouse structure off New Street, the zoning site is undeveloped.
Physical Characteristics:	The zoning site is relatively flat.
Water and Sewer Proximity:	An 8-inch City water line and an 8-inch City sewer line lie adjacent to the site along both Brentwood Street and New Street.
General Drainage and Watershed:	The site is relatively flat and drains in a general northerly direction, and development is subject to the Randleman Lake General Watershed Area (GWA) requirements. Primary stormwater control measures are required for non-residential development with an impervious surface area that exceeds 12% or more of the site.
Overlay District:	Randleman Lake General Watershed Area

Adjacent Property Zoning and Current Land Use		
North:	LI Light Industrial District HI Heavy Industrial District	Religious institution (church) and manufacturing facility
South:	LI Light Industrial District	Single family dwelling, vacant commercial building
East:	LI Light Industrial District	I-74 corridor, single family dwelling, and major vehicle establishment (body shop)
West:	R-5 Residential Single Family-5 District LB Limited Business District HI Heavy Industrial District	Single family dwellings, religious institution (church) and minor manufacturing facility

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 Light Industrial Land use designation. This classification includes general manufacturing, wholesaling, warehousing, and research and development uses.
Land Use Plan Goals, Objectives & Policies:	The following goals of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods. Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan:	<u>US 311-Bypass Interchange Study (2002)</u> – The plan states that the area between the US 311-Bypass and Brentwood Street, and E. Kivett Drive and E. Green Drive interchanges could be a location for industrial redevelopment due to the potential benefit of visibility from the bypass.
Zoning History:	There has been no recent zoning activity in this area.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Brentwood Street		Minor Throughfare	300 ft.
	New Street		Local Street	215 ft.
	Hayes Avenue		Local Street	80 ft.
Vehicular Access:	Via driveway access from Brentwood Street, Hayes Avenue and New Street.			
Traffic Counts: <i>(Average Daily Trips)</i>	Brentwood Street	3,800 ADT (NCDOT 2019 traffic count)		
Estimated Trip Generation:	The applicant currently operates a 42,000 square foot minor manufacturing facility on a 5.2 acre parcel abutting the zoning site. They are proposing to expand this facility to approximately 80,000 square feet. This size industrial development is anticipated to generate approximately 314 daily trips (during a 24-hour time period) with approximately 65 AM peak-hour trips and approximately 63 PM peak-hour trips			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	A TIA is not required. This analysis is only required for nonresidential developments that generate more than 150 trips within the AM or PM peak hours.	

School District Comment
Not applicable to this zoning case.

Details of Proposal

The applicant operates an existing minor manufacturing facility at 301 Brentwood Street, and they desire to expand their facility onto abutting lands. Classic Dyestuffs processes powdered dyes, pigment dispersions, hand sanitizers and disinfectant chemicals. They do specialty packaging of their processed products in different size containers. The whole existing operation is classified by the Development Ordinance as a minor manufacturing use, which is allowed in both the Light Industrial (LI) and Heavy Industrial (HI) Districts.

Classic Dyestuffs' existing manufacturing facility is located at 301 Brentwood Street in a HI District. They have requested to rezone abutting parcels to the rear (along New Street) and to the south (along Brentwood Street) of their facility from the LI District zoning to a Conditional Zoning Heavy Industrial (CZ-HI) District. The applicant has requested to rezone these abutting parcels for a proposed expansion.

Included with this application is a conditional zoning ordinance submitted by the applicant in which they have offered conditions to limit allowable HI District uses and for development to meet LI District standards.

Staff Analysis

Prior to submitting for rezoning, staff requested the applicant submit a letter detailing their current and proposed uses that will be part of their expansion to determine how their uses would be classified. This letter was submitted on February 1, 2021. The current use of the property is classified as minor manufacturing, which is allowed in both the LI & HI Districts. Staff reviewed their letter and determined that their future use and expansion would also be a minor manufacturing use. Thus, a rezoning is not required. However, the applicant expressed concern that future Planning and Development Department staff may interpret their proposed land use activity differently and consider it a major manufacturing use. Therefore, the applicant submitted this zoning map amendment application to rezone to a CZ-HI District to allow the major manufacturing use on these abutting parcels.

The Development Ordinance defines major manufacturing as land uses "that tend to require large amounts of bulk or unrefined materials which are typically processed and stored outdoors on the site. These uses require a significant amount of energy for the processing of raw materials, and are likely to generate significant noise, vibration, dust, glare, heat, odor, smoke, truck traffic, in the immediate vicinity of the use. Examples include manufacturing and assembly of machinery; manufacturing of petroleum or petroleum-related products; rubber and plastics manufacturing; and adhesives, coatings, or paint manufacturing." Minor manufacturing uses are defined as "uses that involve indoor processing or assembly of finished or partially finished goods and do not require large stockpiles of raw material. Processing and storage activities take place within enclosed buildings, which limit the creation of noise, vibration, dust, glare, heat, odor, and smoke. Minor manufacturing examples include production or repair of small electronic parts and equipment; sewing or assembly of textiles into consumer products; computer and electronics assembly; furniture assembly; and the assembly of pre-fabricated parts.

The applicant has also noted that as part of a possible manufacturing process, materials considered toxic by the FDA would be used. Thus, they have proposed in their conditional zoning ordinance to allow the wholesaling of *Toxic Chemicals or Substances, Pesticides or Fertilizers* use type. Staff explained to the applicant that simply using a product or material deemed to be toxic in the manufacturing process is not the wholesaling trade and storage of a toxic product. The applicant again disagreed with the staff explanation.

The zoning site is part of a larger area lying along the east side of Brentwood Street, between E. Martin Luther King Jr. Drive and Wade Place, with a Light Industrial Land Use Plan classification. All the lands along the east side of Brentwood Street are classified by the Land Use Plan as Light Industrial, and except for their existing facility at 301 Brentwood Street, all the lands along the east side of Brentwood Street have a LI District zoning designation. Lands along the opposite side of

Brentwood Street have a Low-Density Residential and Medium Density Residential Land Use Plan classification and developed with a mixture of single family homes and multifamily residential developments. Due to this long-established land use and zoning pattern, the expansion of HI District uses in this area is not supported by land use policy for this portion of the City.

