

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-35
(City 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 High Point City Council to rezone six properties, totaling approximately 3.19 acres, as part of the Comprehensive Zoning Map Amendment project.

- a) To rezone two parcels (an entire parcel and a portion of another parcel), totaling approximately 0.77 acres, from a Conditional Use Transitional Office (CU-TO) District and the General Business (GB) District to the Transitional Office (TO) District and the Light Industrial District (LI) District. The parcels are located at the southeast corner of E. Green Drive and Brentwood Street (1207 Brentwood Street and a portion of an abutting undeveloped parcel).
- b) To rezone two parcels (an entire parcel and a portion of another parcel), totaling approximately 0.92 acres, from a Conditional Use Light Industrial (CU-LI) District to the Light Industrial (LI) District. The parcels are located along the west side of Manley Street, approximately 130 feet south of Clish Place (508 Manley Street and a portion of 500 Manley Street).
- c) To rezone a portion of two parcels, totaling approximately 1.5 acres, from a Conditional Use General Business (CU-GB) District to the General Business (GB) District. The parcels are located at the southeastern corner of Brentwood Street and Royal Place.

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:

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 21-35 is consistent with the City's adopted policy guidance because the zoning map amendments are supported by the Land Use Plan and will ensure the manner in which development has occurred is consistent with zoning of the area. Furthermore, the request is reasonable and in the public interest because the amendments are needed to remove unneeded restrictions on the properties and to remove the conditional use zoning districts, which are not to be amended. Mr. Walsh seconded the motion. The Planning and Zoning Commission adopted these statements by a vote of 8-0.

	<p>visual impacts. The district also allows commercial activities intended to serve the primary businesses in the districts and their employees as well as multi-family, retail, and personal services establishments as adaptive re-uses of existing buildings within the Core City.</p> <p><u>GB District</u> The GB district is established to accommodate a wide range of general retail, business, and service uses that serve groups of neighborhoods. GB districts are generally located at major street intersections and along major thoroughfares. Residential uses are encouraged as stand-alone uses and on the upper floors of retail and office buildings as a part of mixed-use development. Uses in the district are subject to standards intended to ensure development is compatible with adjacent residential neighborhoods, particularly within the Core City area.</p>	<p>Same</p>
<p><i>Current Uses:</i></p>	<p>Permitted</p>	<p>Permitted</p>
<p><i>Conditions</i></p>	<p>Conditional Use Permit 90-04 CU-TO District</p> <ul style="list-style-type: none"> • Limit site to office uses • Right-of-way dedication • Access restrictions <p>Conditional Use Permit 94-22 & 98-31 CU-LI District</p> <ul style="list-style-type: none"> • Lot combination • Exterior lighting • Access restrictions • Character of development • Parking • Landscaping <p>Conditional Use Permit 90-40 CU-GB District</p> <ul style="list-style-type: none"> • Right-of-way dedication • Access restrictions 	<p>None</p>

	Adjacent Zoning	Adjacent Land Use
North:	Residential Single Family – 5 (R-5) District Light Industrial (LI) District	Single family dwellings Manufacturing use
South:	Transitional Office (TO) District Residential Single Family – 5 (R-5) District General Business (GB) District	Park Single family dwellings Undeveloped parcel
East:	Light Industrial (LI) District Residential Single Family – 5 (R-5) District General Business (GB) District	Undeveloped parcel Single family dwellings Car wash facility and truck parking
West:	Residential Multifamily – 16 (RM-16) District Light Industrial (LI) District Parks and Natural Resources (PNR) District	Single family dwellings Various industrial uses Golf course

Land Use Plan Classification
<p>The area is designated as follows:</p> <ul style="list-style-type: none"> • Light Industrial: Light industrial uses include general manufacturing, wholesaling, warehousing, and research and development uses. • Local/Convenience Commercial: This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.

Analysis

This request consists of three areas along the Brentwood Street corridor to be rezoned to remove old zoning conditions (from the 1990s) that have been met or are no longer valid.

Area A

This area consists of lands at the southeast corner of Brentwood Street and E. Green Drive. One lot is developed with a law office. Its zoning conditions regarding allowable uses and access have been met with the establishment of the TO District for this site and development of the office use on this parcel. The second parcel is split-zoned with a combination of GB and LI zoning. Because the land use map classifies that area as Light Industrial, staff recommends this parcel be totally rezoned to the LI District, allowing this parcel to be governed by a single zoning district.

Area B

This area consists of lands lying south of Clish Place and west of Manley Street that were developed with industrial uses in the 1990s. Conditions pertaining to lot combination, access and landscaping have been met. Staff recommends removal of the Conditional Use (CU) designation and that the two parcels be rezoned to the LI District.

Area C

This area consists of lands lying at the southeast corner of Brentwood Street and Royal Place. This area is developed with both a convenience store with fuel sales and a car wash. The CU designation only covers the Brentwood Street frontage of the site. With the development of the site in the early 2000s, access conditions to Brentwood Street have been met. Furthermore, the Royal Place right-of-way lies 10 to 15 feet above the site, making access to Royal Place impractical. Staff recommends the CU designation be removed and the site be rezoned to the GB District.

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 amendments are supported by the Land Use Plan and will ensure the manner in which development has occurred is consistent with zoning of the area.

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 remove unneeded restrictions on the properties and to remove the conditional use zoning districts, which cannot be amended.

