

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** **Zoning Map Amendment 22-15**  
(Genrock Capital Management)

**From:** Sushil Nepal, AICP  
Planning & Development Director

**Meeting Date:** July 18, 2022

**Public Hearing:** Yes

**Advertising Date:** July 6, 2022, and  
July 13, 2022

**Attachments:** A. Staff Report  
B. Zoning Ordinance

**Advertised By:** Planning & Development

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### PURPOSE:

A request by Genrock Capital Management to rezone approximately 1.7 acres from the Residential Single Family - 3 (R-3) District to a Conditional Zoning Office Institutional (CZ-OI) District. The site is located at the northwest corner of Eastchester Drive and Ramsay Street (2525 Eastchester Drive).

### BACKGROUND:

The Planning and Zoning Commission reviewed this request at their June 28, 2022 public hearing. All members of the Commission were present except for Ms. Angela McGill and Mr. Alex Moore. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

#### Speaking on the request:

The applicant's representative, Mr. William Pierquet - Development Consultant, Stonefield Real Estate Solutions, 6797 Yacht Club Drive, Acworth, GA, spoke in favor of the request. Mr. Pierquet outlined the proposal to redevelop this site with a child daycare center facility. He stated this is a great location for such a use as it adjacent to two major travel corridors (Eastchester Drive and W. Wendover Avenue) that parents use to travel to and from work. Furthermore, the site is within close proximity to two elementary schools to facilitate afterschool care options. In conclusion, Mr. Pierquet noted how the request is consistent with land use policy for this area and made himself available for questions.

There were no speakers in opposition.

### 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 7-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 7-0 to approve the following statement:

That Zoning Map Amendment 21-15 is consistent with the City's adopted policy guidance because the proposed zoning map amendment supports established policy guidance documents and policy set by prior zoning approvals at this intersection. Furthermore, the request is reasonable and in the public interest because the requested CZ-OI District is similar to previous zoning approvals granted at the intersection of Eastchester Drive and Ramsay Street.

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

**STAFF REPORT  
ZONING MAP AMENDMENT ZA-22-15  
June 28, 2022**

<b>Request</b>	
<b>Applicant:</b> Genrock Capital Management	<b>Owner:</b> Deep River Baptist Church
<b>Zoning Proposal:</b> To rezone an approximate 1.7-acre parcel	<b>From: R-3</b> Residential Single Family - 3 District
	<b>To: CZ-OI</b> Conditional Zoning Office Institutional District.
<b>Notices:</b> <ul style="list-style-type: none"> <li>Applicant held a Citizen Information Meeting <b>(Sent Letter)</b></li> <li>As required by Section 2.3.6 (Notification) of the Development Ordinance, the Planning and Development Department provided published, mailed, and posted notice of this public hearing.</li> </ul>	

<b>Site Information</b>	
<b>Location:</b>	The site is located at the northwest corner of Eastchester Drive and Ramsay Street (2525 Eastchester Drive).
<b>Tax Parcel Number:</b>	Guilford County Tax Parcel 196569
<b>Site Acreage:</b>	Approximately 1.7 acres
<b>Current Land Use:</b>	The site is developed with a 6,500± square-foot structure (religious institution).
<b>Physical Characteristics:</b>	The site has a moderately sloping terrain and no noteworthy physical features.
<b>Water and Sewer Proximity:</b>	A 16-inch City water line and an 8-inch City sewer line lie adjacent to the site along Eastchester Drive. An 8-inch City water line and an 8-inch City sewer line lie adjacent to the site along Ramsay Street.
<b>General Drainage and Watershed:</b>	The site drains in a northwesterly direction and development is subject to the Oak Hollow Lake Watershed Critical Area (WCA) requirements. Primary stormwater control measures are required for development with a total impervious surface area greater than 24% of the site. Within Tier 4 of this WCA, development is limited to 2 dwelling units per acre or 50% built-upon area
<b>Overlay Districts:</b>	<ul style="list-style-type: none"> <li>Oak Hollow Lake Watershed Critical (WCA) - Tier 4</li> <li>Eastchester Gateway Corridor Overlay District</li> </ul>

<b>Adjacent Property Zoning and Current Land Use</b>			
<b>North:</b>	RC	Retail Center District	Commercial/retail development
<b>South:</b>	CU-GB	Conditional Use General Business District	Commercial/retail development
<b>East:</b>	CU-GB	Retail Center District	Commercial/retail development
<b>West:</b>	CU-LB	Conditional Use Limited Business District	Personal service use and apartment complex
	CU-OI	Conditional Use Office Institutional	