Section 2.4.6.C. of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to approve or deny a conditional zoning, the City Council shall weigh the relevance of and consider the following issues outlined below. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

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.

A goal of the Land Use Plan is to encourage development that enhances and preserves established neighborhoods and major manufacturing and the wholesale trade of toxic chemicals as allowed in the requested CZ-HI District, does not enhance or protect the adjacent neighborhood; such uses should not be allowed within the proximity of the nearby residences without adequate protection.

Reasonableness/Public Interest:

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

The rezoning is not necessary to allow the proposed expansion as described.

Compatibility with Surrounding Areas

- Whether the proposed conditional zoning district will result in a development that is compatible with the character of surrounding existing or proposed development and land uses.
 - Where there are issues of compatibility, the proposed conditional zoning district shall provide for appropriate transition areas that address incompatibility through increased buffering, landscaping, fencing, building height, mass and scale or other means designed to promote a complimentary character of development.
 - Determination of complimentary character may be based on densities/intensities, use types, lot sizes and dimensions, building height, mass and scale, exterior lighting, siting of service areas, or other aspects that may be identified by the City Council.
- ❖ The applicant offered to condition development on the rezoning site to only LI District uses and two heavy industrial uses: major manufacturing and the wholesale trade of toxic chemicals or substances, pesticides, and fertilizers.
 - ❖ To address compatibility with adjacent uses the applicant has offered a condition that all development meet LI District standards. This requires outdoor storage areas to be screened from view from adjacent lots and public streets and prohibits outdoor manufacturing, processing, or assembly.

Mitigation of Impacts

Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:

Mitigation #1	<p>Minimize or effectively mitigate any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.</p> <p>The scale of development, a potential 80,000 square foot major manufacturing facility, does not trigger enough traffic to require a Traffic Impact Analysis, and standards of the Development Ordinance pertaining to lighting, screening of trash loading areas and perimeter landscaping will assist in mitigating visual adverse impacts to nearby lands.</p>
Mitigation #2	<p>Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees and protects habitat.</p> <p>The site is within the Randleman Lake General Watershed Area. Primary stormwater control measures are required for non-residential development with an impervious surface area that exceeds 12% or more of the site to mitigate runoff.</p>
Mitigation #3	<p>Minimize or effectively mitigate any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire.</p> <p>The site is within an area currently served by City of High Point utilities and municipal services. The zoning submittal has no known adverse impacts on municipal services.</p>
Mitigation #4	<p>Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands.</p> <p>The Land Use Plan and zoning pattern support LI District uses for the area east of Brentwood Street and residential uses for the area west of Brentwood Street. The requested CZ-HI District allows heavy industrial uses that may be large-scale and have extensive movement of vehicles, materials, and goods, and greater potential for adverse environmental and visual impacts to nearby residences.</p>

Supportive Changes in the Area

Whether and the extent to which there have been changes in the type or nature of development in the area of the proposed conditional zoning district that support the application.

There have not been any changes in this portion of the City's planning area to support expansion of the HI District.

Promotes a Preferred Development Pattern

Whether and the extent to which the proposed conditional zoning district will result in development that promotes a logical, preferred, and orderly development pattern.

Goals #2 and #5 of the land use plan speak to promoting an urban growth pattern that occurs in an orderly fashion and encourage development that enhances and preserves established neighborhoods. As conditioned, the request to expand the HI District zoning in an area designated by the Land Use Plan for Light Industrial uses does not promote an orderly development pattern or adequately protect the adjacent neighborhood. Approval could encourage additional heavy industrial uses in this area.

Recommendation

Staff Recommends Denial:

The Planning and Development Department recommends denial of this request because the rezoning of adjacent property is not required to support the proposed use expansion.

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

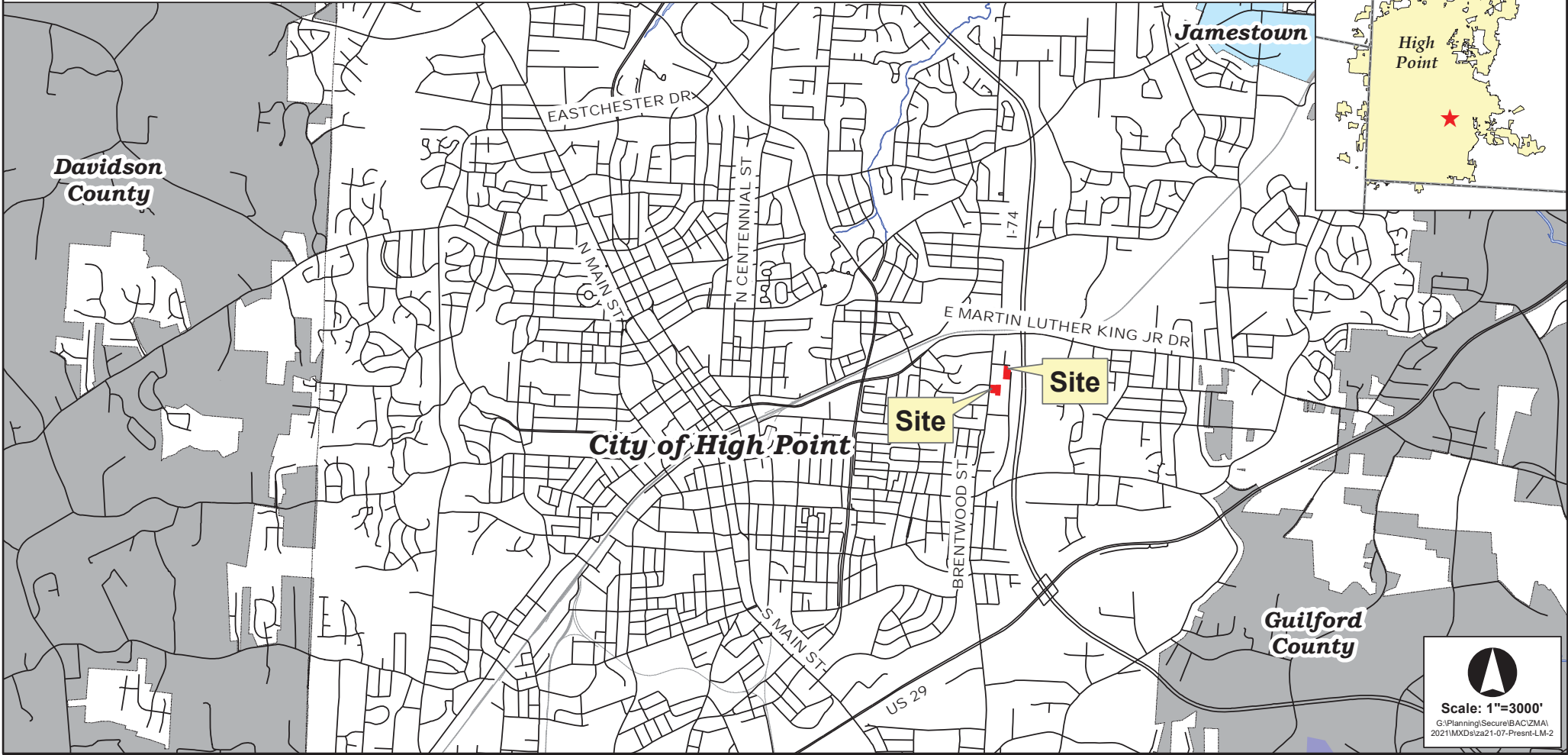
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator and Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-21-07

