

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 January 27, 2015 and before the City Council of the City of High Point on February 16, 2015, regarding **Zoning Case 15-01** 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 High Point Enterprise on January 18, 2015, for the Planning and Zoning Commission public hearing and on February 6, 2015 and February 13, 2015, 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 February 16, 2015.

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: **Highway Business (HB) District**. The parcel is lying along the west side of N. Main Street, approximately 300 feet south of W. Peachtree Drive (*2505 N. Main Street*), and also known as Guilford County Tax Parcel 0194637. The area to be rezoned consists of an approximate 6,802 square foot triangular area at the western portion of tax parcel 019637. The zoning site is more specifically described as follows:

Beginning at the southernmost corner of Lot 3 of the Property of Siceloff Oil Company as per plat thereof recorded in Plat Book 41, Page 50 in the Guilford County Registry, said point being S 58° 14' 40" W along the southern line of said Lot 3, 124.18 feet from the western margin of the right-of-way of North Main Street; thence N 6° 19' 10" E 43.42 feet to an existing iron pin; thence N 87° 37' 20" W 54.14 feet to the southeastern corner of Lot 4 of the Siceloff Oil property as per said plat; thence with the southern line of said Lot 4, N87° 37' 20" W 74.69 feet to the easternmost corner of Lot 7 as per said plat; thence S 34° 10' 20" E, a new line, 106.56 feet to a new iron pin; thence N 58° 14' 40" E, a new line, 75.37 feet to the point and place of beginning, the same being 6,802.42 square feet, more or less, in, accordance with an exception map by Davis-Martin-Powell & Associates, Inc., dated October 14, 1988.

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.

