AN ORDINANCE AMENDING "THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE," PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted "The City of High Point Development Ordinance" on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on March 25, 2014 and before the City Council of the City of High Point on April 21, 2014 regarding Zoning Case 14-02 a proposed amendment to the Official Zoning Map of the "City of High Point Development Ordinance";

WHEREAS, notice of the public hearings was published in the <u>High Point Enterprise</u> on <u>March 16, 2014</u>, for the Planning and Zoning Commission public hearing and on April 9, 2014 and <u>April 16, 2014</u>, for the City Council public hearing pursuant to Chapter 160A-364 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 April 21, 2014.

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: Planned Limited Development (PDL) District. The property is approximately 9.23 acres lying and lying west of the intersection of Eastchester Drive and Lassiter Drive. The property is also known as Guilford County Tax Parcel 0199560, 0199562, 0199565 and 0199578.

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:

- A. The following land uses shall be permitted within the Planned Unit Development-Limited (PDL) District, subject to the development and dimensional requirements of the Development Ordinance, the approved accompanying Sketch Plan and the specific conditions listed in this Conditional Zoning Ordinance.
 - 1. The following Recreational land uses of the Permitted Use Schedule of the

Development Ordinance shall be permitted:

- a. Clubs or lodges
- b. Dance Schools
- c. Martial Arts Instructional Schools
- d. Physical Fitness Centers
- e. Sports Instructional Schools
- 2. The following Educational and Institutional land uses of the Permitted Use Schedule of the Development Ordinance shall be permitted:
 - a. Government Offices
 - b. Post Offices
- 3. Any of the Business, Professional, & Personal Services land uses allowed in the Shopping Center (SC) District shall be permitted except the following uses which are prohibited:
 - a. Automobile Rental or Leasing
 - b. Automobile Repair Services, Minor & Major
 - c. Automobile Parking (commercial)
 - d. Hotels or Motels
 - e. Kennels or Pet Grooming Services
 - f. Laundry or Dry Cleaning Plants
 - g. Motion Picture Theaters, Indoor
 - h. Theaters, Indoor
 - i. Veterinary Services (Other)
- 4. Any of the Retail Trade land uses allowed in the Shopping Center (SC) District shall be permitted except the following uses which are prohibited:
 - a. Appliance Stores
 - b. Auto Supply Stores
 - c. Building Supply Sales (no storage yard)
 - d. Building Supply Sales (with storage yard)
 - e. Convenience Stores (with gasoline pumps)
 - f. Convenience Stores (without gasoline pumps)
 - g. Pawnshops or Used Merchandise Stores
 - h. Freestanding Restaurants (with drive thru)
 - i. Service Stations, Gasoline
 - i. Tire Sales
- 5. The following Transportation, Warehousing and Utilities land use of the Development Ordinance shall be permitted:
 - a. Utility Company Offices
- B. The location of permitted uses, streets/drives, open space and common recreational facilities and the density/intensity of those permitted uses shall be in substantial compliance with the approved Sketch Plan.

Part II. CONDITIONS:

- A. Development and Dimensional Requirements.
 - 1. The zoning site shall be developed according to the dimensional requirements of the General Office-Moderate Intensity (GO-M) District except a minimum one (1) foot building setback may be permitted from the right-of-way curvature of the cul-de-sac at the terminus of Countryside Drive
 - 2. <u>Building Area:</u> Total building area shall not exceed 64,000 square feet of ground floor area. The site shall have a maximum of 47,000 square feet of retail trade uses. No retail establishment shall exceed 18,000 square feet of gross floor area.
 - 3. <u>Building Height:</u> Building height shall not exceed fifty (50) feet.
 - 4. <u>Timing of Development</u>: The development of the property may be phased in any sequence provided that each phase shall comply with the applicable requirements of this Conditional Use Permit and the approved Sketch Plan and Unified Development Plan.

B. <u>Landscaping</u>, Buffers and Screening.

- 1. Landscaping shall be provided in accordance with Section 9-5-11 of the Development Ordinance, the Eastchester Scenic Corridor Overlay District requirements and the accompanying Sketch Plan.
- 2. Leyland Cypress trees shall be planted along the street frontage of Countryside Drive between the street and parking areas. The trees shall be planted eight (8) feet on center and shall be a minimum of eight (8) feet in height at the time of planting.
- 3. Along the Countryside Drive frontage of Lot A and C a minimum twelve (12) foot wide street yard shall be installed. If a building is placed within this street yard, the planting materials that would have been installed in that area shall be installed/clustered within the vicinity of that encroachment area.
- 4. Along the Countryside Drive frontage of Lot A and C, a six (6) foot high opaque fence shall be installed. Said fence shall at a minimum run along the full frontage of lot A and up to a point even with the rear wall of any building upon Lot C.
- 5. Where site development produces a planting yard less than twenty five (25) feet in width next to Guilford County Tax Parcel 0199566 and 0199567 (1132 & 1134 Countryside Drive), the required Type B Yard planting

materials that would have been installed in the area of encroachment shall be clustered within the vicinity of the encroachment area.

