

CITY OF HIGH POINT AGENDA ITEM



Title: Special Use 15-05
(Whistlestop Lodges, LLC)

From: Lee Burnette, Planning & Development
Director

Meeting Date: March 21, 2016

Public Hearing: Yes

Advertising Date: March 10 & 16, 2016

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Zoning Ordinance

PURPOSE:

A request by Whistlestop Lodges, LLC to allow a Tourist Home (Bed & Breakfast) in the Residential Single Family-9 (RS-9) District. The site is lying along the north side of Ferndale Boulevard, approximately 120 feet west of Locke Street (702 Ferndale Blvd).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On February 23, 2015, a public hearing was held before the Planning and Zoning Commission regarding-Special Use 15-05. Staff recommended *approval* of this request as outlined in the staff report.
- B. The Planning & Zoning Commission recommended *approval* of Special Use 15-05 by a vote of 5-1.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Whistlestop Lodges, LLC

Special Use 15-05

At its February 23, 2016 public hearing, the Planning and Zoning Commission reviewed this request to allow a Tourist Home (Bed & Breakfast) in the Residential Single Family-9 (RS-9) District. All members of the Commission were present, except for Mr. Andrew Putnam and Ms. Marie Stone. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Mr. Shannon noted the following in his presentation:

- The applicant intends to use the property for a bed and breakfast with four guest rooms.
- A manager will live on-site to oversee day-to-day operations.
- The impact on the surrounding area is similar to that of a single-family residence.
- Parking will be added behind the home.
- No building expansion is proposed.

Speaking in favor of the request:

Speaking in favor of Special Use Case 15-05 was the applicant, Ms. Sue Fairchild, 503 Gatewood Avenue, High Point. Ms. Fairchild provided an overview of her request and noted that a resident manager has been hired. She will handle the booking clients, no more than eight guests will be allowed to stay at one time and they will not be allowed to stay more than seven consecutive nights.

No one spoke in opposition of the request.

The Planning & Zoning Commission recommended approval of Special Use 15-05, by a vote of 5-1, with Mr. McKenzie voting against the request. Mr. McKenzie did not place on the record a reason for his vote in opposition.

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

**STAFF REPORT
SPECIAL USE PERMIT 15-05
February 23, 2016**

Request	
Applicant: Whistlestop Lodges, LLC	Owner: Whistlestop Lodges, LLC
Proposal:	A Special Use Permit request to allow a Tourist Home (Bed & Breakfast) in a Residential Single Family-9 (RS-9) District.

Site Information	
Location:	The site is lying along the north side of Ferndale Boulevard, approximately 120 feet west of Locke Street (702 Ferndale Blvd).
Tax Parcel Numbers:	Guilford County Tax Parcel 0192269
Site Acreage:	Approximately 0.21 acres
Current Land Use:	Single family dwelling
Physical Characteristics:	The property has no noteworthy physical features.
Water & Sewer Proximity:	A 6-inch water line and an 8-inch sanitary sewer line are lying adjacent to the site along Ferndale Boulevard.
General Drainage and Watershed:	The site drains in a southerly direction and is within the Yadkin Pee-Dee (non-water supply) watershed. Based upon the total acreage and allowable development intensity, stormwater controls are not required.
Overlay Districts	None

Adjacent Property Zoning and Current Land Use			
North:	RS-9	Residential Single Family-9 District	Single family dwelling
South:	RS-9	Residential Single Family-9 District	Ferndale Middle School
East:	RS-9	Residential Single Family-9 District	Single family dwelling
West:	RS-9	Residential Single Family-9 District	Single family dwelling

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	Not applicable
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:	None
Relevant Area Plan:	None
Zoning History:	There has been no recent zoning activity in this immediate area.

Transportation Information			
Adjacent Streets:	Name		Classification
	Ferndale Boulevard		Collector Street
Approx. Frontage		65 ft	
Vehicular Access:	Ferndale Boulevard (public street)		
Traffic Counts: <i>(Average Daily Trips)</i>	Ferndale Boulevard		1,887 ADT (2015, COHP)
Estimated Trip Generation:	No information		
Traffic Impact Analysis:	Required		Comment
	<u>Yes</u>	<u>No</u> X	None
Pedestrian Access:	Not applicable to this request.		

School District Information
Not applicable to this special use request.

Details of Proposal

The applicant is requesting a special use permit to allow a single family dwelling to be used as a Tourist Home (Bed & Breakfast). The applicant currently lives next to this dwelling and proposes to hire a live-in manager to run the facility, which will have four guest rooms. The Development Ordinance allows a property owner to apply for a special use permit for a bed & breakfast in a residential zoning district subject to meeting the following development standards.

- ❖ **Property Separation:** No tourist home shall be located within four hundred (400) feet of a rooming house, a boarding house, or another tourist home.
- ❖ **Number of Guest Bedrooms:** The maximum number of guest bedrooms shall be six.
- ❖ **Operation:**
 - The tourist home shall be operated by a resident manager and shall be located in a structure which was originally constructed as a residential dwelling;
 - The tourist home shall contain only one kitchen facility. Meals served on the premises shall be only for overnight guests and residents of the facility; and
 - The use of such a facility by any one patron shall be limited to no more than fifteen days per sixty day period.
- ❖ **Signs:** There shall be no exterior advertising except that which is permitted for a Home Occupation (one sign attached to the home with a maximum area of 2 square feet).

