

CITY OF HIGH POINT

AGENDA ITEM



Title: **Zoning Map Amendment 22-05**
(Boys and Girls Clubs of Greater High Point, Inc)

From: Chris Andrews,
Interim Planning and Development Director

Meeting Date: April 18, 2022

Public Hearing: Yes

Advertising Date: April 6, 2022, and
April 11, 2022

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the Boys and Girls Club of Greater High Point, Inc. to rezone approximately 1.9 acres from the Residential Single Family - 5 (R-5) District and the Residential Multifamily - 16 (RM-16) District to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District. The site is located approximately 500 feet west of the intersection of W. English Road and Barker Road (300, 302, 306, 307 and 314 Barker Avenue; 1200 Bradshaw Street; and 1217 and 1213 Adams Street).

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their March 22, 2022 public hearing. All members of the Commission were present except for Ms. Angela McGill, Mr. Terry Venable, Mr. Mark Walsh, and Mr. Ray Wheatley. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request was the applicant's attorney, Ms. La-Deidre Matthews, Attorney with Fox Rothschild LLP, 101 N. Tryon Street - Suite 1300, Charlotte, NC. Also, speaking were Mr. Floyd Johnson, President of the High Point Boys & Girls Club and Mr. Warren Preston, Board Member. These speakers provided an overview of the proposal to convert a religious institution (church with an educational wing and outdoor recreation area), that is no longer operating, to a civic use (Boys and Girls Club). The speakers noted that the request rezoning will accommodate a use very similar to the religious facility that has existed in this neighborhood for decades. In conclusion, they highlighted how the reuse of this facility for a community-based children's organization will assist in stabilizing and fostering a sense of neighborhood cohesion for this neighborhood.

There were no speakers in opposition to this 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 5-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 5-0 to approve the following statement:

That Zoning Map Amendment 22-05 is consistent with the City's adopted policy guidance because as conditioned, the requested CZ-RM-16 District does not conflict with adopted policy guidance documents and promotes policies recommended by the Core City Plan. Furthermore, the request is reasonable and in the public interest because the zoning request would be in the public interest as its primary purpose is to support conversion of a neighborhood church into a neighborhood civic facility that will provide a local service to people of the community.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-22-05
March 21, 2022**

Request	
Applicant: Boys and Girls Club of Greater High Point, Inc.	Owner: Boys and Girls Club of Greater High Point, Inc.
Zoning Proposal: To rezone approximately 1.9 acres	From: R-5 Residential Single Family-5 District
	To: CZ RM-16 Conditional Zoning Residential Multifamily-16 District

Site Information	
Location:	The site is located approximately 500 feet west of the intersection of W. English Road and Barker Road (300, 302, 306, 307 and 314 Barker Avenue; 1200 Bradshaw Street and 1217 and 1213 Adams Street).
Tax Parcel Number:	Guilford County Tax Parcels 187621, 187627, 187628, 187116, 187626, 187622 and 187624
Site Acreage:	Approximately 1.9 acres
Current Land Use:	The site is currently developed with a 25,000± religious institution (church) with accessory lots containing a parking lot, recreational courts, and a community garden.
Physical Characteristics:	The site is mostly developed and impacted by an intermittent stream along its northern boundary.
Water and Sewer Proximity:	Abutting street, around the zoning site, contain a mixture of 8-inch City sewer lines and 6-inch City water lines.
General Drainage and Watershed:	The site drains in a general northerly direction and is within the Yadkin Pee-Dee (non-water supply) watershed. Dependent upon the intensity of any future development, stormwater control measures may be required.
Overlay District:	None

Adjacent Property Zoning and Current Land Use			
North:	R-5 RM-16	Residential Single Family-5 District Residential Multifamily-16 District	Single family dwelling and an undeveloped parcel
South:	R-5 RM-16	Residential Single Family-5 District Residential Multifamily-16 District	Single family dwellings and a multifamily development.
East:	RM-16	Residential Multifamily-16 District	Single family dwellings
West:	R-5	Residential Single Family-5 District	Single family dwellings

