

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-29
(City of High Point)

From: Chris Andrews,
Interim Planning and Development Director

Meeting Date: December 6, 2021

Public Hearing: Yes

Advertising Date: November 24, 2021, and
December 1, 2021

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the High Point City Council to rezone 78 properties, totaling approximately 42.08 acres, as part of the Comprehensive Zoning Map Amendment project.

- a) To rezone an approximate 3.35 acre parcel from a Conditional Use Residential Multifamily – 16 (CU RM-16) District to the Residential Multifamily – 16 (RM-16) District. The parcel is located at 1022 True Lane.
- b) To rezone 74 properties, totaling approximately 29.33 acres, from the Residential Multifamily - 16 (RM-16) District to the Residential Single Family – 5 (R-5) District and the Light Industrial (LI) District. The properties are located south of the intersection of Hickory Chapel Road and Randall Street, within the Garner Height subdivision and includes a portion of the property located at 1237 Hickory Chapel Road.
- c) To rezone 3 properties, totaling approximately 8.44 acres, from a Conditional Use Light Industrial (CU-LI) District to the Light Industrial (LI) District. The properties are located at 1124, 1120 & 1018 Roberts Lane.

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their November 9, 2021 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.

There were no public comments regarding 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 21-29 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 cannot be amended.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-21-29**

December 6, 2021

(Revised)

Request

A request by the High Point City Council to rezone 78 properties, totaling approximately 42.08 acres, as part of the Comprehensive Zoning Map Amendment Project. This request focuses on lands in the southeastern portion of the City along Hickory Chapel Road and Roberts Court.

Background

The purpose of the Comprehensive Zoning Map Amendment Project is to review and evaluate the zoning of land throughout the city, identify areas where the zoning is out of sync with the existing use of land or is inconsistent with current land use policy, and propose appropriate changes in zoning for those areas. A primary goal of the project is to remove improper or obsolete zoning districts that may be acting as a barrier to development. The Comprehensive Zoning Map Amendment Project was initiated in 2017. The City Council initiated this current fourth round of zoning evaluations, associated with this request, in December 2020.

Details of Proposal

The following is a summary of affected developments, along with an attached analysis of each area being considered under this Zoning Map Amendment.

From	To	Development/Use	Location
CU RM-16 (CU 98-11)	RM-16	Group Home	1022 True Lane
RM-16	R-5 LI	Single family dwellings and undeveloped portion of an industrial development	Properties located south of the intersection of Hickory Chapel Road and Randall Street, within the Garner Height subdivision and includes a portion of the parcel located at 1237 Hickory Chapel Road.
CU-LI (CU 89-02) (CU 89-17) (CU 84-38)	LI	Industrial and vacant buildings	1010, 1018, 1020 and 1124 Roberts Lane

Analysis

The requested rezoning of these various properties is intended to remove outdated and obsolete zoning conditions. These developments were granted their current conditional use (CU) zoning between 1984 to the 1998 under previous development ordinances. These developments have been fully completed and their various zoning conditions have either been met or are now governed by the current Development Ordinance. The request is intended to remove outdated and obsolete zoning conditions, while maintaining the development's base zoning district. See attached evaluations for further detail.

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 are needed to 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:

- 1) Rezone 1022 True Lane (Guilford County Tax Parcels 176981) from a Conditional Use Residential Multifamily – 16 (CU RM-16) District to the Residential Multifamily – 16 (RM-16) District.
- 2) Rezone the parcels within the Garner Height subdivision from the Residential Multifamily – 16 (RM-16) District to the Residential Single Family – 5 (R-5) District.
- 3) Rezone a portion a portion of the property located at 1237 Hickory Chapel Road from the Residential Multifamily – 16 (RM-16) District to the Light Industrial (LI) District.
- 4) Rezone 1124, 1120 & 1018 Roberts Lane (Guilford County Tax Parcels 177077, 77078 and 77074) from a Conditional Use Light Industrial (CU-LI) District to the Light Industrial (LI) 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.