Findings

A special use is an additional use to those permitted by right in a zoning district. Such a use requires analysis for its potential impact on the proposed site and its impact on surrounding properties. The purpose of the Special Use Permit process is to allow the Planning and Zoning Commission and City Council an opportunity to perform this analysis.

Section 9-3-14 of the Development Ordinance requires that certain findings be made before a Special Use Permit may be approved. 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 required findings.

That the use will not materially endanger the public health or safety if located where proposed; staff finds

Compliance	The applicant's proposal for a bed & breakfast with four guest rooms is limited in nature and vehicle trips are anticipated to be similar to that of a typical single family use.
-------------------	---

That the use meets all required standards, conditions and specifications of the Development Ordinance, and any additional restrictions imposed pursuant to Section 9-3-14(d) *Greater Restrictions*; staff finds

Compliance	Based upon supporting documentation provided by the applicant (survey of the property and floor plans of existing dwelling), the request meets the standards of the Development Ordinance.
-------------------	--

That the use will not substantially injure the value of adjoining or abutting property, or that it is a public necessity; staff finds

Compliance	<ul style="list-style-type: none">❖ The Development Ordinance requires a bed & breakfast to be located in a structure that was originally constructed as a residential dwelling. As there is an existing two-story 1,950 square foot single family dwelling upon this site and no building expansion is proposed, the character of the area will remain the same, thus ensuring the request will not injure the value of adjacent property owners.❖ The Development Ordinance permits a maximum of six guest rooms for a bed & breakfast use. This proposed facility will have up to four guest rooms; therefore, the intensity of this use is similar to that of a typical single family dwelling. No new building construction is proposed, the only exterior change is a newly installed parking area at the rear of the property.
-------------------	--

That the location and character of the use shall be in harmony with the area in which it is located and in general conformity with the plan of development of the city and its environs; staff finds

Compliance	Staff finds that the request will be in harmony with the surrounding area based upon the following: <ul style="list-style-type: none">❖ The site is across the street from permitted non-residential uses consisting of a middle school and a high school. Additionally, the intersection of Locke Street and Ferndale Boulevard (120 feet east of the site) is where the residential zoning ends and GO-M District (Office uses) begins. To the north and south of this intersection is a medical office building and an apartment complex.❖ The site is a lying at the outer edge of this residential subdivision and fronting along a collector street, which is intended to for higher traffic volumes. This location, at the other edge of a subdivision, ensures additional trips are not being directed into the middle of a residential neighborhood.
-------------------	--