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is neither consistent nor 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 is primarily intended to accommodate 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:	The following goal and objective of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods. Obj.#10. Target appropriate established neighborhoods and areas adjoining the central business district and industrial locations for conservation and revitalization activities including public and private investment.
Relevant Area Plan:	<u>Core City Plan</u> This plan, adopted in 2007, focuses on improving the approximately 11-square mile central core area within and surrounding the downtown. It includes recommendations for the revitalization of established neighborhoods, such as the West End Neighborhood in which the proposed rezoning site is located. Components of successful revitalization efforts identified in the plan are the building of social networks, including social services such as day care and community centers and their programs. A specific recommendation of the plan for this neighborhood is to target the vacant parcels on Bradshaw Street and Barker Avenue near Bradshaw Park for housing and infill development.
Zoning History:	The has been no recent rezoning request in this area.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Barker Road		Local Street	315 ft.
	Bradshaw Street		Local Street	275 ft.
	Adams Street		Local Street	300 ft.
Vehicular Access:	Via existing driveway access points from Barker Road, Bradshaw Street and Adams Street			
Traffic Counts: <i>(Average Daily Trips)</i>	None, the NCDOT does not typically take annual traffic counts from local street that they do not maintain			
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	A TIA is not required.	

School District Comment
The applicant has offered a condition to prohibit multifamily uses. Therefore, the zoning request will not increase development density or impact to area schools.

Details of Proposal

The applicant is requesting rezoning to support establishment of a major assembly use (i.e., Boys and Girls Club) at this location. In conjunction with this request the applicant has also submitted a text amendment to the Development Ordinance to the standards for assembly use types in the Core City Area (TA-22-02). Finally, the zoning application includes a conditional zoning ordinance in which the applicant has offered to prohibit development of multifamily uses on the site.

Staff Analysis

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.

As conditioned, the requested CZ-RM-16 District does not conflict with adopted policy guidance documents and promotes policies recommended by the Core City Plan.

Reasonableness/Public Interest:

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

The zoning request would be in the public interest as its primary purpose is to support conversion of a neighborhood church into a neighborhood civic facility that will provide services to the surrounding community.

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.
- ❖ This application does not introduce higher intensity development into this area. The zoning site straddles the transition between the RM-16 and R-5 zoned area of this neighborhood and is currently developed with a religious institution.
 - ❖ The applicant desires to convert the existing church, which includes a sanctuary, educational wing, outdoor recreation area and surrounding parking areas, into a Boys and Girls Club facility. The reuse of the current church facility for another community-oriented use will be compatible and in character with the surrounding neighborhood.

<u>Mitigation of Impacts</u>	
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 site is already developed, and the reuse of the existing facilities will not adversely impact adjacent lands:</p> <ul style="list-style-type: none"> ➤ Existing sanctuary will be used for large gatherings and meetings. ➤ Existing offices and classrooms will continue to be used. ➤ Existing parking lots will continue to be used. ➤ Existing outdoor recreational courts will continue to be used.
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 Yadkin Pee-Dee (non-water supply) watershed. If development, grading, or site improvements exceeds one acre in area, the stormwater watershed regulations may require stormwater controls to be provided to mitigate runoff. Furthermore, the northern boundary of the site abuts an intermittent stream, any redevelopment will trigger installation of required stream buffers along this stream corridor.</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 reuse of the existing church facilities for a community-oriented use, along with the condition offered by the applicant to prohibit multifamily uses, will assist to ensure the requested rezoning will not adversely affect the use of adjacent lands.</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.

This request does not alter the nature of development in this area. Historic aerial photos indicate that this institutional use has been in this neighborhood prior to 1960 and the educational wing since 1970. The current configuration of the parking lots, one of which has been converted into a basketball court, has been in place since 2003.

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.

The Core City Plan identifies the building of social networks, including through social services like daycare and community centers and their programs, as an important component of the revitalization

of established neighborhoods. The West End Neighborhood section of the Core City Plan, which the zoning site is located within, also speaks to supporting neighborhood meeting places and social events to help solidify a stronger neighborhood network. This application promotes the policies and development pattern encouraged by the Core City Plan for this area.

Recommendation

Staff Recommends Approval:

The Planning and Development Department recommends approval of the request to rezone this 1.9-acre area to the CZ RM-16 District.