<b>Relevant Land Use Policies and Related Zoning History</b>	
<b>Community Growth Vision Statement:</b>	<p><u>Obj. 3A:</u> Revitalize and expand existing mixed use areas through building rehabilitations and new infill development.</p> <p><u>Obj. 5B:</u> Focus particular attention on the appearance of key gateways into High Point to convey to visitors a positive first and last impression of the community.</p>
<b>Land Use Plan Map Classification:</b>	The site has a Community/Regional Commercial land use designation. This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
<b>Land Use Plan Goals, Objectives &amp; Policies:</b>	<p>The following objectives of the Land Use Plan are relevant to this request:</p> <p>Obj. #2. Protect and preserve environmentally sensitive locations including designated open space and watershed critical areas from inappropriate 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. #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>	<p><u>Eastchester Drive Corridor Plan – Phase II:</u></p> <p>The general intent of the plan is to encourage high quality office development along the corridor. However, it identified the area southeast of the intersection of Eastchester Drive/NC 68 and W. Wendover Avenue as a focal area to accommodate a broad range of commercial, office, and high-density residential uses. It also recommends reducing potential disruptions to traffic flow on Eastchester Drive through the construction of deceleration lanes and limitations on the number of access points. This includes limiting nonresidential zoning to sites with a minimum of 200 feet of lot frontage on Eastchester Drive and requiring driveways for corner lots to be from side streets only. A recommendation to develop appearance standards for the corridor resulted in the current Eastchester Gateway Corridor Overlay District zoning standards.</p>
<b>Zoning History:</b>	<p>1. <u>Zoning Map Amendment 05-25 (ZA-05-25):</u> This 2005 zoning case proposed to rezone approximately 25 acres between Eastchester Drive and Whites Mill Road, including the current zoning site, to support commercial zoning equivalent to the current RC and LB District along Eastchester Drive and OI to the rear for multifamily or office uses. In 2005 the Land Use Plan classified the Eastchester frontage as Office and the site was considered a transitional area between the commercial uses along the opposite side of the Eastchester corridor and the established residential neighborhoods to the south and west. This request was denied by City Council as not being consistent with the Land Use Plan as its proposed commercial uses were too intense for this transitional area that is located within a watershed critical area and adjacent to residential neighborhoods.</p>

	<p>2. <u>Zoning Map Amendment 06-06 (ZA-06-06) and Zoning Map Amendment 14-06 (ZA-14-04)</u>: In 2006, a second zoning request was submitted for this tract of land lying between Eastchester Drive and Whites Mill Road. The intensity of the proposed development was reduced, along with removal of the current zoning site and the RC zoning district, which limited the site to the LB and OI zoning districts. Intensity of commercial development was again the key issue. As the site is in a watershed critical area automotive related uses (major and minor vehicular establishments) and convenience stores with fuel sales were already prohibited. To further address Council's concerns as to development intensity the Major Restaurant use type (restaurant with drive through window) was prohibited by zoning conditions. In 2014, under ZA-14-06, the zoning was updated to permit a major restaurant use type at the end unit of this strip center lying south of Ramsay Street. This use type was allowed subject to it being located at least 165 feet from the adjacent residential neighborhood.</p>
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Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Ramsay Street		Local	515 Feet
	Eastchester Drive		Major Throughfare	250 Feet
Vehicular Access:	Via driveway access from Ramsay Drive.			
Traffic Counts: (Average Daily Trips)	Eastchester Drive		37,000 AADT (NCDOT 2020 traffic counts)	
	Ramsay Street		None, traffic counts are not typically conducted on local street.	
Estimated Trip Generation:	A child daycare center, with a maximum of 197 children is proposed to be developed on the site. This proposed use is anticipated to generate approximately 806 daily trips (during a 24-hour period), with approximately 156 AM peak-hour trips (6am – 9am) and approximately 160 PM peak-hour trips (4pm – 7pm).			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	The Transportation Departments is not requiring a traffic study with this zoning request because required improvements have already been installed.	
Conditions:	<u>Vehicular Access:</u> a. No vehicular access shall be permitted from Eastchester Drive. b. Vehicular access to Ramsay Street shall align with the southern access point to the Alexandria Park Apartments development or be located a minimum of 300 feet west of Eastchester Drive.			

School District Comment				
Guilford County School District				
Local Schools:	Enrollment: 2022 – 2023 (projected)	Maximum Design / Built Capacity: (2022 – 2023)	Mobile Classrooms:	Projected Additional Students:
Montlieu Academy of Technology	462	771	3	7 - 9

Welbourn Middle School	409	690	0	4 - 6
Andrews High School	743	1,254	0	3 - 5
<u>School District Remarks:</u> With the implementation of General Statute 115C-301 mandating reduced K-3 class sizes, elementary schools will experience annual reductions in capacity through 2021 – 2022. Elementary built capacity assumes reduced K-3 class sizes per applicable core academic classroom as of the stated year. Middle and high school built capacity assumes 30 students per core academic classroom.				

### **Details of Proposal**

The applicant is requesting rezoning of this site to a CZ-OI District to support construction of a child daycare facility. In conjunction with this request, the applicant has submitted a Conditional Zoning Ordinance in which conditions have been offered to prohibit vehicle driveway access from Eastchester Drive and to condition the location of vehicular access from Ramsay Street.

### **Staff Analysis**

Based on prior City Council actions (denial of ZA-05-25 and approval of ZA-06-06), City Council has set policy to seek lower intensity commercial land uses or office type uses on lands at the intersection of Eastchester Drive and Ramsay Street. Although this application is to support a child daycare center, staff review takes into consideration all uses permitted in the OI District. Based upon allowable uses of the OI District and vehicular access conditions offered by the applicant, the requested CZ-OI District is consistent with land use policies established by City Council for this intersection.

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.

**The proposed zoning map amendment supports established policy guidance documents and policy set by prior zoning approvals at this intersection.**

### **Reasonableness/Public Interest:**

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

**The requested CZ-OI District is similar to previous zoning approvals granted at the intersection of Eastchester Drive and Ramsay Street.**

### **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.

The requested rezoning from the R-3 District to a CZ-OI District supports a wider range of land uses that will be compatible with adjacent residential and non-residential land uses.