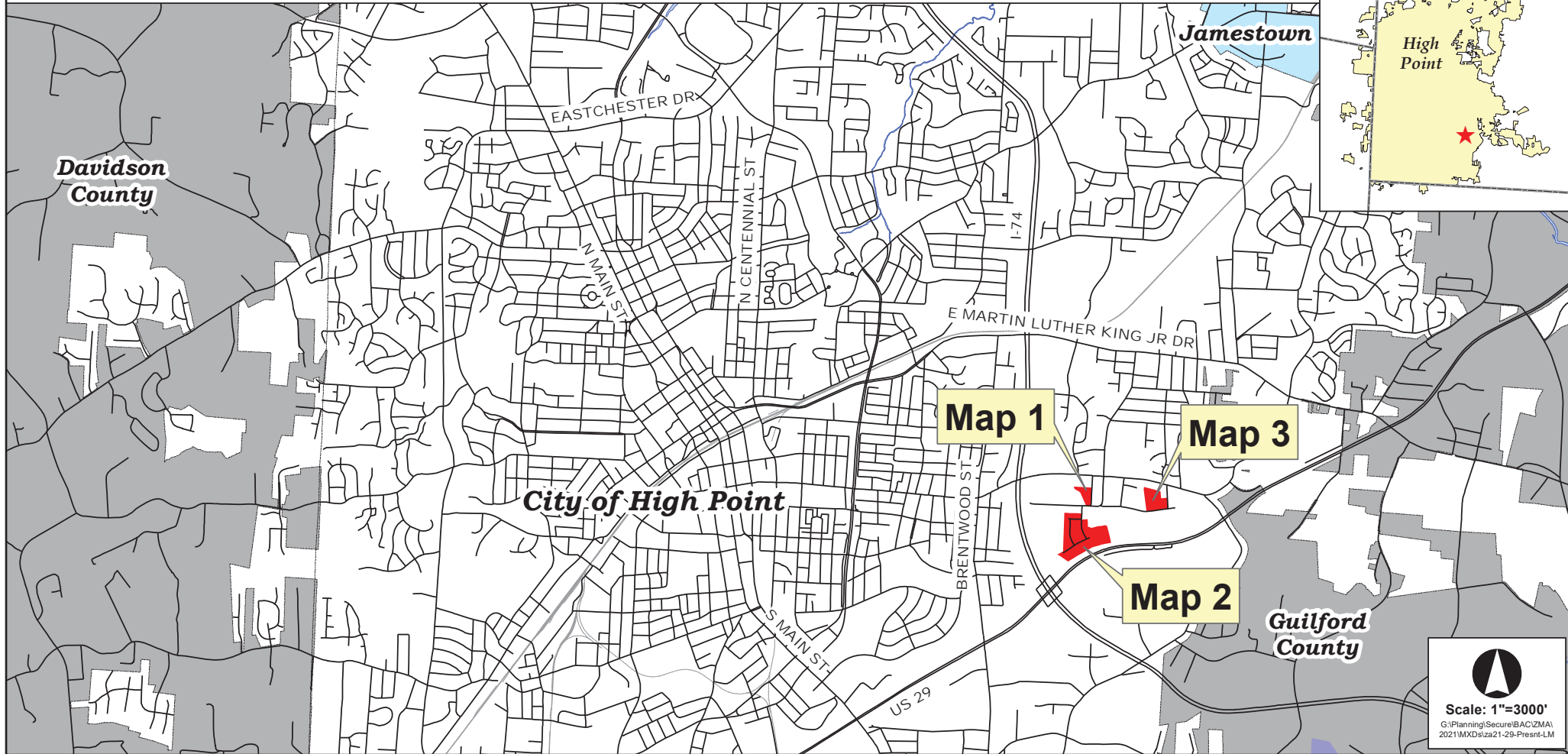
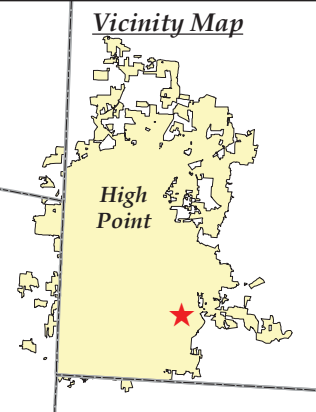
LOCATION MAP

