

CITY OF HIGH POINT

AGENDA ITEM



Title: Plan Amendment Case 15-05; and
Zoning Map Amendment Case 15-18
(G.H.K. Developments, Inc.)

From: Lee Burnette, Planning & Development
Director

Meeting Date: January 19, 2016

Public Hearing: Yes

Advertising Date: January 6, 2016 and
January 13, 2016

Advertised By: Planning & Development

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

PURPOSE:

Plan Amendment Case 15-05

A request by G.H.K. Developments, Inc. to change the Land Use Map classification for approximately 12.1 acres from Institutional, Office and Low Density Residential to a Community/Regional Commercial classification. The site is lying approximately 225 feet west of N. Main Street, north of Fisher Avenue, east of Idol Street and approximately 165 feet south of Westchester Drive.

AND

Zoning Map Amendment Case 15-15

A request by G.H.K. Developments, Inc. to rezone approximately 13.2 acres from a Residential Single Family-7 (RS-7) District, Residential Single Family-9 (RS-9) District, Limited Office (LO) District and the Conditional Use Limited Office (CU-LO) District to the Conditional Zoning Shopping Center (CZ-SC) District. The site is lying approximately 225 feet west of N. Main Street, north of Fisher Avenue, east of Idol Street and partially along the south side of Westchester Drive.

BACKGROUND:

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

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On December 8, 2015, a public hearing was held before the Planning and Zoning Commission regarding Land Use Plan Amendment Case 15-05 and Zoning Case 15-18. Staff recommended *approval* of both requests.
- B. The Planning & Zoning Commission recommended approval of Land Use Plan Amendment Case 15-05 by a vote of 6-0.
- C. The Planning & Zoning Commission recommended approval of Zoning Case 15-15, with amendments recommended by staff, by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

G.H.K. Developments, Inc.

**Plan Amendment Case 15-05
and Zoning Map Amendment Case 15-18**

At its December 8, 2015 public hearing, the Planning and Zoning Commission reviewed these requests. All members of the Commission were present except for Mr. Andrew Putnam and Mr. Ed Squires. Mr. Andy Piper, Senior Planner, presented the Land Use Plan Amendment request and Mr. Herbert Shannon, Senior Planner, presented the zoning request. Staff recommended approval of these requests with amendments.

Speaking in favor of the request:

Speaking on behalf of the applicant were the following members of their development team:

- Applicant's attorney, Tom Terrell, 300 N. Greene Street, Suite 1400, Greensboro, N.C.
- Applicant's development partner, Vin Wells, 1051 Military Cutoff Road, Suite 200, Wilmington, N.C.
- Applicant's engineer, Jason Henderson, P.E., with Bluewater Civil Design, LLC., 19 Washington Park, Suite 100, Greenville, SC.
- Applicant's traffic engineer, Jonathan Guy, P.E., with Kimley-Horn & Associates, Inc., 2000 South Boulevard, Suite 440, Charlotte, NC.

These speakers provided an overview of the proposed development of the site and addressed questions from the commission.

Also speaking in favor of the request were Reverend Eric Peacock, senior pastor at Westchester Baptist Church, 1154 Double Pond Lane, High Point and Pearson Hager, minister at Church of the Living God, 208 Fisher Avenue, High Point.

Speaking in opposition of the request:

Speaking in opposition was Mr. Jeff Sims, 3724 Sagamore Drive, Greensboro, NC. Mr. Sims owns several rental homes west of the site along Elmhurst Avenue next to a stream. He expressed concerns that if this 13-acre site is developed with a 50,000 square-foot building and a large parking lot, the stormwater runoff may negatively impact his rental homes. He requested that as part of the development of the property, the applicant be required to pipe the stream lying adjacent to his rental homes to eliminate any potential flooding impact.

Once the public hearing was closed, the Commission had several questions for staff and the applicant's development team. In conclusion, Mr. Terrell noted the applicant can agree in principle with the amendments recommended by staff.

The Planning & Zoning Commission recommended approval of Land Use Plan Amendment Case 15-05, as recommended by staff, by a vote of 6-0.

The Planning & Zoning Commission recommended approval of Zoning Case 15-18, with amendments recommended by staff, by a vote of 6-0. Upon making its recommendation, the Commission stated that its approval of Zoning Case 15-18 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) Subject to approval of the associated Land Use Plan Amendment 15-05, the requested CZ-SC District will be consistent with the Land Use Plan; 2) The request is consistent with Goal #5 and Objective #8 of the Land Use

Plan as it promotes an urban growth pattern that occurs in an orderly fashion and stimulates more efficient use of the City's land resources by encouraging in-fill development at appropriate locations; 3) The applicant has offered screening and architectural conditions, that are typically applied only in the Eastchester Scenic Corridor, to facilitate the creation of a cohesive unified development; 4) Subject to higher landscaping standards being provided near adjacent residential uses, there is an appropriate transition in land uses between more and less intensive land uses as promoted by Goal #9 of the Land Use Plan; 5) Subject to the applicant addressing issues outlined in the Transportation Department's November 24, 2015 memorandum, adverse impact caused by traffic will be addressed; and 6) The assemblage of this large land area will assist in meeting redevelopment goals of the Core City Plan, will assist in generating employment opportunities and provides the opportunity to expand the tax base for the City.

(NOTE: The applicant has submitted an amended Conditional Zoning Ordinance that addresses issues raised by staff at the Planning & Zoning Commission public hearing.)

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

STAFF REPORT

PLAN AMENDMENT CASE 15-05 AND ZONING MAP AMENDMENT CASE 15-18

January 8, 2016

Revised

Requests		
Applicant: G.H.K. Developments, Inc.	Owner(s): Westchester Baptist Church of High Point, Inc. Church of the Living God, Inc. Earl Jeffrey Jones and Teresa Ann Jones Donald and Kay Silver, LLC	
LUPA Proposal: To change the future land use designation for approximately 12.1 acres.	From:	Institutional, Office and Low Density Residential
	To:	Community/Regional Commercial
Zoning Proposal: To rezone approximately 13.2 acres.	From:	RS-7 Residential Single Family-7 RS-9 Residential Single Family-9 LO Limited Office CU-LO Conditional Use Limited Office
	To:	CZ-SC Conditional Zoning Shopping Center District

Site Information		
Location:	The site is lying approximately 225 feet west of N. Main Street and bounded by Fisher Avenue, Idol Street and Westchester Drive.	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Guilford County tax parcels 0188701, 0188711 thru 15, and 0188718	Same as LUPA, plus tax parcels 0188702, 0188716 & 0188717
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 12.1 acres	Approximately 13.2 acres
Current Land Use:	Plan Amendment	Zoning Request
	Two churches, single family dwellings and office uses	Same
Physical Characteristics:	The site has a gentle to moderately sloping terrain. An intermittent stream runs in an east to west direction across the northern portion of the site. A 100 year flood zone also impacts the western portion of the site along the stream corridor.	
Water & Sewer Proximity:	An 8-inch City water line and an 8-inch City sewer line are lying adjacent to the site along N. Main Street, Fisher Avenue, Idol Street and Westchester Drive. Also, there is a separate 12-inch sewer line in N. Main Street.	
General Drainage and Watershed:	The eastern two acres of the site drain in an easterly direction toward N. Main Street and development is subject to the Oak Hollow Lake General Watershed Area (GWA) requirements. Engineered stormwater treatment measures are required for non-residential and multi-family development	

	<p>with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more.</p> <p>The western 11 acres of the site drains in a westerly direction toward Idol Street and development is subject to the Yadkin Pee-Dee Watershed (non-water supply) requirements. Based upon the acreage of the site and the allowable development intensity, the watershed regulations may require stormwater controls to be provided.</p>
Overlay District:	Oak Hollow Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	CU-GB	Conditional Use General Business District	Various retail/commercial uses
	CZ-GB	Conditional Zoning General Business District	
South:	RS-9	Residential Single Family–9 District	Single family dwellings and Fire Department maintenance facility
	LO	Limited Office District	
East:	MS	Main Street District (Sub Area – A)	Various retail/commercial uses
West:	RS-7	Residential Single Family–7 District	Single family dwellings and a cemetery

Adjacent Land Use Plan Designations	
North:	Community/Regional Commercial
South:	Low-Density Residential and Medium Density Residential
East:	Community/Regional Commercial
West:	Institutional and Low-Density Residential

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	<p>The site currently has three land use designations:</p> <ul style="list-style-type: none"> • Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification. • Office: This classification includes professional, personal and business service uses. • Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	<ul style="list-style-type: none"> • Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	<p>The following objectives of the Community Growth Vision Statement are relevant to this request:</p> <p>Obj. 3B: Establish new or redevelop mixed use areas at key intersections where suitable land use and development patterns exist.</p> <p>Obj. 3C: Attract commercial tenants that will offer daily goods and services to nearby neighborhoods.</p>

	<p>Obj. 5H: Limit extremely large-scaled stores - “big box retail” - to key street intersections to best accommodate their potentially high traffic volumes.</p> <p>Obj. 6E: Avoid “retail leakage” to other communities by keeping retail centers viable with strong anchor tenants and by attracting new businesses that are not detrimental to High Point’s existing businesses.</p>
Land Use Plan Goals, Objectives & Policies:	<p>The following goal and objectives of the Land Use Plan are relevant to this request:</p> <p>Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.</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. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.</p>
Relevant Area Plan:	<p><u>Core City Plan:</u> While the site is located within the Core City boundaries, there are no specific policies that address commercial redevelopment at this site. However, in general, the plan recommends redevelopment of the N. Main Street area and encourages infill development.</p>
Zoning History:	<p><u>North side of Westchester Drive:</u> During the late 1980s and 1990s multiple zoning approvals were granted in the two-block area bounded by N. Main Street, W. Parris Avenue, Idol Street and Westchester Drive to allow commercial and office uses.</p> <p><u>South side of Westchester Drive:</u> Zoning Cases 90-10; 00-21 and 11-08 pertain to abutting parcels north of the zoning site fronting along Westchester Drive. These cases rezoned previous single family parcels to the General Business (GB) District to facilitate development of commercial uses.</p> <p><u>Zoning Case 08-04:</u> This zoning case established the Main Street (MS) District. It was applied to property east of this current zoning site, fronting along N. Main Street. Prior to the establishment of the MS District, parcels fronting along this segment of N. Main Street were generally designated as a General Business (GB) District.</p>
LUPA History:	<p>There have been no Land Use Plan Amendments on or near this site since the adoption of the current Land Use Plan in 2000.</p>

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	N. Main Street	Major Thoroughfare	None
	Westchester Drive	Major Thoroughfare	400 ft.
	Idol Street	Local Street	870 ft.
	Fisher Avenue	Local Street	990 ft.

Vehicular Access:	Westchester Drive (public street), Idol Street (public street), Fisher Avenue (public street), and N Main Street (public street)	
Traffic Counts: (Average Daily Trips)	N. Main Street Westchester Drive	24,000 ADT (2013, NCDOT) 24,000 ADT (2013, NCDOT)
Estimated Trip Generation:	Using the development data provided by the applicant, the total ADT for this site is estimated at 6,102 trips per day.	
Traffic Impact Analysis (TIA):	Required	
	<u>Yes</u> X	<u>No</u>
	<p>Comments: The TIA recommended improvements are:</p> <ol style="list-style-type: none"> <u>Idol Street at Westchester Drive</u> <ol style="list-style-type: none"> Installation of an eastbound right-turn lane with 100 feet of storage and appropriate taper on Westchester Drive. Installation of a northbound right-turn lane with 100 feet of storage and appropriate taper on Idol Street. Installation of a traffic signal per MUTCD and NCDOT guidelines. Installation of advanced warning signage, W3-3 "Signal Ahead", per the MUTCD; Installation of an advanced warning beacon with sign W3-3 per MUTCD guidance. <u>Driveway #1 at Westchester Drive</u> <ol style="list-style-type: none"> Construction of an eastbound right-turn lane to provide 100 feet of storage. Construction of an exiting driveway approach with dedicated left and right-turn lanes. <u>Driveway #6 at N Main Street</u> <ol style="list-style-type: none"> Restriping of the existing northbound left-turn lane to provide 125 feet of storage. Construction of a southbound right-turn lane that maximizes the available storage between Driveway #6 and the existing Walgreen's driveway while providing for an appropriate taper. Construction of an eastbound exiting driveway with a channelized right-turn only lane. The channelization of the movement should be at an angle that directs cars to turn right, but still allows the appropriate sight line for oncoming traffic of N Main Street. Supplemental flexible delineators should be installed along N Main Street to further restrict an exiting left-turn movement from Driveway # 6, but not restrict left-turns into businesses on the opposite side of N Main Street. <u>Driveway #4 and Fisher Street</u> - Construction of an exiting driveway approach with dedicated left and right-turn lanes. <u>Driveway #4 and Fisher Street</u> - Construction of an exiting driveway approach with dedicated left and right-turn lanes. See attached TIA Executive Summary. 	
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.	

School District Comment

Not applicable to this zoning case.

Details of Proposal

1. General Overview:

The site is part of a city block bounded by N. Main Street, Fisher Avenue, Idol Street and Westchester Drive. The N. Main Street and Westchester Drive frontages of this block are designated as Community/Regional Commercial and developed with a variety of commercial uses. The Fisher Avenue and Idol Street frontages of the block have a combination of Office, Institutional and Low Density Residential designation and are mostly undeveloped with two churches, single family dwellings and office uses along its street frontages. The applicant is requesting a Land Use Plan Amendment and a Zoning Map Amendment to allow the site to be developed for commercial uses.

2. Summary of Land Use Plan Amendment Request:

The applicant has requested a Land Use Plan Amendment to change the future land use designation for the site from Institutional, Office and Low Density Residential to Community/Regional Commercial. When requests are made for Land Use Plan Map amendments, staff analyzes the request and the surrounding area to determine whether the proposed boundary is logical and whether there is a rationale for the change based on the goals, objectives and policies of the Land Use Plan and any relevant area plans or other planning documents.

The current land use designations for the site were carried forward from the previous Land Use Plan adopted in 1992, except for a narrow area shown as Local/Convenience Commercial that was redesignated to Office during adoption of the current Land Use Plan in 2000. It appears these designations were selected in recognition of the uses that were already in place, rather than what was predicted for the future.

Over the intervening 20+ years, the other three corners of this major intersection at Eastchester/Westchester Drive and N. Main St. have seen significant commercial development, including a previously residential area on the north side of Westchester Drive. As the last remaining corner of the intersection that is largely undeveloped, the question is whether this proposal to alter the development pattern is appropriate based on the goals and objectives found in the city's relevant policy documents. This includes policies recommending the efficient use of the city's limited supply of land through "in-fill" development where suitable opportunities exist, and by encouraging major commercial development to locate at key intersections, but also to provide transitions to adjacent incompatible land uses where feasible. Also of relevance is that the site is located within the Core City, where there have been efforts to attract development closer to the traditional downtown, particularly uses that are within walking and bicycling distance of neighboring residents.

3. Summary of Zoning Request:

The applicant is requesting rezoning from a combination of single family residential and office zoning districts to the Conditional Zoning Shopping Center (CZ-SC) District in order to develop an approximately 55,000 square foot commercial development. Except for the

Westchester Baptist Church building, at the corner of Fisher Avenue and Idol Street, all existing structures will be razed to facilitate this commercial development. The Westchester Baptist Church facility may be razed in the future to develop additional commercial uses.

The SC District is primarily intended to accommodate a wide range of high intensity retail and service developments meeting the shopping needs of the community and the region. The district is established on large sites to provide locations for major developments, which contain multiple uses, shared parking & vehicular circulation areas, and coordinated signage and landscaping. The applicant has submitted a Conditional Zoning Ordinance with this request which include conditions pertaining to prohibiting certain uses, higher landscaping standards, screening requirements, signage & architectural standards and transportation conditions.

Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Development Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. 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 Plans:

The proposed Conditional 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:

Provided the Land Use Plan Amendment is approved, the proposed conditional zoning district will be consistent with the Land Use Plan. This proposal is also consistent with several goals and objectives of the Land Use Plan and the Community Growth Vision Statement in regard to promoting the efficient use of land through in-fill development near existing residential areas and locating larger commercial developments near major intersections. The siting of this project within the Core City instead of in other areas of High Point supports the purpose and goals of the Core City Plan.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<p><u>Staff Comments:</u></p> <ul style="list-style-type: none">❖ The other corners of this intersection have developed as separate individual or non-related commercial developments. In this case a larger land area is proposed for rezoning and development. The proposal to assemble most of the parcels in this block will facilitate the creation of a cohesive unified development. Vehicular & pedestrian traffic has been planned and integrated throughout the site; and a single development plan will assist in providing for a

	<p>coordinated and overall unified commercial development.</p> <ul style="list-style-type: none"> ❖ This block was never primarily residential in use because a majority of the land area is owned by a single property owner. It has served as a transitional area between the major thoroughfares and the abutting neighborhoods to the southwest. Current uses along Fisher Avenue and Idol Street consist of some single family dwellings, City of High Point Fire Department maintenance facility, churches, office uses and a cemetery. To ensure development will be compatible with the surrounding area, the applicant has offered to prohibit some of the objectionable uses allowed in the SC District and to provide a higher landscaping standard along Fisher Avenue. In addition, the applicant has offered conditions that incorporate some of the higher standards of the Eastchester Scenic Corridor Overlay in regards to screening loading docks & trash collection areas and architectural standards to promote a unified development.
<u>Factor #2</u>	<p>Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;</p> <p><i>Staff Comments:</i></p> <ul style="list-style-type: none"> ❖ To mitigate impacts to adjacent residential property owners the applicant has offered to install a higher planting yard rate along the sites Fisher Avenue frontage. Additionally, they have offered to screen trash holding receptacles, loading or service areas, mechanical or electrical equipment, or other unsightly building appurtenances. ❖ In conjunction with direction from the City of High Point Transportation Department, the applicant has submitted a Traffic Impact Analysis (TIA) with this application. Recommendations from this TIA have been offered by the applicant as zoning conditions to mitigate traffic impacts from the proposed commercial development.
<u>Factor #3</u>	<p>Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;</p> <p><i>Staff Comments:</i></p> <p>The subject site is within the Oak Hollow Lake General Watershed Area and the Yadkin Pee-Dee Watershed (non-water supply) requirements. Additionally an intermittent stream and 100-year flood zone area impact the western portion of the site near Idol Street. Environmental regulations of the Development Ordinance limit disturbance near this stream corridor by requiring a 50-foot wide stream buffer along both sides of the stream. Also, the applicant has offered to preserve trees within the existing 100 year flood plain area.</p>
<u>Factor #4</u>	<p>Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;</p> <p><i>Staff Comments:</i></p> <p>The property is within an area served by City of High Point utilities and municipal services. This request will have no adverse impact on municipal services.</p>
<u>Factor #5</u>	<p>Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.</p>

	<p><u>Staff Comments:</u> Subject to sufficient screening being provided to adjacent residential property owners and clarification of the transportation related conditions, the allowance of commercial uses is not expected to negatively impact the values or enjoyment of adjacent property owners.</p>
--	---

Changes in the Area:

There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.

Staff Comments:

The various blocks surrounding the Eastchester/Westchester Drive and N. Main Street intersection have seen a slow but steady transition from residential to commercial uses. In the early 1980s, commercial uses were primarily concentrated at the intersection. Over the past 30 years, the residential uses directly abutting these intersections have gradually transitioned from residential to nonresidential uses. In regards to this zoning request, since the majority of the land area in this block is under single ownership (i.e. owned by Westchester Baptist Church) it has become the last quadrant of this intersection to make this transition from residential to commercial uses. The allowance of commercial uses would mirror changes that have occurred at the other quadrants of this intersection.

Development Patterns:

The proposed Conditional Zoning District would result in development that promotes a logical, preferred and orderly development pattern.

Staff Comments:

- ❖ The larger overall area, other quadrants of this intersection, is denoted on the Land Use Map as being intended for commercial uses. Therefore, the request by the applicant to rezone to a CZ-SC District is consistent with the development pattern that has emerged in this area over the past 30 years.
- ❖ The Core City Plan, and the subsequent adoption of the Main Street Zoning District in 2008, promoted and encouraged higher intensity uses to be established where appropriate in the context of surrounding uses, including near residential area. This request for a CZ-SC District, along with recent redevelopment projects along the Main Street corridor, reflects the goals of the Core City Plan.

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) Subject to approval of the associated Land Use Plan Amendment 15-05, the requested CZ-SC District will be consistent with the Land Use Plan;
- 2) The request is consistent with Goal #5 and Objective #8 of the Land Use Plan as it promotes an urban growth pattern that occurs in an orderly fashion and stimulates more efficient use of the City's land resources by encouraging in-fill development at appropriate locations;
- 3) The applicant has offered screening and architectural conditions, that are typically applied only in the Eastchester Scenic Corridor, to facilitate the creation of a cohesive unified

development;

- 4) Subject to higher landscaping standards being provided near adjacent residential uses, there is an appropriate transition in land uses between more and less intensive land uses as promoted by Goal #9 of the Land Use Plan;
- 5) Transportation conditions offered by the applicant, including improvement to the intersection of Westchester Drive & Idol Street and N. Main Street entrance to the site, will mitigate traffic impact from the proposed commercial development of the site; and
- 6) The assemblage of this large land area will assist in meeting redevelopment goals of the Core City Plan, will assist in generating employment opportunities and provides the opportunity to expand the tax base for the City.

Recommendation

1. Land Use Plan Amendment Case 15-05:

Staff Recommends Approval:

Staff recommends approval of the request to change the Institutional, Office and Low Density Residential land use designation, for approximately 12.1 acres, to the Community/Regional Commercial land use designation. The request meets the goals and objectives of the Land Use Plan and the Core City Plan and will be in harmony with the land use pattern of the surrounding area.

2. Zoning Case 15-02:

Staff Recommends Approval:

As addressed in the Staff Analysis section of this report, conditions offered by the applicant address objectives of the Land Use Plan, will ensure development of the zoning site will be compatible with the surrounding area and in conformance with adopted plans. The Planning & Development Department recommends approval of the request to rezone this 13.2 acre parcel to the CZ-SC District.

Required Action

Planning and Zoning Commission:

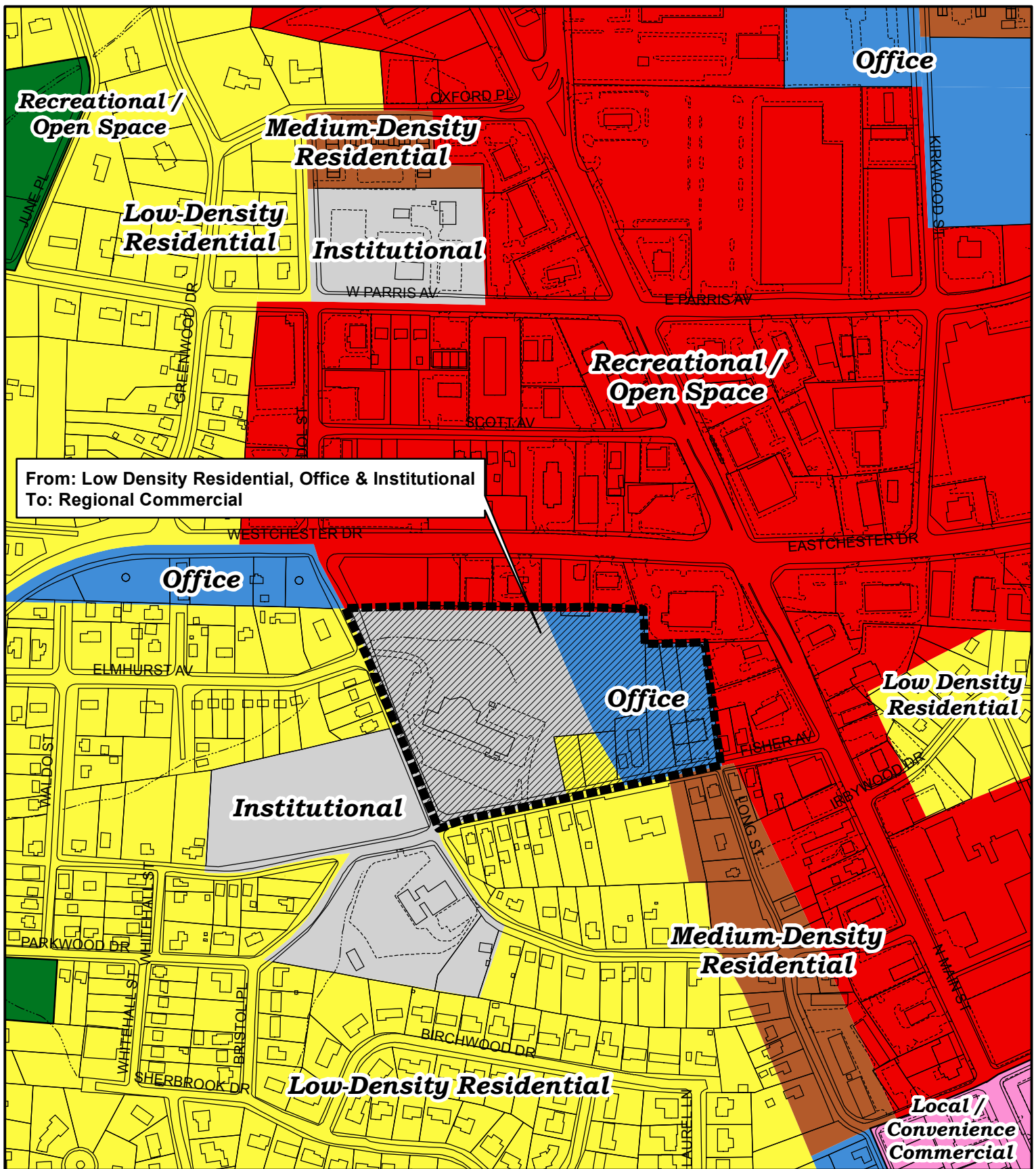
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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



LAND USE PLAN AMENDMENT PA15-05

**From: Low Density Residential, Office & Institutional
To: Regional Commercial**

Existing Zoning Boundary
Subject Property Boundary



**Planning & Development
Department**

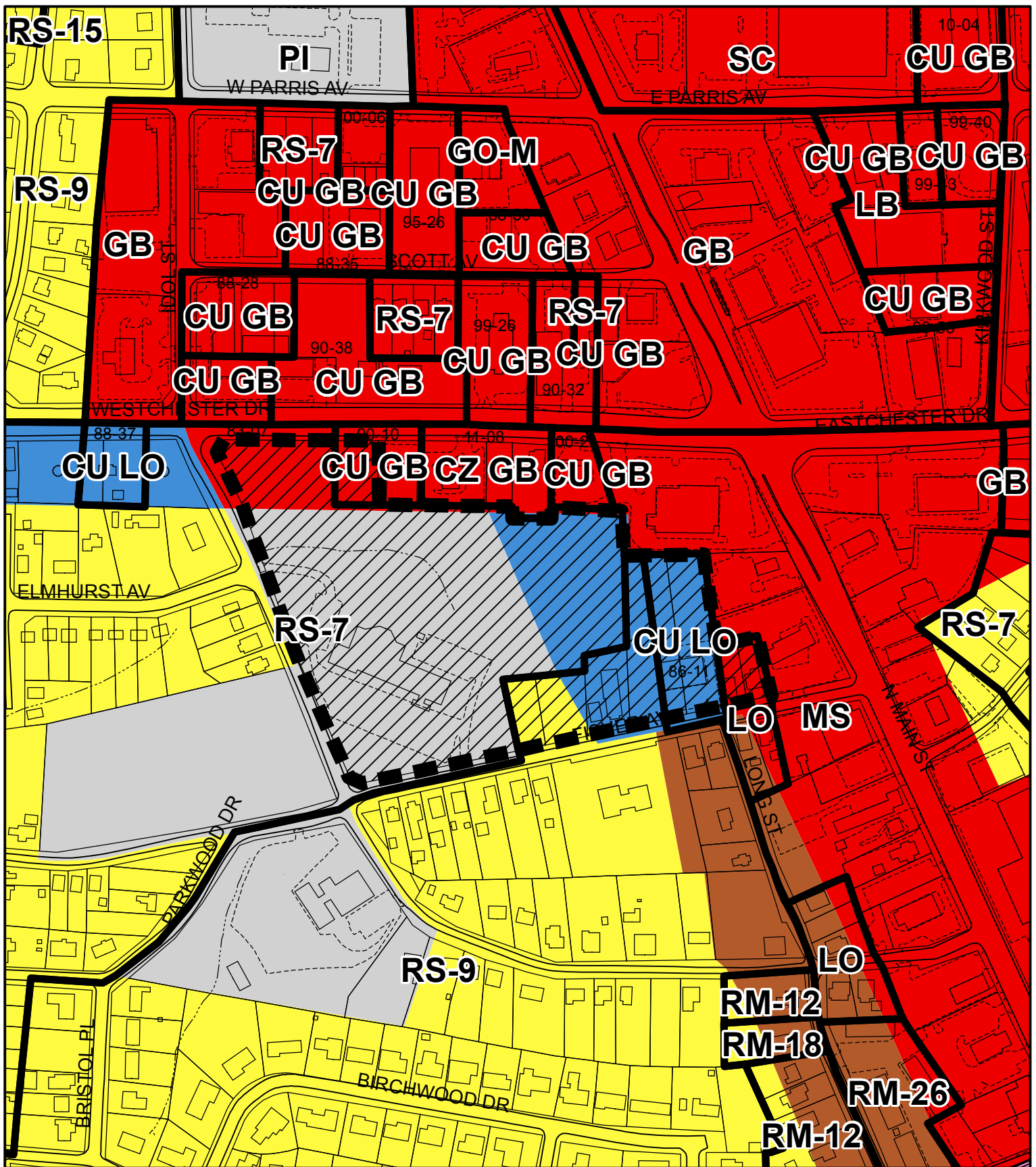
City of High Point

Date: December 8, 2015






Scale: 1"=400'

G:\Planning\Secure\ba-pz/
2015/pz/lupa15-05.mxd



ZONING AMENDMENT ZA15-18

Land Use Plan

 Low-Density Residential	 Office
 Medium-Density Residential	 Institutional
 Community/Regional Commercial	

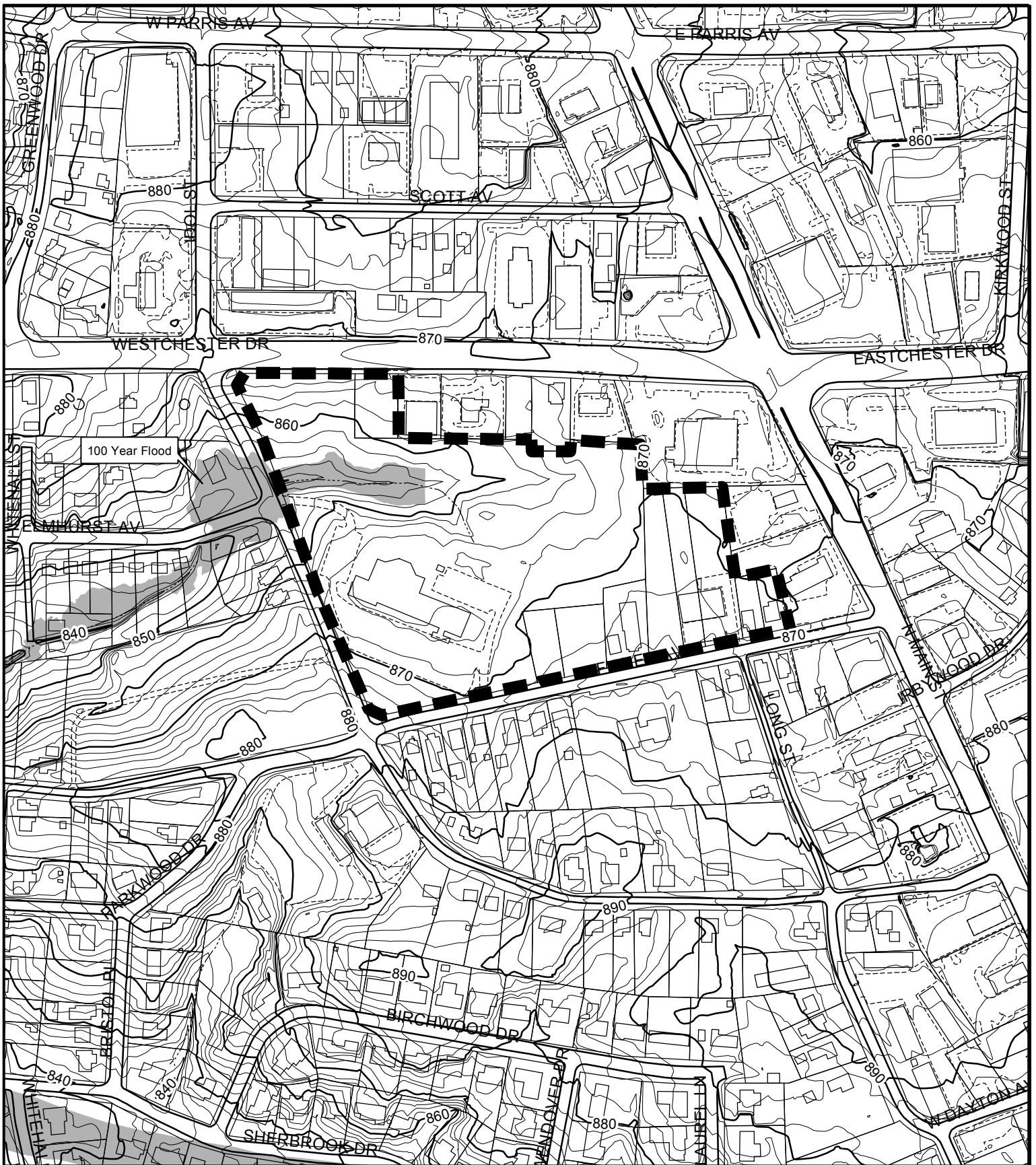
Planning & Development
Department

City of High Point

Date: December 8, 2015



Scale: 1"=300'
G:\Planning\Secure\ba-pz\2015\pz\za15-18clu.mxd



ZONING AMENDMENT ZA15-18

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: December 8, 2015




Scale: 1"=300'

G:\Planning\Secure\ba-pz/
2015\pz\za15-18topo.mxd

ZONING AMENDMENT ZA15-18

November 24, 2015

To: Lee Burnette, Director of Planning and Development

From: Mark McDonald, P.E., Transportation Director 

Subject: Rezoning Case #15-18, G.H.K. Developments. Property located approximately 250 feet west of N. Main Street, north Fisher Avenue, east of Idol Street and partially along the south side of Westchester Drive.

My staff and I have reviewed the rezoning request and offer the following comments:

A traffic impact analysis was required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. This development will generate approximately two hundred and eight (208) new trips in the AM peak hour, three hundred and twenty-nine (329) new trips in the PM peak hour and a total of 6,102 new trips/day.

Access

Six (6) new points of access shall be allowed.

- One (1) access point shall be allowed onto N. Main Street, allowing northbound left turns from N. Main into the driveway and right turns out, but channelized in a manner that restricts left turns out from the site.
- Three (3) full movement access points shall be allowed on Fisher Avenue.
- One (1) full movement access point shall be allowed on Idol Street.
- One (1) full movement access point shall be allowed on Westchester Drive.
- The two (2) accesses for the existing church, near the corner of Idol Street and Fisher Avenue, shall be allowed to remain; however, when the property is redeveloped, interconnectivity shall be required on Fisher Avenue and one (1) additional point of access shall be allowed on Idol Street between Elmhurst Avenue and Fisher Avenue.

Right-of-way

The Developer shall dedicate right-of-way thirty (30) feet as measured from the centerline along Fisher Avenue and Idol Street .

Roadway and Intersection Improvements

N. Main Street @ Site Access Point:

- The Developer shall install a southbound right turn lane at this intersection, maximizing available storage with appropriate taper.
- The Developer shall install an eastbound exiting driveway with a channelized right turn exit only lane. The island shall direct cars into a right turn only, while providing a sight line for oncoming traffic traveling north on N. Main Street.

- Supplemental flexible delineators shall be installed along N. Main Street to restrict an exiting left turn movement, but not restricting left turns into businesses on the opposite side of N. Main Street.
- The existing northbound left turn lane shall be restriped to provide 125 feet of storage.

Fisher Avenue @ Site Access Points:

- The Developer shall install three (3) exiting driveway approaches with dedicated left and right turn lanes.

Idol Street @ Site Access Point:

- The Developer shall install an exiting driveway approach with dedicated left and right turn lanes.

Westchester Drive @ Idol Street:

- The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, per NCDOT and HPDOT Standards. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.
- An eastbound right turn shall be installed with 100 feet of storage and appropriate taper on Westchester Drive.
- A northbound right turn lane shall be installed with 100 feet of storage and appropriate taper on Idol Street.
- An advanced warning "SIGNAL AHEAD" (W3-3) sign and an advanced warning beacon shall be installed for the northbound approach of the intersection, per MUTCD guidelines.

Fisher Avenue at Church driveways:

- Upon development of the corner property at Idol Street and Fisher Avenue, the Fisher Avenue access shall be closed, with inner connectivity to be provided. One access shall be allowed on Idol Street, between Elmhurst Avenue and Fisher Avenue. The Developer shall install an exiting driveway approach with dedicated left and right turn lanes.

All roadway and intersection improvements must be completed prior to the issuance of Certificate of Occupancy.

The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

If you have any questions or would like to further discuss this case, please advise.

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 December 8, 2015 and before the City Council of the City of High Point on January 19, 2016 regarding **Zoning Case 15-18** 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 November xx, 2015, for the Planning and Zoning Commission public hearing and on January xx, 2016 and January xx, 2016, 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 _____.

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 Shopping Center (CZ-SC) District**. The property is approximately 13.2 acres lying approximately 225 feet west of N. Main Street and bounded by Fisher Avenue, Idol Street and Westchester Drive. The property is also known as Guilford County Tax Parcel 0188701, 0188702, 0188711, 0188712, 0188713, 0188714, 0188715, 0188716, 0188717 and 0188718.

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. Any of the land uses allowed in the Shopping Center (SC) District, and their customary accessory uses, shall be permitted subject to the development and dimensional requirements of the Development Ordinance, and the specific conditions listed in this Ordinance.
- B. **Prohibited Uses:** The following uses allowed in the SC shall be prohibited:
 - 1. Bars
 - 2. Tobacco stores
 - 3. Coin operated amusements

4. Video sweepstakes establishments
5. Pawn shops
6. Flea markets

Part II. CONDITIONS:

- A. Development and Dimensional Requirements: Building height shall be limited to thirty-six (36) feet above the adjacent grade.
- B. Landscaping, Buffers and Screening.
 1. Street Planting Yards (Fisher Avenue and Idol Street):
 - a. Landscaping along Fisher Avenue shall consist of a street yard, planted at a Type C rate.
 - b. When any off-street parking or vehicular surface area is within 25 feet of the Fisher Avenue or Idol Street right-of-ways, the required street yard planting rate shall be increased to provide for a minimum of 25 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting. This higher planting rate is intended to result in a continuous hedge row so as to provide low level screening of the off-street parking area and shall only apply where residential uses are lying along the opposite side of Fisher Avenue and Idol Street.
 2. Tree Preservation:
 - a. Trees within the existing 100 year flood plain shall be preserved.
 - b. A common landscaping scheme, including street yard(s) and peripheral plantings, parking area plantings, and tree preservation shall be used.
 3. Screening/Buffering:
 - a. A Type C tree planting rate (2 canopy trees and 3 understory trees every 100 linear feet) shall be installed at the rear of the commercial building (area between new commercial building and Westchester Baptist Church). This higher planting rate is intended to filter the views of the rear of the commercial building from Fisher Avenue and Idol Street.
 - b. Except where topographical features prevent reasonable screening, screening and/or landscaping shall be installed so as to obscure as much as reasonably possible from view from public rights-of-way all trash rooms, trash holding receptacles, loading or service areas, mechanical or electrical equipment, storage facilities or bins, or other unsightly building appurtenances.
 - c. Appropriate screening shall also be provided to obscure as much as reasonably possible roof-mounted equipment, appurtenances, and roof vents from view from public rights-of-way.
 - d. Roof-mounted HVAC equipment shall be screened from view of adjoining residential property owners and abutting public streets.

- e. All trash holding receptacles and/or dumpsters shall be screened from view of any public right-of-way and from all adjoining residentially zoned properties and/or uses.

C. Other Conditions.

1. Signage:

- a. All buildings shall adhere to a Common Signage Plan. The Common Signage Plan shall give requirements and criteria, including locations, area(s), copy, illumination proposed, height(s), material(s), proposed color schemes, and provisions for shared use of signage.
- b. Prohibited signs: The following signs shall be prohibited:
 - i. changeable copy signs (message boards)
 - ii. animated signs
 - iii. ground surface signs
 - iv. posters
- c. Freestanding signs shall display only the name, trademark, registered logo.
- d. Illumination of all signage shall be limited to cut-out letter, indirect lighting, or internally lit channel letter/logo signs. No exposed raceways shall be allowed.
- e. Internally illuminated box signs shall be limited to six square feet or less, and shall be limited to site directional signs or a maximum of three building mounted signs installed no more than ten (10) feet above grade at the primarily (east) elevation.
- f. All development entrance and identification signs shall prominently display their address.
- g. Attached wall signs shall be limited to 7.5% of wall area.

2. Architecture

- a. Metal and vertical sidings are prohibited as well as exposed finish wall materials.
- b. Design guidelines shall facilitate a unified development with compatible architecture, scale, proportion and building elements to provide visual unity. Said guidelines shall be as follows:
 - i. Exterior building materials and colors shall be consistent throughout the development.
 - ii. Each building shall be required to incorporate pilasters or other repetitive elements of a unifying brick color into the design. The brick shall match that of the exiting Walgreens Pharmacy at the corner of N. Main Street & Westchester Drive.
 - iii. All sides of all buildings shall provide a minimum two (2) foot high parapet.
 - iv. Accent elements using sloped roofs shall be limited to 40% of the building perimeter. The remainder of the building shall include parapets.

D. Transportation Conditions.

1. Access

- a. Up to six (6) points of access shall be allowed to the primary development tract. These do not include existing access to Westchester Baptist Church.

- 1) One (1) access point shall be allowed onto N. Main Street, allowing northbound left turns from N. Main Street into the driveway and right turns out, but channelized in a manner that restricts left turns out from the site.
- 2) Three (3) full movement access points shall be allowed on Fisher Avenue.
- 3) One (1) full movement access point shall be allowed on Idol Street.
- 4) One (1) full movement access point shall be allowed on Westchester Drive.

- b. Future access for the Westchester Baptist Church tract:

The two (2) existing access points for Westchester Baptist Church shall be allowed to remain as long as the church is in use. However, when this tract of the rezoning site is redeveloped, these two (2) driveways shall be closed. Interconnectivity shall be required between the adjacent uses (i.e., the church tract and the primary tract), and up to two (2) new access points will be allowed on Idol Street between Elmhurst Avenue and Fisher Avenue, in compliance with the City's Driveway Ordinance. The exit approaches of all new driveways shall be constructed with dedicated left and right turn lanes if necessary to maintain safety and traffic flow.