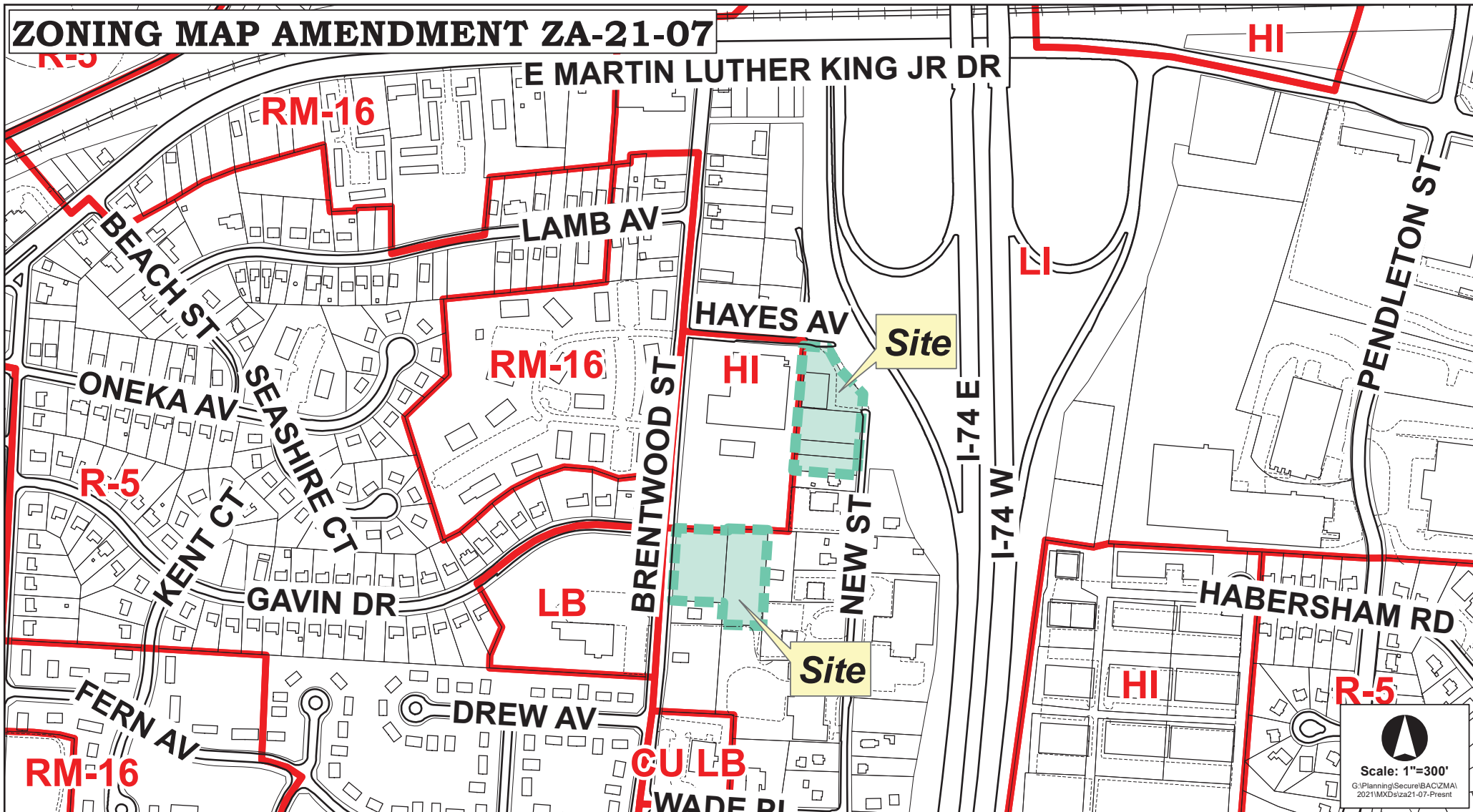
Applicant: Classic Dyestuff, Inc.