ZONING MAP AMENDMENT: ZA-21-29

Applicant: City of High Point

Vicinity Map

High Point



Map 1

Map 3

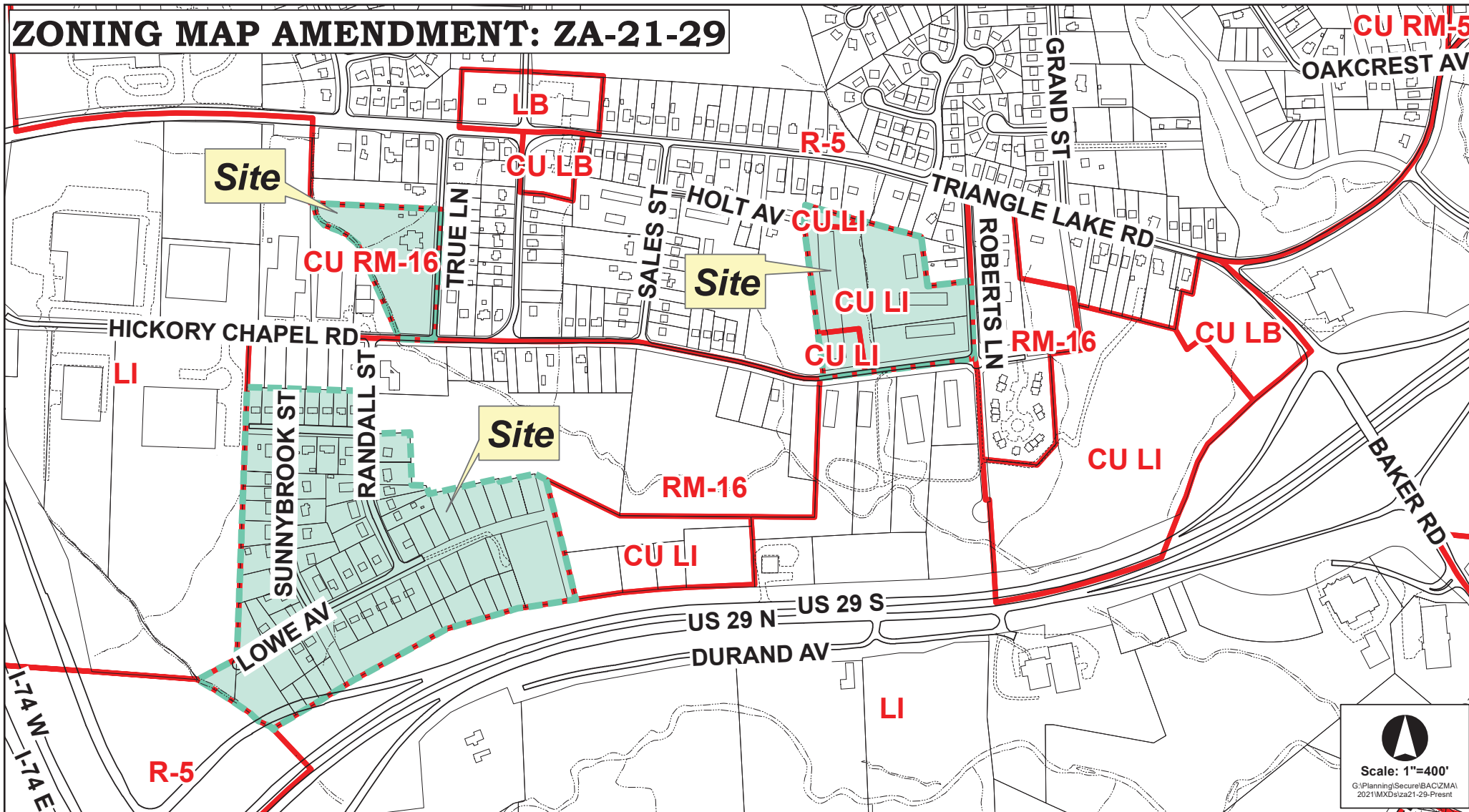
Map 2



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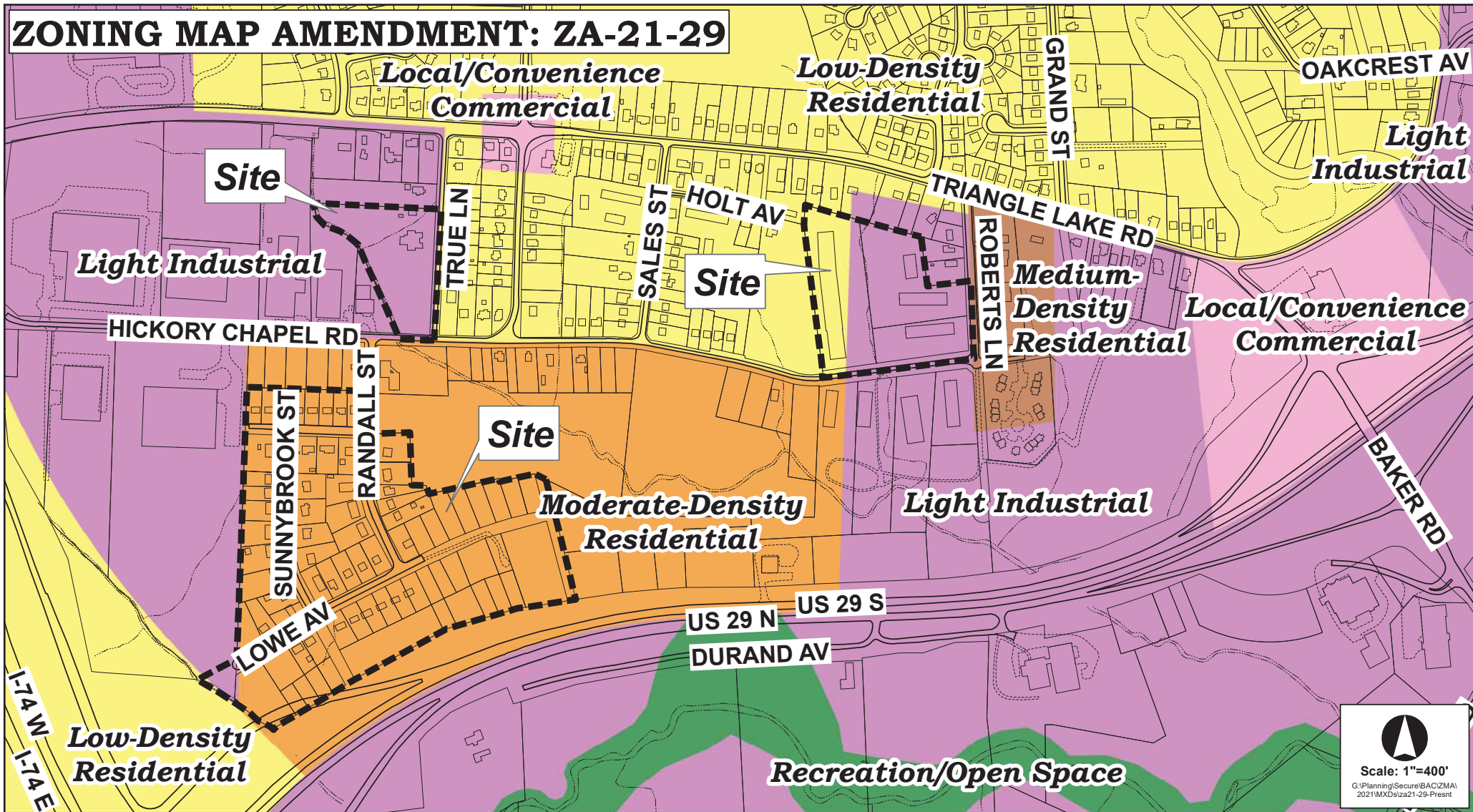
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ZONING MAP AMENDMENT: ZA-21-29



MAP #1

Location: 1022 True Lane

Current Use: Group Home, convenience store and vacant building

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Conditional Use Residential Multifamily – 16 CU RM-16) District	Residential Multifamily – 16 (RM-16) District
<i>Purpose & Intent:</i>	<u>RM-16 District</u> The RM-16 district is established to accommodate a mix of residential development at around 16 units an acre, that is served by public water and sewer. District regulations encourage the development of functioning neighborhoods that include a mix of housing types and a variety of institutional uses. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed.	<u>RM-16 District</u> Same
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	<u>1022 True Lane</u> 1998 Zoning Approval (CU 98-11) <ul style="list-style-type: none"> • Prohibited uses • Right-of-way dedication • Number and location of access points • Landscaping 	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Single Family – 5 (R-5) District	Single family dwelling
South:	Residential Multifamily–16 (CU RM-16) District	Religious institution
East:	Residential Single Family – 5 (R-5) District	Single family dwellings
West:	Light Industrial (LI) District	Industrial use

Land Use Plan Classification
The area is designated as follows: <ul style="list-style-type: none"> • Light Industrial: Light industrial uses include general manufacturing, wholesaling, warehousing, and research and development uses.