### **Mitigation of Impacts**

Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:

<b>Mitigation #1</b>	<p><b>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.</b></p> <ul style="list-style-type: none"> <li>❖ Conditions offered by the applicant to prohibit access from Eastchester Drive and restrict the location of access points along Ramsay Street will mitigate transportation related impact from the development of OI District land uses.</li> <li>❖ Road improvements from prior zoning approvals have addressed transportation mitigation issues. This includes the construction of Ramsay Street, installation of a right turn lane, and construction of a raised concrete median and a left over with 300 feet of vehicular stacking at the Eastchester Drive/Ramsay Street intersection.</li> <li>❖ The zoning request does not introduce any new land uses that are not already established or currently permitted in this general area.</li> <li>❖ Required standards of the Development Ordinance pertaining to landscaping, screening of trash receptacles, perimeter parking lot landscaping and exterior lighting will mitigate impacts on adjacent property.</li> </ul>
<b>Mitigation #2</b>	<p><b>Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees and protects habitat.</b></p> <p>The site is within the Oak Hollow Lake Watershed Critical Area, and as such, development is required to meet the watershed standards of the Development Ordinance.</p>
<b>Mitigation #3</b>	<p><b>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.</b></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>
<b>Mitigation #4</b>	<p><b>Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands.</b></p>

	The combination of the conditions offered by the applicant and required standards of the Development Ordinance will mitigate any adverse effects to adjacent lands.
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### **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.

The approval of ZA-06-06 has set land use policy in support of conditioned LB and conditioned OI District zoning at the intersection of Eastchester Drive and Ramsay Street.

### **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.

As conditioned, the requested CZ-OI District promotes a preferred development pattern and access standards envisioned for this segment of the Eastchester Gateway Corridor.

## **Recommendation**

### **Staff Recommends Approval:**

The Planning and Development Department recommends approval of the request to rezone this 1.7-acre parcel to a CZ-OI District. As conditioned, the requested CZ-OI District will be compatible with the surrounding area and in conformance with adopted policy guidance documents.

## **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**

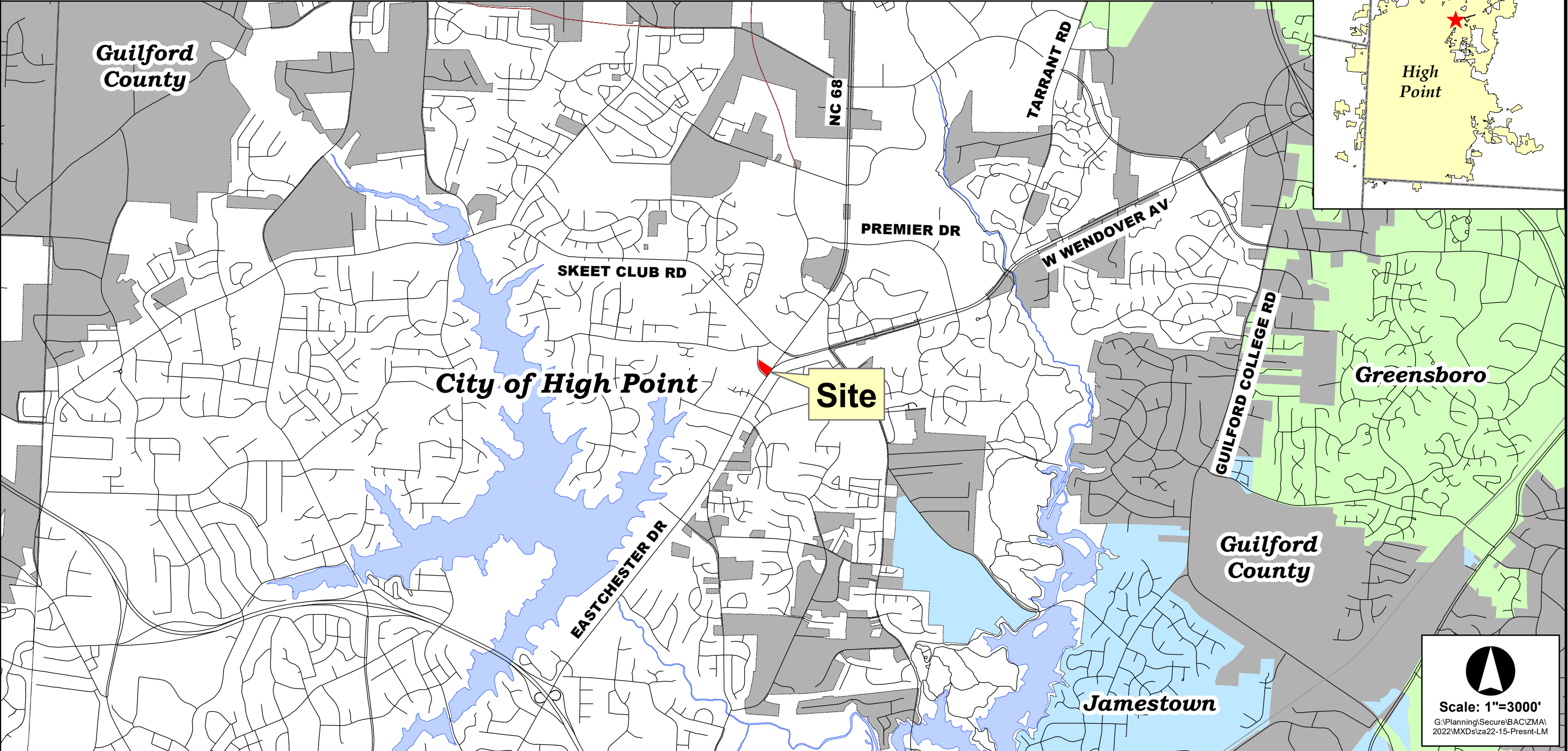
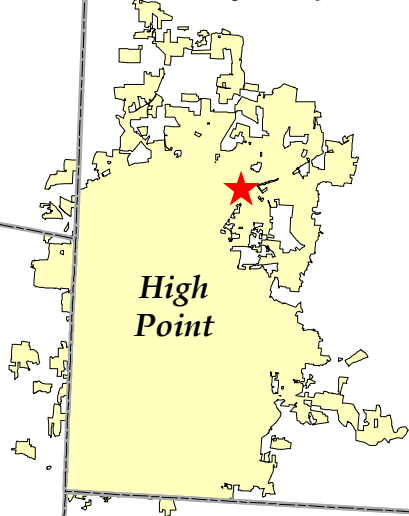
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Interim Planning and Development Director.