Vicinity Map



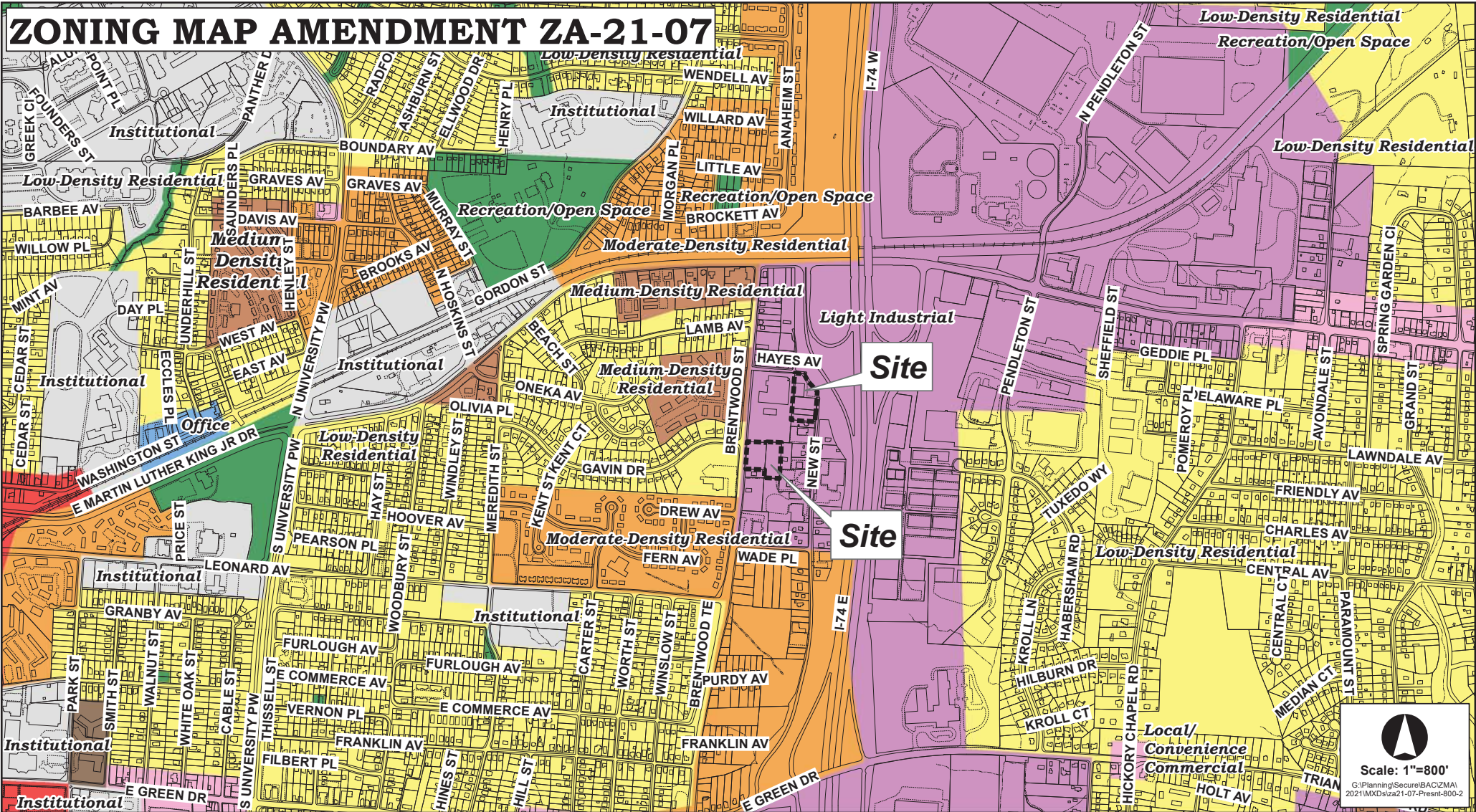
Scale: 1"=3000'
G:\Planning\Secure\BAC\ZMA\2021\MXDs\za21-07-Present-LM-2

ZONING MAP AMENDMENT ZA-21-07



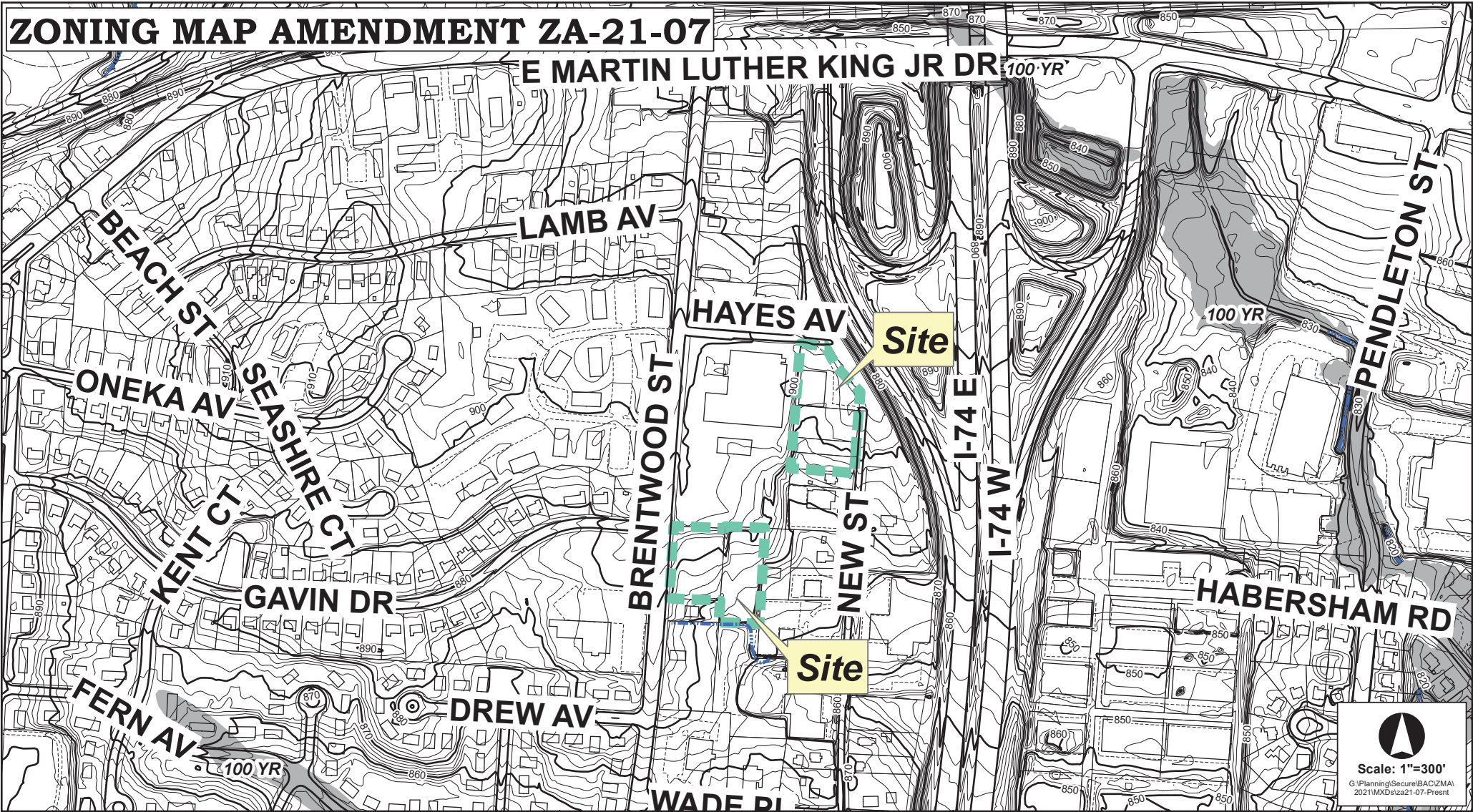
Scale: 1"=300'
G:\Planning\Secure\BAC\ZMA\2021\MXD\za21-07-Present