Analysis/Recommendation

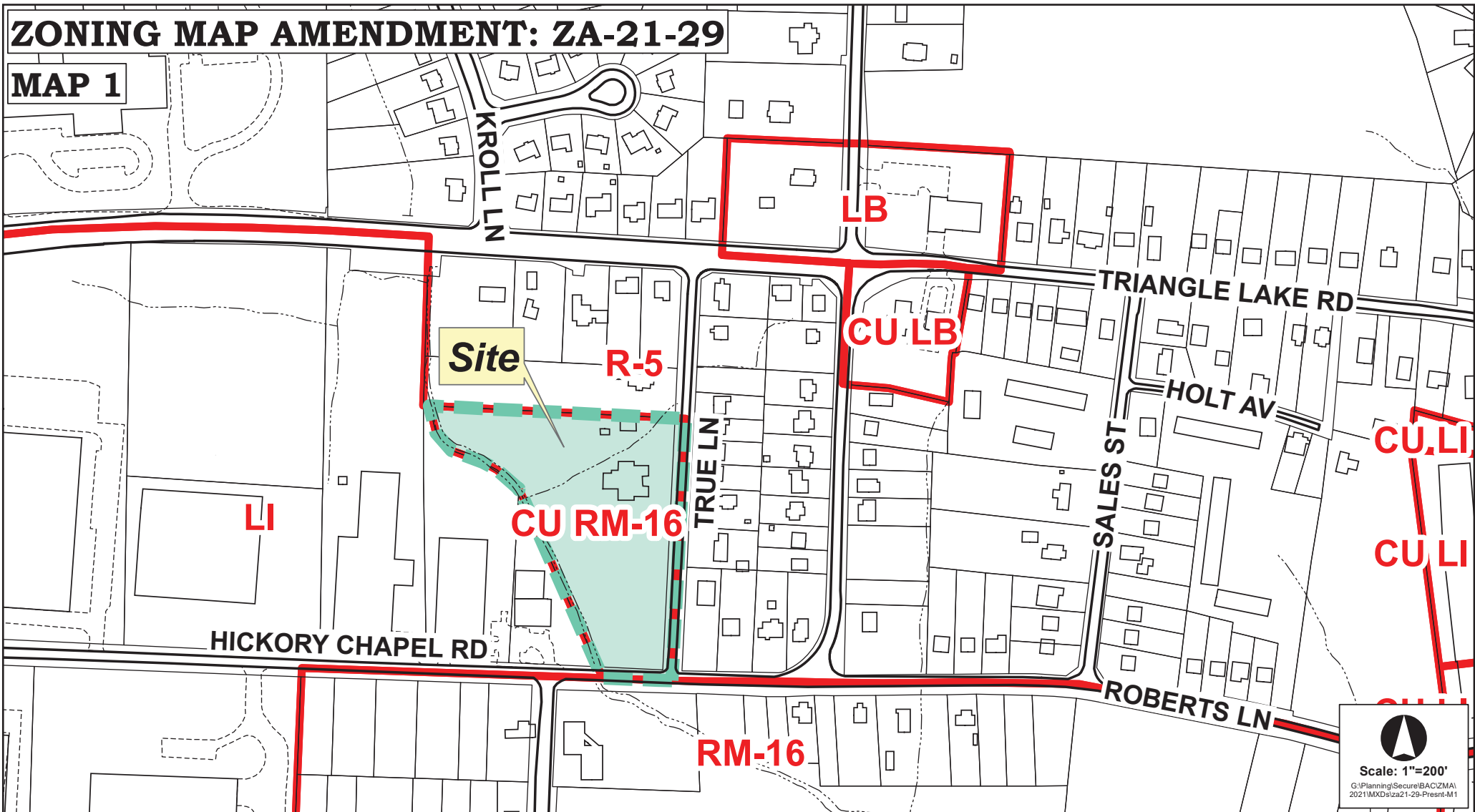
This multifamily development was initially approved and currently serves as a social service use type (group home). It has a conditional use (CU) zoning and a separate Special Use Permit approval from 1998 to allow the social service use under the standards of the prior development ordinance. Staff is proposing removal of the CU as the zoning conditions were met when the property was developed or

are now governed by the Development Ordinance. The proposed removal of the CU designation will not impact the Special Use Permit for the group home use currently operating on the site.

Staff recommends approval of the request to rezone property at 1022 True Lane from the CU RM-16 District to the RM-16 District.

ZONING MAP AMENDMENT: ZA-21-29

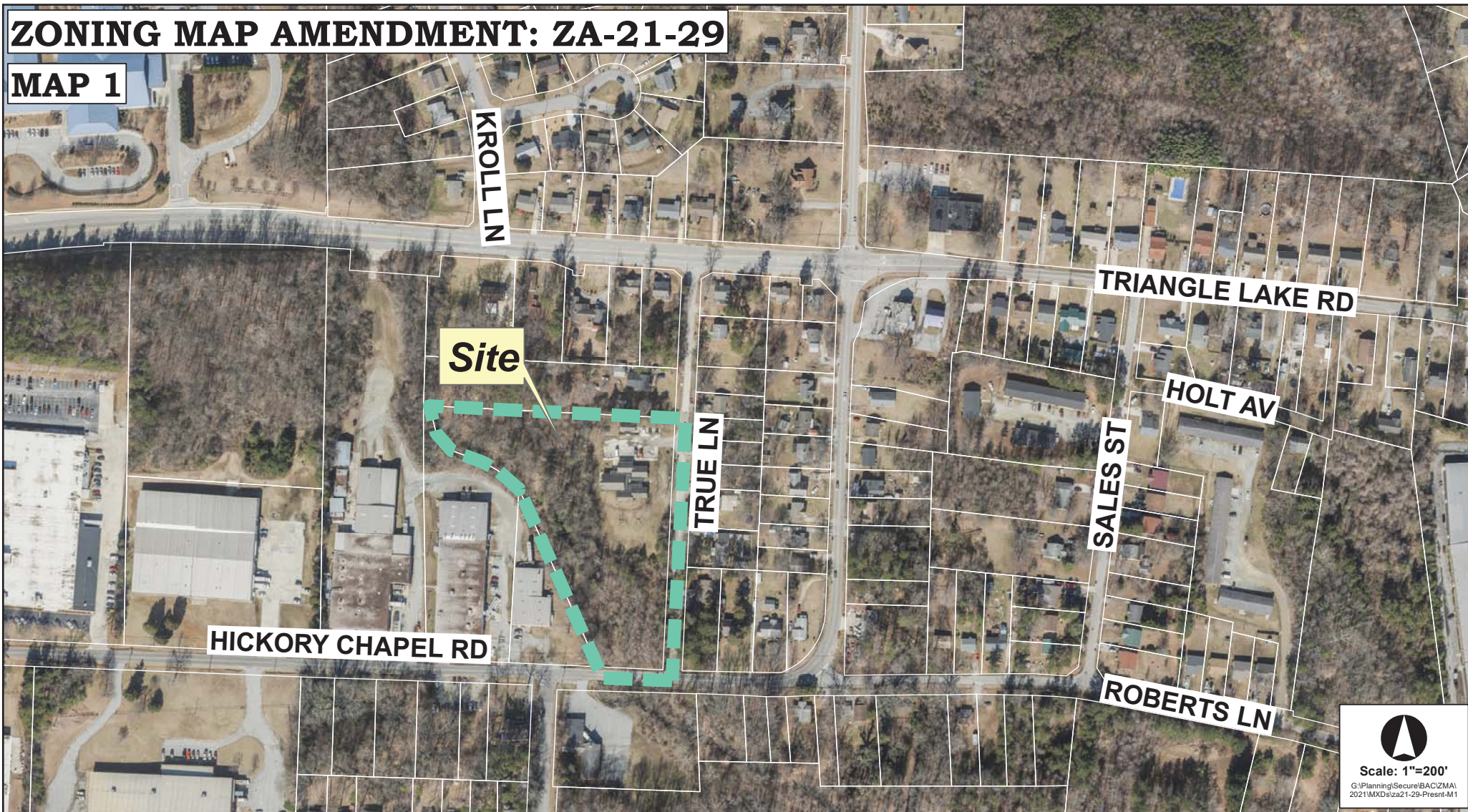
MAP 1



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ZONING MAP AMENDMENT: ZA-21-29

MAP 1



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MAP #2

Location: Properties located south of the intersection of Hickory Chapel Road and Randall Street, within the Garner Height subdivision and includes a portion of the property located at 1237 Hickory Chapel Road.

Current Use: Single family homes and portion of an industrial developed parcel

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Residential Multifamily – 16 (RM-16) District	Residential Single Family – 5 (R-5) District
<i>Purpose & Intent:</i>	<u>RM-16 District</u> The RM-16 district is established to accommodate a mix of residential development at around 16 units an acre, that is served by public water and sewer. District regulations encourage the development of functioning neighborhoods that include a mix of housing types and a variety of institutional uses. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed.	<u>R-5 District</u> The R-5 district is established to accommodate principally single-family detached dwellings developed at a density of 5 units an acre that is served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed. District regulations discourage uses that interfere with the development of residential development or that is detrimental to the residential nature of the district.
<i>Current Uses:</i>	Permitted	There is a parcel with two residential structures that would become a non-conforming use. The use may continue under the non-conforming use standards of the ordinance. This lot has sufficient land area and width to be subdivided to create two conforming R-5 district parcels.
<i>Conditions</i>	None	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Multifamily–16 (RM-16) District	Single family dwelling and undeveloped parcels
South:	Light Industrial (LI) District	US 29 (<i>formerly known as Business 85</i>)
East:	Residential Multifamily–16 (RM-16) District Light Industrial (LI) District	Undeveloped parcels
West:	Light Industrial (LI) District	Industrial use

Land Use Plan Classification

The area is designated as follows:

- **Moderate-Density Residential:** classification includes a variety of detached or attached dwellings, generally including single family homes, cluster homes, duplexes and townhouses. Development densities can range from five to eight dwelling units per gross acre.

- **Light Industrial:** Light industrial uses include general manufacturing, wholesaling, warehousing, and research and development uses.