# LOCATION MAP

ZONING MAP AMENDMENT: ZA-22-15  
Applicant: Genrock Capital Management

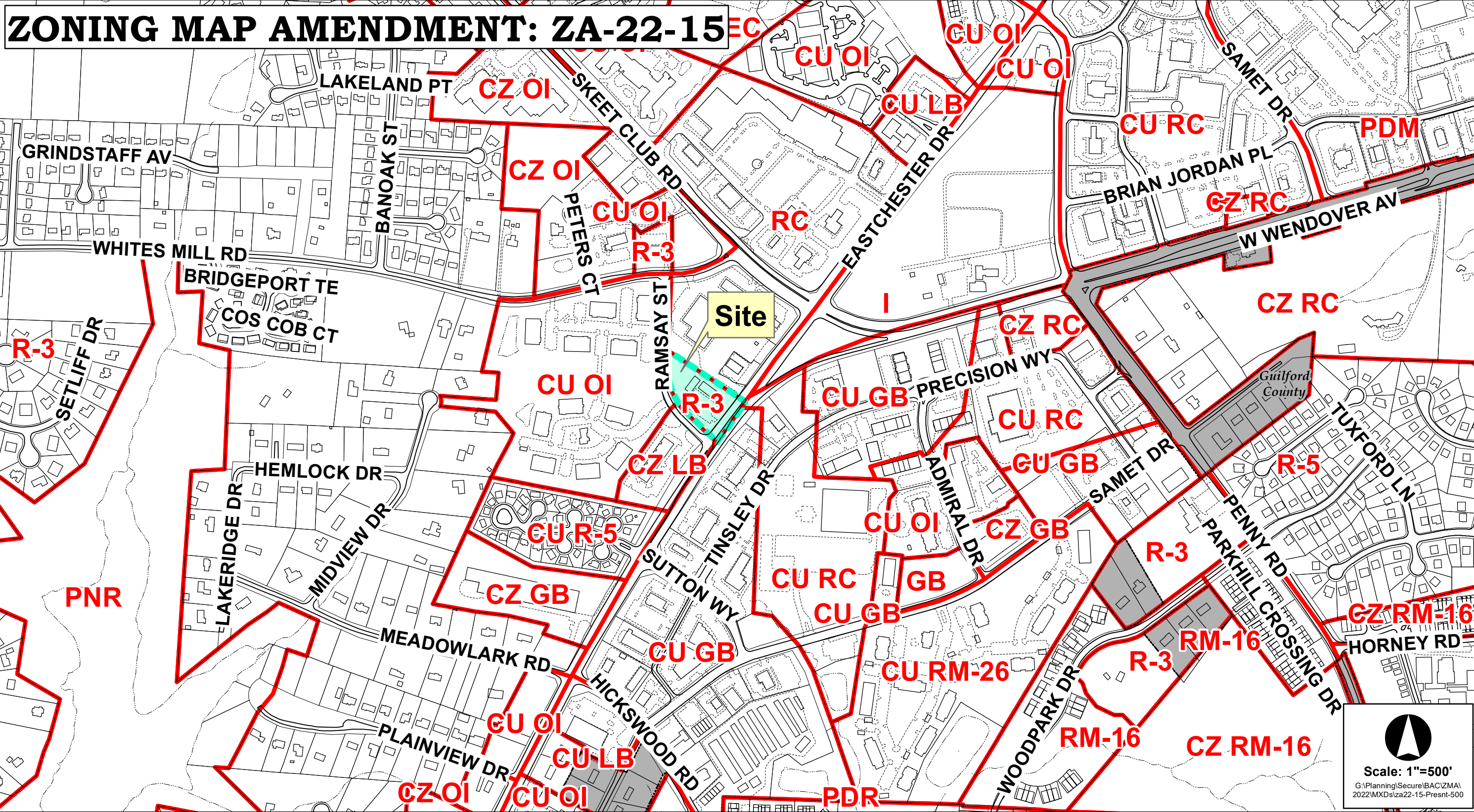
*Vicinity Map*



Scale: 1"=3000'

