

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-30
(Todd Fuentes)

From: Chris Andrews,
Interim Planning and Development Director

Meeting Date: January 18, 2022

Public Hearing: Yes

Advertising Date: January 5, 2022, and
January 12, 2022

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by Todd Fuentes to rezone approximately 9.5 acres from the Employment Center (EC) District to the Residential Single Family – 5 (R-5) District. The site is located approximately 275 feet west of the intersection of Kersey Valley Road and Cecile Farm Road; and south of Addington Road.

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their December 14, 2021 public hearing. All members of the Commission were present except for Ms. Angela McGill, Mr. Alex Moore and Ms. Joan Swift. Mr. Sam Hinnant, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Staff noted that while the site is located outside High Point's planning area and cannot be annexed by the city, it is within the City of High Point's Extraterritorial Jurisdiction (ETJ area). Therefore, the Planning and Development Department is obligated to accept the zoning application and to present a recommendation of approval or denial for the Commission's and City Council's consideration.

Speaking on the request:

The applicant, Mr. Todd Fuentes, 311 Amhurst Avenue, High Point made himself available for any questions from the Commission. There were no questions for Mr. Fuentes and the Commission closed the public hearing.

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 6-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 6-0 to *approve* the following statement:

That Zoning Map Amendment 21-30 is neither consistent nor inconsistent, as there is no existing policy guidance. Furthermore, the request is reasonable and in the public interest because the requested R-5 District will be compatible with the surrounding zoning and development pattern of this area.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-21-30
December 14, 2021**

Request	
Applicant: Todd Fuentes	Owner: Todd Fuentes
Zoning Proposal: To rezone approximately 9.5 acres.	From EC Employment Center District
	To: R-5 Residential Single Family – 5 District

Site Information	
Location:	The site is located approximately 275 feet west of the intersection of Kersey Valley Road and Cecile Farm Road; and south of Addington Road.
Tax Parcel Number:	Guilford County Tax Parcels 161786 and 161760
Site Acreage:	Approximately 9.5 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The property slopes from the southeast to the northeast and is mainly an undeveloped, wooded site. The property has a pond towards the center of the site and a perennial stream on the northwestern corner of the property.
Water and Sewer Proximity:	No City of High Point water lines are within the vicinity of that portion of Kersey Valley Road lying south of Interstate 74. No sewer lines are adjacent to the site. The nearest sanitary sewer line is a 21-inch main line lying approximately 1,500 feet east of the site.
General Drainage and Watershed:	The property drains from the southeast to the northeast and is located within the Randleman Lake General Watershed (Credit Area). The development of one (1) single-family detached dwelling and its accessory structure(s) on a lot located outside (WCA) Tiers 1 and 2 within the Randleman Lake Watershed is exempt from Watershed Protection.
Overlay District:	Randleman Lake General Watershed Overlay (Credit Area)

Adjacent Property Zoning and Current Land Use			
North:	EC R-5	Employment Center District Residential Single Family – 5 District	Single Family Detached Dwelling
South:	EC R-5	Employment Center District Residential Single Family – 5 District	Single Family Detached Dwelling & Agricultural Production (Crops)
East:	RS-40 SC-311	Residential Single Family -40 District (Guilford County) Scenic Corridor Overlay District (Guilford County)	Single Family Detached Dwelling
West:	EC	Employment Center District	Agricultural Production (Crops)

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	Not Applicable
Land Use Plan Map Classification:	Not Applicable
Land Use Plan Goals, Objectives & Policies:	Not applicable
Relevant Area Plan(s):	There are no area plans that pertain to this property.
Zoning History:	There has been no City of High Point zoning activity in this general area since the late 1990s.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Kersey Valley Road	Minor Thoroughfare	278 ft.
	Addington Road	Local	550 ft.
Vehicular Access:	Single driveway access is proposed from Kersey Valley Road.		
Traffic Counts: <i>(Average Daily Trips)</i>	Kersey Valley Road	1,500 AADT (2019 NCDOT Traffic Counts)	
	Addington Road	N/A	
Estimated Trip Generation:	N/A – One (1) Single Family Residence		
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 residential developments that generate more than 150 trips within the AM or PM peak hours.