ZONING MAP AMENDMENT ZA-21-07




Scale: 1"=800'
G:\Planning\Secure\BAC\ZMA\2021\MXD\za21-07-Present-800-2

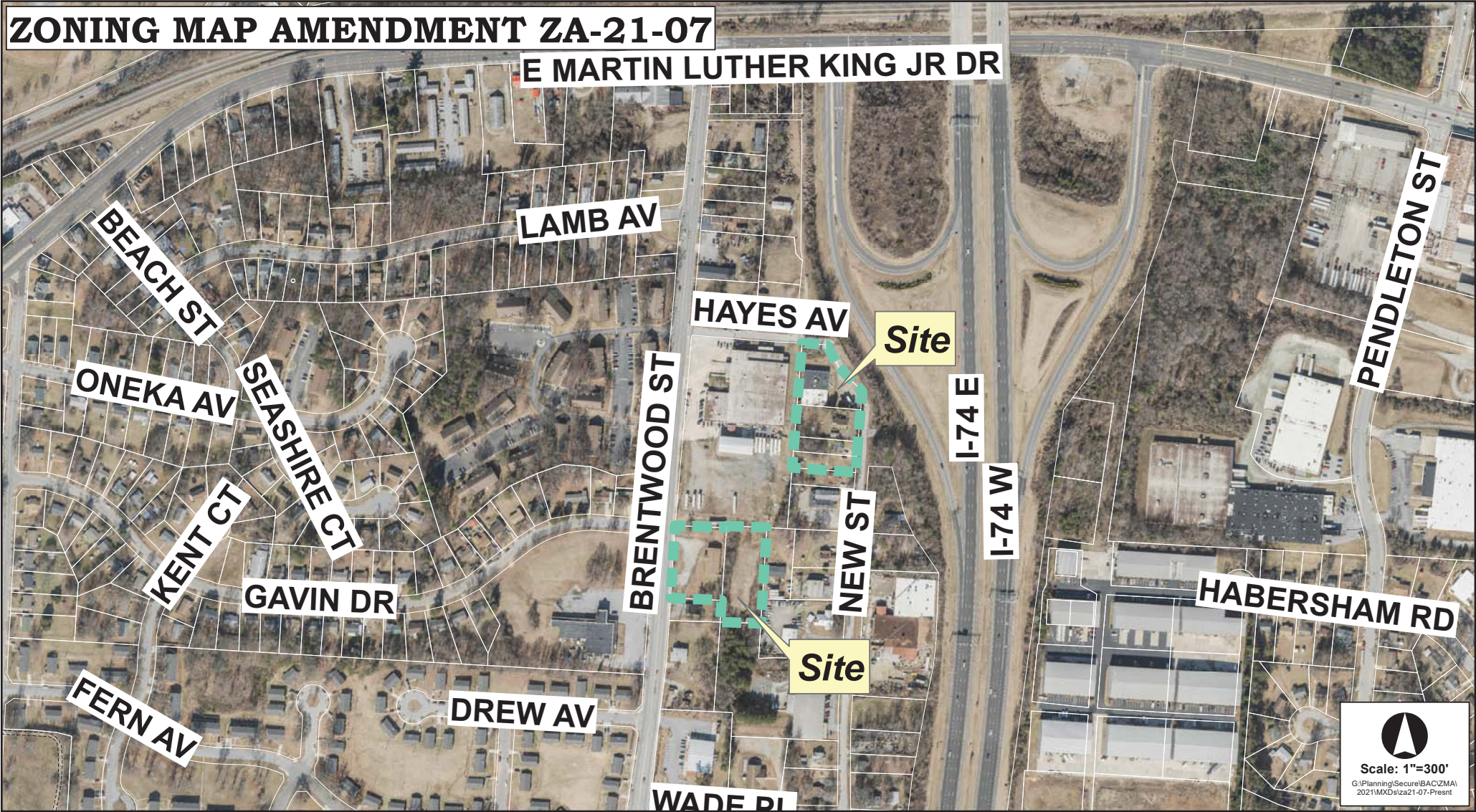
ZONING MAP AMENDMENT ZA-21-07



Scale: 1"=300'

G:\Planning\Secure\BAC\ZMA\2021\MXD\za21-07-Present

ZONING MAP AMENDMENT ZA-21-07




Scale: 1"=300'
G:\Planning\Secure\BAC\ZMA\2021\MXD\sa21-07-Present

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, public hearings were held before the Planning and Zoning Commission of the City of High Point on May 27, 2021 and before the City Council of the City of High Point on May 17, 2021 regarding Zoning Map Amendment Case 21-07 (ZA-21-07) 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 May 16, 2021, for the Planning and Zoning Commission public hearing and on June 9, 2021 and June 16, 2021, for the City Council public hearing pursuant to Chapter 160A-364 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 June 23, 2021.

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: **Conditional Zoning Heavy Industrial (CZ-HI) District**. The property is approximately 8.3 acres located east of Brentwood Street, south of Hayes Avenue and west of New Street (301, 323 & 401 Brentwood Street and 222, 226, 228 & 230 New Street). The property is also known as Guilford County Tax Parcels 184126, 184130, 184070, 184071, 184072, 184073 and 184077.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. **USES**: Only the following principal uses, as permitted in the Heavy Industrial (HI) District, shall be permitted, subject to the dimensional requirements of the HI District and the specific conditions listed in this ordinance.