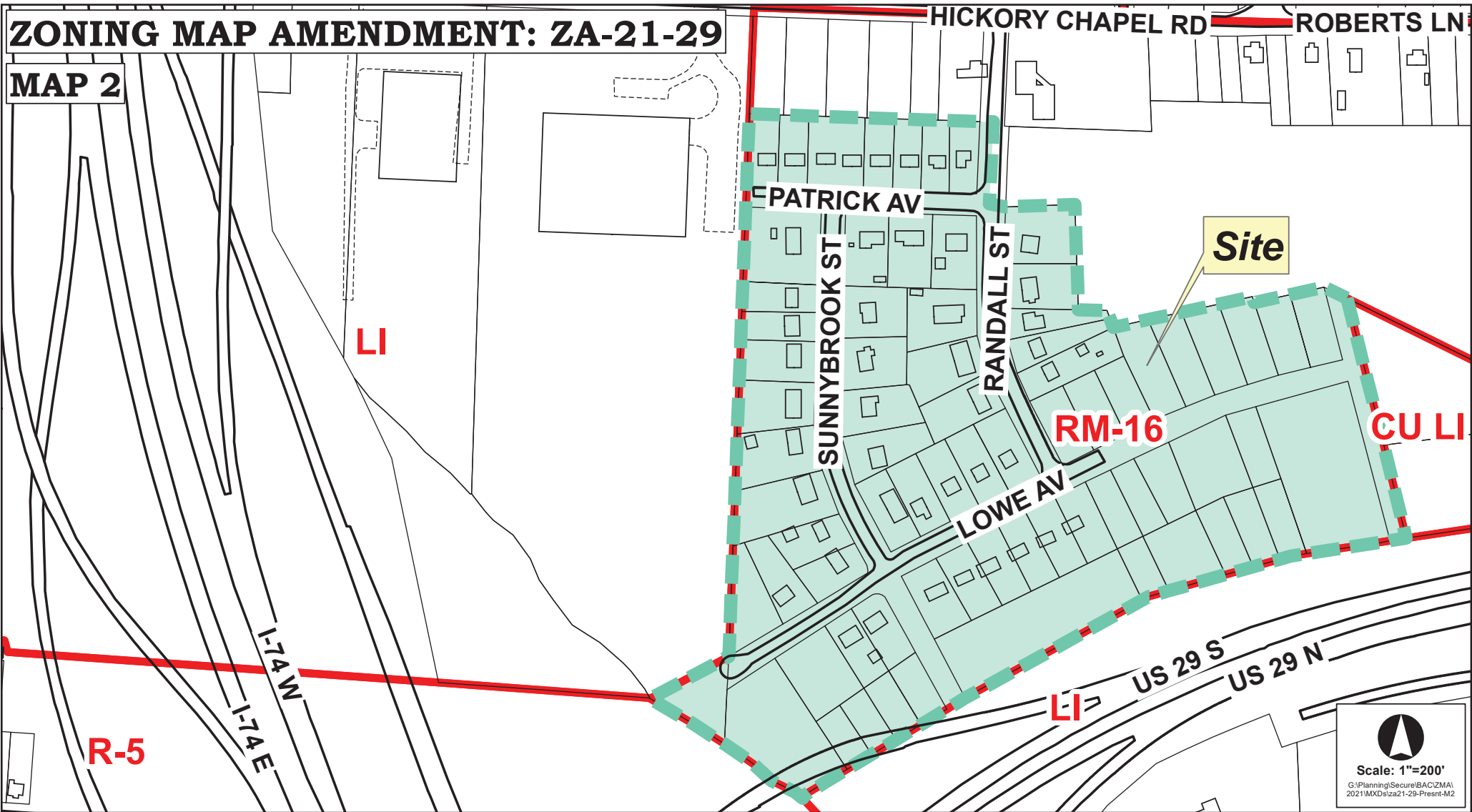
Analysis/Recommendation

The subdivision map for this development (Garner Height subdivision) was recorded in 1955 and developed with single family homes between the late 1960s to the early 1980s. The RM-16 District that currently governs land uses in this area permits multifamily development at a density of 16 units per acre. The introduction of high density residential development, in the middle of an established single family neighborhood, would not be compatible with the manner in which this area has developed. Thus, this application proposes rezoning to the R-5 District as it more accurately reflects the manner in which this area has developed and will assist in ensuring the long-term stability of this single family neighborhood. Staff recommends rezoning this subdivision from the RM-16 District to the R-5 District.

This request also proposes to clean up the zoning configuration for this area. At the southwestern corner of this subdivision (western terminus of Lowe Avenue) is a portion of the abutting industrially developed parcel addressed as 1237 Hickory Chapel Road. The southern tip of this parcel also has a RM-16 District zoning designation. Staff recommends rezoning the southern tip of this parcel from the RM-16 District to the LI District to match the manner in which this parcel developed.

ZONING MAP AMENDMENT: ZA-21-29


MAP 2



ZONING MAP AMENDMENT: ZA-21-29

MAP 2




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MAP #3

Location: 1010, 1018, 1020 and 1124 Roberts Lane

Current Use: Industrial/warehousing uses

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Conditional Use Light Industrial (CU-LI) District	Light Industrial (LI) District
<i>Purpose & Intent:</i>	<u>LI District</u> The LI district is established to accommodate light manufacturing, assembly, fabrication, processing, distribution, storage, wholesales sales, research and development, and other industrial uses that are small-scale and result in minimal exterior movement of vehicles, materials, and goods, and have minimal 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.	<u>LI District</u> Same
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	1984 and 1989 Zoning Approval (CU 84-38 and CU 89-02 and CU 89-17) <ul style="list-style-type: none"> • Right-of-way dedication and access • Lot combination • Landscaping 	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Single Family – 5 (R-5) District	Single family dwellings
South:	Light Industrial (LI) District	Industrial use
East:	Residential Single Family – 5 (R-5) District Residential Multifamily – 16 (RM-16) District	Single family dwellings Multifamily dwelling
West:	Residential Single Family – 5 (R-5) District	Undeveloped parcel

Land Use Plan Classification

The area is designated as follows:

- **Low-Density Residential:** These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
- **Light Industrial:** Light industrial uses include general manufacturing, wholesaling, warehousing, and research and development uses.