Recommendations

Staff recommends approval of the following zoning map amendments:

Area A:

- a. To rezone 1205 and 1207 Brentwood Street (Tax Parcel 183907) from a CU-TO District to the TO District.
- b. To rezone the northern portion of Tax Parcel 192411 (an undeveloped parcel) from the GB District to the LI District.

Area B:

To rezone the southern portion of 500 Manley Street (south portion of Tax Parcel 183900) and all of 508 Manley Street (Tax Parcel 183905) from a CU-LI District to the LI District.

Area C:

To rezone the western portion of 1901 Brentwood Street (street frontage of Tax Parcel 192454 and 192471) from a CU-GB District to the GB 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

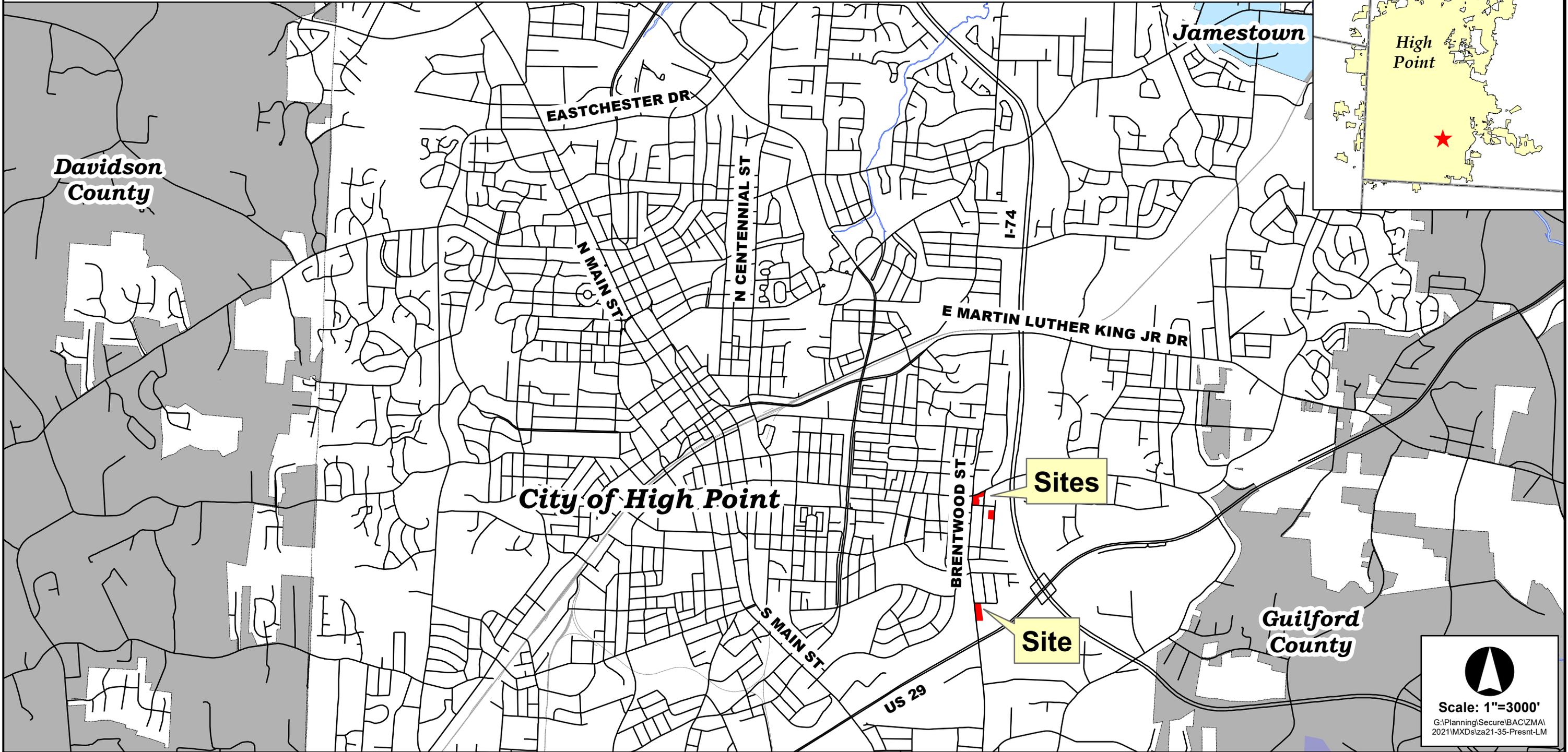
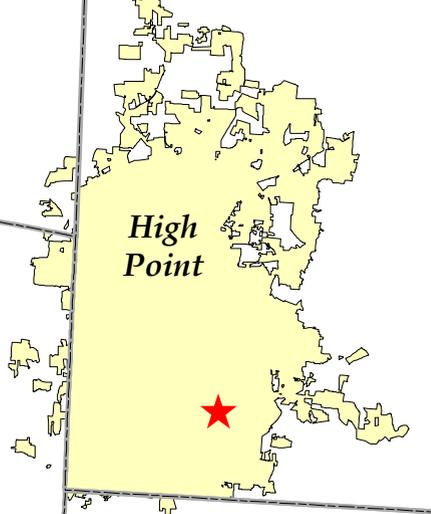
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Interim Planning and Development Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-21-35