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# ZONING MAP AMENDMENT: ZA-22-15<sup>EC</sup>

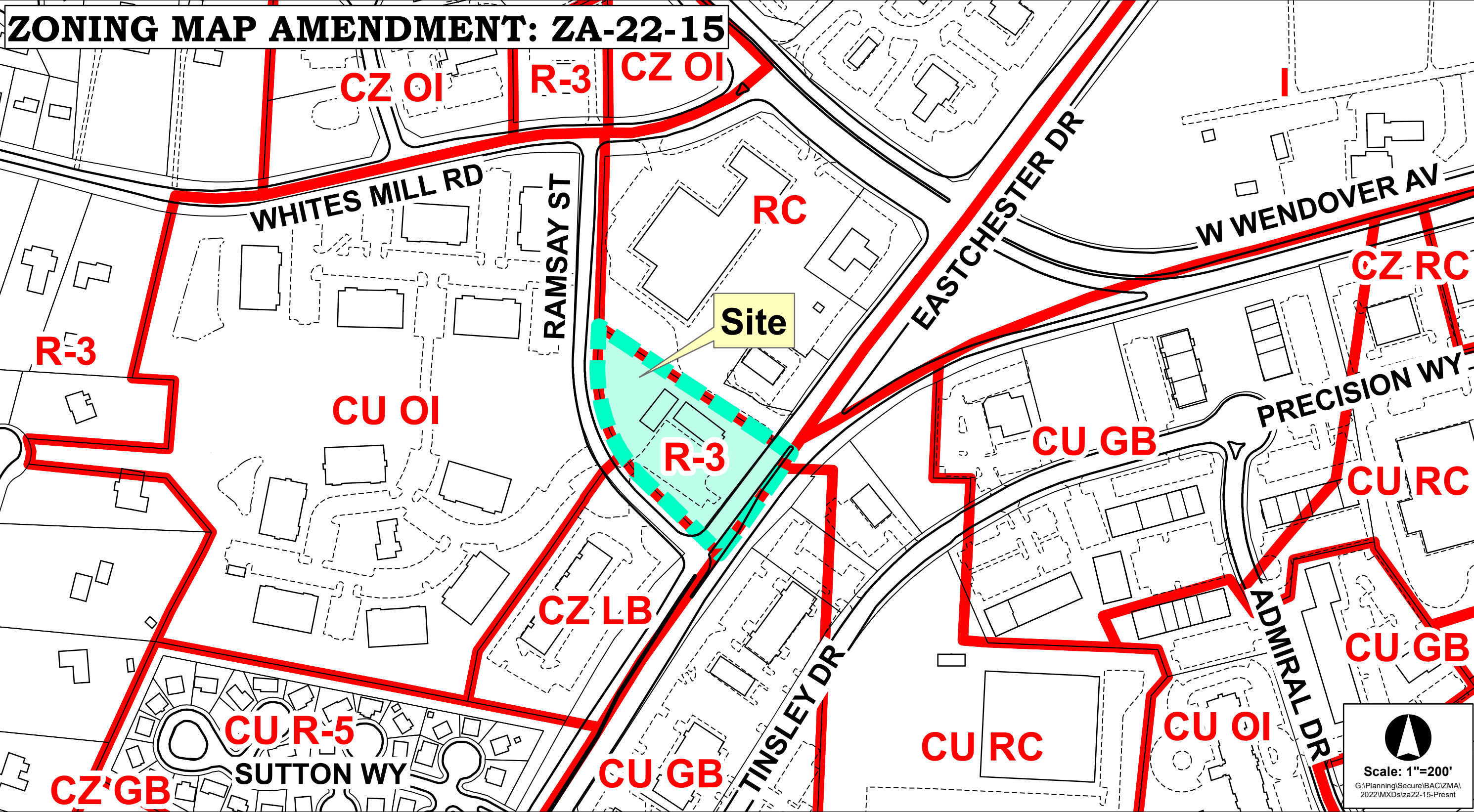


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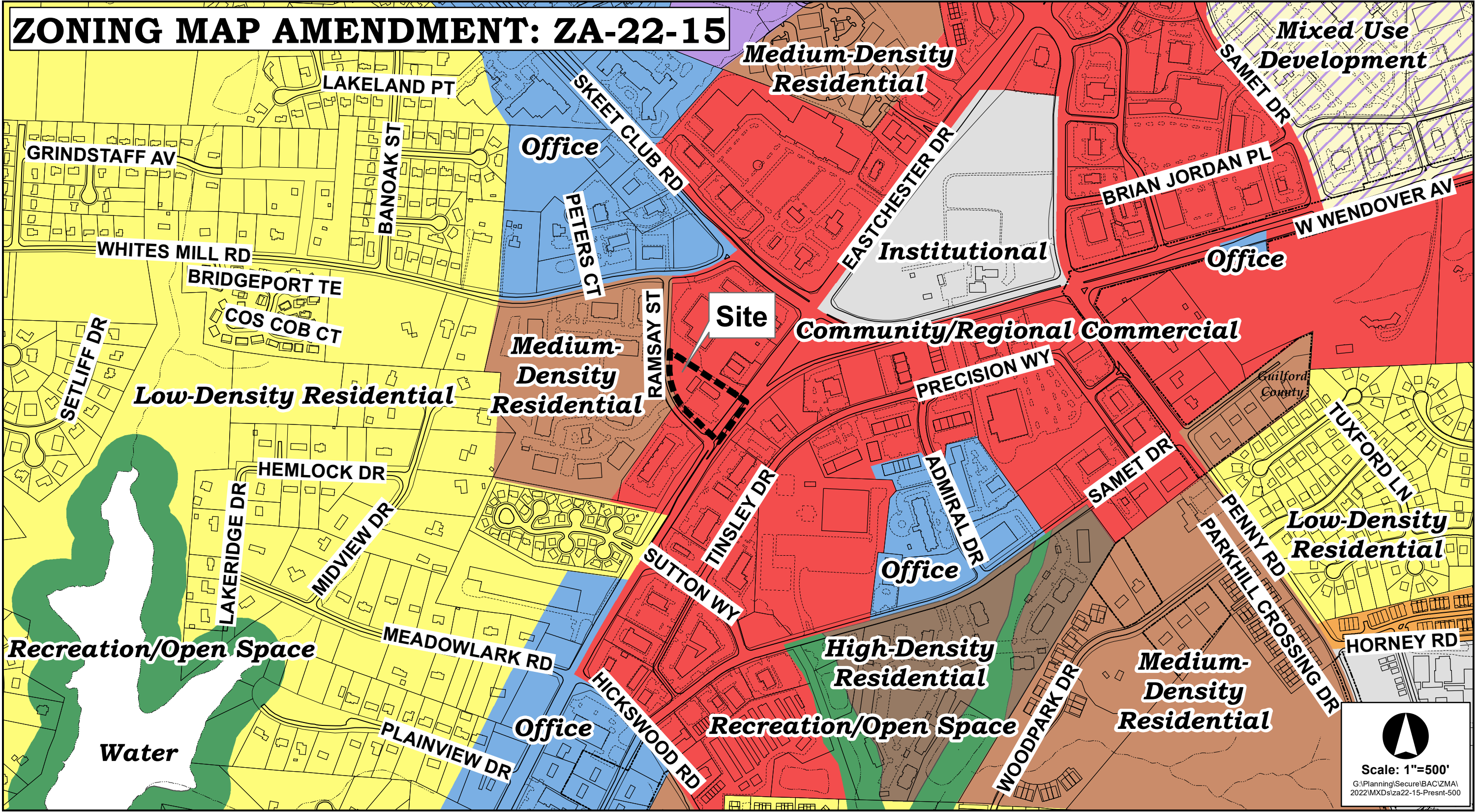