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

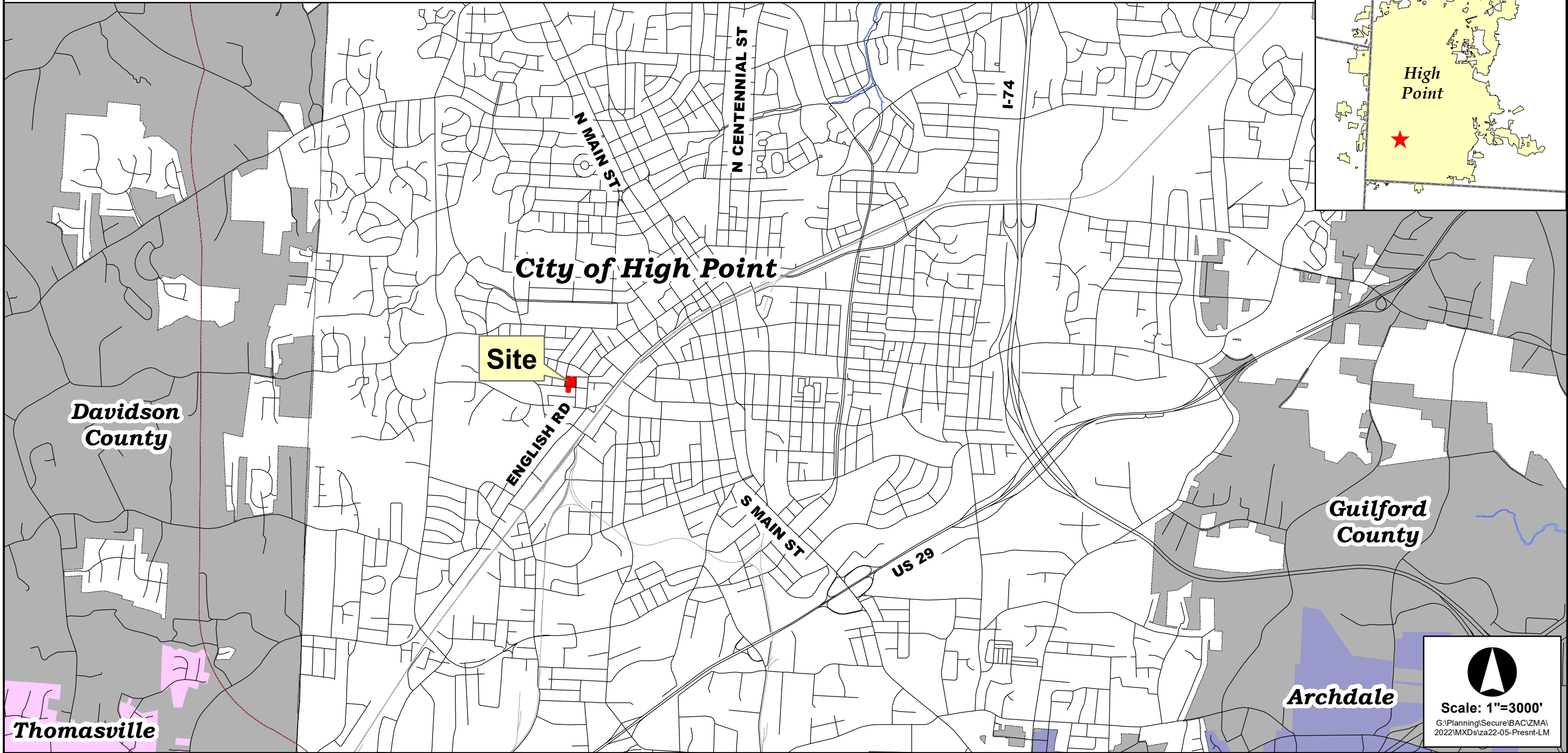
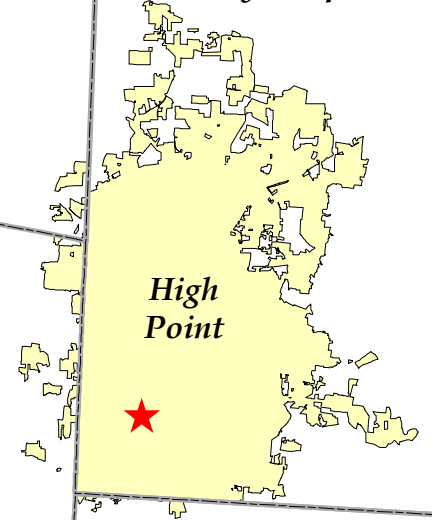
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Interim Planning and Development Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-22-05

Applicant: Boys & Girls Club of Greater High Point, Inc.