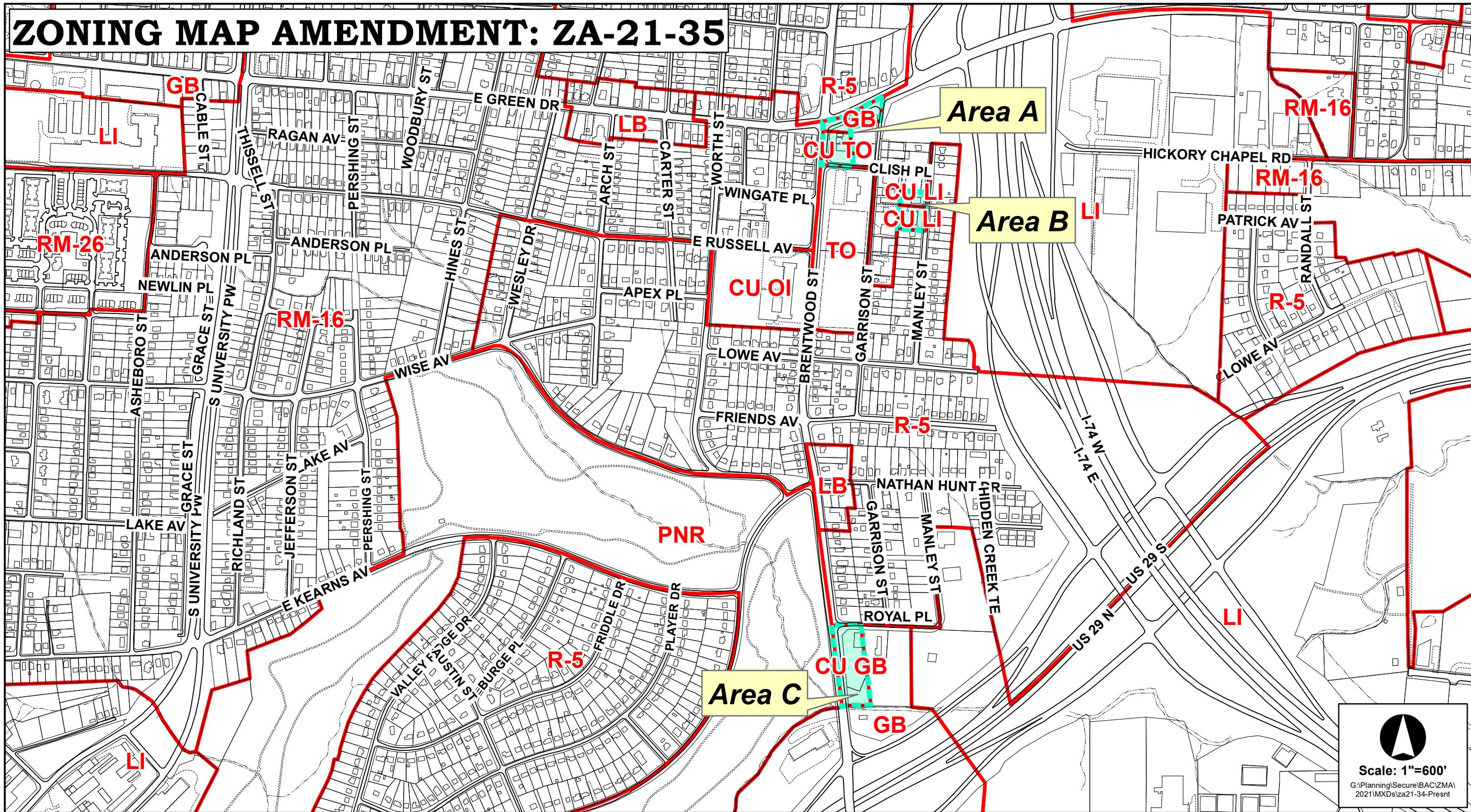
Applicant: City of High Point

Vicinity Map



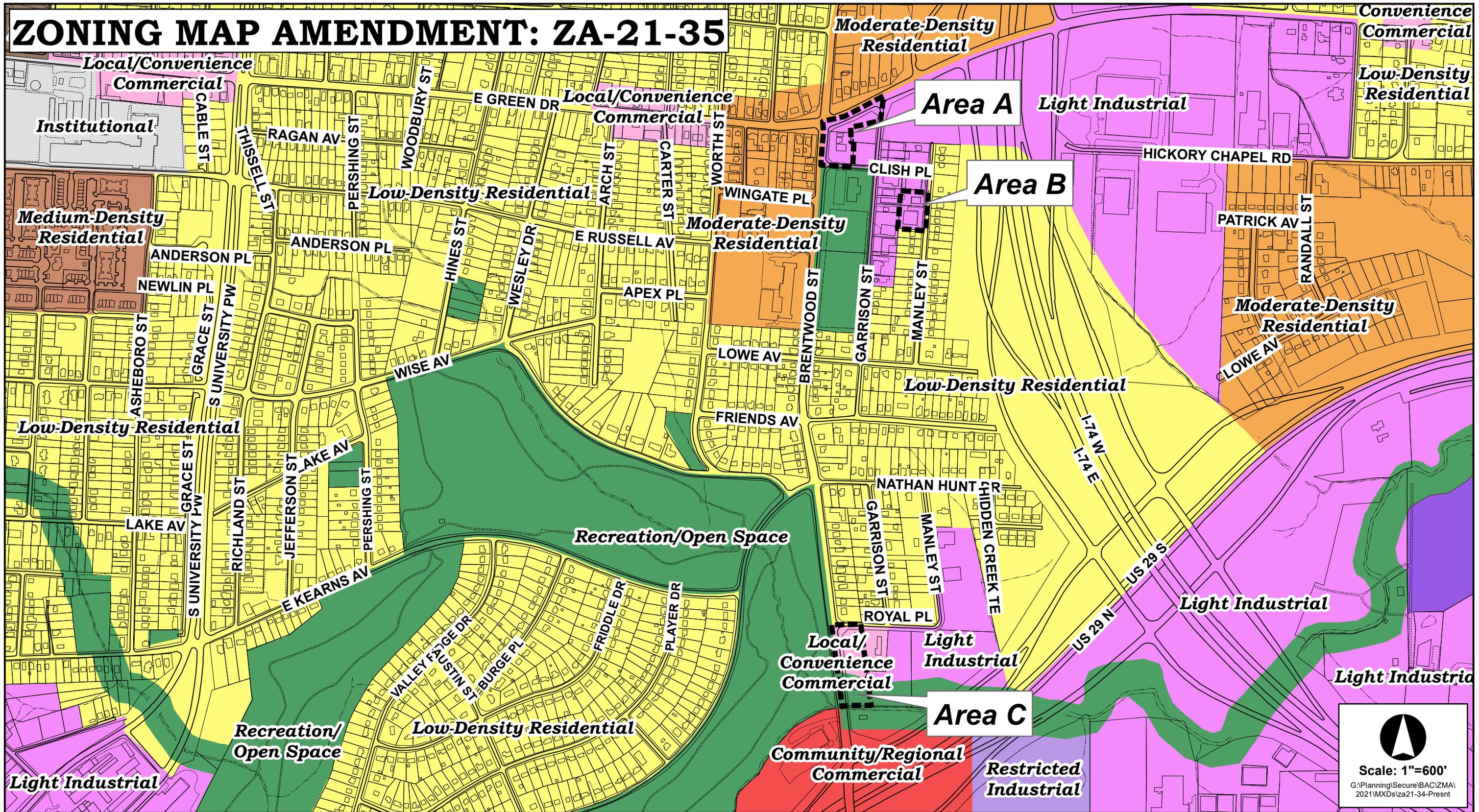
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ZONING MAP AMENDMENT: ZA-21-35