- A. Any principal use of the Heavy Industrial (HI) District, as listed in the Principal Use Table 4.1.9 of the Development Ordinance, that is also a permitted use in the Light Industrial (LI) District (use must be permitted in both districts).
- B. All principal uses authorized under the “Major Manufacturing” Use Type (Industrial Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance.

- C. All principal uses authorized under the “Toxic Chemicals or substances, pesticides or fertilizers” Use Type (Industrial Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance.

Part II. CONDITIONS

A. Development Standards:

- 1. The District Standards of the Light Industrial (LI) District Standards (Sec. 3.4.11.G) shall apply to the property.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4

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 5

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

SECTION 6.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 23rd day of June, 2021

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

Citizen Information Meeting Report

Classic Dyestuffs, Inc. Zoning Case ZA-21-07

A Citizen Information Meeting Notice letter explaining the zoning request dated March 25, 2021 was sent by U.S. Mail to addresses supplied by the City of High Point Planning and Development Department.

The mailing included a copy of the proposed zoning map amendment showing the site, the proposed conditions applicable to the zoning request and the City of High Point Conditional Use District Zoning Information Meetings statement.

The notification letter also included an invitation for a conference call to discuss the zoning request. None of the invitees participated in the conference call.

I was contacted separately by Dean Singletary, a representative of Upper Room Baptist Church, Inc., on March 31, 2021 and discussed the project with him on that day. Mr. Singletary stated that he did not expect Upper Room Baptist Church, Inc. to have any opposition to the zoning request.

Submitted by Grant W. Almond

April 5, 2021

417 BRENTWOOD ST LLC
PO BOX 2246
JAMESTOWN NC 27282

A & E PROPERTIES
PO BOX 1455
HIGH POINT NC 27261

AHF BRENTWOOD CROSSING LLC
885 SECOND AVE 3181 FLOOR
NEW YORK NY 10017

ANGELES, RAQUEL MARTINEZ, PUENTE, JUAN
DAMIAN
2100 DOWDY CROSSING
HUDDLESTON VA 24104

BARLEY, HURLEY A; BARLEY, CORA W
1701 BRISTOL PL
HIGH POINT NC 27262

BROADIE, EULON MICHAEL
322 BRENTWOOD ST
HIGH POINT NC 27260

CLASSIC DYESTUFFS INC
PO BOX 2368
HIGH POINT NC 27261

FENNARIO PROPERTIES LLC
PO BOX 5252
HIGH POINT NC 27262

GARRETT'S TOWING & RECOVERY LLC
PO BOX 1327
THOMASVILLE NC 27361

GOLDEN, EUGENE; GOLDEN, SENOVIA
1739 GAVIN DR
HIGH POINT NC 27260

HARRIS, BARBARA
232 NEW ST
HIGH POINT NC 27260

HOUSING AUTHORITY OF H P
500 E RUSSELL AVE
HIGH POINT NC 27260

JON, NAN S
PO BOX 2246
JAMESTOWN NC 27282

LABPRO LLC
301 BRENTWOOD ST
HIGH POINT NC 27260

LABPRO LLC
PO BOX 2368
HIGH POINT NC 27261

LABPRO LLC
PO BOX 2364
HIGH POINT NC 27261

LAWSON, CHRISTIE Y; LAWSON, MELANIE
235 NEW ST
HIGH POINT NC 27260

MACK, THEODORE
1737 GAVIN DR
HIGH POINT NC 27260

MIRACLE TEMPLE HOLY CHURCH OF GOD INC
400 TAYLOR AVE
HIGH POINT NC 27260

NANJ CORP
PO BOX 2246
JAMESTOWN NC 27282

NAVOT, ASSAF REAL
1031 N KING CHARLES RD STE 115
RALEIGH NC 27610

NGUYEN, ANH
320 BRENTWOOD ST
HIGH POINT NC 27260

REDEEMED CHURCH OF CHRIST
PO BOX 861
HIGH POINT NC 27261

THERRELL, JAMIE G; THERRELL, RANDY
PO BOX 574
WALLBURG NC 27373

UPPER ROOM BAPTIST CHURCH INC
166 RAVINA LN
HIGH POINT NC 27260

VARGAS, JOSE ANGEL GARCIA
808 CARTER ST
HIGH POINT NC 27260

WORD OF RECONCILIATION MINISTRIES
2103 WICKHAM AVE
HIGH POINT NC 27265

WRIGHT, DENNIS STEVEN
615 GRAND ST
HIGH POINT NC 27260



WYATT EARLY HARRIS WHEELER
ATTORNEYS AND COUNSELLORS AT LAW

DAVID B. ASHCRAFT
KIM R. BAUMAN
FREDERICK G. SAWYER
JAMES R. HUNDLEY
JOHN D. BRYSON
STANLEY F. HAMNER
SCOTT F. WYATT
BRIAN P. GAVIGAN
MATTHEW C. JOBE
CORY A. RAYBORN
LEIGH ANNE KASIAS
R. ANDREW HARRIS
JONATHAN D. KEELER

DONAVAN J. HYLARIDES
AARON R. DAVIS
KRISTIN S. CROWE
GRANT W. ALMOND
BRIAN M. KUPPELWEISER
KATHRYN H. MUELENKAMP

RETIRED:
FRANK BURKHEAD WYATT
A. DOYLE EARLY, JR.
WILLIAM P. HARRIS
WILLIAM E. WHEELER

March 25, 2021

Re: Application for Conditional Re-Zoning
for 323 and 401 Brentwood Street and 222, 226, 228 and 230 New Street, High Point,
North Carolina (the "Subject Parcels")

Dear Neighbor,

We represent Classic Dyestuffs, Inc. and its affiliated entity, Labpro LLC, in connection with their application to the City of High Point to rezone the Subject Parcels to Conditional Use - Heavy Industrial. Classic Dyestuffs' business is located at 301 Brentwood Street and the company plans to expand its operations on to the Subject Properties. A list of the proposed conditions that apply to the application and an image of the Subject Parcels is enclosed.