# ZONING MAP AMENDMENT: ZA-22-15



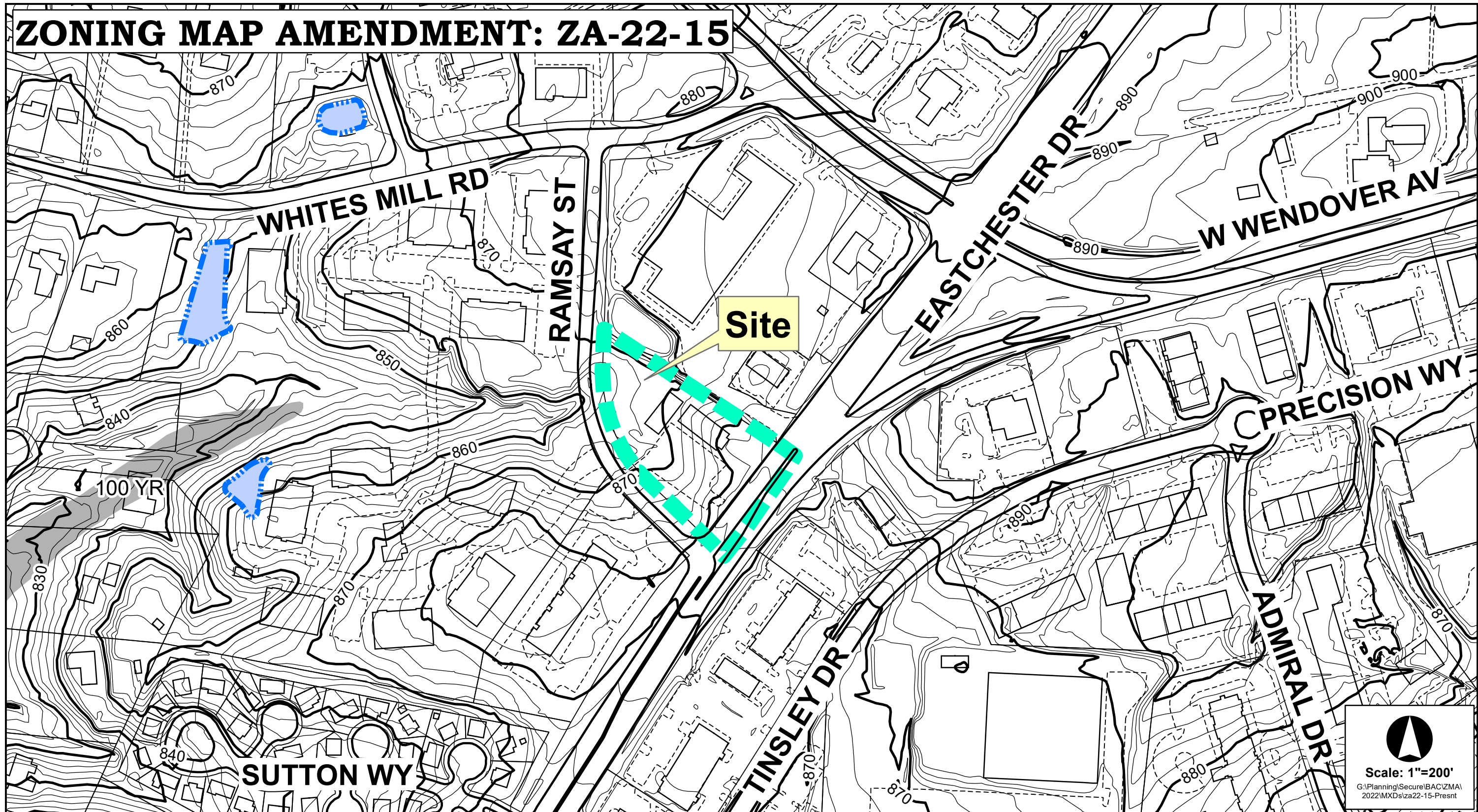


# ZONING MAP AMENDMENT: ZA-22-15





# ZONING MAP AMENDMENT: ZA-22-15





# ZONING MAP AMENDMENT: ZA-22-15

WHITES MILL RD

RAMSAY ST

Site

EASTCHESTER DR

W WENDOVER AV

PRECISION WY

ADMIRAL DR

TINSLEY DR

SUTTON WY



Scale: 1"=200'

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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 June 28, 2022 and before the City Council of the City of High Point on July 18, 2022 regarding **Zoning Map Amendment Case 22-15 (ZA-22-15)** 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 June 18, 2022, for the Planning and Zoning Commission public hearing and on June 6, 2022 and June 16, 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 **July 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 Office Institutional (CZ-OI) District**. The property is approximately 1.7 acres, located at the northwest corner of Eastchester Drive and Ramsay Street (2525 Eastchester Drive). The property is also known as Guilford County Tax Parcel 196569.

**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:** Any uses allowed in the Office Institutional (OI) District shall be permitted, subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. **CONDITIONS:**

A. **Transportation Conditions.**

1. **Vehicular Access:**

- a. No vehicular access shall be permitted from Eastchester Drive.
- b. Vehicular access to Ramsay Street shall align with the southern access point to the Alexandria Park Apartments development (PB 174 PG 137 –

Lot W) or be located a minimum of 300 feet west of Eastchester Drive (as measured from the western right-of-way line of Eastchester Drive).

2. Other Transportation Conditions: The City of High Point Transportation Director shall approve the exact location and design of all access points and improvements.

### 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 18<sup>th</sup> day of July, 2022

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

Jay W. Wagner, Mayor

ATTEST:

\_\_\_\_\_  
Lisa B. Vierling, City Clerk



# **Citizens Information Meeting Report Zoning Map Amendment 22-15**

Submitted by: William Pierquet

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**From:** bpierquet@comcast.net <bpierquet@comcast.net>