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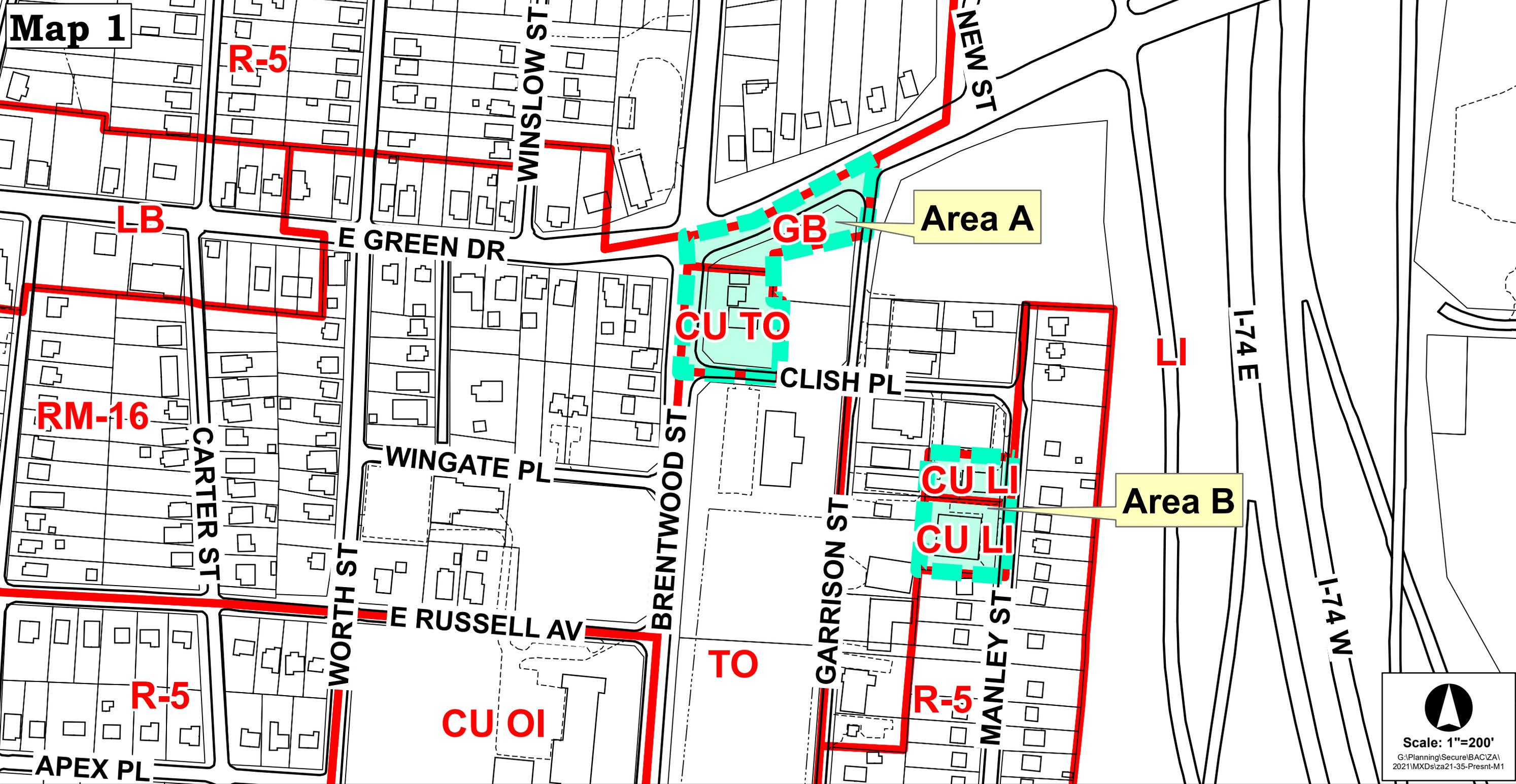
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ZONING MAP AMENDMENT: ZA-21-35

