

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Annexation Case 15-07 (Grayson and Berntha)

**From:** Lee Burnette, Planning & Development  
Director

**Meeting Date:** September 21, 2015

**Public Hearing:** Yes

**Advertising Date:** September 11, 2015

**Advertised By:** Planning & Development

**Attachments:** A. Staff Report  
B. Map  
C. Annexation Ordinance of Adoption

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### PURPOSE:

A request by Everette & Patricia Grayson and Theodore & Gretchen Berntha to consider a voluntary contiguous annexation of an approximate 0.24-acre parcel lying north of the intersection of Penny Road and OSSI Court.

### BACKGROUND:

Staff report and recommendation is enclosed.

### BUDGET IMPACT:

There is no budget impact.

### RECOMMENDATION / ACTION REQUESTED:

Staff recommends *approval* of Annexation Case 15-07.

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

**STAFF REPORT  
ANNEXATION CASE 15-07  
September 21, 2015**

<b>Request</b>	
<b>Applicant:</b> Everette Grayson and Patricia Grayson Theodore Bernthal and Gretchen Bernthal	<b>Owner(s):</b> Everette Grayson and Patricia Grayson Theodore Bernthal and Gretchen Bernthal
<b>Proposal:</b> Voluntary contiguous annexation of an approximate 0.24-acre parcel	<b>Effective Date:</b> Upon adoption
	<b>Associated Zoning Case:</b> Zoning Case 15-15

<b>Site Information</b>	
<b>Location:</b>	Lying north of the intersection of Penny Road and OSSI Court (2723-R1 NC Highway 68)
<b>Tax Parcel Numbers:</b>	Guilford County Tax Parcel 0170014
<b>Site Acreage:</b>	Approximate 0.24-acre
<b>Current Land Use:</b>	Undeveloped
<b>Current Fire District:</b>	The property is within the Deep River Fire District. Per contract with Guilford County, the property is currently served by the City of High Point Fire Department.
<b>Proposed Development:</b>	Restaurant
<b>Proposed Unit Type, Number and Average Value:</b>	The applicant is proposing to combine the annexation site with the abutting parcel to the south to form a larger parcel. The applicant has noted that the annexation site has a land value of \$2,900 and estimates it will have a value of approximately \$20,000 after development.
<b>Proposed Build-out Schedule:</b>	Approximately one-year
<b>Proposed City of High Point Council Ward:</b>	The proposed annexation site abuts Ward 5 to the west and south. If approved, the annexation area will be part of Ward 5.
<b>Physical Characteristics:</b>	The site is relatively flat and has no noteworthy features.
<b>Water and Sewer Proximity:</b>	A 12-inch City water line and an 8-inch City sewer are lying along Penny Road.
<b>General Drainage and Watershed:</b>	The site drains in a westerly direction and development is subject to the City Lake General Watershed Area requirements. Engineered storm water treatment measures are required for non-residential and multi-family development with a total impervious surface area greater than 24% of the site.

<b>Overlay District(s):</b>	Eastchester Scenic Corridor Overlay District City Lake General Watershed Area and Airport Overlay Area – Zone 4
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<b>Adjacent Property Zoning and Current Land Use</b>			
<b>North:</b>	<b>AG</b>	Agricultural District ( <i>Guilford County</i> )	Single family dwelling
<b>South:</b>	<b>CU GO-H</b>	Conditional Use General Office-High Intensity District	Undeveloped
<b>East:</b>	<b>AG</b>	Agricultural District ( <i>Guilford County</i> )	Single family dwelling
<b>West:</b>	<b>CU GO-H</b>	Conditional Use General Office-High Intensity District	Dentist office

<b>Transportation Information</b>			
<b>Adjacent Streets:</b>	<b>Name</b>	<b>Classification</b>	<b>Approx. Frontage</b>
	None	None	None
<b>Vehicular Access:</b>	Shared access off of Penny Road (public street)		

#### **City Department Comment Summary**

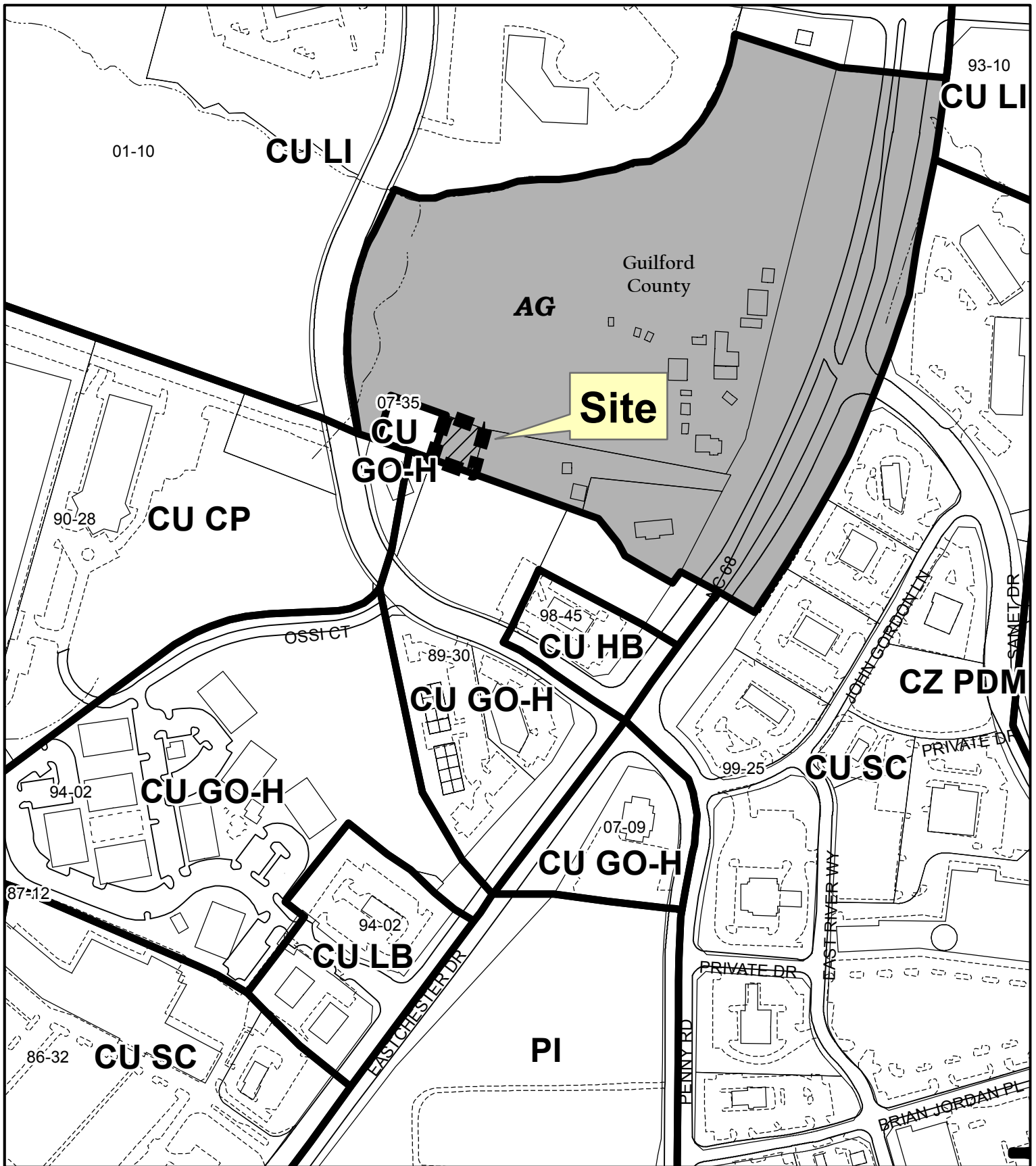
Comments were not requested for this proposed annexation due to the fact the site is within a portion of the City's planning area that is surrounded by the City's corporate limits. Annexation petitions for uses within close proximity to existing service areas do not cause the need for individual department comment.

#### **Details of Proposal**

The applicant is requesting to annex this 0.24-acre parcel to facilitate development of a proposed commercial use. This parcel is to be combined with the abutting parcel to the south to create a 2.5-acre commercial parcel that will have access to Penny Road. This request is similar and adjacent to another small parcel annexed in 2007 to facilitate the development of the dentist office immediately to the west. This annexation petition represents a logical progression of the City's annexation policy for this area as the property is within a portion of the City's Planning Area that is surrounded by the City's corporate limits and City services and service vehicles are already present in this area. The annexation of this parcel will not negatively impact the City's ability to provide services in this area.

#### **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.



## ANNEXATION REQUEST ANX15-07

**Applicant:** Everette & Patricia Grayson and  
Theodore & Gretchen Bernthal

**Area:** 0.24 acres (approximate)

**Existing Zoning Boundary** —————

**Subject Property Boundary** - - - - -

**Planning & Development  
Department**

**City of High Point**

**Date:** August 25, 2015



**Scale:** 1"=300'

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2015\pz\anx15-07.mxd

Return to: JoAnne Caryle, City Attorney  
City of High Point  
P.O. Box 230  
High Point, NC 27261  
Ordinance No. xxxx / 15-xx

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE  
CITY OF HIGH POINT, NORTH CAROLINA**

WHEREAS, The City of High Point has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid; and

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30p.m. on the 21<sup>st</sup> day of September, 2015; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-31 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of September 21, 2015.

**ANNEXATION DESCRIPTION**

Applicant: Everette Grayson and Patricia Grayson  
Theodore Bernthal and Gretchen Bernthal  
**Annexation Case 15-07**

Lying approximately 320 feet north of the intersection of Penny Road and OSSI Court. The property is address as 2723-R1 NC Highway 68 and also known as Guilford County Tax Parcel 0170014 and particularly described as follows:

BEGINNING at a new iron rod marking the northeastern corner of Amelia Claire Wilson, LLC, New Lot A, IMUD Final Plat, 68 Penny and Claire Wilson, DDS as shown on a map recorded in Plat Book 175 Page 83 and as recorded and described in Deed Book 6849 Page 0116 in the office of the Register of Deeds of Guilford County, North Carolina; thence running along the southern line of Opal E. Jordan; H H Jordan Trust as recorded and described in Deed Book 3777 Page 07 4 7 in said Guilford County Registry, South 70°21 '01" East 93.4 7 feet to an existing iron pipe marking the northwestern corner of Colon H. Jordan and Carol B. Jordan as recorded in Deed Book 3614 Page 0295 and as shown on a map recorded in Plat Book 87 Page 49 in said Guilford County Registry; thence along the western line of said Jordan, South 15°52'07" West 106.35 feet to an existing iron pipe in the existing City of High Point City Limit; thence along said City Limit North 70°21 '01" West 100.48 feet to a computed point in the eastern line of said Amelia Claire Wilson, LLC; thence along said eastern line North 19°38'59" East 106.12 feet to the point and place of BEGINNING containing an area of 0.236 acres more or less.

SECTION 2. Upon and after **September 21, 2015** the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds of Guilford County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Guilford County Board of Elections, as required by G.S. 163-288.1.

Adopted by City Council,  
this the **21<sup>st</sup>** day of **September, 2015**.  
Lisa B. Vierling, City Clerk