Recommendation

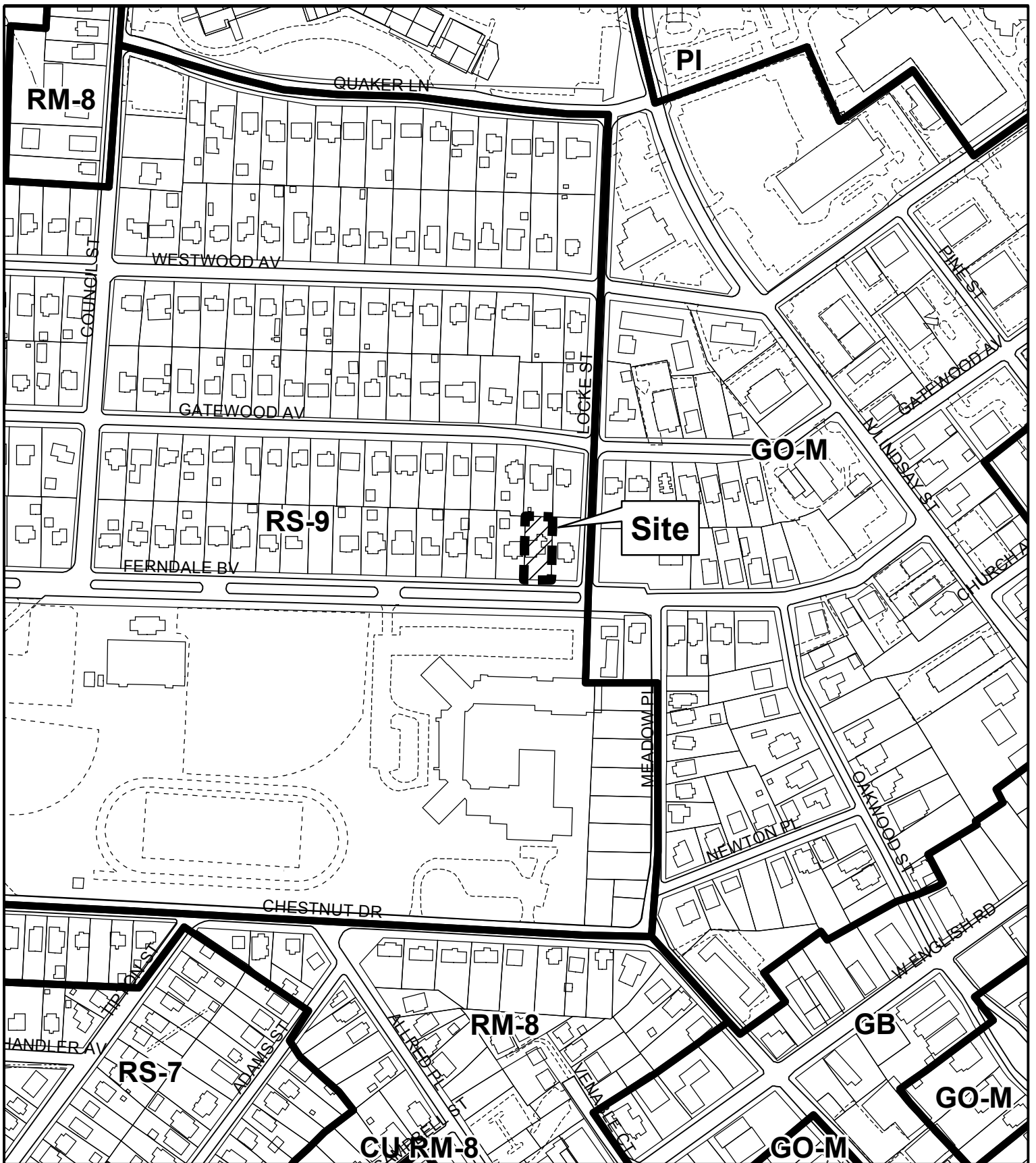
Staff Recommends Approval

Based upon the above noted findings, the request will be in harmony with the surrounding zoning and development in this area, and does not conflict with the goals and objectives of the Land Use Plan.

The Planning and Development Department recommends approval of the request to allow a Tourist Home (Bed & Breakfast) in the Residential Single Family-9 (RS-9) District and the accompanying Special Use Permit.

Report Preparation

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



SPECIAL USE PERMIT SU15-05

Request: To allow a Bed and Breakfast in a Residential Single Family-9 District.