Map 1



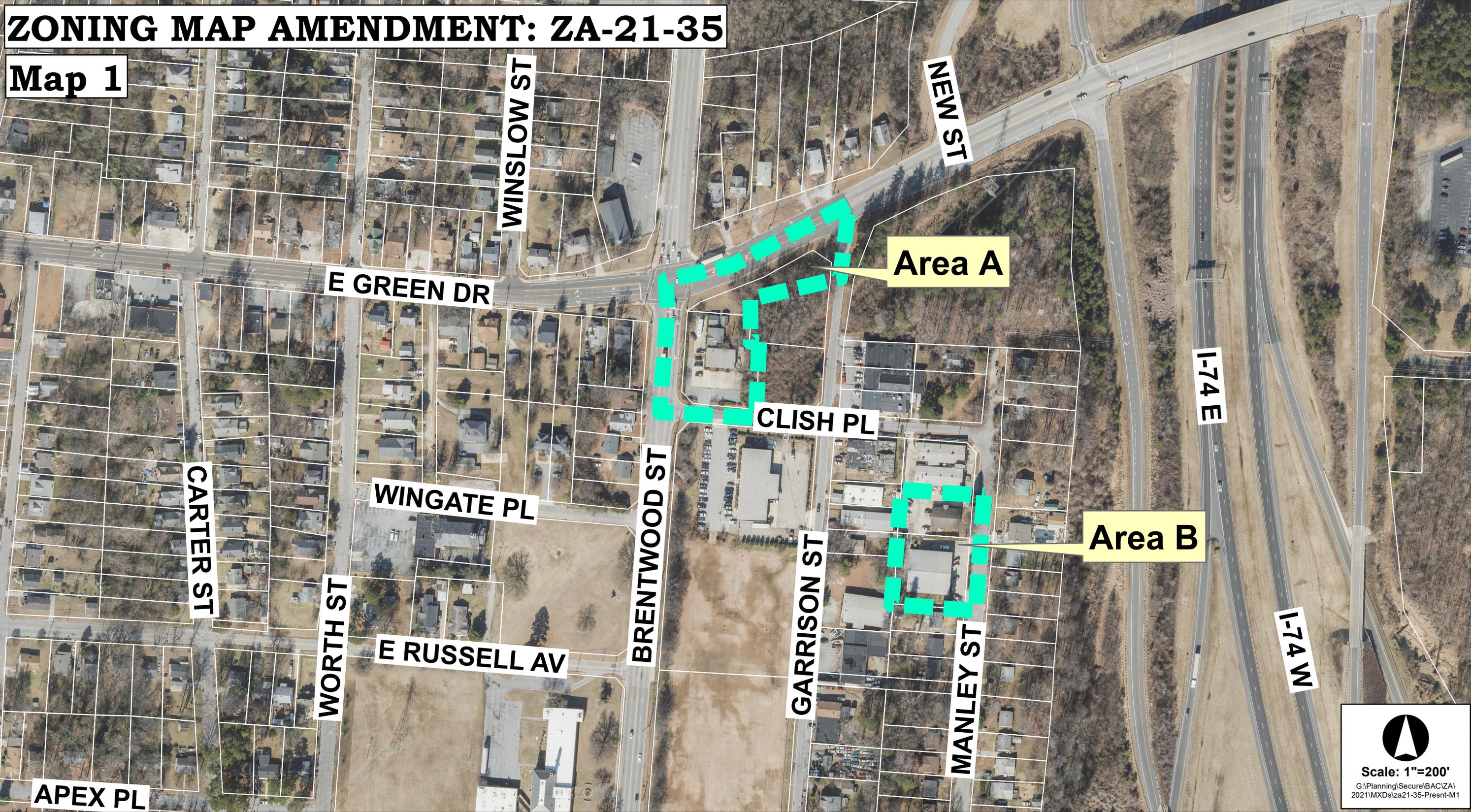
Area A

Area B

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ZONING MAP AMENDMENT: ZA-21-35

