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April 29, 2022

Mr. Herb Shannon  
[herb.shannon@highpointnc.gov](mailto:herb.shannon@highpointnc.gov)  
City of High Point, Planning Department  
211 S. Hamilton Street  
High Point, NC 27261

**Re: Leoterra Development Request for Remand to P&Z**  
**Zoning Map Amendment ZA 22-08**

Dear Herb:

After the Planning and Zoning Commission meeting, Leoterra decided to make substantial changes to its zoning request at the Skeet Club and Old Mill intersection. Those changes would include the replacement of apartments with townhomes, substantially lowered density, and a request to HPDOT that no roundabout be installed. Please include this letter with the City Council packet notifying council members that Leoterra will request a remand to the Planning and Zoning Commission for a second review in light of these substantial changes. We spoke with council member Jones who represents this Ward, and he indicated he would be willing to make the motion to remand the matter in light of these changes. Leoterra is working on new site plans and clearer expression of conditions that it will share with neighbors. Of course, Leoterra will send a letter to neighbors as well.

Sincerely,

Thomas E. Terrell, Jr.

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Missouri Nevada  
New Jersey New York North Carolina Oklahoma Pennsylvania South Carolina Texas Washington

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Plan Amendment 22-01  
(Leoterra Development, Inc.)

**From:** Chris Andrews,  
Interim Planning and Development Director

**Meeting Date:** May 16, 2022

**Public Hearing:** Yes

**Advertising Date:** May 4, 2022, and  
May 11, 2022

**Attachments:** A. Staff Report  
B. Draft Resolution

**Advertised By:** Planning & Development

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### PURPOSE:

A request by Leoterra Development, Inc. to change the Land Use Plan classification for approximately 28.5 acres from the Low-Density Residential classification to the Medium Density Residential classification. The site is located at the southeast corner of Old Mill Road and Skeet Club Road.

### BACKGROUND:

The Planning and Zoning Commission reviewed this request at its April 26, 2022 public hearing. All members of the Commission were present. Mr. Andy Piper, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

#### Speaking on the request:

Speaking in favor of the request on behalf of the applicant was Mr. Tom Terrell, attorney, Fox Rothschild LLP, 230 N. Elm Street, Suite 1200, Greensboro. Mr. Terrell provided an overview of Leoterra's proposal to develop an approximately 73-acre tract of land to support a mixed-residential project consisting of multifamily, townhomes, twin homes and single family detached dwellings. To support this project Leoterra Development has submitted this plan amendment request to change the land use map classification of the western 28.5 acres of this larger development site from Low Density Residential to Medium Density Residential to support a 360-unit multifamily development at a density of approximately 12.5 units per acre. Mr. Terrell explained that the western 28.5 acres of this larger tract of land is an ideal location for higher density development because it abuts the I-74 corridor and two thoroughfares (Skeet Club Road and Old Mill Road), and it is situated away from the adjacent single family neighborhoods. He pointed out that it is not unusual to have a multifamily use adjacent to single family neighborhoods and he provided examples of similar development situations in High Point. Mr. Terrell concluded by stating that similar plan amendments have been granted for lands along the opposite side of Skeet Club Road.

#### Speaking in opposition to the request were:

- Mr. Michael Gay, 3707 Wheat Street
- Ms. Beth Koonce, 142-B Old Mill Road
- Ms. Debra Adams, 3907 Kim Drive
- Mr. Ken Kennedy, 121 Old Mill Road
- Mr. Thomas Burton, 1073 St. Michaels Lane
- Ms. Terry Greene, 111 Windmill Trail

- Ms. Sara Painter, 173-B Old Mill Road
- Mr. Tom Lugarich, 153-C Old Mill Road
- Ms. Sherry Roach, 136-B Old Mill Road
- Mr. John Mickler, 170 Windmill Trail

As part of his presentation Mr. John Mickler asked everyone in opposition to stand and approximately 30 people stood in opposition to the request. These speakers noted the following concerns:

- Density of Development: Concern that the requested Medium Density Residential land use classification would support development that is too intense for this area and would be out of character with the surrounding development pattern. Speakers also noted that the higher intensity Medium Density Residential land use classification and RM-16 zoning have only been granted along the west side of Skeet Club Road, and not along the east side of this corridor.
- Traffic Impact: Higher intensity development should not be considered until Skeet Club Road is widened to a 4-lane profile from Johnson Street to Old Plank Road.

Once the public hearing was closed, the Commission had a lengthy deliberation and had multiple questions for the applicant and staff.

#### **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

The Planning and Zoning Commission recommended *denial* of this request by a vote of 5-4 with Mr. Kirkman, Mr. Moore, Mr. Morgan, and Mr. Wheatley voting against the motion.

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

**STAFF REPORT  
PLAN AMENDMENT 22-01  
April 26, 2022**

<b>Requests</b>		
<b>Applicant:</b> Leoterra Development, Inc.	<b>Owner:</b> Frogs Haven Limited Partnership	
<b>Plan Amendment Proposal:</b> To change the future land use classification for approximately 29 acres to the Medium-Density Residential land use classification.	<b>From:</b>	Low Density Residential
	<b>To:</b>	Medium-Density Residential

<b>Site Information</b>	
<b>Location:</b>	The site is located east of Skeet Club Road, south of Old Mill Road, and north of I-74.
<b>Acreage:</b>	Approximately 29 acres
<b>Current Land Use:</b>	The site is currently undeveloped except for a few vacant agricultural buildings and house.

<b>Adjacent Property Current Land Use</b>	
<b>North:</b>	Single-family detached dwellings
<b>South:</b>	I-74 corridor
<b>East:</b>	Undeveloped with vacant agricultural buildings
<b>West:</b>	Single-family detached dwellings

<b>Adjacent Land Use Plan Designations</b>	
<b>North:</b>	Low-Density Residential
<b>South:</b>	Low-Density Residential
<b>East:</b>	Low-Density Residential
<b>West:</b>	Low-Density Residential and Medium-Density Residential

<b>Purpose of Existing and Proposed Land Use Plan Designations</b>	
<b>Existing Designation:</b>	<b>Low-Density Residential:</b> 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.
<b>Proposed Designation:</b>	<b>Medium-Density Residential:</b> This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwellings units per gross acre.

Relevant Land Use Policies and Plan Amendment History	
<b>Community Growth Vision Statement:</b>	<u>Obj. 1C</u> : Protect the city's water supply through compatible use and design innovations, and minimizing the disturbance of land.
<b>Land Use Plan Goals, Objectives &amp; Policies:</b>	<p>The following goals and objectives of the Land Use Plan are relevant to this request:</p> <p>Goal #3: Provide a wide range of housing opportunities for families of all income levels.</p> <p>Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.</p> <p>Obj. #2. Protect and preserve environmentally sensitive locations including designated open space and watershed critical areas from inappropriate development.</p> <p>Obj. #3. Provide opportunities for an adequate supply of affordable housing at appropriate locations convenient to employment, shopping and service areas.</p> <p>Obj. #5. Maintain an appropriate balance between the size, location and density of new development and the availability and demands upon the public services and facilities required to serve that development.</p> <p>Obj. #8. Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations.</p> <p>Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.</p> <p>Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.</p>
<b>Relevant Area Plan:</b>	No area plans are applicable to this site.
<b>LUPA History:</b>	<p>The Land Use Plan was amended in the vicinity of this case as follows:</p> <p><u>PA-14-01</u>: On April 7, 2014 approximately 193 acres west of Skeet Club Road and north of the I-74 corridor were amended from Low-Density Residential and Future Growth Area to Medium-Density Residential. This was a City-initiated plan amendment in response to the extension of water and sewer lines into the area. An additional 258 acres northwest of this area were amended to Restricted Industrial in part to accommodate a zoning map amendment request for the Ralph Lauren distribution center on NC 66.</p>

### Details of Proposal

#### Summary of Land Use Plan Amendment Request:

This is a request to change the Land Use Plan classification for approximately 29 acres east of Skeet Club Road, south of Old Mill Road, and north of the I-74 corridor from the Low-Density Residential classification to a Medium-Density Residential classification. The request is being made in

conjunction with a Zoning Map Amendment request (ZA-22-08) to facilitate the development of an approximately 74-acre site that will include a combination of multi-family apartments, and single-family attached and/or detached dwelling units. The portion of the site that is anticipated to be developed as multi-family residential is the subject of the Land Use Plan amendment, while the remainder of the site will retain the current Low-Density Residential designation. The site abuts the north side of the I-74 corridor and is separated from Skeet Club Road by an existing single-family detached dwelling. Skeet Club Road is anticipated to be widened to multiple lanes from Johnson Street to N. Main Street by 2045. Old Mill Road, which is categorized as a minor thoroughfare, forms the northern boundary of the site. There are several existing single-family detached homes on the opposite side of Old Mill Road from the plan amendment request, but there are also three single-family attached developments located just to the east. The site is currently undeveloped except for a few vacant agricultural buildings and a farmhouse dating from its time as Frog's Haven Farm.

### **Staff Analysis**

The site has been designated as Low-Density Residential on the Land Use Plan map for many decades, although its primary use has been agricultural. The Low-Density Residential land use designation primarily supports single-family development at a density of five dwelling units per acre. While the historic land use pattern in the area has been consistent with this designation, including the house on the immediate corner of Skeet Club Road and Old Mill Road and the properties to the north of the site across Old Mill Road; two townhome condominium developments (Old Mill North and Old Mill Estates) have been located just to the east along Old Mill Road since the early 1980s, and another twin home subdivision (Stone Mill Village) developed on the north side of Old Mill Road more recently in the late 2010s. In addition, a Land Use Plan amendment to establish a Medium-Density Residential designation for a large area west of Skeet Club Road to the northwest of the site was approved in 2014 after the extension of water and sewer lines to the area. This resulted in two recent Zoning Map Amendments being approved near Joyce Circle to accommodate residential developments of up to 16 dwelling units per acre. This has combined to form an emerging land use pattern of higher density residential development in this part of the city that is consistent with the request.

There are also several land use policies supporting the request. This includes the goal of providing a wide range of affordable housing options at appropriate locations that are accessible to employment, shopping, and other services. Allowing for this housing in areas with existing utilities in the vicinity and where the ability to provide public services is possible without needing to build additional facilities also helps the city grow more efficiently and preserves land on the outskirts of the planning area. To do so responsibly means taking into consideration the impacts on the environment, particularly the water supply, as well as addressing how the new development will provide a transition with neighboring uses and how it will appear from adjacent roadways. The fact that the I-74 corridor forms the southern boundary of the site and includes stands of mature trees within its right-of-way somewhat mitigates these last two issues. However, these are matters better handled through the Conditional Zoning Map Amendment process and the application of Development Ordinance requirements when the project seeks site plan and subdivision approval from staff. The bottom line regarding the change in Land Use Plan classification is that the request for a Medium-Density Residential designation for this portion of the site seems appropriate.

### **Recommendation**

**Staff Recommends Approval:**

Staff recommends approval of the request to change the future land use classification for approximately 29 acres to Medium-Density Residential because it is consistent with the emerging land use pattern in the area and supports several goals and objectives outlined in the Land Use Plan.

### **Report Preparation**

This report was prepared by Planning and Development Department staff member Andy Piper AICP, Senior Planner, and reviewed by Heidi Galanti AICP, Planning Services Administrator, and Chris Andrews AICP, Interim Planning and Development Director.

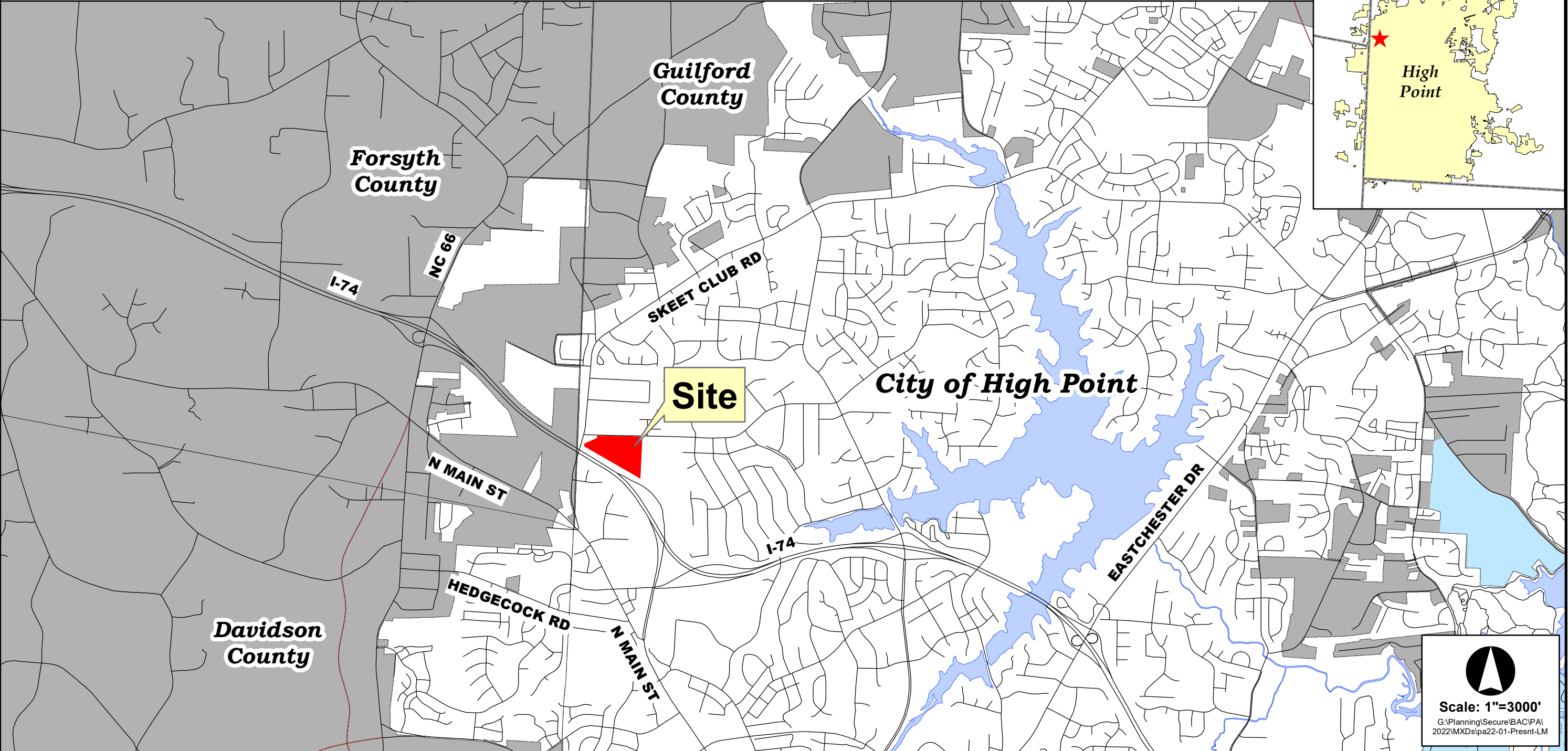
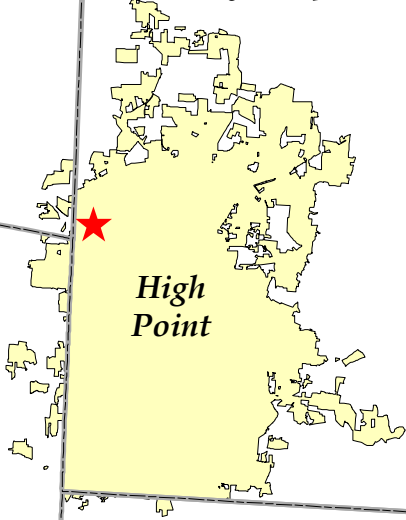
*List of Attachments:*

*Land Use Map*

# LOCATION MAP

LAND USE PLAN AMENDMENT: PA-22-01  
Applicant: Leoterra Development, Inc.

Vicinity Map

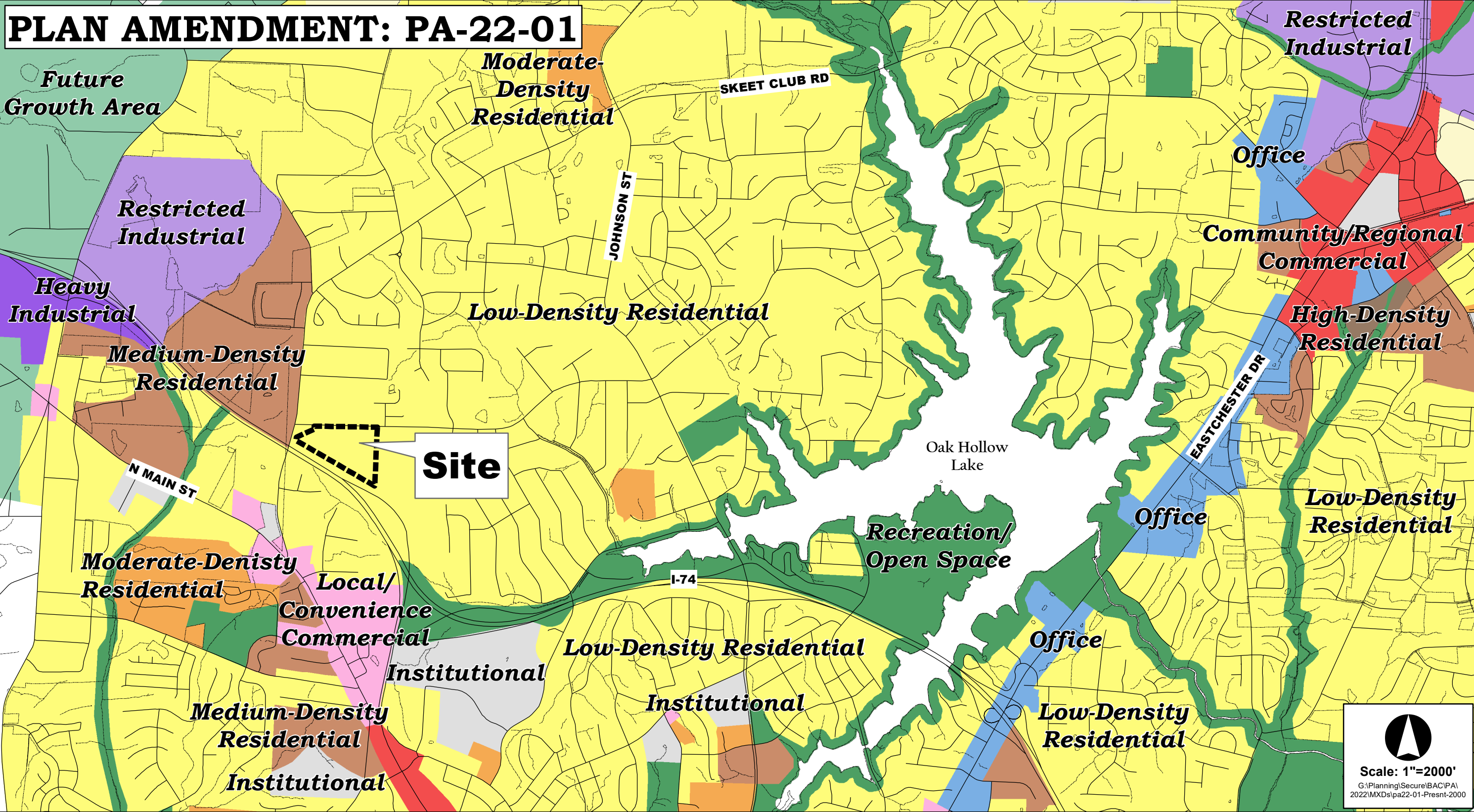


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# PLAN AMENDMENT: PA-22-01



**A RESOLUTION AMENDING THE *LAND USE PLAN FOR THE HIGH POINT PLANNING AREA***

**WHEREAS**, the City Council of the City of High Point adopted the *Land Use Plan for the High Point Planning Area* on April 6, 2000, and

**WHEREAS**, changing circumstances may warrant that from time to time a particular land use designation be changed from one classification to another; and

**WHEREAS**, public hearings were held before the High Point Planning and Zoning Commission on April 26, 2022 and before the City Council of the City of High Point on May 16, 2022, regarding this proposed amendment (PA 22-01) to said *Land Use Plan for the High Point Planning Area*.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:**

**SECTION 1.** That the *Land Use Plan for the High Point Planning Area* be amended by reclassifying approximately 29 acres (as shown on the attached map) from Low Density Residential to Medium Density Residential.

**SECTION 2.** Should any section or provision of this resolution be declared invalid, such decision shall not affect the validity of remaining portions of this resolution.

**SECTION 3.** This resolution shall become effective immediately upon adoption.

Adopted by City Council  
City of High Point, North Carolina  
The 16<sup>th</sup> day of May 2022

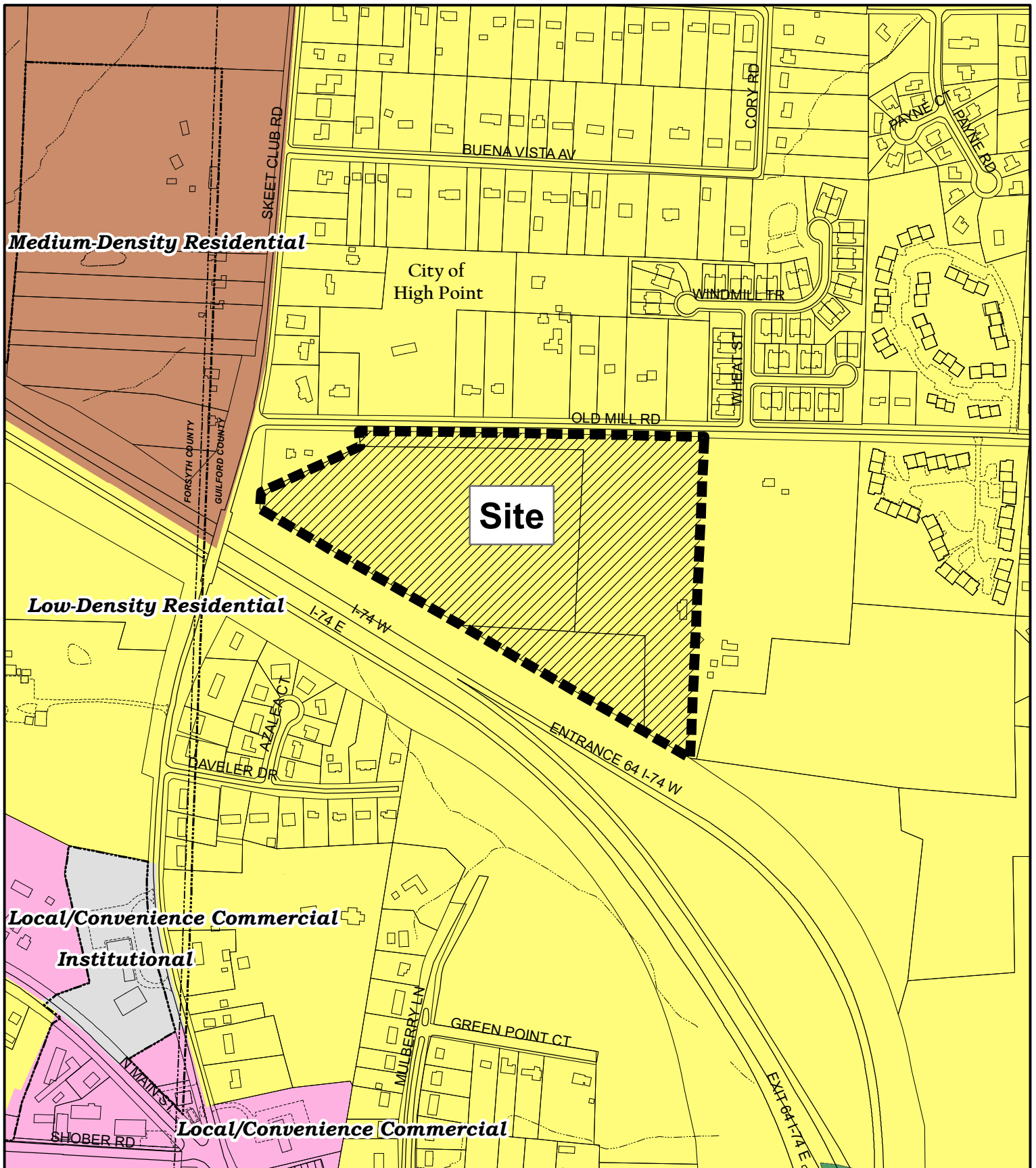
By: \_\_\_\_\_

**Jay W. Wagner, Mayor**

**ATTEST:**

\_\_\_\_\_

**Lisa B. Vierling, City Clerk**



# **PLAN AMENDMENT: PA-22-01**

**From: Low-Density Residential**  
**To: Medium-Density Residential**

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

**Planning & Development  
 Department**

**City of High Point**



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