You are receiving this notice because you own property within 300 feet of the Subject Parcels. A virtual community meeting to discuss the rezoning application will be held on **March 31, 2021** from **4 PM to 5 PM** and can be accessed by using the following information:

Dial-in Number: (425) 436-6325

Access Code: 7444218

If you cannot join the meeting at that time, please feel free to send me an email or give me a call and I will do my best to provide additional information or get answers to any questions you may have.

Sincerely,

Grant W. Almond

GWA/lde
Enclosures

City of High Point
Citizen Information Meetings



Persons filing certain development applications with the City of High Point are required to hold a citizen information meeting. This requirement applies to applications for a Conditional Zoning District, Planned Development District, Special Use and a Zoning Map Amendment that proposes to establish a more intense zoning district.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person filing an application, otherwise known as the applicant, the opportunity to inform citizens about their development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a description of the development proposal and are encouraged to share any other available information that would help citizens to better understand it.

After the application is filed with the City's Planning & Development Department, the applicant submits to the City a written summary of the citizen information meeting(s). At a minimum, this report records:

- The date, time, and location of the meeting;
- The method and date of notification about the meeting;
- A list of landowners notified about the meeting;
- A list of meeting attendees;
- If the meeting was conducted as a series of telephone calls;
- The description of the development proposal presented to the attendees; and
- A summary of attendee comments, ideas, and suggestions from citizens to be incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300-feet of the site. This notice provides a brief summary of the application; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the site.

Development conditions can be adopted by the City Council for a Conditional Zoning District, Planned Development District, or Special Use. However, no condition can be included that:

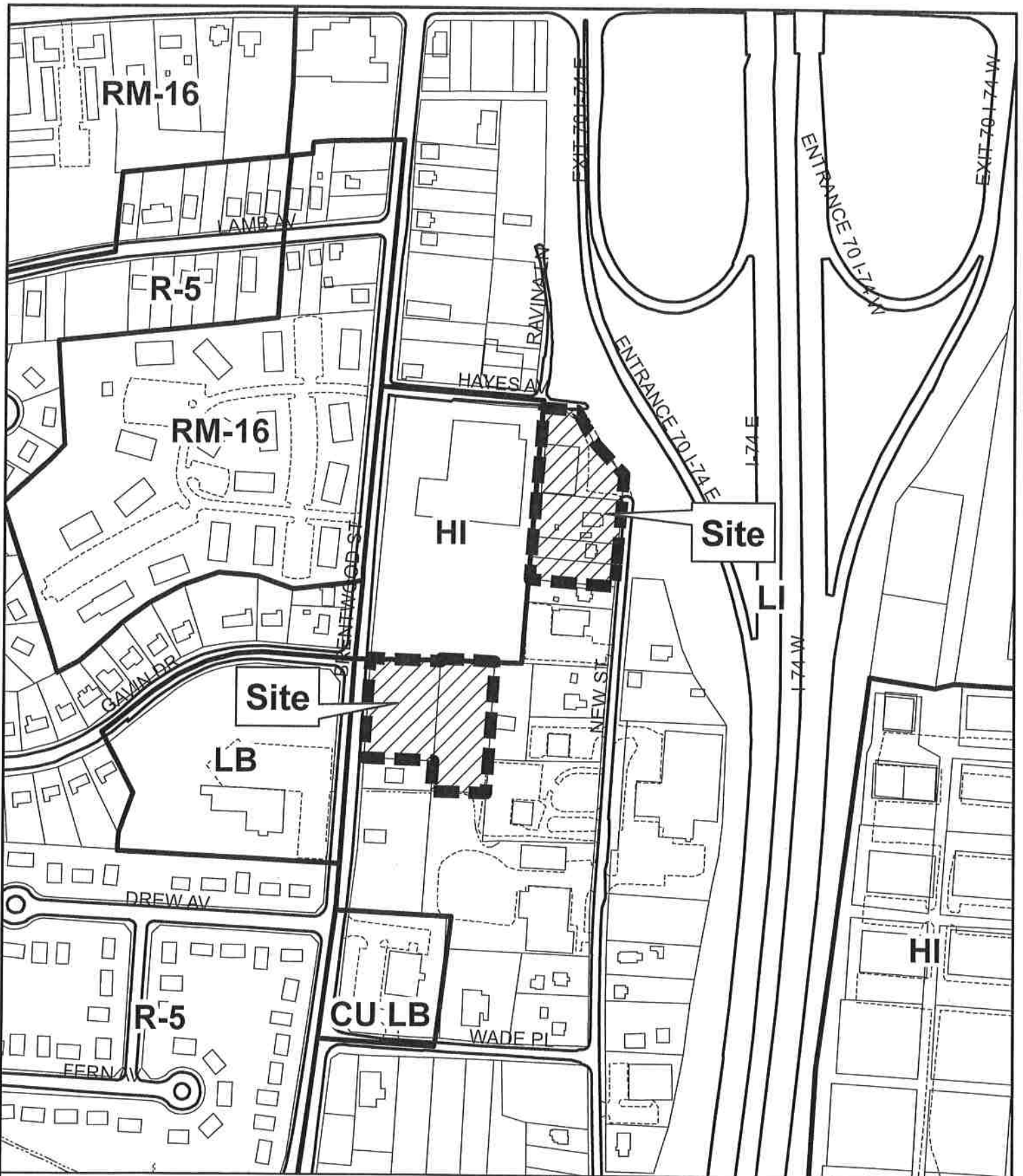
- Specifies the ownership status, race, religion, or other characteristics of the development's occupants;
- Establishes a minimum size of a dwelling unit;
- Establishes a minimum value of buildings or improvements;
- Excludes residents based upon race, religion, or income; or
- Obligates the City to perform in any manner relative to the approval of or development of the land.

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the website below for additional information on the City's zoning process, and for information about specific development proposals.