Map 1



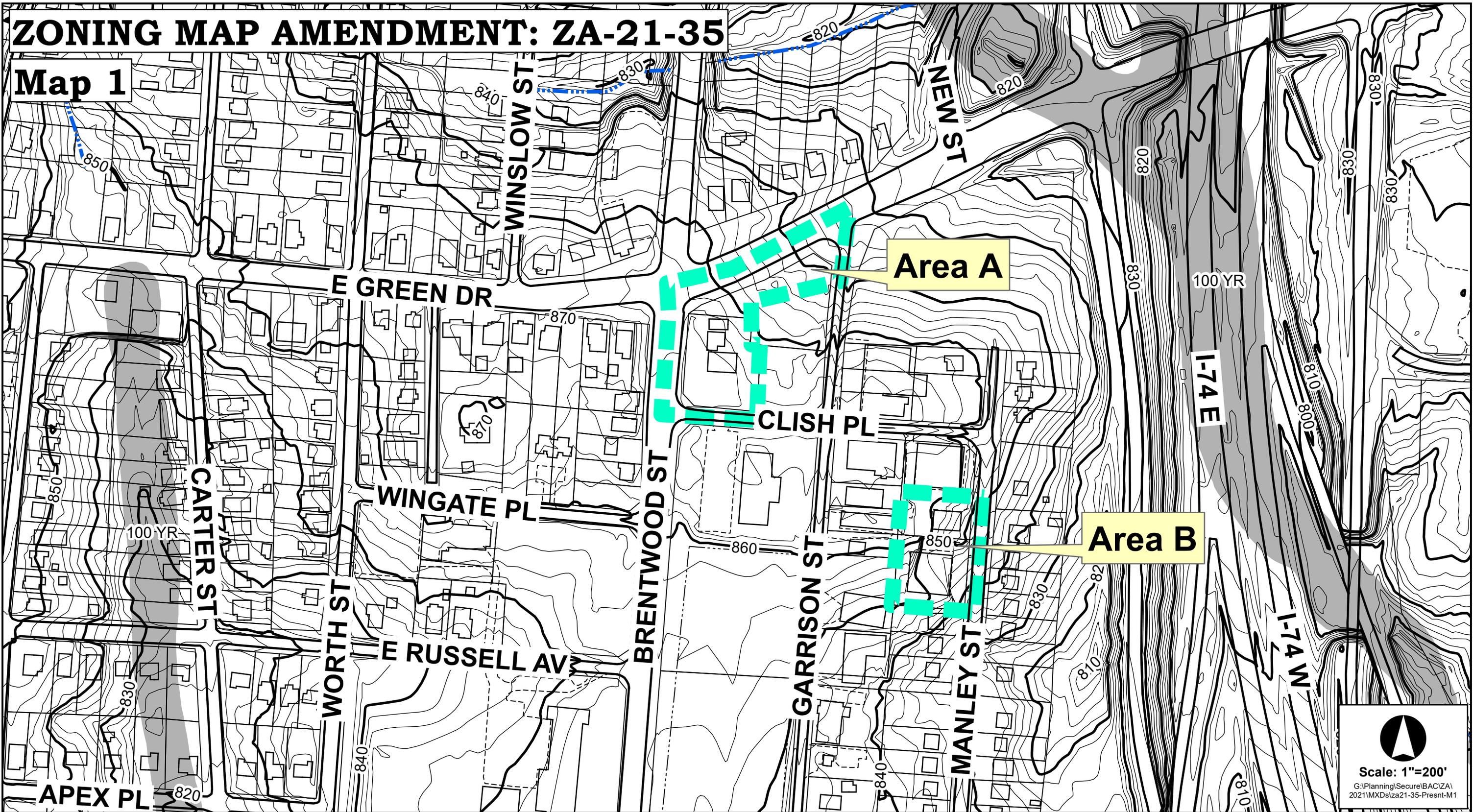
Area A

Area B


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ZONING MAP AMENDMENT: ZA-21-35

Map 1



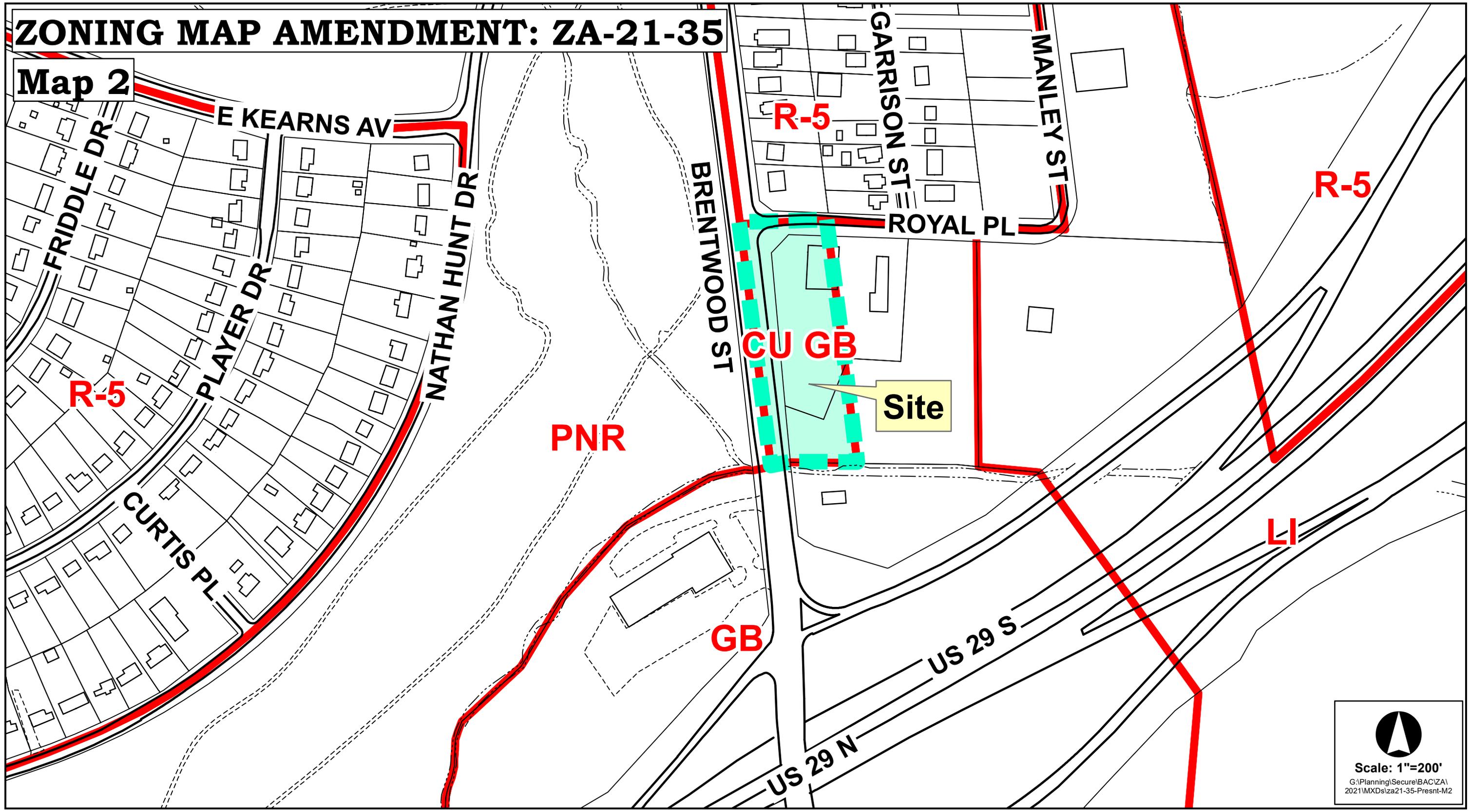
Area A

Area B


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ZONING MAP AMENDMENT: ZA-21-35

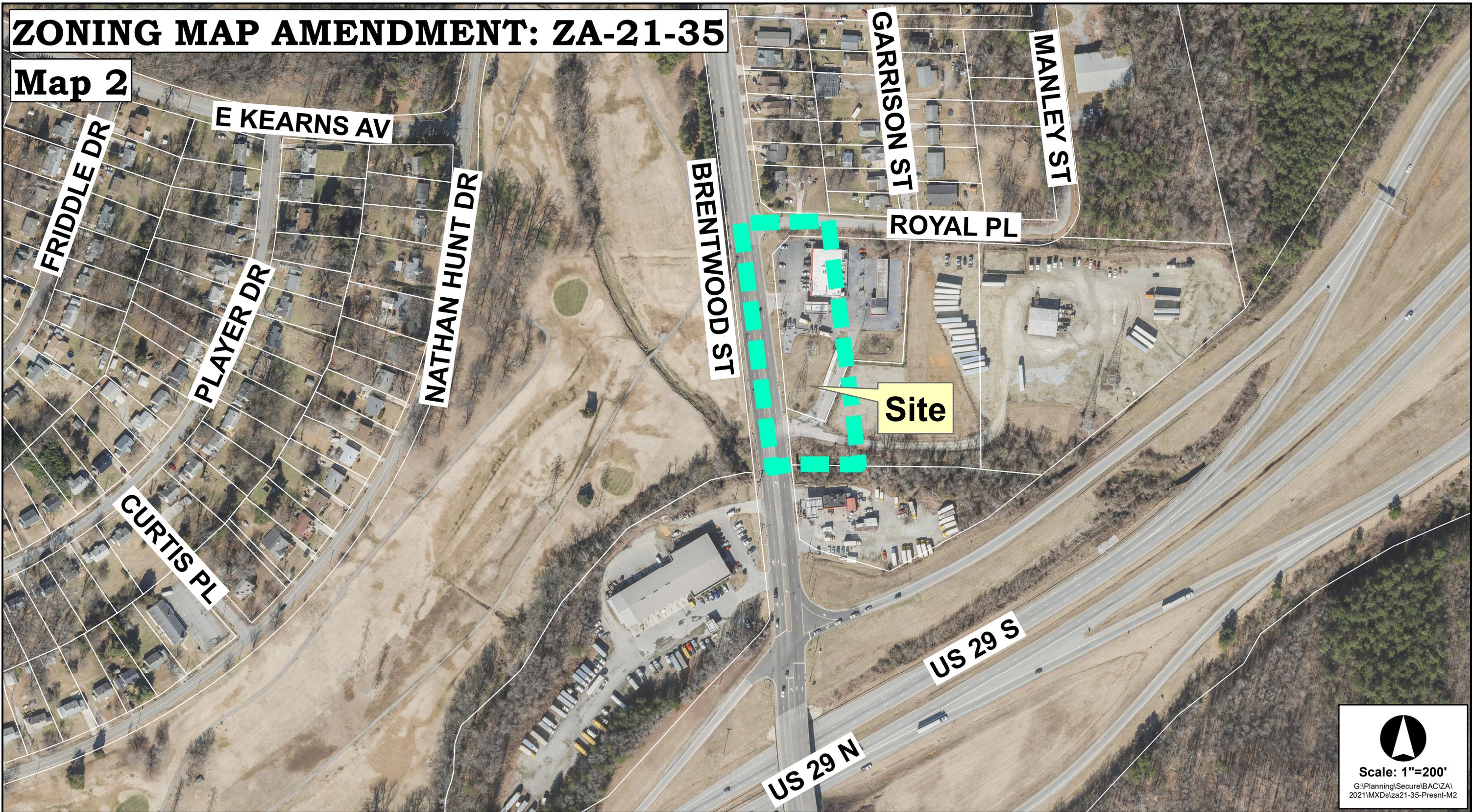
Map 2




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ZONING MAP AMENDMENT: ZA-21-35

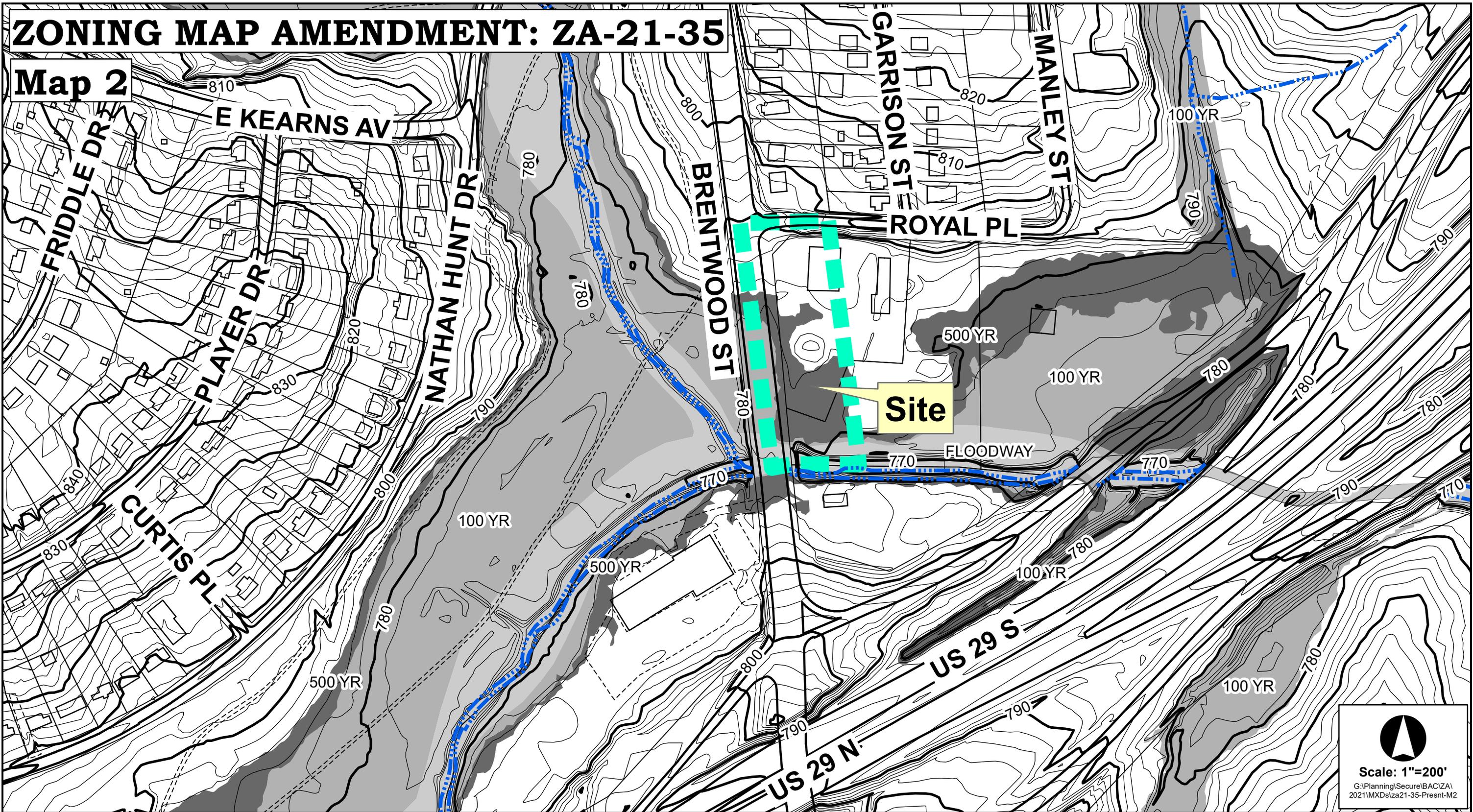
Map 2




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ZONING MAP AMENDMENT: ZA-21-35

Map 2



Scale: 1"=200'
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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-21-35 (ZA-21-35)** 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

Area A:

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Transitional Office (TO) District**. An approximate 0.47-acre parcel lying along the east side of Brentwood Street and north of Clish Place. The parcel is addressed as 1205 and 1207 Brentwood Street and also known as Guilford County Tax Parcel 183907.

SECTION 2

Area A:

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **General Business (GB) District**. An approximate 0.3-acre northern portion of Guilford County Tax Parcel Tax Parcel 192411.

SECTION 3

Area B.

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Light Industrial (LI) District**. An approximate 0.4-acre southern portion of a parcel lying at the southwest corner of Manley Street and Clish Place. The southern portion of a parcel addressed as 500 Manley Street and also known as Guilford County Tax Parcel 183901.

SECTION 4

Area B:

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Light Industrial (LI) District.** Approximately 0.52-acre parcel located approximately 225 feet south of Clish Place and along the west side of Manley Street. The parcel is addressed as 508 Manley Street and also known as Guilford County Tax Parcel 183905.

SECTION 5

Area C:

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **General Business (GB) District.** An approximate 1.5-acre portion of Guilford County Tax Parcels 19254 and 192471 fronting along Brentwood Street with an approximate dept of 145 feet.

SECTION 6

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 7

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

SECTION 8.

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:

Mary S. Brooks, Deputy Clerk