Vicinity Map



Davidson County

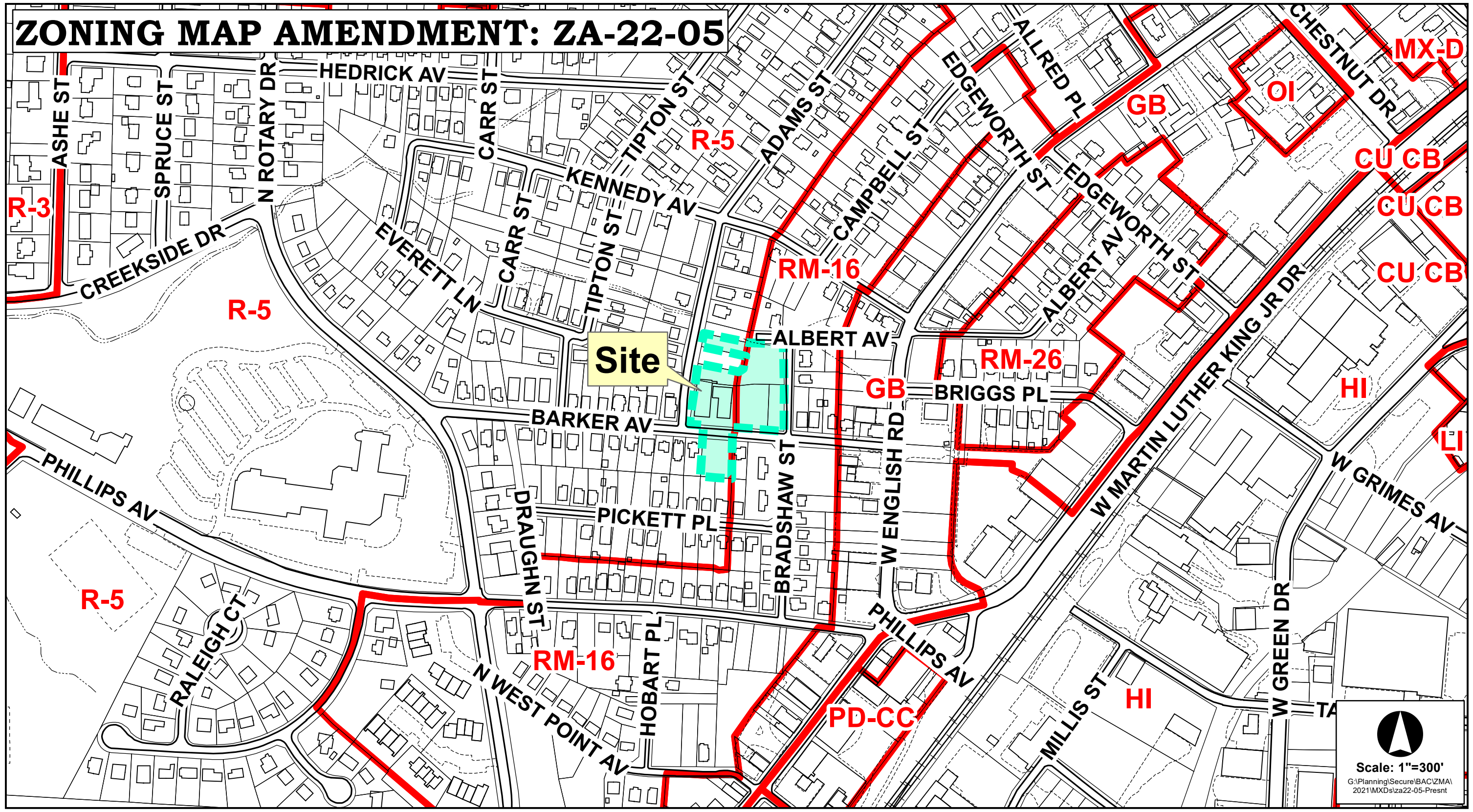
Guilford County

Archdale

Thomasville