School District Comment
The allowance of one single family detached dwelling will not significantly impact area schools.

Details of Proposal

The applicant has submitted a Zoning Map Amendment application to rezone approximately 9.5-acre from the EC District to a R-5 District to support development of one (1) single family dwelling.

Staff Analysis

The zoning site is within the City of High Point Extraterritorial Jurisdiction (ETJ) area that was established in the late 1960s. The ETJ area is a designation for lands adjacent to the City limits where Guilford County has granted the City of High Point zoning and building permit authority. In 2012, the City of High Point and the City of Archdale established a new annexation agreement that outlines the limits of where annexation would be permitted by the two municipalities. This agreement notes that lands lying south of the I-74 corridor and east of Jackson Lake Road, which include this zoning site, are to be annexed in the future by the City of Archdale. Lands in this area are now outside of the City's Planning Area and there are no City of High Point policy guidance documents governing this area. However, until annexed by the City of Archdale, zoning authority still lies with the City of High Point.

Although zoned for the EC District (industrial) uses, the current development pattern of this area consists of single-family homes on large rural lots. This development pattern has been reinforced with the establishment of the R-5 District zoning for parcels fronting along the Kersey Valley Road corridor. The applicants request for rezoning to allow the combination of two lots to construct one single family dwelling, generally oriented toward Kersey Valley Road, is consistent with the current zoning and development pattern in this area.

Section 2.4.20.C. of the Development Ordinance states that the advisability of a zoning map amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed zoning map amendment, the City Council shall weigh the relevance of and consider the following:

Consistency with Adopted Policy Guidance

Whether and the extent to which the proposed zoning map amendment is appropriate for its proposed location, and is consistent with the City's adopted policy guidance.

The request is neither consistent nor inconsistent, as there is no existing policy guidance.

Reasonableness/Public Interest:

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

The requested R-5 District will be compatible with the surrounding zoning and development pattern of this area.

Recommendation

Staff Recommends Approval:

The Planning and Development Department recommends approval of the request to rezone this 9.5-acre site to the R-5 District as it is compatible with the adjacent residential area.

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.

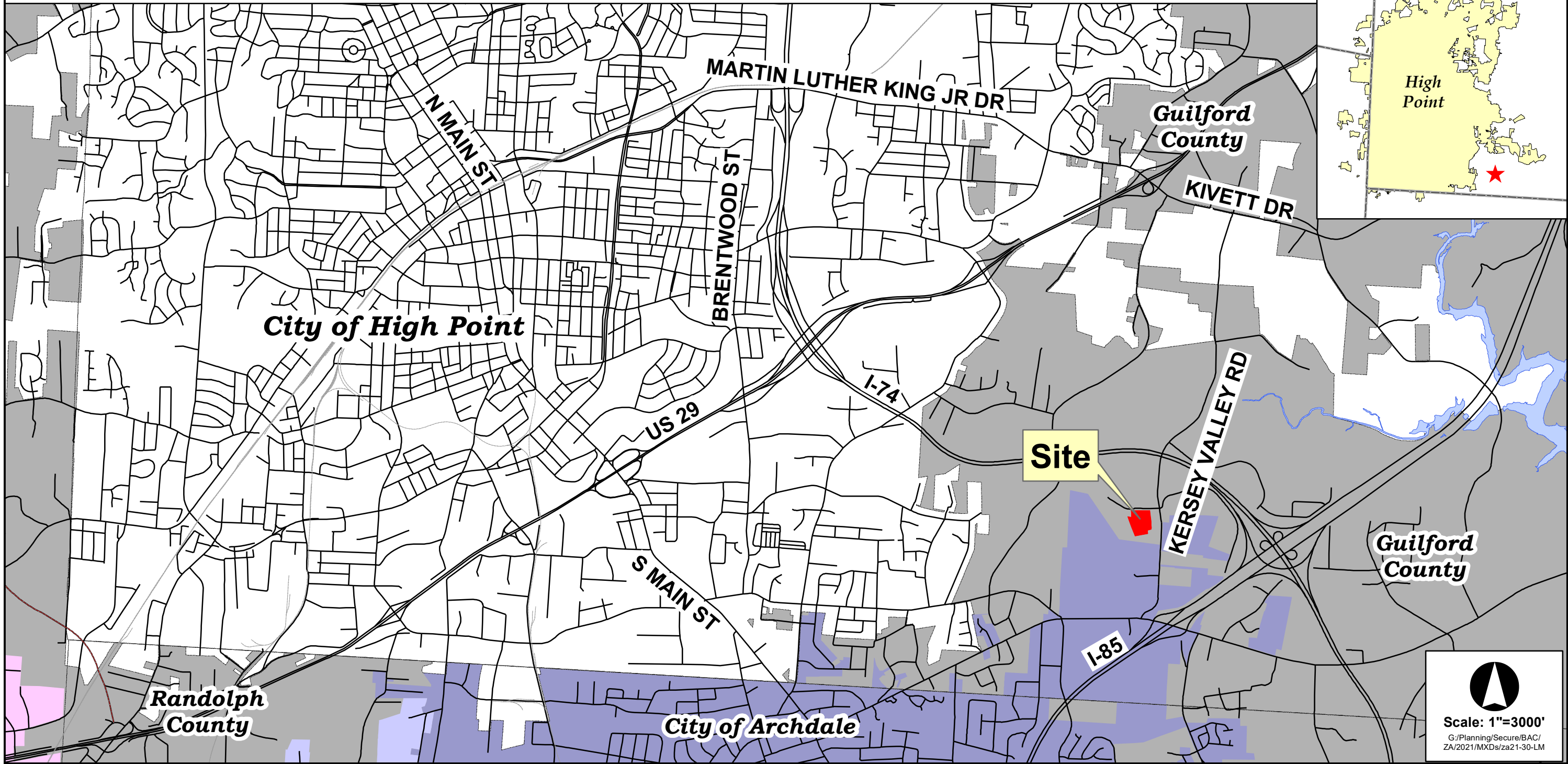
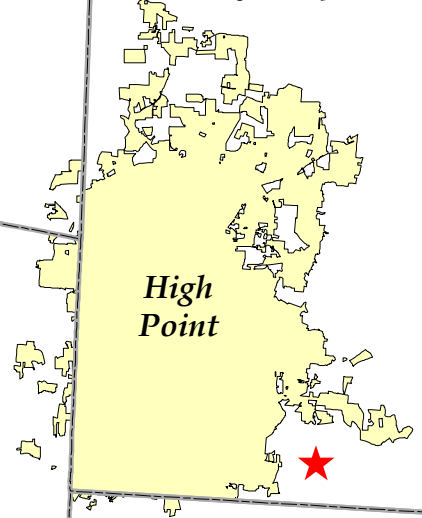
Report Preparation

This report was prepared by Planning and Development Department staff member Samuel Hinnant CZO CFM MPA, and reviewed by Herbert K. Shannon, AICP, Senior Planner, and Heidi Galanti, AICP, Planning Services Administrator.

LOCATION MAP

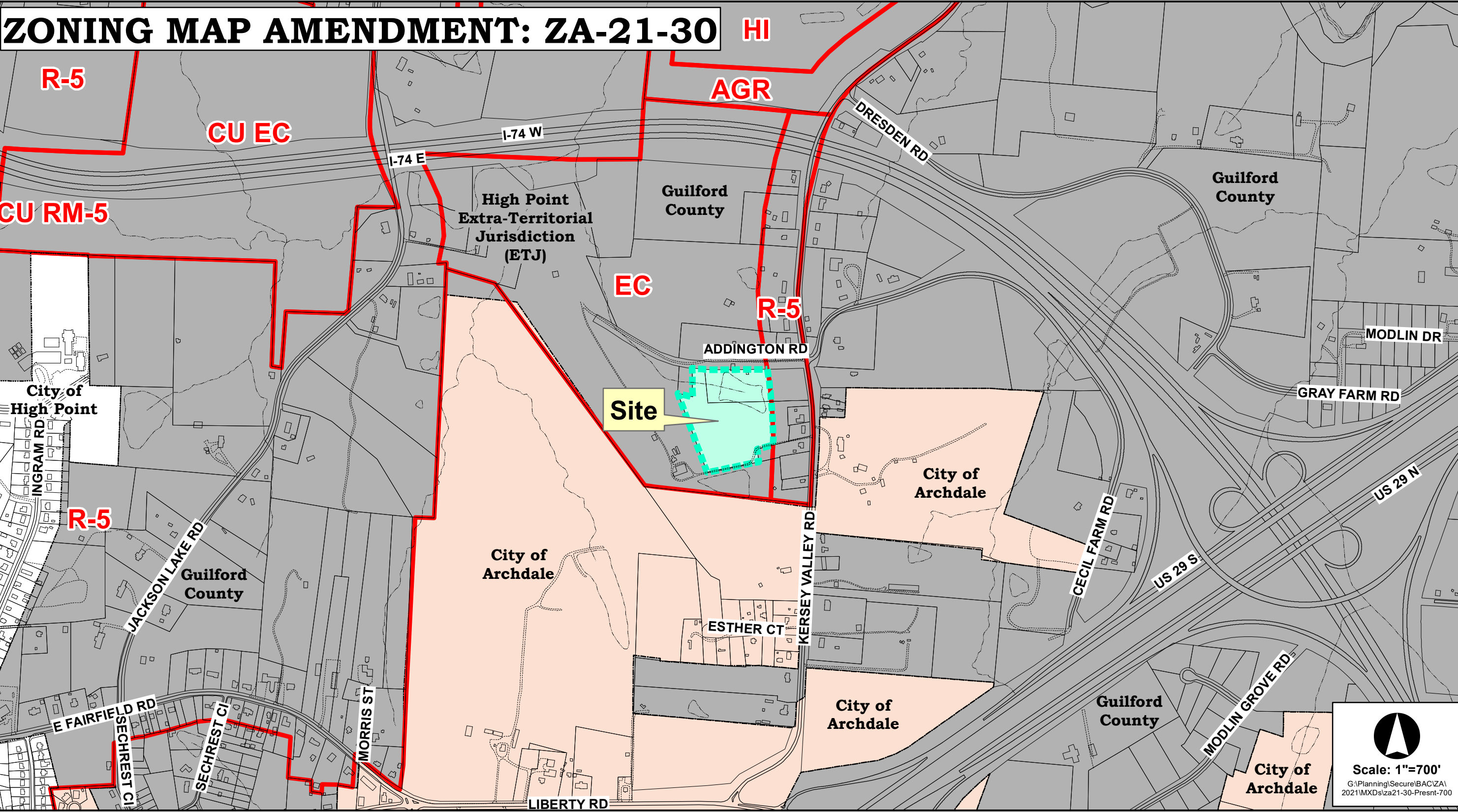
ZONING MAP AMENDMENT ZA-21-30
Applicant: Tod Fuentes

Vicinity Map

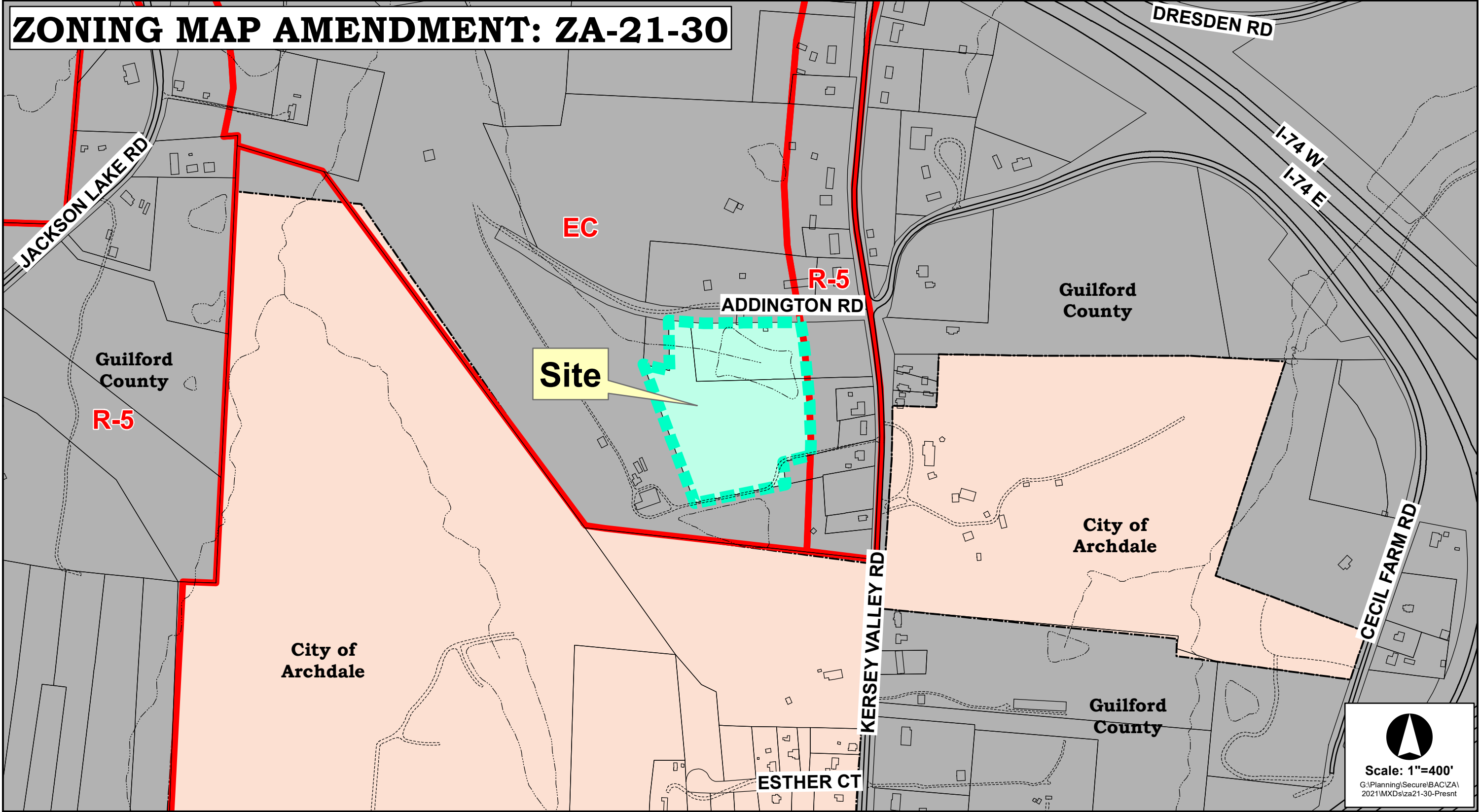


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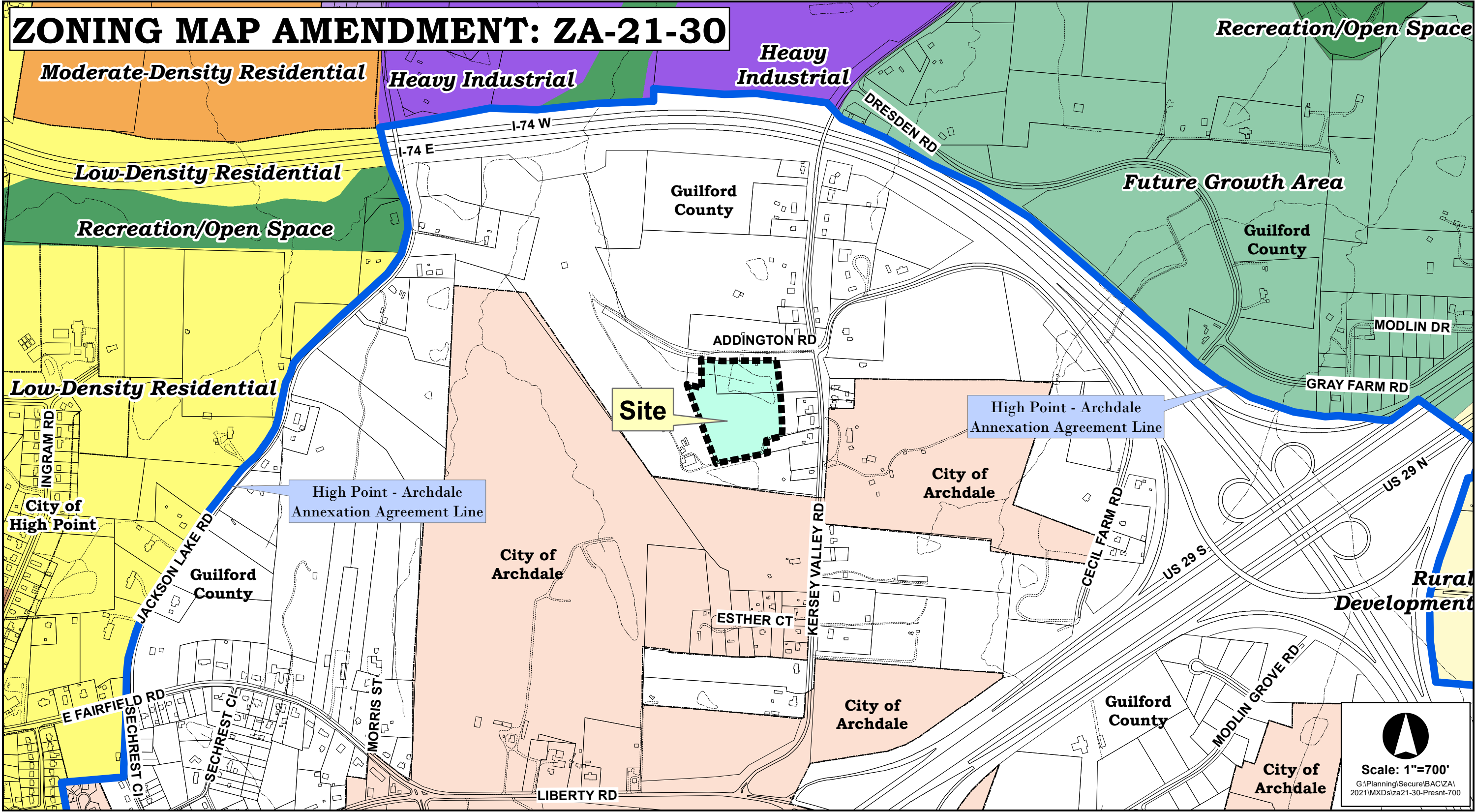


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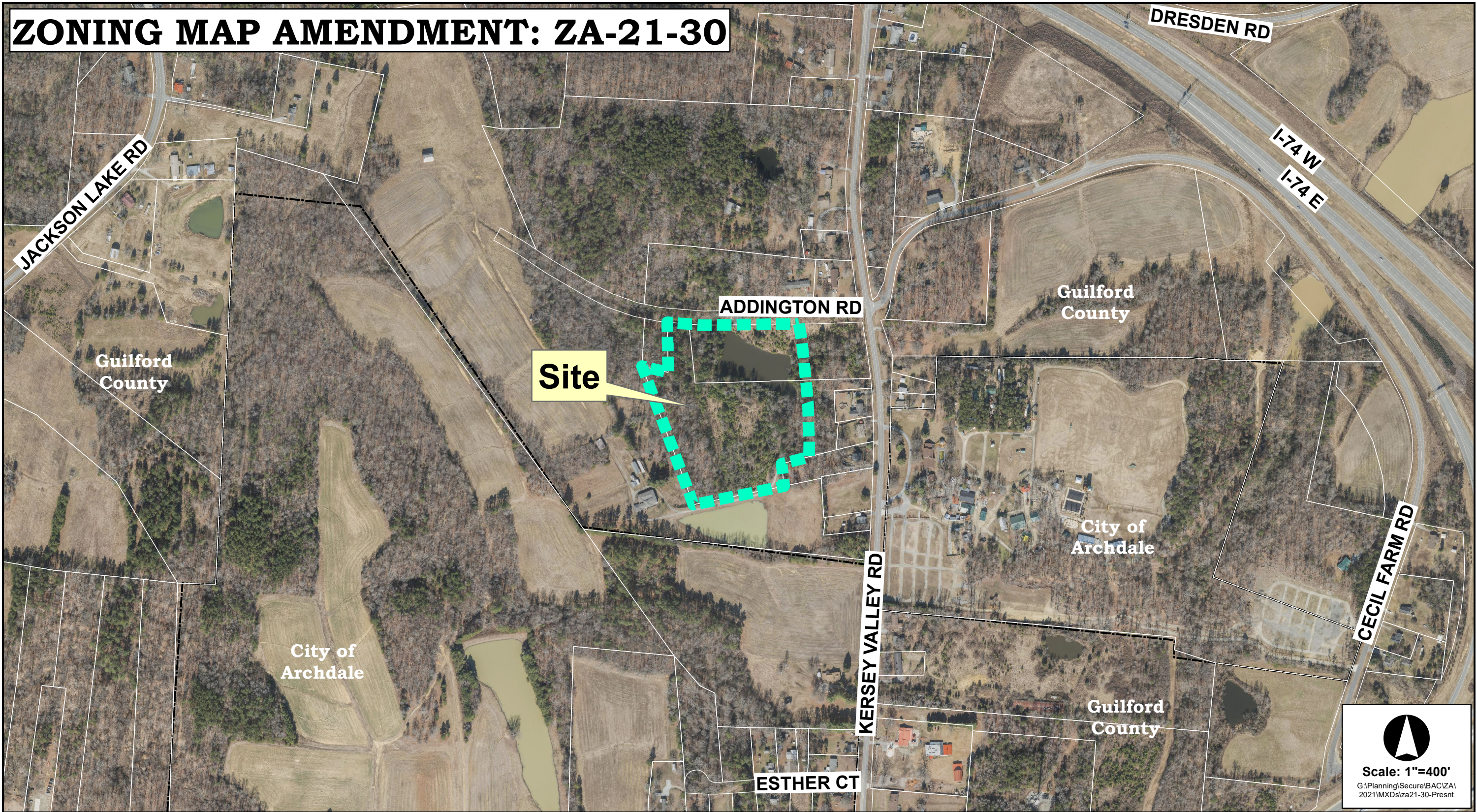



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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.20, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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 December 14, 2021 and before the City Council of the City of High Point on January 18, 2022 regarding **Zoning Map Amendment Case ZA-21-30 (ZA-21-30)** 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 December 5, 2021, for the Planning and Zoning Commission public hearing and on January 5, 2022 and January 12, 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 **January 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: **Residential Single Family – 5 (R-5) District**. The property is approximately 9.5 acres, located approximately 275 feet west of the intersection of Kersey Valley Road and Cecile Farm Road; and south of Addington Road. The property is also known as that portion of Guilford County Tax Parcel 161786 and 161760 lying approximately 275 feet west of Kersey Valley Road.

SECTION 2

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 3

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

SECTION 4.

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 January, 2022

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk