

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Case 15-08 (Keystone Group, Inc.)

From: Lee Burnette, Planning & Development
Director

Meeting Date: June 15, 2015

Public Hearing: Yes

Advertising Date: June 3 & 10, 2015

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Zoning Ordinance

PURPOSE:

A request by Keystone Group, Inc. to rezone approximately 0.6 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to the Residential Multifamily-5 (RM-5) District. The site is lying at the southwest corner of Barrow Road and Willard Dairy Road. Approval of this request is contingent upon City Council approval of a voluntary annexation petition.

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On May 26, 2015, a public hearing was held before the Planning and Zoning Commission regarding Zoning Case 15-08. The Planning & Zoning Commission recommended approval of Zoning Case 15-08 by a vote of 6-0.
- B. Staff recommends *approval* of Zoning Case 15-08 as outlined in the attached staff report.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Keystone Group, Inc.

Zoning Case 15-08

At its May 26, 2015 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 0.6 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to the Residential Multifamily-5 (RM-5) District. All members of the Commission were present except for Mr. John McKenzie and Mr. Mark Walsh. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking in favor of the request was Mr. Scott Wallace, president of Keystone Group, Inc., 3708 Alliance Drive, Greensboro, N.C.

No one spoke in opposition of the request.

The Planning & Zoning Commission recommended approval of Zoning Case 15-08, as recommended by staff, by a vote of 6-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Case 15-08 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) The request is consistent with the Land Use Plan; 2) The annexation and establishment of a RM-5 District on the site will eliminate a hole in the City's corporate limits and provide for the most optimal use of this small, oddly configured area in a manner compatible with the established development pattern in this area; and 3) The site lies between an existing CU RM-5 townhome development to the south and the townhome portion of a PUD District, conditioned to be developed to the RM-8 District standards, to the north. The request to permit the RM-5 District on this site is consistent with the established development and zoning pattern in this area.

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

**STAFF REPORT
ZONING CASE 15-08
May 26, 2015**

Request	
Applicant: Keystone Group, Inc.	Owner: Keystone Group, Inc.
Zoning Proposal: To annex and apply initial City zoning on approximately 0.6 acres	From: AG Agricultural District (Guilford County)
	To: RM-5 Residential Multifamily-5 District

Site Information	
Location:	Lying at the southwest corner of Barrow Road and Willard Dairy Road
Tax Parcel Numbers:	Guilford County Tax Parcels 0169950 and 0222141 (portion)
Site Acreage:	Approximately 0.6 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The site has relatively flat terrain with no noteworthy features.
Water and Sewer Proximity:	A 12-inch City water line lies adjacent to the site along Barrow Road. An 8-inch City sewer line lies approximately 170 feet to the north within Willard Dairy Road.
General Drainage and Watershed:	The site drains in a westerly direction and development is subject to the Oak Hollow Lake Watershed Critical Area (WCA) requirements. Engineered stormwater treatment measures are required for development with a total impervious surface area greater than 24% of the site. The site is within Tier 4 of this WCA, which only permits two dwelling units per acre for single family development or a maximum 50% built-upon area for other permitted uses.
Overlay District:	Oak Hollow Lake Watershed Critical Area (WCA) – Tier 4 Airport Overlay – Zone 3

Adjacent Property Zoning and Current Land Use			
North:	CU-PDM	Conditional Use Planned Unit Development-Mixed District	Undeveloped
	AG	Agricultural District (<i>Guilford Co.</i>)	Single family dwelling
South:	CU RM-5	Residential Multifamily-5 District	Townhome subdivision
East:	CU-PDM	Conditional Use Planned Unit Development-Mixed District	Barrow Road right-of-way
West:	CU PDM	Conditional Use Planned Unit Development-Mixed District	Undeveloped

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	The site has a Mixed Use Development land use designation. This classification provides for the siting of a variety of land uses in close proximity to each other where this is desirable due to existing land use patterns, environmental constraints, the need to preserve open space, the opportunity to provide alternative modes of transit and other factors.
Land Use Plan Goals, Objectives & Policies:	This request is neither in conflict with the Land Use Plan's goals and objectives nor does it promote those goals and objectives.
Relevant Area Plan:	Not Applicable
Community Growth Vision Statement	This request is not in conflict with the Community Growth Vision Statement's goals and objectives nor does it promote those goals and objectives.
Zoning History:	<p>In 1995, Zoning Case 95-20 was approved to allow a CU RM-5 District on the 15-acre tract of land lying directly south of this zoning site. The land was developed into the Fair Oaks Townhome subdivision.</p> <p>In 2003, a 300-acre PUD zoning district was approved on land lying to the north and west of the zoning site. This 300 acre area was divided into multiple development tracts to permit single family dwellings, townhome/multifamily dwellings, commercial and industrial uses. The area directly north of the zoning site was approved under this PUD District to develop with townhome or multifamily uses under the RM-8 District standards.</p>

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Barrow Road		Major Thoroughfare	130 ft.
	Willard Dairy Road		Local Street	18 ft.
Vehicular Access:	Willard Dairy Road (public road)			
Traffic Counts: (Average Daily Trips)	Barrow Road		3,000 ADT (2005, 12-hour count)	
	Willard Dairy Road		No data	
Estimated Trip Generation:	No data			
Traffic Impact Analysis:	Required		Comment	
	<u>Yes</u>	<u>No</u> X	None	
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.			

School District Comment				
Guilford County School District				
Local Schools:	Enrollment: (Fall 2014)	Maximum Design Capacity:	Mobile Classrooms:	Projected Additional Students:
Southwest Elementary	716	954	6	2
Southwest Middle	1,135	1,167	10	1
Southwest High School	1,530	1,595	12	1
School District Remarks:	None			

Details of Proposal

The applicant is requesting annexation and establishment of the City's RM-5 District on the site so it may be added to the abutting townhome development (The Trellises at Piedmont Crossing) lying directly to the north and west. Along with the parcel at the intersection of Barrow Road and Willard Dairy Road, the application includes a narrow strip of land owned by the applicant which was excluded from previous annexation and zoning requests for the Trellises development. The applicant desires to use the zoning site and some of the abutting land they own lying west of Willard Dairy Road to develop a recreation amenity (clubhouse and pool) for the Trellises development.

Staff Analysis

The zoning site abuts a 33-acre tract of land (The Trellises at Piedmont Crossing) to the north and west that is part of a larger 300-acre PUD District. This 33-acre tract is governed by the RM-8 District standards, except that density is limited to five dwelling units per acre. Directly to the south of the zoning site is the 15-acre Fair Oaks Townhome subdivision that was developed under a CU RM-5 District. The applicant has requested a RM-5 District for this 0.6-acre area to match zoning and uses of the abutting developments to the north and south.

Consistency with Adopted Plans:

The proposed Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans.

Staff Comments:

This request will establish initial City zoning on this site. The requested RM-5 District permits the same uses and development densities as allowed on the abutting residential properties to the north and south, and it is consistent with the Land Use Plan and does not conflict with any land use policies.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

Staff Comments:

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The request is consistent with the Land Use Plan; 2) The annexation and establishment of a RM-5 District on the site will eliminate a hole in the City's corporate

limits and provide for the most optimal use of this small, oddly configured area in a manner compatible with the established development pattern in this area.; and 3) The site lies between an existing CU RM-5 townhome development to the south and the townhome portion of a PUD District, conditioned to be developed to the RM-8 District standards, to the north. The request to permit the RM-5 District on this site is consistent with the established development and zoning pattern in this area.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone this 0.6 acre area to the RM-5 District.

Required Action

Planning and Zoning Commission:

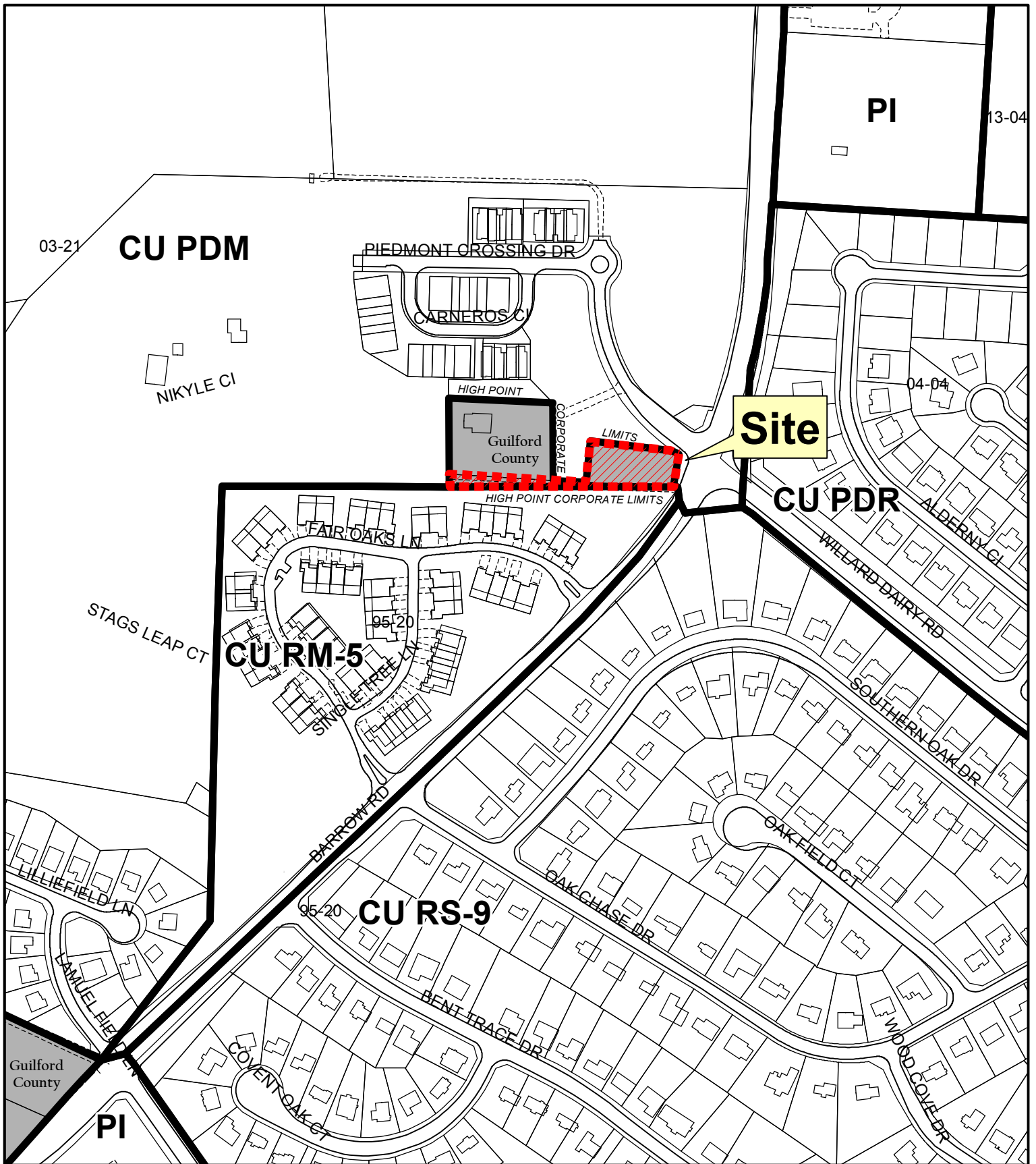
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting 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 Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



ZONING CASE 15-08

From: Agricultural (Guilford County)
To: Residential Multifamily-5

Existing Zoning Boundary
Subject Property Boundary

Planning & Development
Department

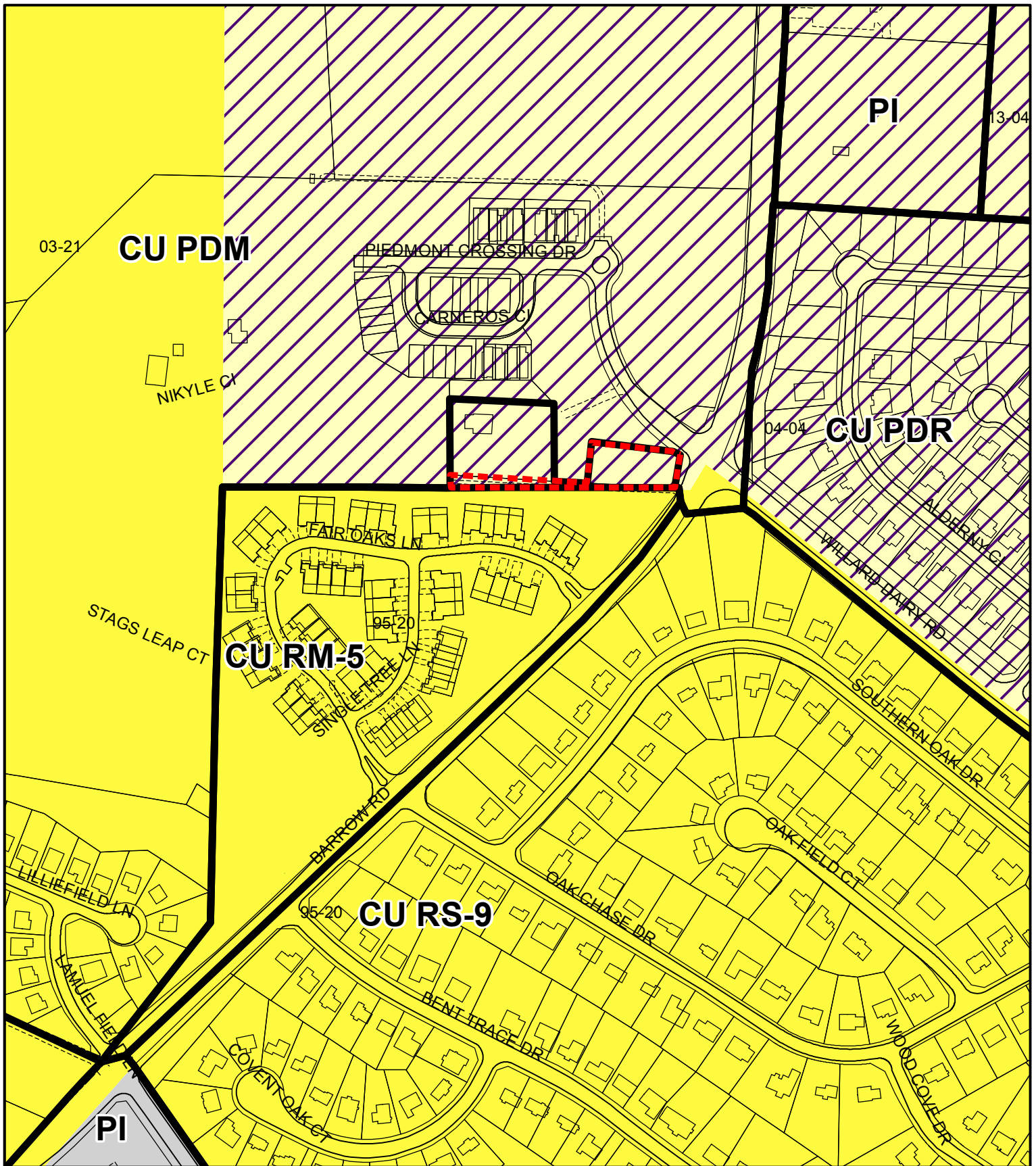
City of High Point

Date: May 26, 2015






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ZONING CASE 15-08

Land Use Plan

-  Mixed Use Development
-  Low-Density Residential
-  Institutional

Planning & Development
Department

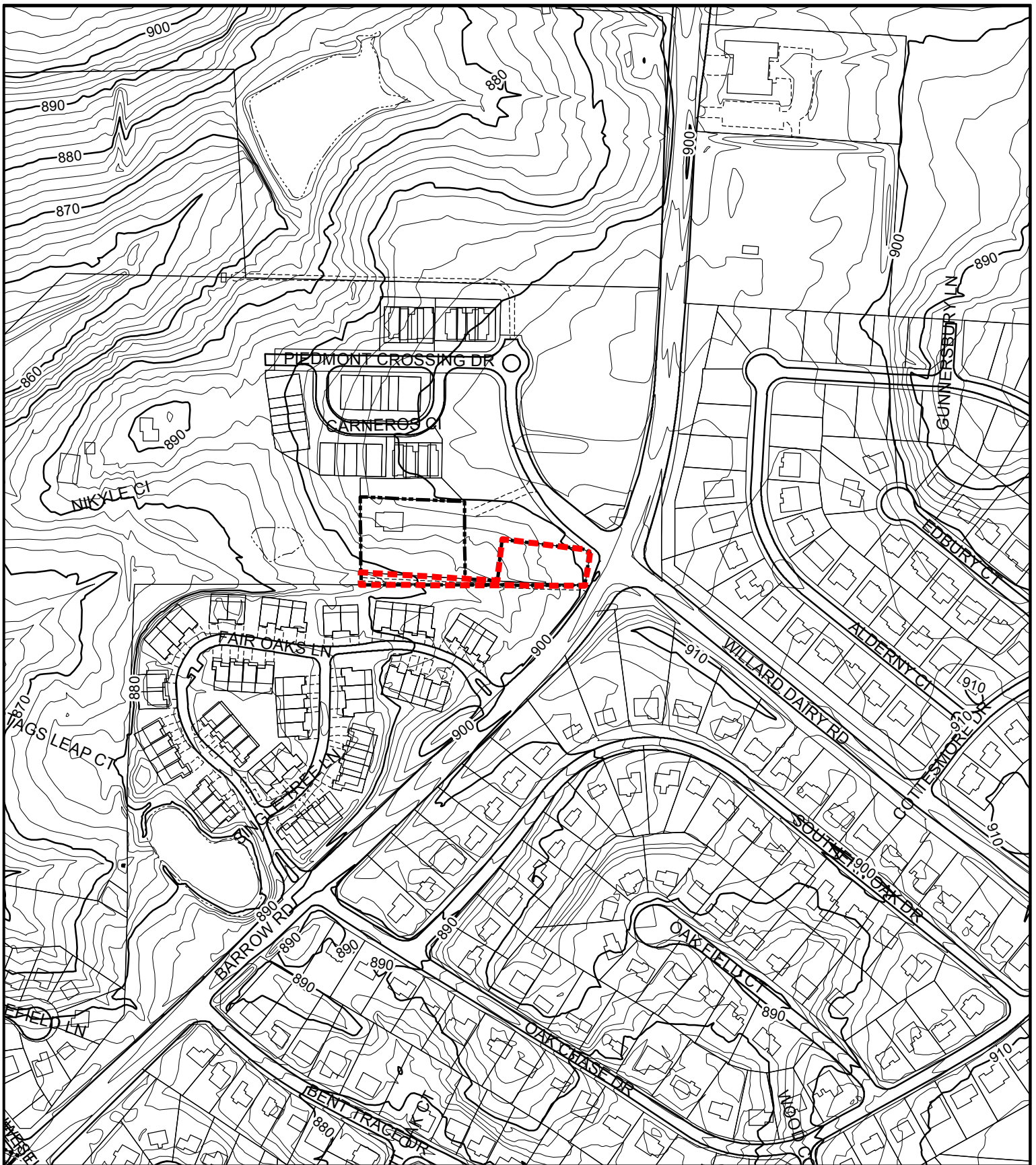
City of High Point

Date: May 26, 2015



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ZONING CASE 15-08

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: May 26, 2015



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ZONING CASE 15-08



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 May 26, 2015 and before the City Council of the City of High Point on June 15, 2015 regarding **Zoning Case 15-08** 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 May 17, 2015, for the Planning and Zoning Commission public hearing and on June 3, 2015 and June 10, 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 **June 15, 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: **Residential Multifamily-8 (RM-8) District**. The property is approximately 0.6 acres lying at the southwest corner of Barrow Road and Willard Dairy Road. The property is also known as Guilford County Tax Parcels 0169950 and 0222141 (portion).

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.
15th day of June, 2015.

Lisa B. Vierling, City Clerk