2. Right-of-way Dedication:

Except for tax parcels 0188716 and 0188717 (106 & 108 Fisher Avenue), the Developer shall dedicate twenty-five (25) feet of right-of-way, as measured from the centerline, along Fisher Avenue and Idol Street.

3. Roadway and Intersection Improvements

All of the following roadway and intersection improvements must be completed prior to the issuance of Certificate of Occupancy.

- a. N. Main Street @ Site Access Point:

- 1) The Developer shall install a southbound right turn lane at this intersection, maximizing available storage with appropriate taper.
- 2) The Developer shall install an eastbound exiting driveway with a channelized right turn exit only lane. The island shall direct cars into a right turn only, while providing a sight line for oncoming traffic traveling north on N. Main Street.

- 3) Supplemental flexible delineators shall be installed along N. Main Street to restrict an exiting left turn movement, but not restricting left turns into businesses on the opposite side of N. Main Street.
 - 4) The existing northbound left turn lane shall be restriped to provide 125 feet of storage.
- b. Fisher Avenue @ Site Access Points:
The Developer shall install three (3) exiting driveway approaches with dedicated left and right turn lanes.
 - c. Idol Street @ Site Access Point:
The Developer shall install an exiting driveway approach with dedicated left and right turn lanes.
 - d. Westchester Drive@ Idol Street:
 - 1) The applicant shall install a traffic signal at the intersection of Westchester Drive and Idol Street. The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, per NCDOT and HPDOT Standards. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.
 - 2) An eastbound right turn shall be installed with 100 feet of storage and appropriate taper on Westchester Drive.
 - 3) An east bound right turn lane shall be installed with 100 feet of storage and appropriate taper on Idol Street.
 - 4) An advanced warning "SIGNAL AHEAD" (W3-3) sign and an advanced warning beacon shall be installed for the northbound approach of the intersection, per MUTCD guidelines.
4. Other Transportation Conditions
 - a. Sidewalks shall be constructed within the right-of-way along the site's street frontages on Idol Street and Fisher Avenue and along Westchester Drive from the Westchester Drive /Idol Street intersection to the site's Westchester access. The Fisher Avenue sidewalk shall be constructed from N. Main Street to the beginning of the property used for a church at Westchester and Idol at the time of initial construction. The sidewalk extending from the sidewalk constructed at the time of initial development along Fisher Avenue and along Idol Street shall be constructed to the full movement access onto Idol Street at such time as the church property is redeveloped. The sidewalk along the outparcel at the corner of Idol Street and Westchester Avenue shall be constructed at such time as the outparcel is developed.
 - b. The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

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.

____th day of XXXXXXXXXX xx, 2016.

Lisa B. Vierling, City Clerk

The applicant's traffic engineer submitted the following Executive Summary from their Traffic Impact Analysis (TIA).

In addition to this summary, the complete TIA has been submitted to the City of High Point Transportation Department for review.



Traffic Impact Analysis

High Point Publix High Point, NC

Prepared for:

GHK Development

Kimley»Horn

**Traffic Impact Analysis for
High Point Publix
High Point, North Carolina**

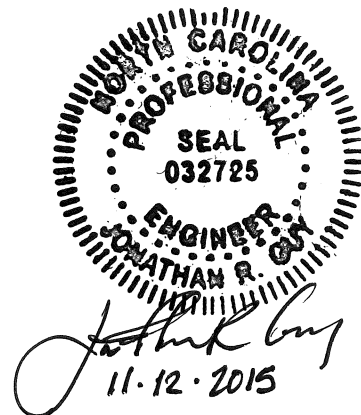
Prepared for:

**GHK Developments, Inc.
New Orleans, Louisiana**

Prepared by:

**Kimley-Horn and Associates, Inc.
NC License #F - 0102
2000 South Boulevard, Suite 440
Charlotte, North Carolina 28203
(704) 333-5131**

November 2015



1.0 Executive Summary

The purpose of this Traffic Impact Analysis (TIA) is to review vehicular traffic impacts as a result of the proposed High Point Publix development. The objectives of the study are:

- To estimate trip generation and distribution for the proposed development.
- To perform capacity analyses for the identified study area.
- To determine the potential traffic impacts of the proposed development.
- To develop recommendations for needed roadway and operational improvements to accommodate the proposed development's traffic impacts.

The proposed High Point Publix development is located in High Point, North Carolina in the southwest quadrant of the intersection of North Main Street and Westchester Drive. As currently envisioned, the proposed development will be comprised of the following land uses and intensities:

- 79,098 SF of Shopping Center
- 4,460 SF of High Turnover Sit Down Restaurant
- 2,100 SF of Fast Food with Drive Through

The development is expected to be completed (built-out) in 2020. The development will be accessed via the following proposed driveways:

- Driveway #1 – A full-movement, unsignalized driveway connection on Westchester Drive
- Driveway #2 – A full-movement, unsignalized driveway connection on Idol Street
- Driveways #3, #4, and #5- Full-movement, unsignalized connections to Fisher Avenue
- Driveway #6 – A northbound directional crossover, unsignalized driveway connection on North Main Street.

This report summarizes the analyses of 2015 existing conditions, 2020 background conditions, and 2020 build-out conditions, during the AM, Midday, and PM peak hours. A five year horizon year was determined based on coordination with the City of High Point and the NCDOT. The site will most likely be constructed and operational prior to the completion of the five year horizon year. Therefore, this analysis should be considered conservative.

Capacity analysis were performed at the following intersections:

1. Idol Street at Westchester Drive (full-movement, unsignalized)
2. N Main Street at Westchester Drive (signalized)
3. N Main Street at Fisher Avenue (full-movement, unsignalized)

4. N Main Street at Wendy's Driveway/Driveway #6 (full-movement, unsignalized, proposed directional crossover)
5. Westchester Drive at Driveway #1 (proposed full-movement, unsignalized)
6. Idol Street at Driveway # 2 (proposed full-movement, unsignalized)
7. Fisher Avenue at Driveways #3, #4, and #5 (proposed full-movement, unsignalized). It should be noted that Driveway #5 is a truck access point.

Kimley-Horn and Associates, Inc. was retained to determine the potential traffic impacts of this development (in accordance with the traffic study guidelines set forth by NCDOT and the City of High Point) and to identify transportation improvements that may be required to accommodate future traffic conditions. This report presents trip generation, distribution, capacity analyses, and recommendations for transportation improvements required to meet anticipated traffic demands associated with this proposed school.

Based on the capacity analyses contained herein, the following improvements are recommended for the study area:

Idol Street at Westchester Drive

- Installation of a eastbound right-turn lane with 100 feet of storage and appropriate taper on Westchester Drive;
- Installation of a northbound right-turn lane with 100 feet of storage and appropriate taper on Idol Street;
- Installation of a traffic signal per MUTCD and NCDOT guidelines;
- Installation of advanced warning signage, W3-3 "Signal Ahead", per the MUTCD;
- Installation of an advanced warning beacon in combination with sign W3-3 per MUTCD guidance.

Driveway #1 at Westchester Drive

- Construction of an eastbound right-turn lane to provide 100 feet of storage;
- Construction of an exiting driveway approach with dedicated left and right-turn lanes.

N Main Street at Driveway #6

- Restriping of the existing northbound left-turn lane to provide 125 feet of storage.
- Construction of a southbound right-turn lane that maximizes the available storage between Driveway #6 and the existing Walgreen's driveway while providing for an appropriate taper;
- Construction of an eastbound exiting driveway with a channelized right-turn only lane. The channelization of the movement should be at an angle that directs cars to turn right, but still allows for an appropriate sight line for oncoming traffic on N. Main Street;

- Supplemental flexible delineators should be installed along N. Main Street to further restrict an exiting left-turn movement from Driveway #6, but not restrict left-turns into businesses on the opposite side of N. Main Street.

Driveway #2 and Idol Street

- Construction of an exiting driveway approach with dedicated left and right-turn lanes.

Driveway #3 and Fisher Street

- Construction of an exiting driveway approach with dedicated left and right-turn lanes.

Driveway #4 and Fisher Street

- Construction of an exiting driveway approach with dedicated left and right-turn lanes.

Driveway #5 (Truck Access) and Fisher Street

- Construction of an exiting driveway approach with dedicated left and right-turn lanes.

With these recommended improvements, it is anticipated that sufficient onsite storage for queueing is provided. Recommended Roadway Laneage can be seen in **Figure 9**.

- Supplemental flexible delineators shall be installed along N. Main Street to restrict an exiting left turn movement, but not restricting left turns into businesses on the opposite side of N. Main Street.
- The existing northbound left turn lane shall be restriped to provide 125 feet of storage.

Fisher Avenue @ Site Access Points:

- The Developer shall install three (3) exiting driveway approaches with dedicated left and right turn lanes.

Idol Street @ Site Access Point:

- The Developer shall install an exiting driveway approach with dedicated left and right turn lanes.

Westchester Drive @ Idol Street:

- The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, per NCDOT and HPDOT Standards. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.
- An eastbound right turn shall be installed with 100 feet of storage and appropriate taper on Westchester Drive.
- A northbound right turn lane shall be installed with 100 feet of storage and appropriate taper on Idol Street.
- An advanced warning "SIGNAL AHEAD" (W3-3) sign and an advanced warning beacon shall be installed for the northbound approach of the intersection, per MUTCD guidelines.

Fisher Avenue at Church driveways:

- Upon development of the corner property at Idol Street and Fisher Avenue, the Fisher Avenue access shall be closed, with inner connectivity to be provided. One access shall be allowed on Idol Street, between Elmhurst Avenue and Fisher Avenue. The Developer shall install an exiting driveway approach with dedicated left and right turn lanes.

All roadway and intersection improvements must be completed prior to the issuance of Certificate of Occupancy.

The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

If you have any questions or would like to further discuss this case, please advise.

Citizens Information Meeting Report
Zoning Amendment Case 15-18

Submitted by: Thomas E. Terrell Jr., on behalf
of GHK Developments, Inc.

Citizen Information Meeting Report

1. Letter to Property Owners

Applicant GHK Developments, Inc. (GHK) sent the letter attached as Exhibit A to all property owners within 300 feet. The letter included a site plan, a description of the project, and invited all recipients to call GHK's attorney (direct office number and cell number provided) if they had any comments, questions or concerns.

The letter also invited each owner to attend a Citizen Information Meeting at Westchester Baptist Church on November 11. The meeting was arranged on a "drop in" basis between 5:30 and 7:00 to maximize opportunities for people to attend. The list of owners receiving the letter is attached as Exhibit B.

2. Phone calls

Three letter recipients called, all of them supportive. Ms. Carolyn Ayscue, who lives on Scott Avenue, called to ask general questions. She supported the project but preferred that the developer not add another mattress store. Mr. Cam Cridlebaugh and his wife own two investment properties on Idol. He called to ask general questions, but was clear that he was very supportive of the rezoning. And Mr. Coy Williard, who owns an investment property near Idol and Westchester, called to ask general questions but also to express what he described as "enthusiastic support."

3. Lebanon United Methodist Church

On November 11, Gordon Kolb, Jr., Vin Wells and Tom Terrell met with members of Lebanon United Methodist Church. LUMC is the oldest, continually existing member of this neighborhood, and it has been the "anchor neighbor" for several decades. Rev. Tim James plus 22 members of the church attended. The sign in sheet is attached as Exhibit C.

Mr. Kolb introduced himself and his family's company and used several site plans, aerials and renderings in 24 x 36 poster size to explain the architectural qualities, the ingress/egress locations, parking, landscaping, buffering, etc. Mr. Terrell handed out a list of uses from the Zoning Ordinance Table of Permitted Uses and invited attendees to review it to determine if there were uses offensive to a church or that might be degrading to the character of the neighborhood.

Members of the church asked many questions. Regarding traffic, they were curious if Idol or Fisher would be widened and whether a light would be installed at Idol and Westchester. They also asked about construction schedules, detention ponds, what the zoning would be, whether Westchester Baptist Church would remain, whether HVAC systems would be screened and what would be developed on the Idol/Westchester outparcel. Mr. Kolb answered all questions.

Mr. Terrell explained that this is a process; that he and the developer will remain available for their questions and concerns; that the entire application will be on the city's website; that everything filed is public record; and each of them is able to speak for or against the project at the Planning and Zoning Commission hearing December 8 or the City Council meeting likely to be January 19.

All attendees seemed to be supportive. No negative comments were expressed.

4. Citizen Information Meeting.

Six property owners and 7 members of Westchester Baptist Church came to the open Citizen Information Meeting. The sign-in sheet is attached as Exhibit D. All nearby owners were fully supportive of the project

Mark Erdesky, manager of the Sherwin-Williams store, stopped by to inquire about the project using part of the Sherwin-Williams' access to make sure there would be no interference with their customers. Dolly Jennings, whose family owns Bicycle Toy & Hobby Sales, stated that she is "thrilled to pieces" and volunteered to speak at either public hearing. Susan Smith owns property on Westchester west of Idol to ask general questions and was generally supportive. Carolyn Ayscue, who lives on Scott Avenue, is very supportive and just wanted to stop by to meet the developer and see the plans. Jeff Sims owns 8 rental houses on Elmhurst. He is very supportive of the project but was concerned about stormwater. He shared photos of stormwater crossing the site in a recent rain. The engineering review process and pre/post flows were explained. Mr. Kolb offered to share all engineering data and drawings with him. Clarence Ilderton owns the property where the used car lot sits on the east side of Main across from Fisher. He came to see the plans but was very supportive.

All of the church members who stopped by curious to see the site plans and all were supportive.

Exhibit A

November 3, 2015

Jess Vaught
435 Lands End Circle
Union Hall, VA 24176

Dear Ms. Vaught,

You may have seen in the *High Point Enterprise* or heard from someone that GHK Developments, Inc. has filed an application to rezone the 15 acres that includes Westchester Baptist Church and the properties on the north side of Fisher up to Main Street. You are receiving this letter because you own property within 300 feet of the rezoning site boundary.

GHK Developments is a small, family-owned company based in New Orleans that develops properties throughout the Southeast. Among many other projects, GHK developed the Walgreens at the corner of Westchester and Main. GHK and its team have been working closely with the church and city staff to create a first-class development. Part of that process is hearing from interested neighbors.

So that surrounding owners can hear first-hand what the proposal includes and have a meaningful opportunity to comment and ask questions, Gordon H. Kolb, Jr. and others representing the project will be at Westchester Baptist Church on Wednesday, November 11, from 5:30 to 7:00 for anyone interested to stop by. He will have site plans available, but two plans are included within this letter.

This meeting is being scheduled on a drop-in basis in order to maximize opportunities for neighbors to attend. If you cannot attend but have questions, please feel free to call me. If I cannot answer your questions I will personally make sure that the person who can contact you. My direct office number (preferred contact) is 336-378-5412 (this number rings at my desk). If I do not answer that line, please try my cell at 336-847-2000.

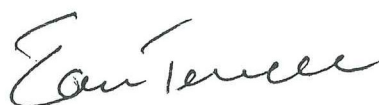
November 3, 2015

Page 2

At this time the rezoning is scheduled to be heard by the Planning and Zoning Commission at a public hearing beginning at 6:00 on December 8th.

Sincerely,

Smith Moore Leatherwood LLP

A handwritten signature in black ink, appearing to read "Tom Terrell". The signature is fluid and cursive, with the first name "Tom" and last name "Terrell" clearly distinguishable.

Thomas E. Terrell, Jr.

TET/kwc

Enclosure



AERIAL

1

HIGH POINT,
NORTH CAROLINA
WESTCHESTER DRIVE AND
N MAIN STREET
DATE: 10-22-2015

EH DEVELOPMENTS, INC.
NEW ORLEANS
3920 MAGAZINE STREET
NEW ORLEANS, LOUISIANA 70115
(504) 866-7300
GORDON H. KOLB JR.

NORTH



NOT TO SCALE

Exhibit B

1911 LLC
PO BOX 2196
HIGH POINT NC 27261

AYSCUE, CAROLYN M
117 SCOTT AVE
HIGH POINT NC 27262

BFS RETAIL & COMMERCIAL OPERATIONS LLC
535 MARRIOTT DR
NASHVILLE TN 27214

BOLTON, DAVID ; BOLTON, PRISCILLA
218 IDOL ST
HIGH POINT NC 27262

BOOTSMA INVESTMENT LLC
PO BOX 3165
HARRISBURG PA 17105

BROOKSHIRE, TERRY RAY ; BROOKSHIRE, LESLIA
ANN
219 FISHER AVE
HIGH POINT NC 27260

BUTLER, PHIL E
PO BOX 68
BELEWS CREEK NC 27009

CHANDLER, RUSSELL E ; CHANDLER, SHARON R
204 ELMHURST AVE
HIGH POINT NC 27262

CHARLES R HOOGLAND TRUST ; HOOGLAND,
CHARLES R TR
1022 E ADAMS ST
SPRINGFIELD IL 62703

CHURCH OF THE LIVING GOD INC
208 FISHER AVE
HIGH POINT NC 27262

COX, GLADYS A
7003 RIVERBEND CT
JAMESTOWN NC 27282

COYLE, TIMOTHY J
201 FISHER AVE
HIGH POINT NC 27262

DAVIS, ANDREA RILEY ; RILEY, EMILY ANN
ELIZABETH ; WRIGHT, KRISTINA RILEY
4012 POND VALLEY CT
MCLEANSVILLE NC 27301

DONALD AND KAY SILVER LLC
PO BOX 6251
HIGH POINT NC 27262

DONALD L LIVENGOD & MARTHA P LIVENGOD
REVOCABLE LIVING TRUST ; LIVENGOD,
DONALD L TRUSTEE ; LIVENGOD, MARTHA R
TRUSTEE
208 WESTCHESTER DR
HIGH POINT NC 27262

EDWARD-DONALD CORP
PO BOX 6363
HIGH POINT NC 27262

ESSIC, DAVID N ; ESSIC, BRENDA F
284 ROCK HOUSE RD
MOCKSVILLE NC 27028

FAMILY TRUST U/W OF F RAY WILLIARD ; HIGH
POINT BANK AND TRUST TRUSTEE
P O BOX 2278
HIGH POINT NC 27261

FENNARIO PROPERTIES LLC
P O BOX 5252
HIGH POINT NC 27262

FPB INVESTMENTS OF NC LLC
701 MCDOWELL RD
ASHEBORO NC 27205

FRIEDRICH, CURTIS R
4208 WYCKFORD PLACE
APEX NC 27539

GOINS, MARK LEE
384 LEDFORD CIR
HIGH POINT NC 27265

GOLDSTAR PARTNERS LLC #1246
PO BOX 06116
CHICAGO IL 60606

GREEN CAPITAL LLC
5604 WESTFIELD DR
GREENSBORO NC 27410

HARRIS TEETER INC
701 CRESTDALE RD
MATTHEWS NC 28105

HVC-HIGH POINT LLC
PO BOX 39
POLSON MT 59860

ILDERTON, CLARENCE M JR ; ILBERTON, NANCY K
1010 COUNTRY CLUB DR
HIGH POINT NC 27262

J AND M INVESTMENTS OF HIGH POINT
3834 BEVERLY HILLS DR
HIGH POINT NC 27265

JENNINGS, S DANIEL ; JENNINGS, DOLLY F
1411 WALES DR
HIGH POINT NC 27262

JESSICA'S LAND COMPANY LLC
5251 TOM HILL RD
TRINITY NC 27370

JNS PROPERTIES LLC
PO BOX 5316
HIGH POINT NC 27262

JOHNSON, CHARLIE A
503 ROSELAND ST
HIGH POINT NC 27265

JONES, EARL JEFFREY ; JONES, TERESA ANN
419 CUNNINGHAM LOOP RD
THOMASVILLE NC 27360

KENNEDY, BETH S ; KENNEDY, GARY R ;
MACKENZIE, PAUL G ; KENNEDY, DONNA U
205 WESTCHESTER DR
HIGH POINT NC 27262

KHAJOEI, MASOUD ABKA
3103 HONOR COURT
JAMESTOWN NC 27282

KRESS, ELEANOR DALE
25 SUTTON PL SOUTH APT 6I
NEW YORK NY 10022

KRESS, JACOB H H TRUSTEE
8908 MAXWELL DR
POTOMAC MD 20854

LEBANON METHODIST CHURCH
237 IDOL ST
HIGH POINT NC 27262

LEWALLEN, JIMMY RAY
1616 YORK AVE
HIGH POINT NC 27265

LEXINGTON STATE BANK
PO BOX 867
LEXINGTON NC 27293

LIBBY HILL SEAFOOD RESTAURANTS INC
1515 W CORNWALLIS DR STE 201
GREENSBORO NC 27408

LONG, TOMMY LEE ; LONG, DONNA C
134 OLD MILL RD APT B
HIGH POINT NC 27265

MAHAN, VERNON LEWIS
1603 BOLLINGBROKE RD
HIGH POINT NC 27262

MAINCHESTER PARTNERS LLC
P O BOX 724
CLEMMONS NC 27012

MITCHELL, ANDREA MARTIN
315 SHERBROOK DR
HIGH POINT NC 27262

PARRIS CAPITAL PARTNERS LLC
PO BOX 5778
HIGH POINT NC 27262

PARROTT, CARL ELROY
225 FISHER AVE
HIGH POINT NC 27262

PATTERSON, THOMAS GENE ; PATTERSON,
ROBERT WAYNE
4874 COLONIAL CIR
TRINITY NC 27370

PERDUE, RONALD OWEN ; PERDUE, CATHERINE ;
STALLINGS, JOSEPH W ; PERDUE, KATHY R
2031 W LEXINGTON AVE EXT
HIGH POINT NC 27262

PREVATT, INEZ M
121 SCOTT AVE
HIGH POINT NC 27262

PRICE, RICHARD W ; PRICE, SAMANTHA C
822 QUAKER LN
HIGH POINT NC 27262

PYRTLE, DANA LEIGH
410 GREENWOOD DR
HIGH POINT NC 27262

RAMSEY, MARIA B
5516 GROVE FOREST DR
HIGH POINT NC 27263

ROBBINS PROPERTIES LLC
120 WESTCHESTER DR
HIGH POINT NC 27262

ROBBINS, HELEN CLEO ; ROBBINS, RICHARD LEE
1306 BURNETTES CHAPEL RD
GREENSBORO NC 27406

ROBBINS, JERRY W ; ROBBINS, PHYLLIS C
1828 THISTLEBURN LANE
COLFAX NC 27235

RREF II STNC - HDP LLC
7000 CENTRAL PKWY NE STE 700
ATLANTA GA 30328

SCARLETT, DON
169 WILEY LANE
LEXINGTON NC 27292

SHERWIN-WILLIAMS DEV CORP
P O BOX 6027
CLEVELAND OH 44101

SILVER MAIN LLC
PO BOX 6363
HIGH POINT NC 27262

SIMS, JEFFREY S ; SIMS, SANDRA C
3724 SAGAMORE DR
GREENSBORO NC 27410

SMITH, SUSAN M ; SMITH, TERRY L
PO BOX 395
DENTON NC 27239

SOLTANI PROPERTIES LLC
3103 HONOR CT
JAMESTOWN NC 27282

TOBEY, PHYLLIS MAURINE
408 GREENWOOD DR
HIGH POINT NC 27262

TRIPLE LAND CO
263 WAGNER PLACE
MEMPHIS TN 38103

VARSITY DRIVE IN INC
3834 BEVERLY HILLS DR
HIGH POINT NC 27265

VAUGHT, JESS W
435 LANDS END CIRCLE
UNION HALL VA 24176

WALTON, DOUGALS ERIK ; WALTON, BEATRIZ A
212 ELMHURST AVE
HIGH POINT NC 27262

WANG & CHU LLC
123 WESTCHESTER DR
HIGH POINT NC 27262

WEIN NORTH CAROLINA LLC
PO BOX 1159
DEERFIELD IL 60015

WESTCHESTER BAPTIST CHURCH
PO BOX 5188
HIGH POINT NC 27262

WESTCHESTER BAPTIST CHURCH INC OF HIGH
POINT
135 WESTCHESTER DR
HIGH POINT NC 27262

WH CAPITAL LLC
3290 NORTHSIDE PWKY STE 385
ATLANTA GA 30327

WHITE, KANDY DARLENE ; WHITE, KATHY
LOUVETA
233 IDOL DR
HIGH POINT NC 27262

WILLIARD COY O JR T/A WILLIARD INVESTMENT
449 S WRENN ST
HIGH POINT NC 27260

Y&Z INVESTMENTS LLC
18800 HUBBARD DR STE 200
DEARBORN MI 48126

YOUNG, RUTHIEBELLE S ; YOUNG, MICHAEL L
3831 NC HWY 65
REIDSVILLE NC 27320

Exhibit C

LEBANON UNITED METHODIST CHURCH

Bob Gordon

Kathryn Gordon

Waver & Jane Cole

Jean Peters

Jimm Peters

Meggy Alexander

Joyce Carpenter

Joe Carpenter

Jo Parrish

Bob Parrish

Robin Alexander

Colin Alexander

Buddy Lee

Faye Craven

Floyd Craven

Wayne Mabe

Eleanor Stringer

John Rierson

Jane Rierson

Joe Carpenter

Ron Davis

Margaret Davis

Exhibit D

PLEASE PRINT NAME

mark Erdesky	Sherwin Williams
Dolly Jennings	Bicycle Toy & Hobby Sales
Dwain Smith	Kestelster Drive
Carolyn Aycock	
JEFF SIMS	
Jill HARWOOD	Church member
Elaine Montgomery	Church member
Bill Allen	Youth Director
Roy Harwood	
John Cunningham	
Johnny Goins.	
Hoy L. MYERS	church member
CLARENCE ILBERTON	