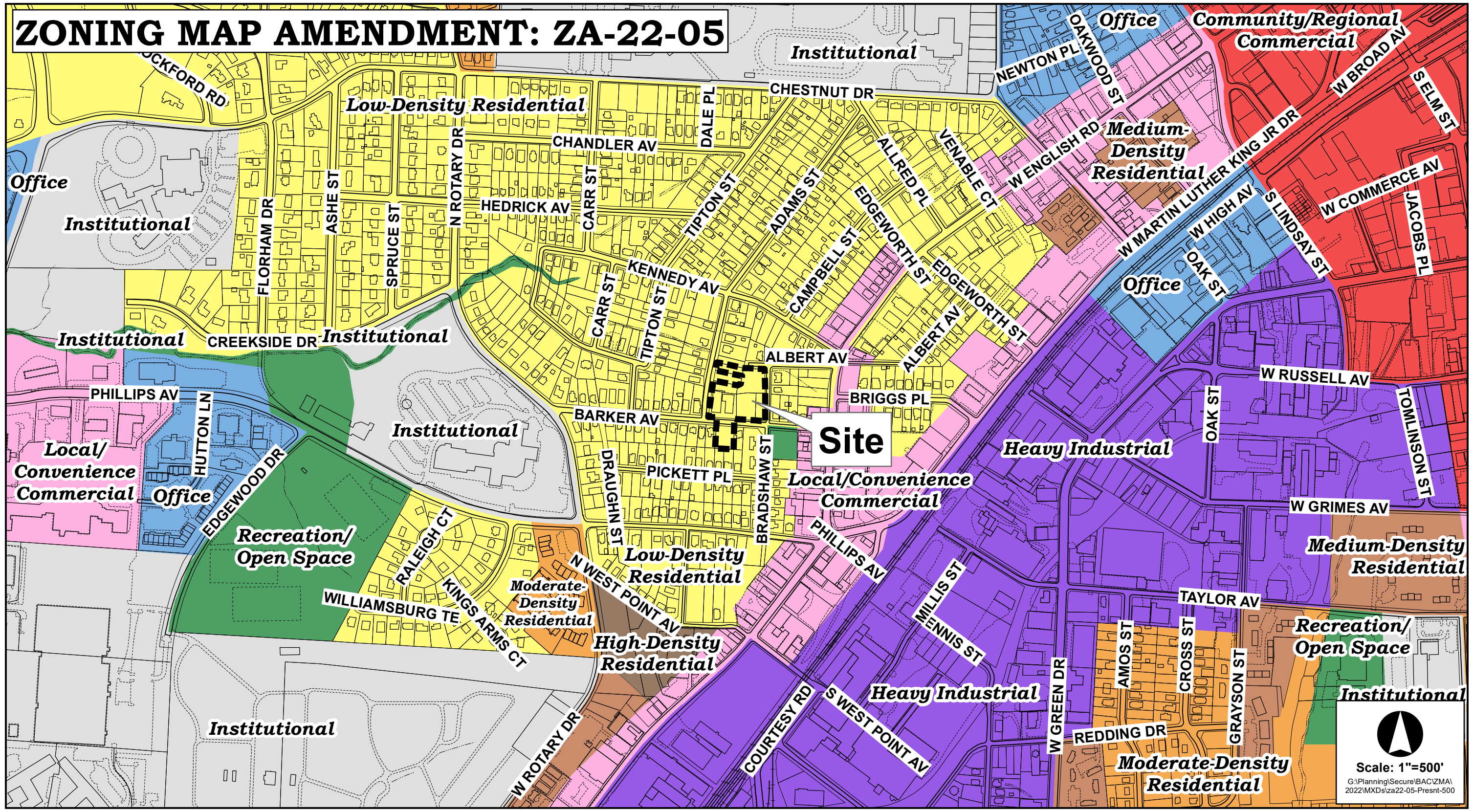
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ZONING MAP AMENDMENT: ZA-22-05



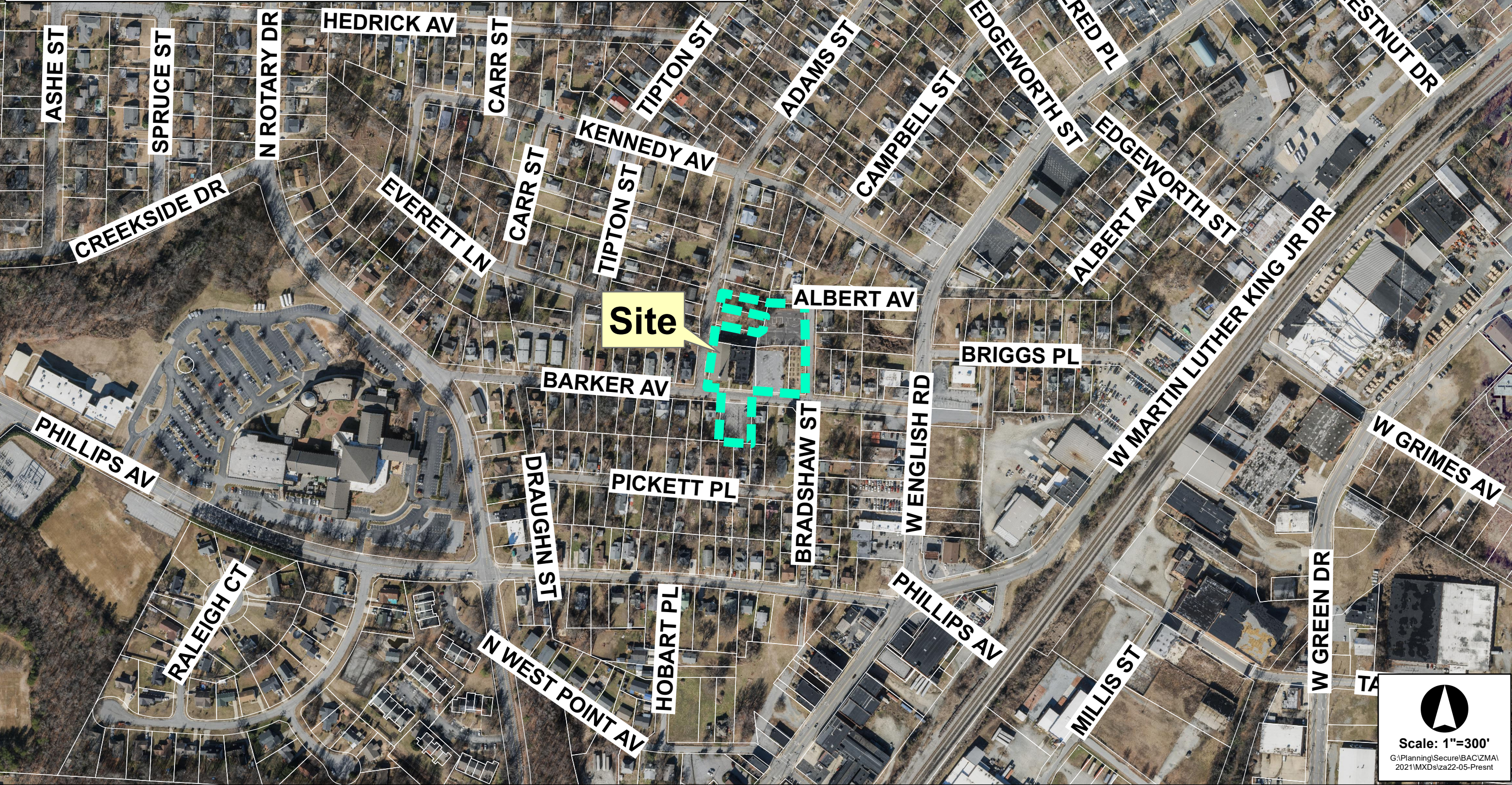
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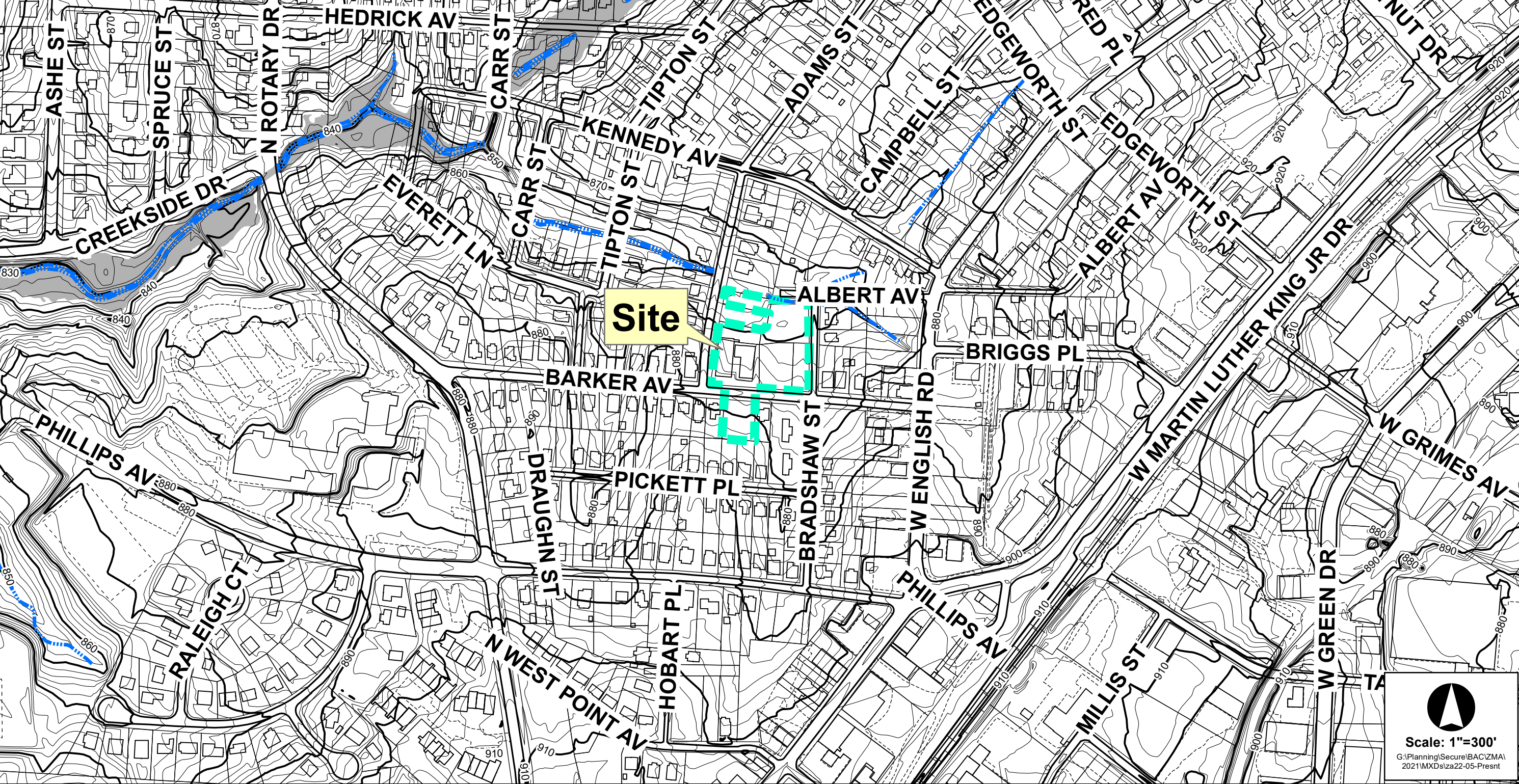