C. Other Conditions.

- 1. Open Space: Common area open space shall be provided in accordance with the Planned Unit Development District Requirements of the Development Ordinance and shall conform to the location requirements of Section 9-4-11(a)(2)d.4. and 5. of the Ordinance.
- 2. <u>Eastchester Drive Scenic Corridor Overlay District:</u> The entire rezoning site shall be subject to the landscaping, signage, architectural and other requirements of the Eastchester Drive Scenic Corridor Overlay District.
- 3. <u>Signage</u>: Signage shall be in accordance with the approved Common Signage Plan for the subject property and conform to the Limited Business (LB) District signage requirements. Sign drawings consistent with the Common Signage Plan criteria, for the purpose of obtaining sign permits, shall be required prior to the issuance of building permits for each phase or portion thereof.
- 4. <u>Environmentally Sensitive Areas</u>: The property owner shall reserve as common area any wetland area on the property, as defined and designated by the US Army Corps of Engineers, and any other environmentally sensitive areas as required by Section 9-2-2(g) (Planned Unit Development District) of the Development Ordinance. Such environmentally sensitive areas shall be left natural and undisturbed, except as required for approved road and other vehicular and pedestrian access crossings, utilities, natural water features (lake or pond), and erosion control devices.
- 5. Exterior Lighting: Outdoor lighting structures shall be located, angled, shielded or limited in intensity so as to cast no direct light upon adjacent property and to avoid the creation of a visual safety hazard to passing motorists. Metal halide light sources are the only permitted outside ground/parking lot lighting to be used.

D. <u>Transportation Conditions.</u>

1. Access

- a) One street type vehicular access point shall be permitted to Eastchester Drive opposite of Lassiter Drive. In addition, one right turn in/right turn out only access point shall be permitted to Eastchester Drive. Along said street, no driveway shall be permitted within 100 feet of the intersection with Eastchester Drive.
- b) Vehicular access to Countryside Drive is prohibited.

2. Other Transportation Conditions

- a) All construction shall conform to the Driveway Ordinance and be approved by the Director of Transportation and the NCDOT.
- b) Any future contiguous lot or lots that are later acquired and added to this Conditional Zoning Ordinance shall be permitted to have access through existing lots of the rezoning site.

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 now 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

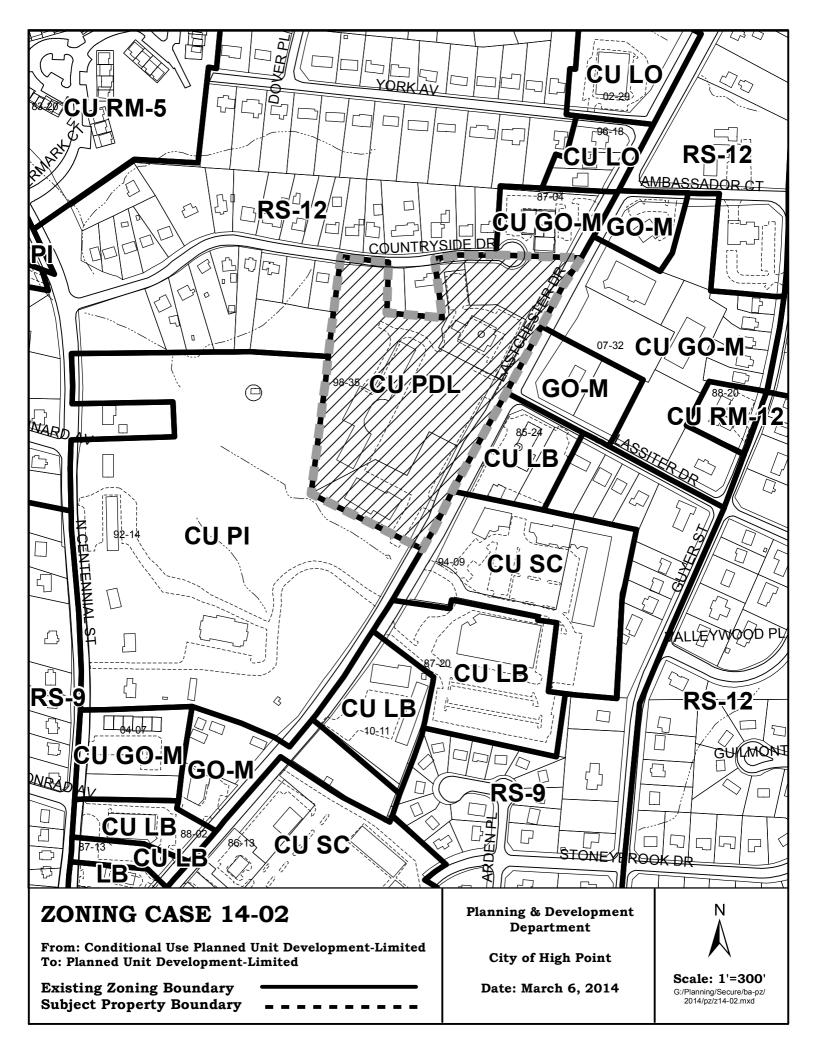
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

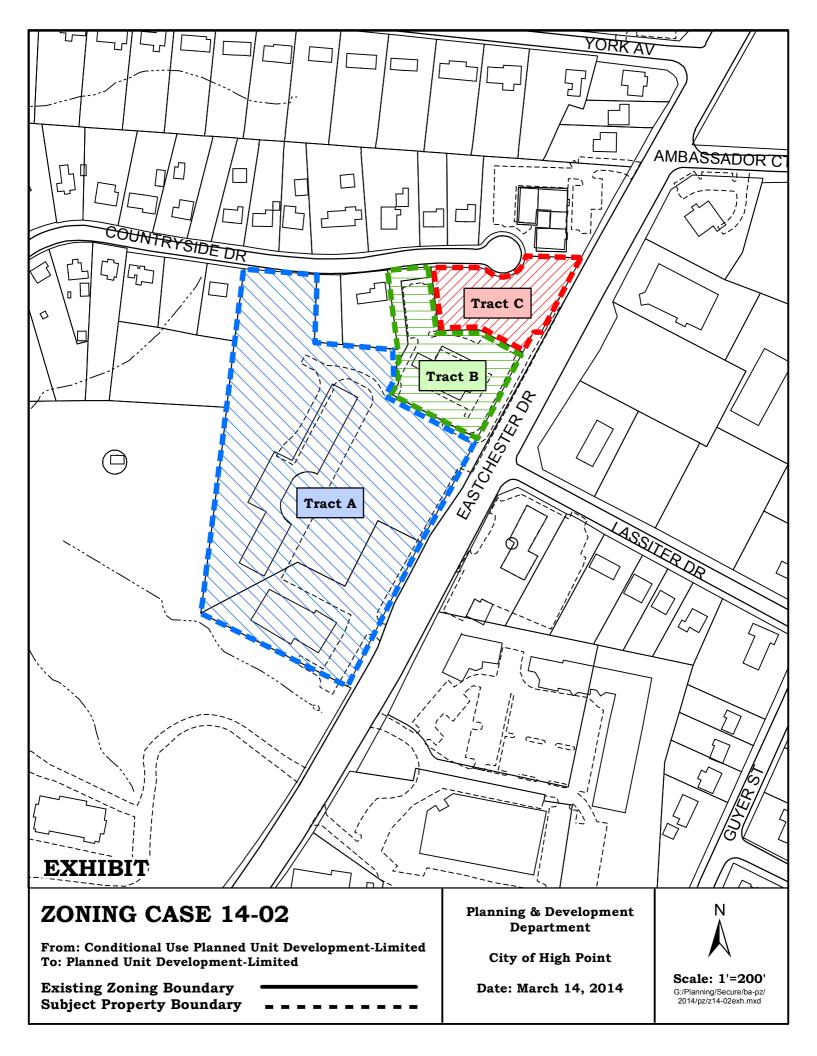
SECTION 6.

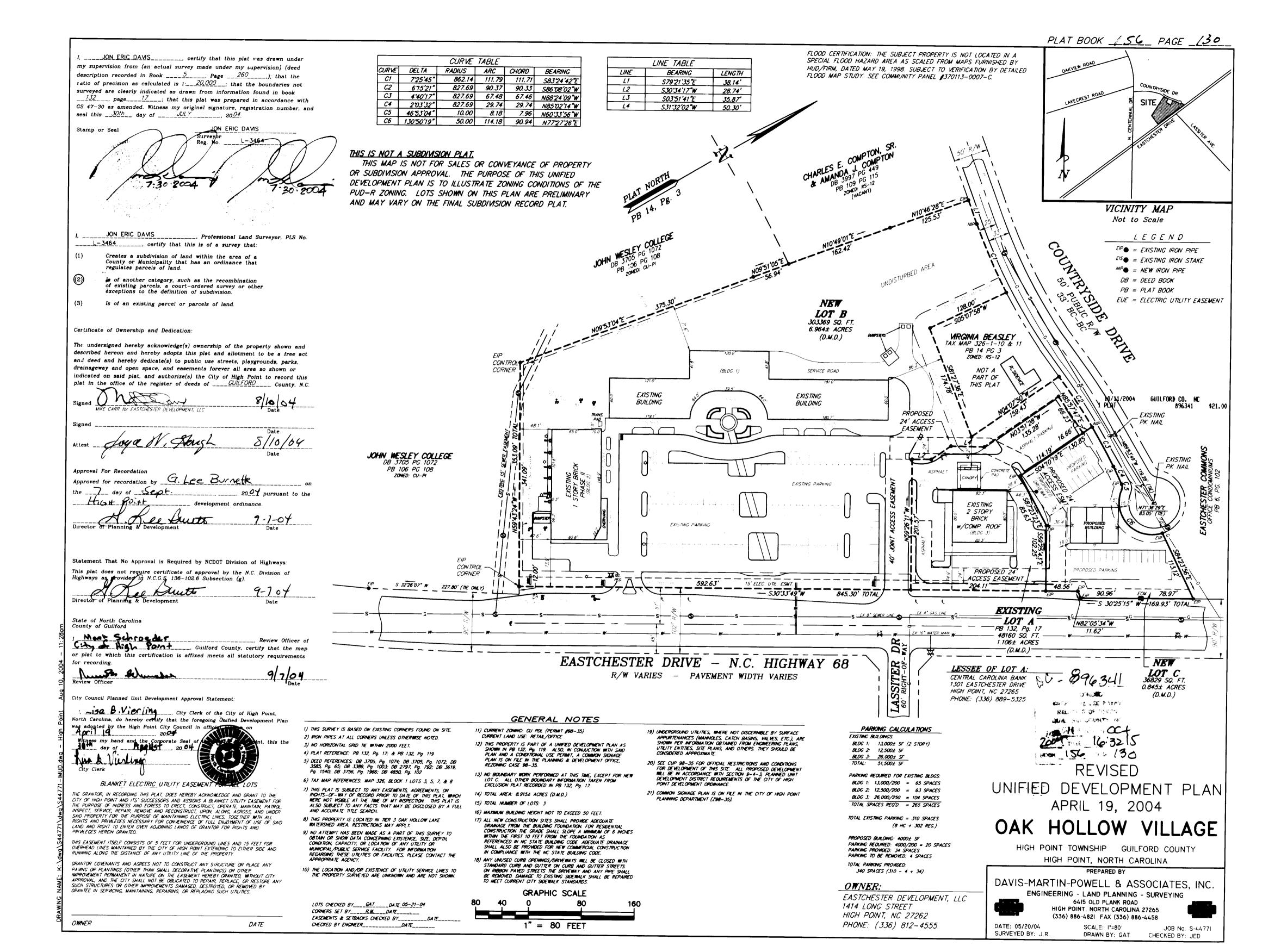
This ordinance shall become effective upon the date of adoption.

<u>21st</u> day of <u>April</u>, <u>2014</u>.

Lisa B. Vierling, City Clerk







Common Signage Plan Eastchester Development, L.L.C.

The following represents a preliminary plan for signage at Oak Hollow Village.

All identification signs and lettering used to identify the tenant or tenants will be back lit individual letters as specified by the owners. Each sign will be individual letters that can be back lit and illuminated by opaque white or "off-white" plastic lettering. No direct light bulb or other light sources is permitted on any display area on any building or other structure.

The monument sign cabinet along the front of Eastchester Drive for the proposed structure in Tract 1 will be fabricated from brick, aluminum or synthetic stucco. The only lettering permitted will be individual routed lettering with an internal light source that will illuminate through the above mentioned routed lettering. An opaque white or "off-white" plastic backing will be applied behind the individual routed letters and in front of the light source in order to eliminate any direct glare from the light source to passing motorists. This monument sign will be positioned according to the approved Sketch Plan.

The main directory sign will be positioned as shown on Tract 2 of the approved Sketch Plan at the main entrance to Oak Hollow Village. The sign standards used for illumination will be the same as the standards described above.

The sign located at the right-in-right-out turn lane at the most southern entrance, as shown on the approved Sketch Plan will follow the same guidelines as referenced above, concerning the lighting design.

As proposed, the signage for the site would provide reasonable identification for the many uses on the site, and would be in general conformance with the basic philosophies of the ordinance regarding number and size. A site plan showing the locations of the proposed signs will be submitted prior to the issuance of any sign permits.

No changeable copy of lettering will be permitted on any signs throughout the entire development. All signs on the rezoning site shall be subject to the sign requirements for the Limited Business (LB) District of the Development Ordinance.