**Sent:** Monday, June 13, 2022 11:59 AM

**To:** Herbert Shannon Jr <herb.shannon@highpointnc.gov>

**Subject:** Citizen Meeting Communication

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Herb, per the Highpoint requirements I sent out a notification to all surrounding property owners that your office informed me of. The attached letter was sent to all along with a site plan and the forms you sent along. I gave them both my phone number and e mail address in that letter and invited them to communicate with me if they had questions or concerns. As of today, Monday, June 13<sup>th</sup>, 2022 I have not received any communication from these neighbors. If anyone contacts me before the June 16<sup>th</sup> deadline for this letter I will update it accordingly.

Thanks you for your assistance.

Sincerely,

William T Pierquet

William Pierquet - Development Consultant  
Stonefield Real Estate Solutions, LLC  
6797 Yacht Club Dr  
Acworth, GA 30102

5/31/22

Dear Neighbor,

This letter is to notify you of a request to rezone 1.73 acres located at the north west corner of Eastchester Dr (Hwy 68) & Ramsay Street. The site is currently the home of Triad Community Baptist Church located at 2525 Eastchester DR. Per Highpoint requirements, we are reaching out for you input on our proposed rezoning and project and have elected to do so through a Citizen Information Meeting. Details of that requirements are included on the attached documents. In addition, we have included a copy of a map showing the location of the proposed property to be rezoned and a list of the neighbors we are contacting through this letter.

The property is currently zones R3 Residential. We are proposing that the property be rezoned to Conditional – OI which is Office Institutional.

My name is Bill Pierquet. I am the development consultant for a local child care operator. Our intention is to redevelop the property into a new Primrose School with the required parking and outdoor playgrounds to support the new business. Primrose is an educationally based child care company with franchises operating numerous schools across the country. If you care to look at our website, I have included the link below. We currently operate 2 schools in the northern part of Greensboro and are very excited about bringing our services to the High Point community. I have attached a preliminary site plan that will give you a general idea of what we are planning.

We are currently working with the city staff to ensure that we understand all of the development requirements for the area. With that input we will be able to design and develop a beautiful facility that will meet the requirements of the area and serve the families and children of the surrounding area.

I will be your point of contact should you have any questions or concerns. am also happy to take comments and answer your questions individually. I can be reached at 678-472-5925 or you can e-mail me at [bpierquet@comcast.net](mailto:bpierquet@comcast.net).

Sincerely,

William Pierquet

Development Consultant

Primrose School Website:

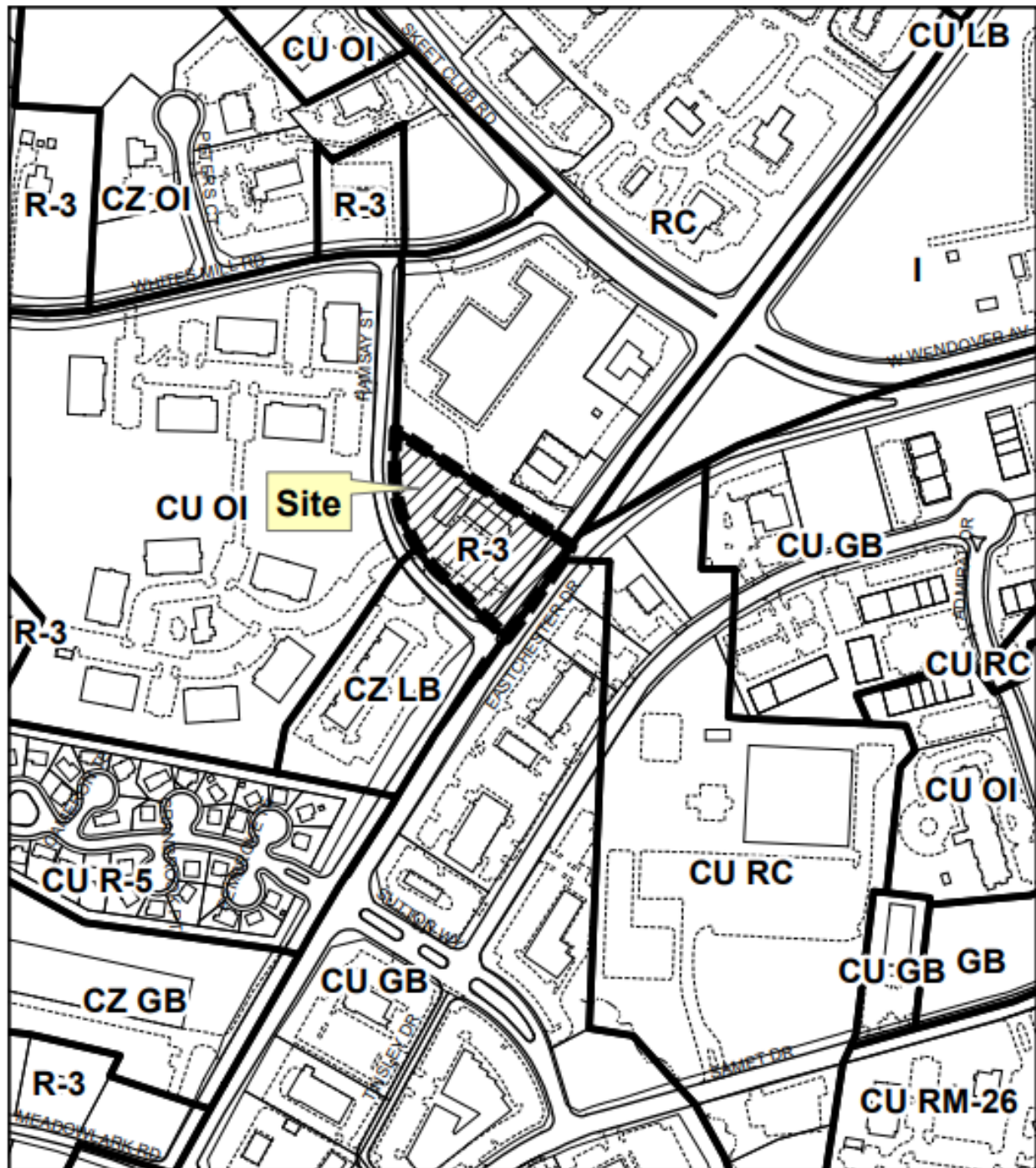
[https://www.primroseschools.com/locations/atlanta-metro?gclid=EAlaIQobChMIwcur76iK-AIVp8iUCR00kQBOEAAYASAAEgLKwPD\\_BwE&gclid=aw.ds](https://www.primroseschools.com/locations/atlanta-metro?gclid=EAlaIQobChMIwcur76iK-AIVp8iUCR00kQBOEAAYASAAEgLKwPD_BwE&gclid=aw.ds)

Primrose School of Brassfield: (this is one of our 2 schools in north Greensboro)

<https://www.primroseschools.com/schools/brassfield/>

Primrose School of New Irving Park: (this is one of our 2 schools in north Greensboro)

[https://www.primroseschools.com/schools/new-irving-park/?utm\\_source=yext&utm\\_medium=maplistings&utm\\_campaign=localmaps](https://www.primroseschools.com/schools/new-irving-park/?utm_source=yext&utm_medium=maplistings&utm_campaign=localmaps)



# **ZONING MAP AMENDMENT ZA-22-15**

From: Residential Single Family-3 (R-3)  
To: Conditional Zoning Office Institutional (CZ-OI)

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

Planning & Development  
Department  
City of High Point



Scale: 1"=300'  
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