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

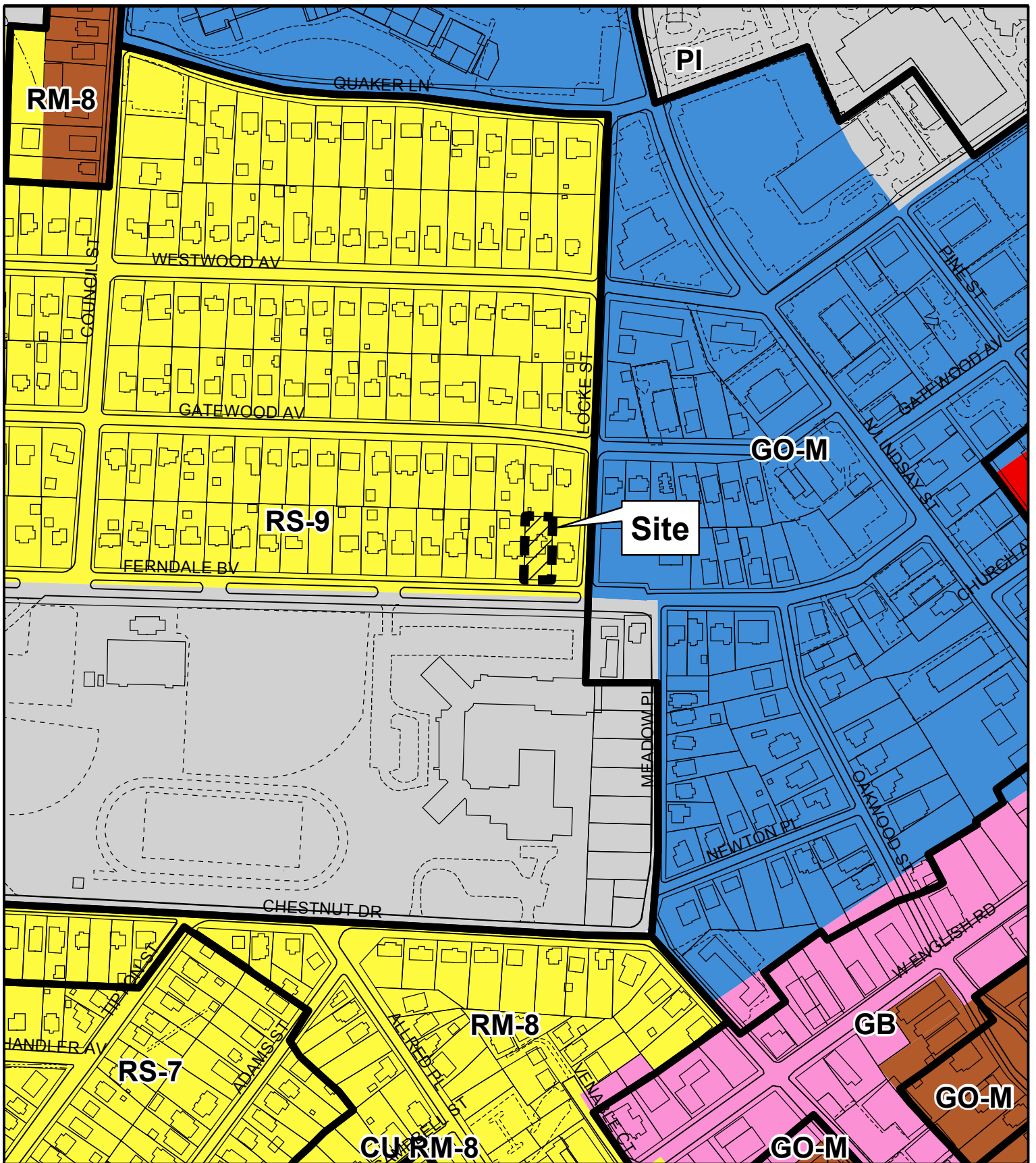
**Planning & Development
 Department**

City of High Point

Date: February 23, 2016



Scale: 1"=300'
 G:/Planning/Secure/ba-pz/
 2015/pz/sup15-05.mxd



SPECIAL USE PERMIT SU15-05

Land Use Plan

- | | |
|--|---|
|  Low-Density Residential |  Office |
|  Medium-Density Residential |  Local/Convenience Commercial |
|  Institutional |  Community/Regional Commercial |

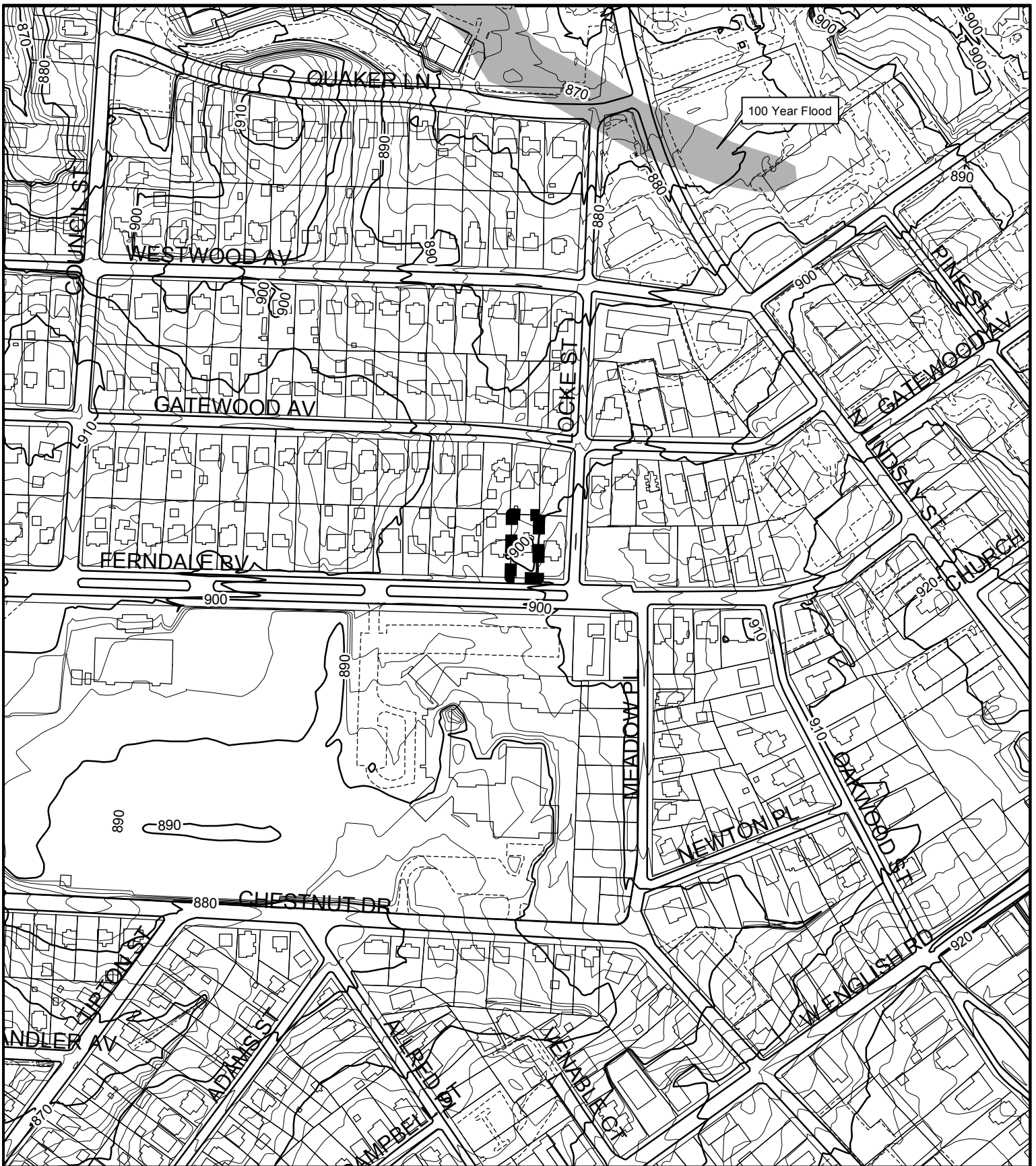
Planning & Development
Department

City of High Point

Date: February 23, 2016



Scale: 1"=300'
G:\Planning\Secure\ba-pz\2015\pz\sup15-05clu.mxd



SPECIAL USE PERMIT SU15-05

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

Date: February 23, 2016



Scale: 1"=300'

G:/Planning/Secure/ba-pz/
2015/pz/z15-05topo.mxd

SPECIAL USE PERMIT SU15-05



SPECIAL USE PERMIT 15-05
CITY OF HIGH POINT, NORTH CAROLINA

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 9-3-14, SPECIAL USE PERMITS, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE PERMIT AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

USE: Tourist Home (Bed & Breakfast) (SIC 7011).

DESCRIPTION OF PROPERTY: A 0.21 acre parcel lying along the north side of Ferndale Boulevard, approximately 120 feet west of Locke Street (702 Ferndale Blvd). The site is also known as Guilford County Tax Parcel 0192269.

This Special Use Permit and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

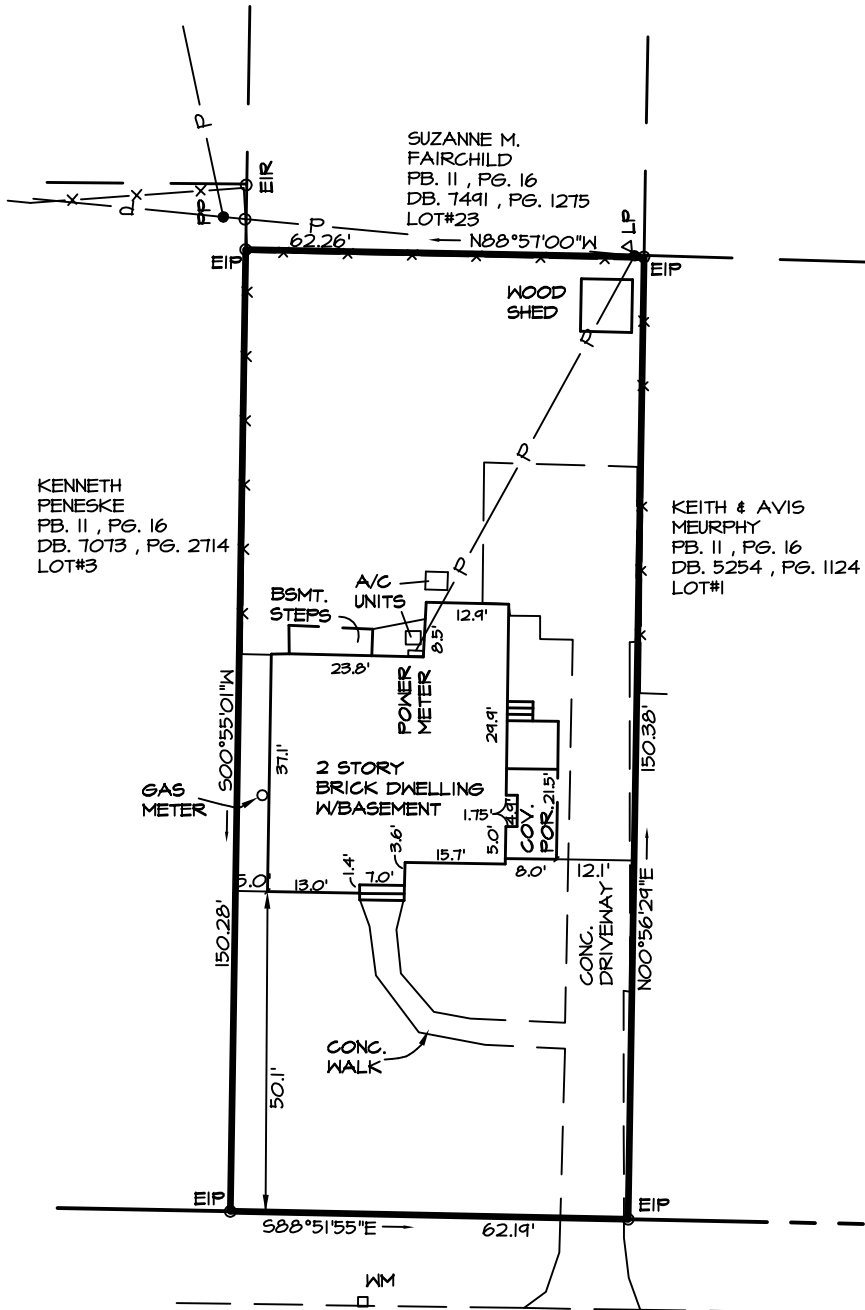
This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use Permit shall be null and void and of no effect. If for any reason any condition imposed this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

The issuance of this Special Use Permit authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 15-05 THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE ___TH DAY OF APRIL, 2016.