Contact:



Planning & Development Department 336-883-3328

www.buildhighpoint.com



PROPOSED ZONING MAP AMENDMENT

From: Heavy Industrial (HI) District & Light Industrial (LI) District
 To: Conditional Zoning Heavy Industrial (CZ-HI) District

Existing Zoning Boundary 
 Subject Property Boundary 

Planning & Development
 Department

City of High Point



Scale: 1"=300'
 G:/Planning/Secure/BAC/
 ZA/2019/MXD/sza20-BW-NM

The following High Industrials uses will not be permitted on the Subject Parcels in connection with the re-zoning application:

- Aiport
- Adult Entertainment
- Extraction Industry
- Asphalt Plant
- Hazardous Waste Disposal
- Landfill
- Salvage or Junk Yard
- Correctional Facility
- Truck Stop (unless a special use permit is issued)



CLASSIC DYESTUFFS, INC.

02/1/2021

Herb Shannon
Senior Planner/Zoning Coordinator
City of High Point - P&D Dpt.
211 S. Hamilton, Room 316
High Point, NC 27260

Dear Mr. Shannon,

Thank you for the opportunity to explain more about our company. Classic Dyestuffs, Inc. is a High Point Corporation, established in 1979. At that time High Point had a booming textile and hosiery industry which Classic Dyestuffs supported. In 1996, as business conditions changed, and the textile industry began to decline substantially, we adapted our product lines to accommodate uses of color in areas outside of textiles. Today we provide colorant and specialty chemical products to a multitude of industries which include textiles, leather, paper, aluminum, FD&C, HI&I, printing ink, agricultural, and coatings.

High Point has always been a great working environment for our business, and we are proud supporters of the community. I personally am a resident of the city of High Point. It has been exciting to watch the revitalization of the city itself with the growth of HPU, the Rockers baseball stadium, Congdon Yards, and the new High Point Children's museum, to name a few. We want to be a part of helping the city to grow and remain prosperous for the foreseeable future.

Our processes:

- 1.) Powdered Dyes - The standardization process for powdered dyes includes loading the powders into powder mixers and blending them with diluents such as salt, to standardize the strength of the product. The blenders are located in the back of the Brentwood Street location in blending rooms that are served by dust collectors to prevent the dust from escaping into the air. We also blend different color dyes together to make custom mixes for our customers. The dye is then packed into plastic drums or cardboard boxes for shipment. Finished product are raw materials are stored at our distribution warehouse on Townsend Avenue, High Point.
- 2.) Pigment Dispersions - We process both water based and solvent based pigment dispersions at Classic Dyestuffs. The process includes dispersing the pigment powder into tanks to be blended with water or solvent, dispersants, and other additives. The powder and liquid are blended and then sent through bead grinders that reduce the particle size of the pigments and disperse them into a liquid suspension. The finished products are then packed into buckets, drums or totes for shipment.
- 3.) Hand Sanitizers/Disinfectant Chemicals - In early 2020, we began processing hand sanitizers, hand soaps, and disinfectant chemicals, to meet the rising demand of such chemicals to battle the COVID-19 pandemic. The chemicals used to make hand sanitizer include flammable liquid chemicals such as Isopropyl and ethyl alcohol. This business is new area for us, which we intend to expand.



CLASSIC DYESTUFFS, INC.

- 4.) Specialty Packaging – we have specialized bagging and bottling equipment for packaging our products in to all different sizes of containers.

Bulk Storage - In reference to outside activities, including storage, processing or manufacturing there is an outside storage facility used for the storage of flammable material. It is used to store finished flammable products. We plan to continue to use this storage platform, and may expand it to include bulk storage of solvents such as ethyl and isopropyl alcohols, acetone, and mineral spirits.

In reference to the noise, odors or vibrations associated with the company operations there is no real noise involved in the blending and processing of these products. The powder blenders are located at the rear of the building away from Brentwood Street and have operated there since the Company began operation there in 1986. The former occupant of the building, Rite Industries, was in the same business with similar blending equipment and noise was never an issue. The machinery is specifically designed to prevent vibration that would ruin bearings and shafts and if a vibration occurs it is quickly repaired. Odors are in some cases a factor but they are not obnoxious and they are confined to the plant.

Vehicles Used: In reference to the number and type of vehicles entering and leaving the plant we have 25 to 30 cars each day belonging to employees. Fed Ex and UPS deliver each day in the morning and collect in the evening. Freight trucks make 5 to 10 deliveries in the morning and probably the same number of pick-ups in the evening. Our company trucks make 4 – 6 trips a day between Brentwood Street and Townsend Avenue in a six wheel truck hauling finished product to the Townsend Ave. warehouse. I would estimate an increase of 5 freight trucks a day in the morning and evening if the new facility is built. We are designing the building to have loading docks on the South or East side of the building keeping noise to a minimum on Brentwood Street.

The Brentwood street location also has two labs one dedicated to the textile trade and the other non-textile applications of colorants. Our administrative offices are also located on Brentwood Street with additional administrative offices on Townsend Avenue.

Expansion & New Facility: The company has continued to grow and expand in to many new industries. Our current production site at 301 Brentwood St. is at capacity, and we cannot take on additional business until we have more production space. Should we decide to expand in High Point at the Brentwood St. site, we will build at least a 40,000 square foot facility with 32' ceiling height. Ideally this facility will be certified to FDA cGMP standards which will allow us to process products considered "over-the-counter" drugs by the FDA, i.e. hand sanitizer. We plan to add aesthetic security fencing around the entire campus.



CLASSIC DYESTUFFS, INC.

PO Box 2368
High Point, NC 27261
336-841-2346

Delivery Address:
301 Brentwood Street
High Point, NC 27260

The new facility will include:

- Production space to accommodate handling of flammable solvents.
- Dispersion and milling equipment to process chemicals TiO₂ dispersions, clear dispersions
- “Clean room” facilities for production and packaging of hand sanitizers, soaps, wipes, and disinfectant chemicals. As well as specialty colorant dispersions for Food, Drug, and Cosmetic applications.
- New offices, conference rooms, locker rooms.

Zoning: The current zoning of our 301 Brentwood St. site is “Heavy Industrial”. We have acquired property adjacent to 301 Brentwood St., which is considered “Light Industrial”. We would like to have all of our campus zoned as “Heavy Industrial”, as our business requires multiple industrial processes which utilize complex, expensive equipment, as well as large storage areas for raw materials and finished goods.

Thank you again for the opportunity to write to you today. If you would like to take a tour of our facility, please let us know and we can make arrangements to do so.

Sincerely,

Thomas D. Picha - President