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ZONING MAP AMENDMENT: ZA-22-05




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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, public hearings were held before the Planning and Zoning Commission of the City of High Point on March 22, 2022 and before the City Council of the City of High Point on April 18, 2022 regarding **Zoning Map Amendment Case 22-05 (ZA-22-05)** 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 March 13, 2022, for the Planning and Zoning Commission public hearing and on April 6, 2022 and April 13, 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 April 18, 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: **Conditional Zoning Residential Multifamily – 16 (CZ RM-16) District**. The property is approximately 1.9 acres and located approximately 500 feet west of the intersection of W. English Road and Barker Road (300, 302, 306, 307 and 314 Barker Avenue; 1200 Bradshaw Street; and 1217 and 1213 Adams Street). The property is also known as Guilford County Tax Parcels 187621, 187627, 187628, 187116, 187626, 187622, and 187624.

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:**

A. **Permitted Uses & Prohibited Uses:**

1. **Permitted Uses:** Any uses allowed in the Residential Multifamily – 16 (RM-16) District shall be permitted, subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.
2. **Prohibited Uses:** The Multifamily Dwelling use type, as enumerated in Table 4.1.9 (Principal Use Table) of the Development Ordinance, shall be prohibited.

Part II. CONDITIONS:

- A. Lot Combination: All contiguous parcels of the rezoning site, that are not separated by a public right-of-way, shall be combined into one lot prior to resubdivision or any new development.

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 18th day of April, 2022

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

Boys and Girls Clubs
Report of Neighborhood Meeting
by
Thomas E. Terrell, Jr.

Invitation

The letters attached as Exhibit A was mailed to every owner within 300 feet from the list provided by the city's planning department, inviting each recipient to an in-person meeting at the Barker Street location between 5 and 6:00 p.m. on March 8th. My personal cell phone was provided for those who could not attend.

Pre-meeting calls

I had only one call from a neighbor on Adams who did not identify himself. He just wanted more information.

Meeting

Mr. Floyd Johnson, president, and Kenny Mack, vice-president of operations, attended for the Boys and Girls Clubs. No neighbors showed up.

Exhibit A



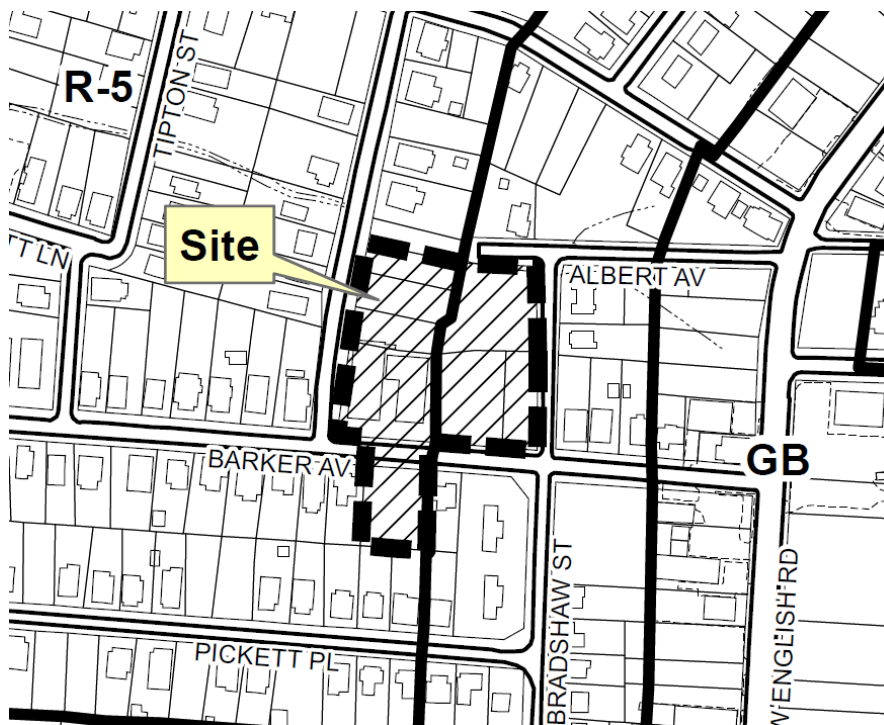
230 N. Elm St.
Suite 1200
Greensboro, NC 27401
Tel 336.378.5200 Fax 336.378.5400
www.foxrothschild.com

TOM TERRELL
Direct No: 336.378.5412
Email: TTerrell@Foxrothschild.com

Dear Neighbor,

I represent the Boys & Girls Clubs of Greater High Point that recently purchased several parcels along Barker Ave. and Adams St for use as a facility for educational and mentoring programs serving High Point youth. You are receiving this letter because BGCGHP has requested a rezoning designation to support its work. City regulations require that it communicate with all property owners within 300 feet.

The Boys and Girls Clubs purchased the properties that formerly were owned by Rankin Memorial Methodist Church, shown below:



A Pennsylvania Limited Liability Partnership



The new zoning district requested is CZ-RM-16 (Conditional Zoning – Residential Multi-Family), but it has the restriction added that multi-family uses would not be allowed. It is only intended to be used for the Boys and Girls Clubs.

You are cordially invited to attend at neighborhood meeting to learn more about this rezoning if you are interested. Attendance, of course, is not mandatory. The meeting will be held at the Barker Street location from 5:00 to 6:00 on March 7, 2022. It is our hope that having the Boys and Girls Clubs in this location will be a positive presence.

If you have questions but cannot be at the meeting, please email me at tterrell@foxrothschild.com or please also feel free to call me on my cell phone (336-847-2000). You can also call its president, Floyd Johnson at 804-896-6213.

Sincerely,

A handwritten signature in black ink that reads 'Tom Terrell'.

Thomas E. Terrell, Jr.