Lisa B. Vierling
City Clerk

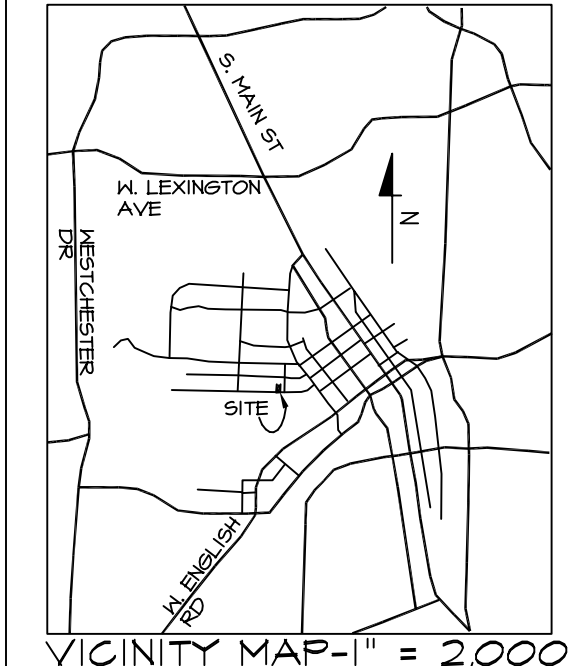
Date



KENNETH PENESKE
PB. II, PG. 16
DB. 7073, PG. 2714
LOT#3

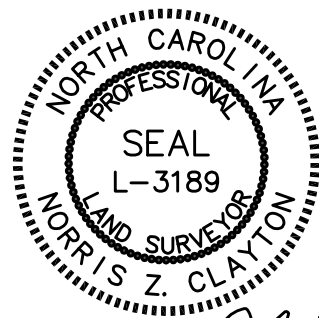
SUZANNE M. FAIRCHILD
PB. II, PG. 16
DB. 7491, PG. 1275
LOT#23

KEITH & AVIS MEURPHY
PB. II, PG. 16
DB. 5254, PG. 1124
LOT#1



VICINITY MAP-1" = 2,000'

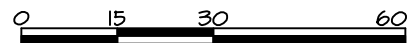
- LEGEND:**
- EIP = EXIST. IRON PIPE
 - PB. = PLAT BOOK
 - DB. = DEED BOOK
 - PG. = PAGE
 - GI = GRATE INLET
 - CB = CATCH BASIN
 - CO. = CLEAN OUT
 - WM. = WATER METER



FERNDALE BLVD.
90' R/W

SURVEY FOR:
WHISTLESTOP LODGES, LLC
LOT 2 BLOCK 2 W.C. JONES ESTATE
PB. II PG. 16
702 FERNDAL BLVD.
HIGH POINT TOWNSHIP GUILFORD COUNTY
HIGH POINT, NORTH CAROLINA

DATE: NOV. 12, 2015 SCALE: 1" = 30'



NOTES:

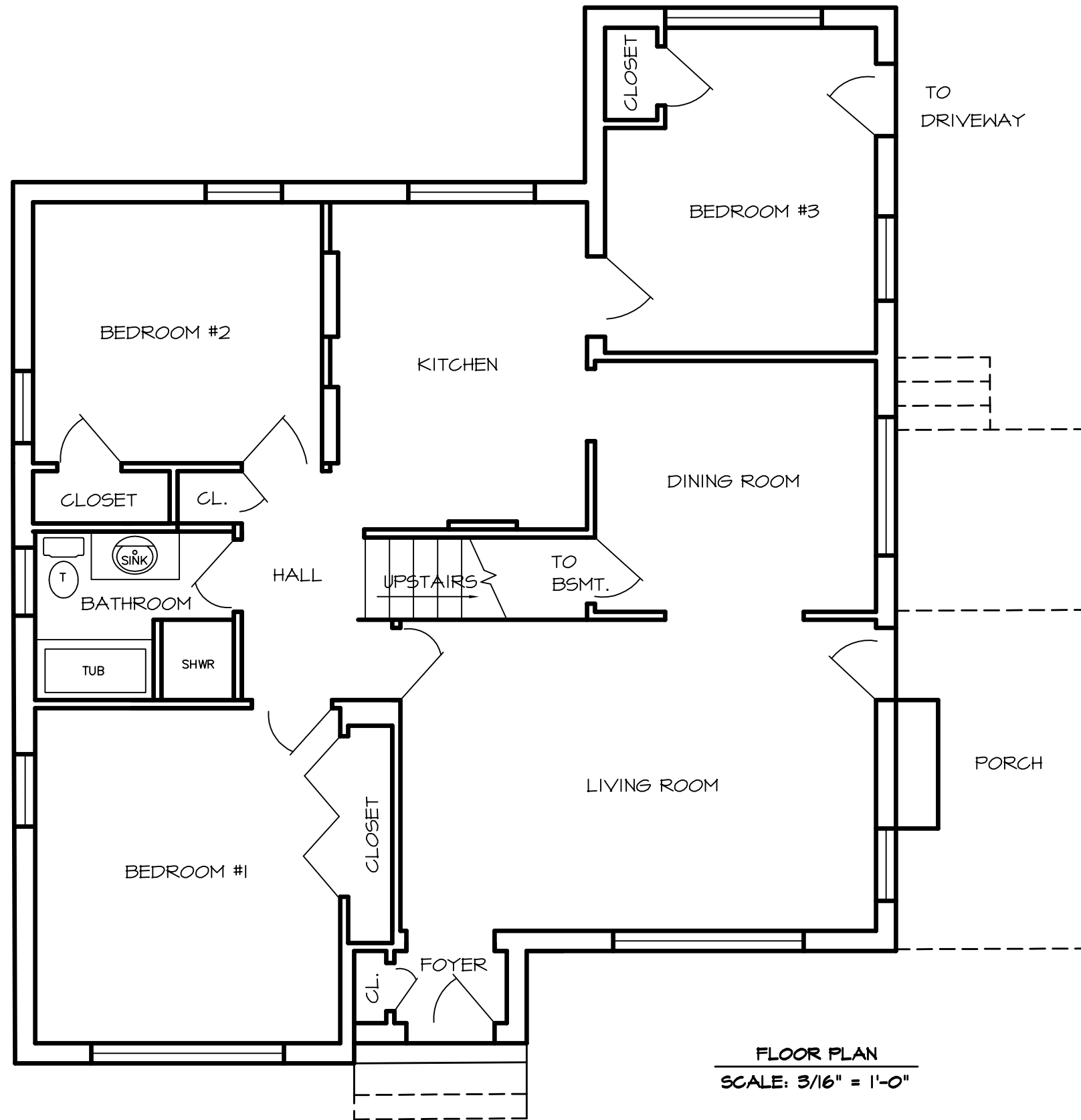
1. TOTAL AREA = 0.21 ACRES
2. PIN #: 6890952288
3. REFERENCES: DB. 7722, PG. 137; PB. II, PG. 16

HUGH CREED ASSOCIATES, INC., P.A.
CONSULTING ENGINEERS & LAND SURVEYORS

P.O. BOX 9623
1306 W. WENDOVER AVE.
GREENSBORO, N.C. 27408
FIRM LICENSE #C-0551

PHONE: (336) 275-9826
OR (336) 275-8084
FAX: (336) 275-3379
E-MAIL: HCA@TRIADBIZ.RR.COM

12-11-2015
MISC/503 GATEWOOD/102 FERNDAL



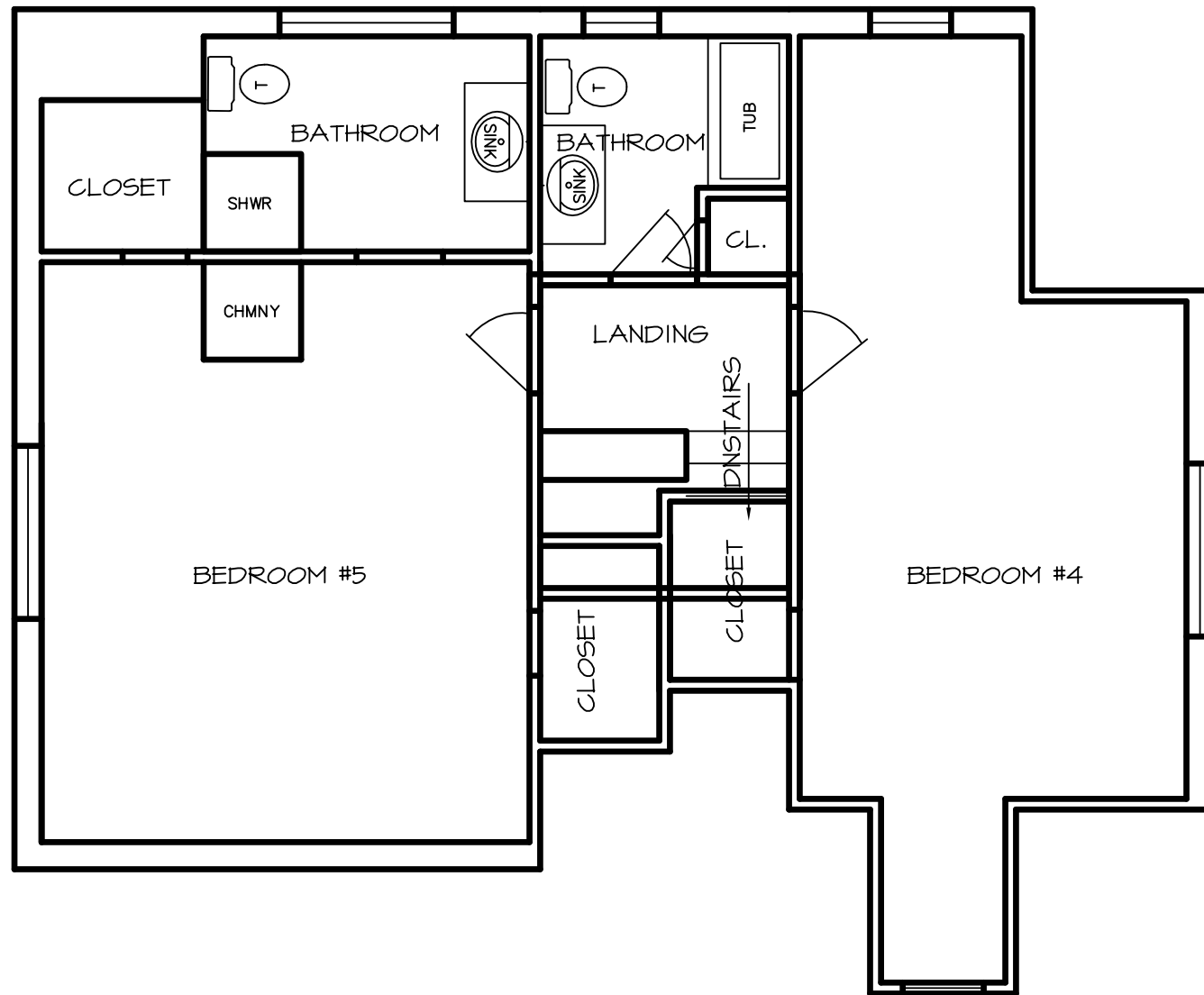
FLOOR PLAN
SCALE: 3/16" = 1'-0"

702 FERNDAL BLVD.
WHISTLESTOP LODGES, LLC
DATE: DECEMBER 11, 2015
HUGH CREED ASSOCIATES, INC., P.A.
CONSULTING ENGINEERS & LAND SURVEYORS

P.O. BOX 9623
1306 W. WENDOVER AVE.
GREENSBORO, N.C. 27408
FIRM LICENSE #C-0551

PHONE: (336) 275-9826
OR (336) 275-8084
FAX: (336) 275-3379
E-MAIL: HCA@TRIADBIZ.RR.COM

12-11-2015
MISC/503 GATEWOOD/102 FERNDAL



UPSTAIRS
SCALE: 3/16" = 1'-0"

702 FERNDAL BLVD.
WHISTLESTOP LODGES, LLC
DATE: DECEMBER 11, 2015
HUGH CREED ASSOCIATES, INC., P.A.
CONSULTING ENGINEERS & LAND SURVEYORS

P.O. BOX 9623
1306 W. WENDOVER AVE.
GREENSBORO, N.C. 27408
FIRM LICENSE #C-0551

PHONE: (336) 275-9826
OR (336) 275-8084
FAX: (336) 275-3379
E-MAIL: HCA@TRIADBIZ.RR.COM













Sue Fairchild
503 Gatewood Avenue
High Point, NC 27262
336-688-5326
sfairchild0661@aol.com

January 4, 2016

Dear Neighbors,

My husband Jim and I have lived in Guilford County for 27 years, and we have been at our 503 Gatewood Avenue home for three years. We love living in this neighborhood and always try to attractively maintain the residence and the property, and to be friendly and kind towards our neighbors. We are both retired. Jim was a Registered Nurse at Moses Cone, for 25 years. I worked in the healthcare field as well, first as a Social Worker at High Point Regional, then in various positions at Hospice of the Piedmont, and finally back at High Point Regional in a position related to medical research. We raised one child, our son Andrew, who attended Westchester Academy and now works at HondaJet at PTI (the airport) in Greensboro.

In July 2015, I purchased the house located at 702 Ferndale Blvd. This Ferndale Blvd house and our Gatewood Ave residence share the property line that marks the rear of each property. In other words, the two back yards, (the back yard of the Gatewood Ave house that I live in, and the back yard of the Ferndale house that I bought last summer,) connect the two properties.

The 702 Ferndale house, (and all the surrounding homes), are located in an area that is zoned primarily for single family residences, but **it is my goal to open a small “Bed and Breakfast” establishment at the 702 Ferndale house, hopefully in April 2016.** In order to operate a “B&B” in the house, City Council must grant me permission to use the house and property in this way. I am in the process of submitting a detailed written proposal to the city’s Planning and Zoning Commission about my plans for the B&B, and they will review my request before it goes to the City Council for a formal review and determination.

You will soon receive a letter in the mail from the city about my proposal, and the letter will tell you the date/time/place that my proposal will be considered by the Planning and Zoning Commission at their monthly meeting, as well as the date/time/place that my proposal will be on the City Council’s monthly meeting agenda. These notices will also be published in the High Point Enterprise, and will also be printed on signs that will be placed on certain street corners within the neighborhood. The meetings are open to the public, and time is given at the meetings so that anyone may express his or her opinion about proposals that are being considered.

I'm excited about operating a B&B and I plan on having an open house shortly after I am (hopefully) given permission to proceed with my plans. The house isn't ready yet for me to host the open house, and you will receive an invitation to attend it when I settle on a date, but I would like to tell you a little more about my plans for the B&B home now, in this letter.

The 702 Ferndale house will be fully furnished throughout. The house has five bedrooms. Four of these bedrooms will be available to paying guests. Three guest bedrooms are on the first floor, (one of them has a private entrance), and the remaining guest bedroom is on the second floor. Guests will share two full bathrooms, one on the first floor and one on the second floor. We will host no more than eight paying guests at any one time and no guest will be permitted to stay more than one week.

The fifth bedroom is located on the second floor and has a private bathroom. It will not be available to guests, as it will be occupied full time by a High Point University graduate student, who will act as the Resident Manager.

The home also has a large living room, a spacious dining room, a fully equipped kitchen, an outdoor side porch, and some outdoor seating and dining space. All of these areas will be considered to be common areas and will be fully accessible to guests, to use for relaxation or to conduct personal business. (Some kitchen items and food storage areas will not be available to guests, as they will be used exclusively for preparation and service of the "B&B breakfasts". However, guests will have access to most of the kitchen after breakfast hours, to prepare and serve themselves other meals or snacks.) The area in the rear of the property is going to be paved, to make five parking spaces, but these parking spaces will not be visible from the street.

I will manage and maintain all aspects of the operation of the B&B, with the support of the Resident Manager, (and my wonderful husband.) Although I don't reside at the 702 Ferndale home, I do live next door, and I intend to be a "hand's-on" proprietor of the B&B.

I am very confident that the B&B will be a success, yet it is also my intention that it will not detract in any way from the character of the neighborhood, nor will it impose on any of the neighbors, especially those whose homes are adjacent the establishment or in the surrounding area. If you would like to tour the home before the open house, or if you have any questions or concerns about my plans, please do not hesitate to call me or email me. I will be happy to show you around or discuss my plans with you in person or over the phone.

With warm regards,

Sue Fairchild