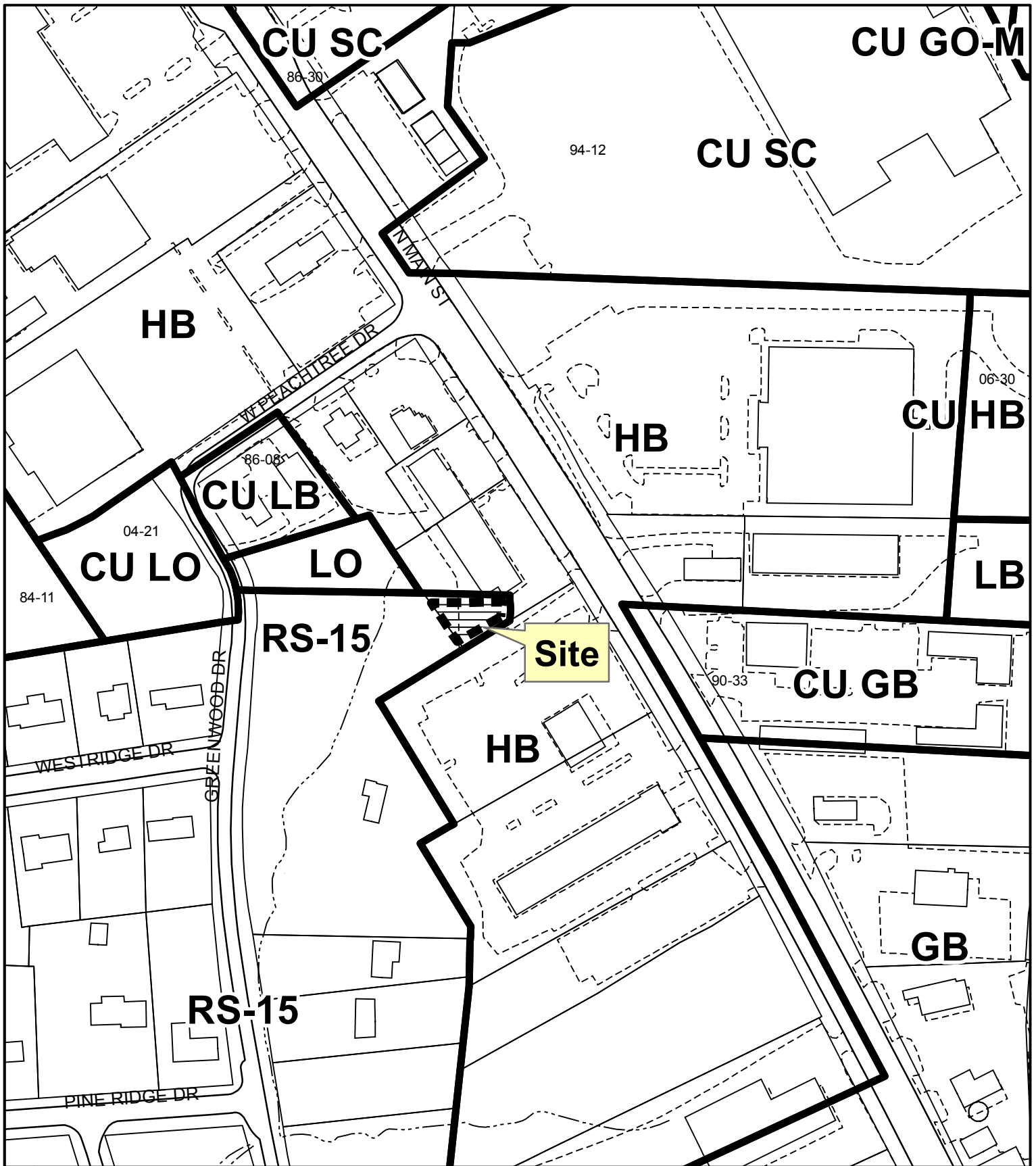
SECTION 3

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.
16th day of February, 2015.

Lisa B. Vierling, City Clerk



ZONING CASE 15-01

From: Residential Single Family-15
To: Highway Business

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

**Planning & Development
Department**

City of High Point

Date: January 9, 2015



Scale: 1"=200'
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2015\pz\z15-01.mxd

UTILITY NOTICE:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, RECORDED EASEMENTS, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED UNDERGROUND UTILITIES.

P.K. BAIL AT
INTERSECTION OF GREENWOOD TERRACE
AND NORTH MAIN STREET

Site Data

Zone: H.B. -HIGHWAY BUSINESS DISTRICT
RS-15 -RESIDENTIAL SINGLE FAMILY-15
Area: 39,602 Sq ft. 0.909 ACRES

TAX MAP REFERENCE: MAP 266, BLOCK 5, LOT 15

DEED REFERENCES:

D.B. 3534 PG. 638, D.B. 3553 PG. 241
D.B. 3706 PG. 934

HB ZONING

NON-RESIDENTIAL DIMENSIONAL REQUIREMENTS

MINIMUM LOT SIZE(Sq Ft.)-20,000
MINIMUM LOT WIDTH-100'
MINIMUM STREET FRONTAGE-100'

MINIMUM STREET SET-BACKS

LOCAL, SUBCOLLECTOR & COLLECTOR: 30'/55'
MINOR THOROUGHFARE: 40'/75'
MAJOR THOROUGHFARE: 50'/95'
MIN. INTERIOR SETBACK
ADJ. TO NON-RES. ZONING: 10'
ADJ. TO RES. ZONING: 25'

RS-15 ZONING

RESIDENTIAL DIMENSIONAL REQUIREMENTS

MINIMUM LOT SIZE(Sq Ft.)-15,000
MINIMUM LOT WIDTH (INTERIOR)-80'
MINIMUM LOT WIDTH (CORNER)-90'
MINIMUM STREET FRONTAGE-45'

MINIMUM STREET SET-BACKS

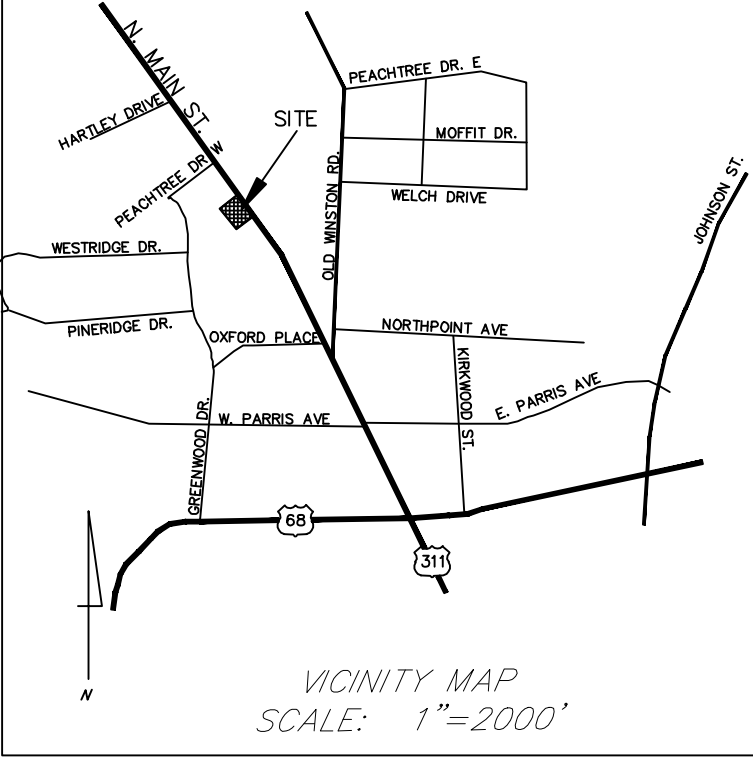
LOCAL, SUBCOLLECTOR & COLLECTOR - FRONT 30'/55'
LOCAL, SUBCOLLECTOR & COLLECTOR - SIDE 15'/40'
MINOR THOROUGHFARE: 40'/75'
MAJOR THOROUGHFARE: 50'/95'

MIN. INTERIOR SETBACK

SIDE YARD: 0'/10'
REAR YARD: 30'

SURVEYORS NOTES:

1. AREA IS DETERMINED BY LEAST SQUARES METHOD.
2. BOUNDARY LINES NOT SURVEYED ARE SHOWN DASHED.
3. THIS SURVEY IS OF AN ACTUAL FIELD SURVEY HAVING AN ERROR OF LESS THAN 1"/10,000' D.C.V.
4. ALL DISTANCES SHOWN HEREIN ARE IN HORIZONTAL FEET UNLESS INDICATED OTHERWISE.
5. THERE ARE NO N.C.G.S. MONUMENTS WITHIN 2000 FEET OF SUBJECT PROPERTY. SEE MAP FOR TIES MADE.
6. PROPERTY IS ZONED HB
7. DEED BOOK 5133 PAGE 2021 IS SUBJECT PROPERTY. EVANS ENGINEERING HAS NOT PERFORMED ANY TITLE SEARCHES.
8. TOTAL AREA= 39,602 SQ. FT. OR 0.909 ACRES MORE OR LESS.
9. THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. MAP 3710689100K PROPERTY IS IN ZONE AE DATED MARCH 16, 2005.
10. THERE ARE A TOTAL OF 44 PARKING SPACES ON THIS PROPERTY.
11. THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.



LEGAL DESCRIPTION

BEGINNING AT AN EXISTING IRON PIPE ON THE SOUTHWESTERN MARGIN OF THE 100 FOOT RIGHT OF WAY OF NORTH MAIN STREET, SAID PIPE MARKING THE EAST CORNER OF LOT 2 AS SHOWN IN PLAT BOOK 41 PAGE 50 IN THE OFFICE OF THE REGISTER OF DEEDS OF GUILFORD COUNTY, NORTH CAROLINA, AND RUNNING

THENCE FROM SAID BEGINNING POINT ALONG THE SOUTHWESTERN MARGIN OF NORTH MAIN STREET (A 100'-WIDE RIGHT OF WAY) THE FOLLOWING COURSES AND DISTANCES:

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10,935.23 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 33 DEG. 48 MIN. 15 SEC. EAST 49.41 FEET TO AN EXISTING IRON PIPE

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10,935.23 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 31 DEG. 59 MIN. 48 SEC. EAST 99.57 FEET TO AN EXISTING IRON PIPE

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10,935.23 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 31 DEG. 34 MIN. 49 SEC. EAST 50.33 FEET TO AN EXISTING IRON PIPE

THENCE LEAVING THE SOUTHWEST MARGIN OF NORTH MAIN STREET AND RUNNING ALONG THE NORTHWESTERN LINE OF (NOW OR FORMERLY) CDC PROPERTIES (SEE DEED BOOK 3297 PAGE 449) SOUTH 58 DEG. 11 MIN. 21 SEC. W DISTANCE BEING 124.33 FEET TO AN EXISTING IRON PIPE

THENCE CONTINUING ALONG THE LINE OF (NOW OR FORMERLY) ANOTHER CDC PROPERTIES PROPERTY (SEE DEED BOOK 3623 PAGE 668) SOUTH 58 DEG. 15 MIN. 16 SEC. WEST DISTANCE BEING 75.37 FEET TO AN EXISTING IRON PIPE

THENCE CONTINUING ALONG ANOTHER LINE OF (NOW OR FORMERLY) THE OTHER CDC PROPERTIES PROPERTY (SEE DEED BOOK 3623 PAGE 668) NORTH 33 DEG. 57 MIN. 07 SEC. WEST DISTANCE BEING 190.53 FEET TO AN EXISTING IRON PIPE MARKING THE SOUTHERN CORNER OF THE PROPERTY OF (NOW OR FORMERLY) TRIPPLE LAND COMPANY (SEE DEED BOOK 3501 PAGE 189 AND DEED BOOK 2366 PAGE 269)

THENCE ALONG TRIPPLE LAND COMPANY'S SOUTHEASTERN LINE AND THEN SICELOFF OIL COMPANY'S SOUTHEASTERN LINE (SEE DEED BOOK 4237 PAGE 1363) (ALSO THE SOUTHEASTERN LINE OF LOT 2 ON THE PLAT REFERENCED ABOVE) NORTH 55 DEG. 43 MIN. 53 SEC. E DISTANCE BEING 205.16 FEET TO AN EXISTING IRON PIPE MARKING THE EASTERN CORNER OF LOT 2 AND THE POINT OF BEGINNING

AND BEING ALL OF LOT 3 AND PART OF LOT 4 AS SHOWN ON THE PLAT RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF GUILFORD COUNTY, NORTH CAROLINA, IN PLAT BOOK 41 PAGE 50, AND ALSO BEING PART OF THE PROPERTY CONVEYED TO JR. PASCHALL BY DEED RECORDED IN DEED BOOK 3623 PAGE 678 IN THE OFFICE OF THE REGISTER OF DEEDS OF GUILFORD COUNTY, NORTH CAROLINA, AND BEING FURTHER SHOWN ON A SURVEY FOR KOTIS PROPERTIES, INC BY EVANS ENGINEERING, INC. DATED OCTOBER 26, 1998.

LEGEND:

- EP EDGE OF EXISTING PAVEMENT
- C CENTERLINE
- R/W RIGHT-OF-WAY
- CONC CONCRETE
- PB POWER BOX
- DIP DUCTILE IRON PIPE
- RCP REINFORCED CONCRETE PIPE
- CP CONCRETE PAD
- D.B. DEED BOOK
- P.B. PLAT BOOK
- PG. PAGE
- B.C. BACK CURBING
- SP SPECIAL PURPOSE NAIL
- NIP NEW IRON PIPE
- EIP EXISTING IRON PIPE
- WV WATER VALVE
- GM GAS METER
- WM WATER METER
- PP POWER POLE
- SMH SAN. SEWER MANHOLE
- CO CLEAN OUT
- SMH STORM SEWER MANHOLE
- CI CURB INLET
- DI DRAIN OR GRATE INLET
- LP LIGHT POLE

COMMITMENT No. 14R206626
STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

TO: FIRST AMERICAN TITLE INSURANCE COMPANY
FIRST TENNESSEE BANK ASSOCIATION
MCNAIR LAW FIRM, P.A.
[OWNER] SOUTH COAST COMMERCIAL, LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2011, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 7(C), 8, 9, 11(a), 13, 14, 16, 18, OF TABLE A THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NORTH CAROLINA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 5133 PAGE 2021); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK PAGE OR OTHER REFERENCE SOURCE SEE MAP; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1"/10,000'; AND THIS MAP MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)

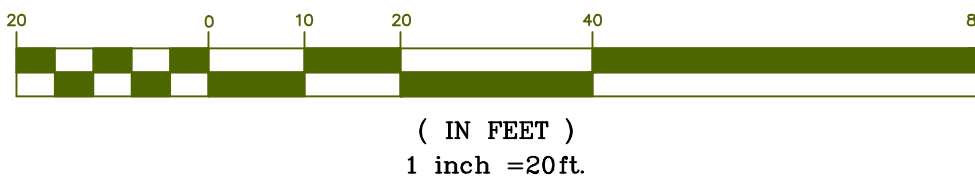
THIS DAY OF 2014.

PRELIMINARY LAND SURVEY
NOT FOR RECORDATION CONVEYANCES OR SALES
ROBERT S. DISCHINGER, PLS 4521

SCHEDULE B-SECTION II EXCEPTIONS COMMITMENT No. 14R206626

1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS AS SHOWN OR NOTED ON SURVEY.
2. NOT A MATTER OF SURVEY.
3. EASEMENTS AND ANY OTHER FACTS AS SHOWN ON RECORDED MAP OR PLAT RECORDED IN PLAT BOOK 41 PAGE 50 GUILFORD COUNTY REGISTRY, AS SHOWN ON SURVEY.
4. EASEMENT TO NORTH STATE TELEPHONE COMPANY RECORDED IN D.B. 3617 PG. 1766. THIS DEED IS BLANKET IN NATURE OF AN UNDETERMINED WIDTH. THIS DEED GIVES NORTH STATE TELEPHONE COMPANY ACCESS TO SERVICE ITS UTILITIES.
5. APPURTENANT EASEMENT GRANTED IN DEED BOOK 2335 PAGE 199 FOR WATER DRAINAGE ACROSS ADJOINING LAND. PLOTTED AS SHOWN.
6. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, DEFICIENCY IN AMOUNT OF AREA, RIGHTS, EASEMENTS, DITCHES, CARTWAYS, SETBACKS, RIGHTS OF PARTIES IN POSSESSION, INTERESTS OR CLAIMS WHICH WOULD BE REVEALED BY A CURRENT AND ACCURATE SURVEY AND INSPECTION OF THE LAND AS SHOWN ON SURVEY.
7. A PORTION OF THE LAND WAS CONVEYED BY DEED RECORDED IN BOOK 3553, PAGE 241, GUILFORD COUNTY REGISTRY. THE DISTANCE CALL FOR THE WESTERN PROPERTY LINES IS OMITTED FROM THE LEGAL DESCRIPTION OF THE LAND CONTAINED IN SAID DEED. NOTE: TO BE INSURED BY ALTA 34. CANNOT BE PLOTTED.
8. A PORTION OF THE LAND WAS CONVEYED TO CDC, A NORTH CAROLINA GENERAL PARTNERSHIP, BY DEED RECORDED IN BOOK 3623, PAGE 668, GUILFORD COUNTY REGISTRY. THE PROPERTY WAS SUBSEQUENTLY CONVEYED BY CDC, A NORTH CAROLINA GENERAL PARTNERSHIP, BY DEED RECORDED IN BOOK 3706, PAGE 934, GUILFORD COUNTY REGISTRY. THE CORRECT NAME FOR THE PARTNERSHIP IS CDC PROPERTIES, AS EVIDENCED BY A DECLARATION OF PARTNERSHIP FILED IN 1993 IN BOOK 3297, PAGE 447, GUILFORD COUNTY REGISTRY. NOTE: TO BE INSURED BY ALTA 34. CANNOT BE PLOTTED.

ASBUILT SURVEY FOR
2505 NORTH MAIN STREET
HIGH POINT TOWNSHIP-GUILFORD COUNTY
HIGH POINT NORTH CAROLINA
OCTOBER 10, 2014



CURRENT OWNER
KOTIS PORTFOLIO 1, LLC
PO BOX 9296
GREENSBORO, NORTH CAROLINA
27429
PHONE: (336) 574-2000

EVANS ENGINEERING, INC.
ENGINEERS, SURVEYORS, PLANNERS
4800 DUNDAS DRIVE GREENSBORO, N.C. 27407
PHONE: (336) 654-8877 FAX: (336) 654-8878
[PROJECT: 540-22A]-[H:\DRAWINGS\KOTIS\2505 N MAIN STREET HP\2505.DWG]