Analysis/Recommendation

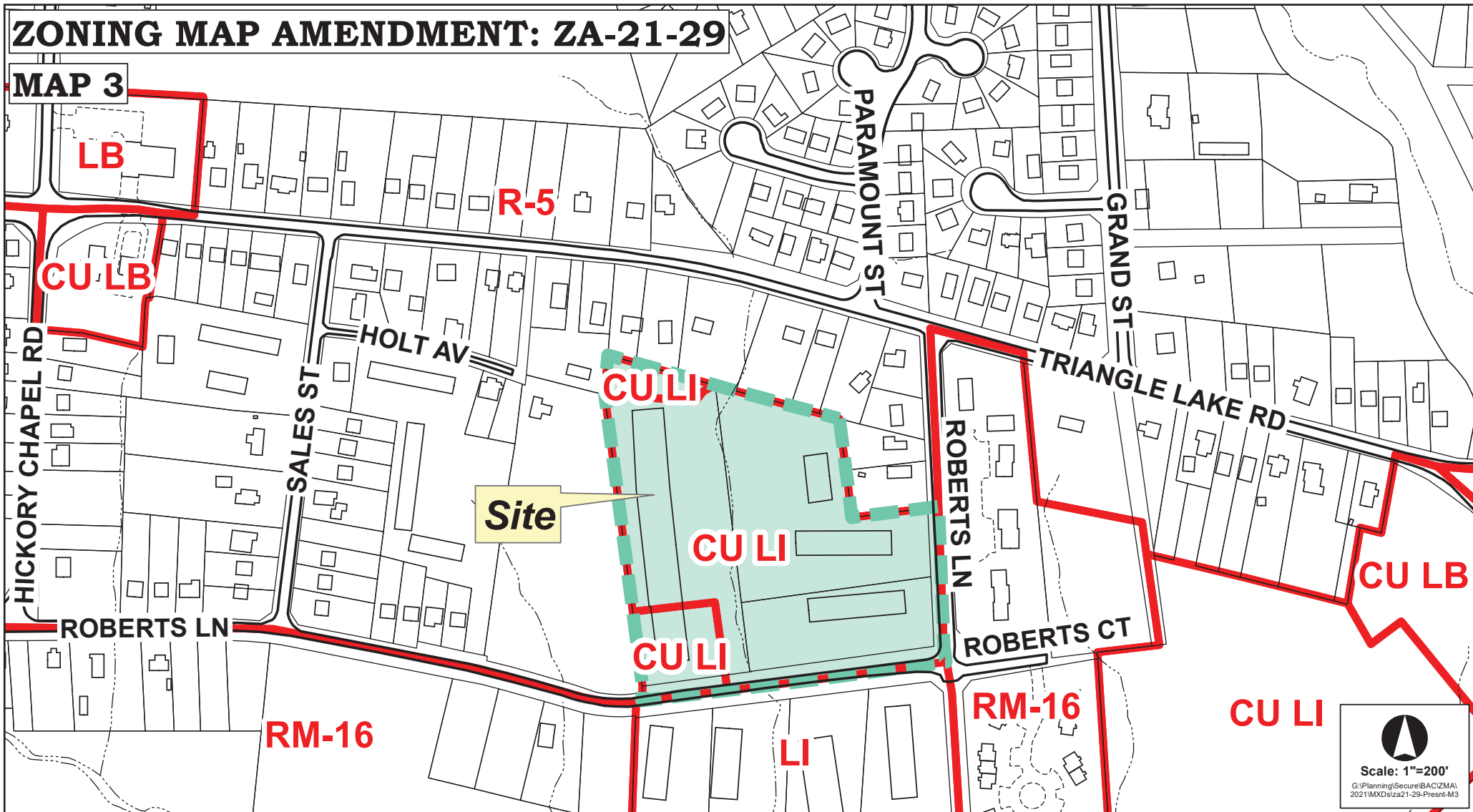
These parcels were developed for industrial related uses in the 1980s when Roberts Avenue, formerly known as E. Green Street extension, served as the east-west connector from the downtown area to US 29 (formerly Business 85). With the construction of the I-74 interchange at E. Green Drive in the late 1990s, this east-west road corridor was realigned. The former E. Green Street extension was realigned so that Triangle Lake Road now serves as the primary east-west road corridor for this area. The former E. Green Street extension dead-ends at the east side of the I-74 corridor and was renamed to Hickory Chapel Road and Roberts Lane. Current primary access to these industrial parcels, along Roberts Lane, is now from Triangle Lake Road.

Conditions pertaining to right of way dedication and lot combination were met at the time these parcels were developed. Conditions pertaining to participation in road improvements in the future are no longer valid now that Triangle Lake Road serves as the primary east-west road corridor for this area.

Staff recommends rezoning these parcels from a CU-LI 16 District to the LI District.

ZONING MAP AMENDMENT: ZA-21-29

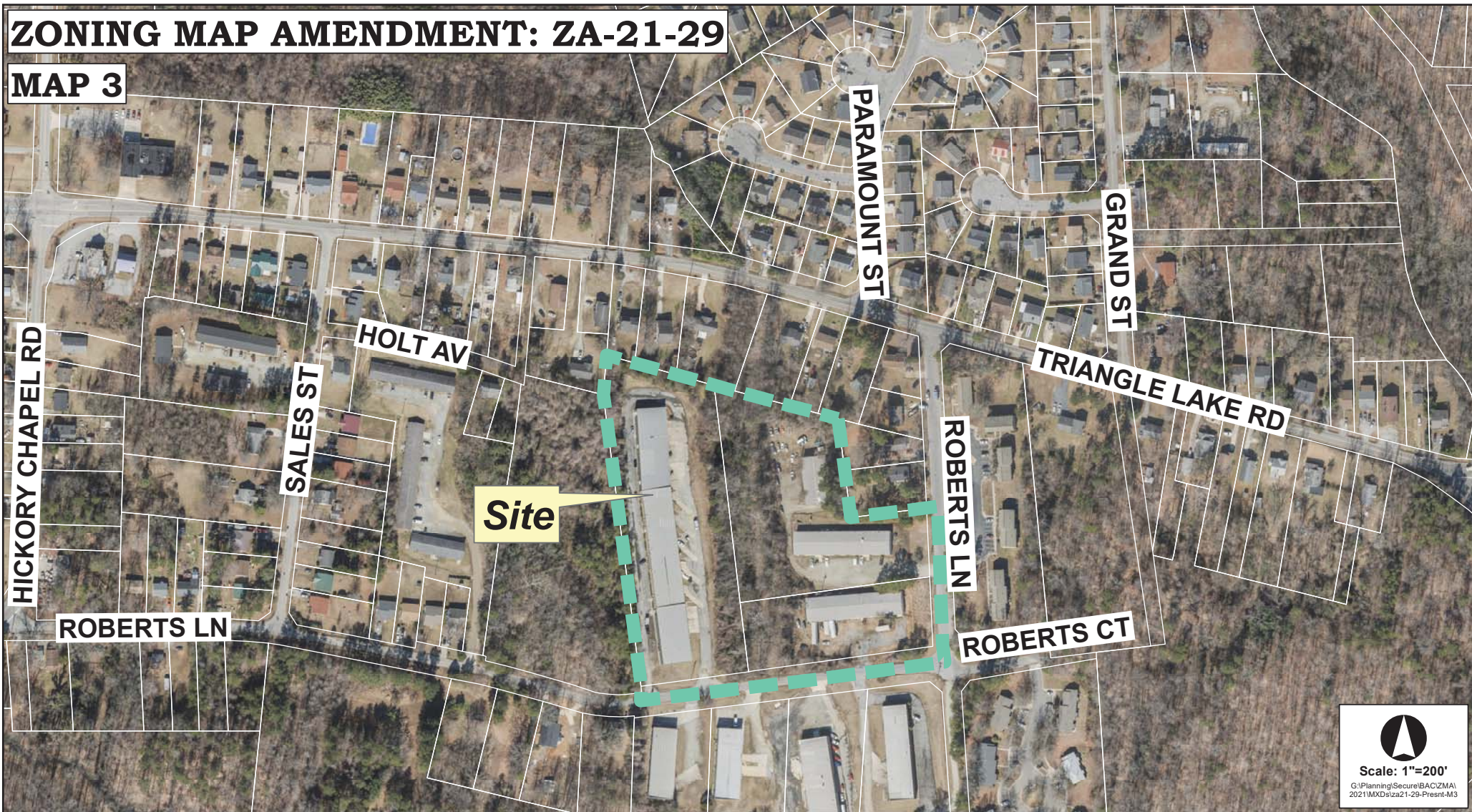
MAP 3



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ZONING MAP AMENDMENT: ZA-21-29

MAP 3



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, 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 November 9, 2021 and before the City Council of the City of High Point on December 6, 2021 regarding **Zoning Map Amendment Case 21-29 (ZA-21-29)** 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 November 2, 2021, for the Planning and Zoning Commission public hearing and on November 24, 2021 and December 1, 2021, 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 December 1, 2021.

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

SECTION 1

Map #1: 1022 True Lane

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Multifamily – 16 (RM-16)**. An approximate 3.35 acre parcel lying along the west side of True Lane, approximately 350 feet south of Triangle Lake Road. The parcel is also known as Guilford County Tax Parcel 176981.

SECTION 2

Map #2: Garner Height Subdivision

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Single Family – 5 (R-5) District**. Approximately 29.3 acres, as depicted in Map of Garner Height – Section No. 4 as recorded in PB 21 PG 82 and Map of Garner Height – Section No. 1 as recorded in PB 21 PG 64 of the Guilford County Register of Deeds Office. The lands are also known as Guilford County Tax Parcels 176894, 176895, 176896, 176897, 176898, 176899, 176900, 176901, 176902, 176903, 176904, 176905, 176906, 176907, 176908, 176909, 176910, 176911, 176912, 176913, 176914, 176915, 176916, 176917, 176918, 176919, 176921, 176923, 176925, 176926, 176927, 176928, 176929, 176930, 176931, 176932, 176934, 176936, 176938, 176940, 176942, 176943, 176944, 176945, 176946, 176947,

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SECTION 3

Map #2: southern portion of 1237 Hickory Chapel Road.

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 0.3 acre portion of Guilford County Tax Parcel 176981, lying at the western terminus of Lowe Avenue.

SECTION 4

Map #3: 1010, 1018, 1020 and 1124 Roberts Lane

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 7.9 acres located along the west and north sides of Robert Lane, approximately 500 feet south of Triangle Lake Road. A description of the development is recorded in Exclusion Map of BFDK & E LLC 2929 E, Green Street “Garner Heights” as recorded in PB 136 PG 61 of the Guilford County Register of Deeds Office. The development is also known as Guilford County Tax Parcels 177074, 177077 and 177078.

SECTION 5

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 6

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

SECTION 7.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 6th day of **December, 2021**

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk