

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 16-01
(BSC Holdings)

From: Lee Burnette, Planning & Development
Director

Meeting Date: March 21, 2016

Public Hearing: Yes

Advertising Date: March 10 & 16, 2016

Advertised By: Planning & Development

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

PURPOSE:

A request by BSC Holdings to rezone approximately 15.6 acres from a Conditional Zoning Residential Single Family-9 (CZ RS-9) District to an amended Conditional Zoning Residential Single Family-9 (CZ RS-9) District. The site is lying south of Clinard Farms Road and east of Barrow Road (4540 Barrow Road).

BACKGROUND:

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

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On February 23, 2015, a public hearing was held before the Planning and Zoning Commission regarding-Zoning Case 16-01. Staff recommended approval of this request, with amendments.
- B. The Planning & Zoning Commission recommended approval of Zoning Map Amendment 16-01, with amendments recommended by staff, by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

BSC Holdings

Zoning Map Amendment 16-01

At its February 23, 2016 public hearing, the Planning and Zoning Commission reviewed this request. All members of the Commission were present, except for Mr. Andrew Putnam and Ms. Marie Stone. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report. Ms. Vickie Embry, transportation engineer for the City of High Point, spoke to address the transportation department recommended road improvements as outlined in their January 2, 2016 memorandum.

Speaking in favor of the request:

Speaking in favor of the request was the applicant, Barry Siegal, manager of BSC Holdings, 3929 Tinsley Drive, High Point and Mr. Ed Price, 1220 N. Main Street, High Point. Mr. Siegal outlined his proposal to build 46 single-family homes on this parcel, which would become part of the existing Cottesmore subdivision. He expressed concern with providing a street connection to Clinard Farms Road, due to the cost it would add to the project.

Mr. Price urged the city's transportation department to find a way to make the applicant's project work and suggested that the details regarding Transportation and access be left to the Technical Review Committee to decide later and for the Commission to focus on the zoning request itself.

No one spoke in opposition of the request.

Once the public hearing was closed there was a lengthy discussion among the Commission members during which they asked questions of the applicant and the Transportation Department representative. At the conclusion of this discussion the Commission expressed concerns with the number of homes and the associated trips that would be forced to travel through the Cottesmore subdivision via its two access points on Willard Dairy Road.

Mr. Siegal offered to amend his request to include conditions from the Transportation Department's January 2, 2016 memorandum, except than only a left turn lane from Clinard Farms Road into the site will be installed. He noted he will further evaluate the cost of these improvements prior to the City Council meeting.

The Planning and Zoning Commission recommended approval of Zoning Map Amendment 16-01, by a vote of 6-0, with the inclusion of the following additional conditions: 1) the applicant be required to provide one point of access to Clinard Farms Road that shall align with Blackberry Ridge Drive and 2) the property owner shall construct a westbound left turn lane with appropriate tapers.

The Commission stated that its recommendation of approval 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 requested CZ RS-9 Districts is consistent with the City's Land Use Plan; 2) The site abuts an existing PUD development where residential tracts are developed to RS-9 District standards; and 3) Subject to a public street connection being provided to Clinard Farms Road, as recommended by the Transportation Department in their January 2, 2016 Memorandum, traffic impact issues will be mitigated and street standards of the Development Ordinance will be met.

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

**STAFF REPORT
ZONING MAP AMENDMENT 16-01
February 23, 2016**

Request	
Applicant: BSC Holdings	Owner: Phoenix Academy Foundation, Inc.
Zoning Proposal: To rezone an approximate 15.6-acre parcel to an amended Conditional Zoning Residential Single Family – 9 District	From: CZ RS-9 Conditional Zoning Residential Single Family – 9 District
	To: CZ RS-9 Conditional Zoning Residential Single Family – 9 District

Site Information	
Location:	The site is lying south of Clinard Farms Road and east of Barrow Road (4540 Barrow Road).
Tax Parcel Numbers:	Guilford County Tax Parcel 0218639
Site Acreage:	Approximately 15.6 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The site has a gentle to moderately sloping terrain consisting primarily of open pastureland, with scattered wooded areas. A 68-foot wide Duke Power transmission line runs along the southern boundary of the property.
Water and Sewer Proximity:	A 12-inch City water line lies adjacent to the site along Barrow Road and along Clinard Farms Road. An 8-inch City Sewer line has been extended from Gunnersbury Lane, and runs along the southwestern boundary of the site to serve the adjacent fire station.
General Drainage and Watershed:	The site drains in a general southerly direction and development is subject to the High Point City Lake General Watershed Area (GWA) requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily development with an impervious surface area that is greater than 24% of the site and for single-family residential developments with a density of 2 units per acre or greater.
Overlay District(s):	High Point City Lake General Watershed Area (GWA) Airport Overlay District; Zone 3

Adjacent Property Zoning and Current Land Use			
North:	RS-40	Residential Single-family-40 District (Guilford Co)	Single-family dwellings and undeveloped parcels
	AG	Agricultural District (Guilford Co)	
South:	CU PDR	Conditional Use Planned Unit Development-Residential District	Single-family dwellings and undeveloped parcel

East:	RS-9 CZ RS-9	Residential Single Family – 9 Conditional Zoning Residential Single Family – 9 District	Single-family dwelling and school
West:	CU PDM PI	Conditional Use Planned Unit Development-Mixed District Public & Institutional District	Undeveloped and City of High Point Fire Station

Relevant Land Use Policies and Related Zoning History

Community Growth Vision Statement:	Obj. 5E: Require that street systems connect with one another whenever possible to move all modes of traffic efficiently, to avoid congestion along key corridors, to improve traffic and pedestrian safety, and to enhance emergency management access.
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:	<p>The following goals and objectives of the Land Use Plan are relevant to this request:</p> <p>Goal #3: Provide a wide range of housing opportunities for families of all income levels.</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.#5. Maintain an appropriate balance between the size, location and density of new development and the availability and demands upon the public services and facilities required to serve that development.</p>
Relevant Area Plan:	Not Applicable
Zoning History:	<p><u>Zoning Map Amendment 06-17:</u> In 2006, a 56 acre tract, which included this site, was granted a Traditional Neighborhood (TN) District zoning to allow a mixed-use development. Proposed uses consisted of commercial and office uses and approximately 557 residential dwelling units. This TN project never came to fruition.</p> <p><u>Zoning Map Amendment 13-04:</u> In 2013, Phoenix Academy was granted zoning approval to change the zoning of this site from the TN District to a CZ RS-9 District. In conjunction with the zoning request, they were also granted approval for a Special Use Permit (SUP13-03) to allow an Elementary and Secondary School use. The SUP proposed the development of a building for K – 8th grades on the eastern portion of site and a high school building at the intersection of Clinard Farms Road and Barrow Road. In 2014, the SUP was amended to only develop the eastern portion of the site.</p>

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Barrow Road		206 ft
	Clinard Farms Road		560 ft
	Gunnersbury Lane		50 ft (stub street)
Vehicular Access:	Gunnersbury Lane (public street) and stub to future development to the east.		
Traffic Counts: (Average Daily Trips)	Clinard Farms Road		6,684 ADT (2013, COHP)
	Barrow Road		2,705 ADT (2013, COHP)
Estimated Trip Generation:	No information		
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 Schools					
Local Schools:	Enrollment:		Maximum Design Capacity:	Mobile Classrooms:	Projected Additional Students:
	Fall 2014	Fall 2015			
Southwest Elementary	716	797	945	6	18 - 19
Southwest Middle	1,135	1,081	1,254	10	9 - 10
Southwest High School	1,530	1,527	1,595	11	8 - 9
School District Remarks: None					

Details of Proposal

This zoning site is part of a larger 56-acre tract that was granted its current CZ RS-9 District zoning in 2013. At that time the property was proposed to be developed for a private school and included transportation conditions to mitigate traffic impacts from a school with a student population of approximately 1,500 students. The scale of the school project has been reduced and only the eastern portion (41 acres) of the overall 56-acre parcel will be used for the school. The property owner is proposing to sell the western 15 acres of this parcel to the applicant in order to develop a single family subdivision.

In order to facilitate this residential development, the applicant has submitted this application for an amended CZ RS-9 District to remove previously adopted transportation conditions, which were placed over this 56-acre parcel. These conditions were imposed to mitigate traffic impact for a school with approximately 1,500 students.

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:

This request proposes to establish a new CZ RS-9 District on the western portion of the former 56 acre tract, with different development conditions from the CZ RS-9 District granted in 2013. Permitted uses, as allowed under the RS-9 District, are not changing and remain appropriate as determined during previous zoning approvals. While the proposed residential development of the site is consistent with several of the goals and objectives of the land use plan, the requested amendments to the transportation conditions appear to conflict with an objective of the Community Growth Vision Statement related to street connectivity and emergency management access.

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; <u>Staff Comments:</u> The zoning site abuts a Conditional Use Planned Unit Development-Residential (CU PDR) District to the south that has been developed to the RS-9 District standards and is adjacent to a large-lot rural subdivision, under Guilford County's zoning jurisdiction, to the north. The requested RS-9 and CZ RS-9 District will be compatible with surrounding uses.
<u>Factor #2</u>	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.; <u>Staff Comments:</u> <ul style="list-style-type: none">❖ The applicant has offered a condition requiring access to be from an extension of Gunnesbury Lane to the south (from the Cottesmore Subdivision) and that a public street stub be provided to the abutting property to the east (7861 Clinard Farms Road). Their conditional zoning ordinance also proposes no requirement to install a public street connection to Clinard Farms Road from the zoning site. A connection to Clinard Farms Road is an existing zoning condition on the site from previous 2006 and 2013 zoning approvals. Under this new amended application, the applicant is proposing to remove this access requirement.❖ Access to this proposed residential development will be through the public street network of the abutting Cottesmore subdivision, via the extension of the Gunnesbury Lane stub street. This extension is encouraged, as Gunnesbury Lane was constructed to the northern edge of the Cottesmore development to

	<p>facilitate a future street extension into the adjoining property. The approximate 46 lots from this new residential subdivision, although being developed separately, will function as an addition to the existing 234 lots of the Cottesmore development. Thus more than 280 residential dwellings will only have two points of access, the Cottesmore Drive and Oak Chase Drive connections to Willard Dairy Road.</p> <p>In their January 2, 2016 memorandum, the Transportation Department has recommended that one point of access be required to Clinard Farms Road that aligns with Blackberry Ridge Drive, and that the developer construct eastbound and westbound turn lanes with appropriate tapers at this access point. The Development Ordinance requires residential developments with more than 150 lots or dwelling units to have at least three separate points of public road access (Ref. Section 9-6-16(c)(4)). The Transportation Department, in conjunction with the requirements of the Development Ordinance, has concluded that both a street stub to the easternmost portion of the site and a public street connection to Clinard Farms Road are warranted. Based on plans for the future widening of Clinard Farms Road (as Piedmont Parkway extension) to four lanes, there will be a median opening at Blackberry Ridge Drive. It is expected that a public street connection at this location will mitigate traffic impacts for this residential development.</p>
<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><u>Staff Comments:</u> The site is subject to water supply watershed regulations of the High Point City Lake General Watershed 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><u>Staff Comments:</u> The applicant does not desire to provide a direct public street connection to Clinard Farms Road. Interconnectivity of streets is important for a number of reasons. Additional access points help disburse traffic by providing access alternatives, which can be critical for emergency services and public safety by increasing accessibility options for equipment and personnel when events such as storms, fires or traffic accidents occur. Long unconnected streets in a development increase travel times between nearby developments and funnel traffic, concentrating it at the major access points. The fewer access points there are, the higher the likelihood of traffic congestion at and near those points. Properties located near these access points, or along a single access route, are impacted by a higher volume of traffic that has no access alternative.</p> <p>A public street connection from Gunnesbury Lane to Clinard Farms Road would benefit all residents in this area, would be consistent with street connectivity regulations of the Development Ordinance and with policies adopted by City Council.</p>

Factor #5	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	<u>Staff Comments:</u> Development of the site, as allowed by the RS-9 District standards, will not negatively impact adjacent property owners. However, by not providing a direct public street connection to Clinard Farms Road, all traffic from the zoning site will be required to be directed through the adjacent Cottesmore Subdivision. Furthermore, an access to Clinard Farms Road would be a convenience to the residence in both subdivisions and for service delivery vehicles by providing an alternate means of access.

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:

There have been no significant changes in the type or nature of development in this area.

Development Patterns:

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

Staff Comments:

The area to the north of the zoning site is within zone 1 of the Airport Overlay District, which prohibits new residential uses. To the west and southwest, zoning approval has been granted to permit a 277-acre mixed-use Planned Unit Development (PUD), known as Piedmont Crossing. To the south of the zoning site is a 243-dwelling unit mixed residential development that is in its final phase of construction. This surrounding development pattern coupled with the proposed future roadway extension of Piedmont Parkway and widening of Barrow Road all assist in supporting the requested CZ RS-9 zoning on the site.

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 requested CZ RS-9 Districts is consistent with the City's Land Use Plan; 2) The site abuts an existing PUD development where residential tracts are developed to RS-9 District standards; and 3) Subject to a public street connection being provided to Clinard Farms Road, as recommended by the Transportation Department in their January 2, 2016 Memorandum, traffic impact issues will be mitigated and street standards of the Development Ordinance will be met.

Recommendation

Staff Recommends Approval with Revisions:

Subject to items outlined in the Transportation Department's January 2, 2016 memorandum being addressed, the Planning & Development Department recommends approval of the request

to rezone this 15.6-acre parcel to an amended CZ RS-9 District. The request will be compatible with the surrounding area and in conformance with adopted plans.

NOTE: At the February 23, 2016 Planning & Zoning Commission public hearing the applicant agreed to amend his application to include the conditions from the Transportation Departments January 2, 2016 memorandum, except than only a left turn lane from Clinard Farms Road will be installed.

Required Action

Planning and Zoning Commission:

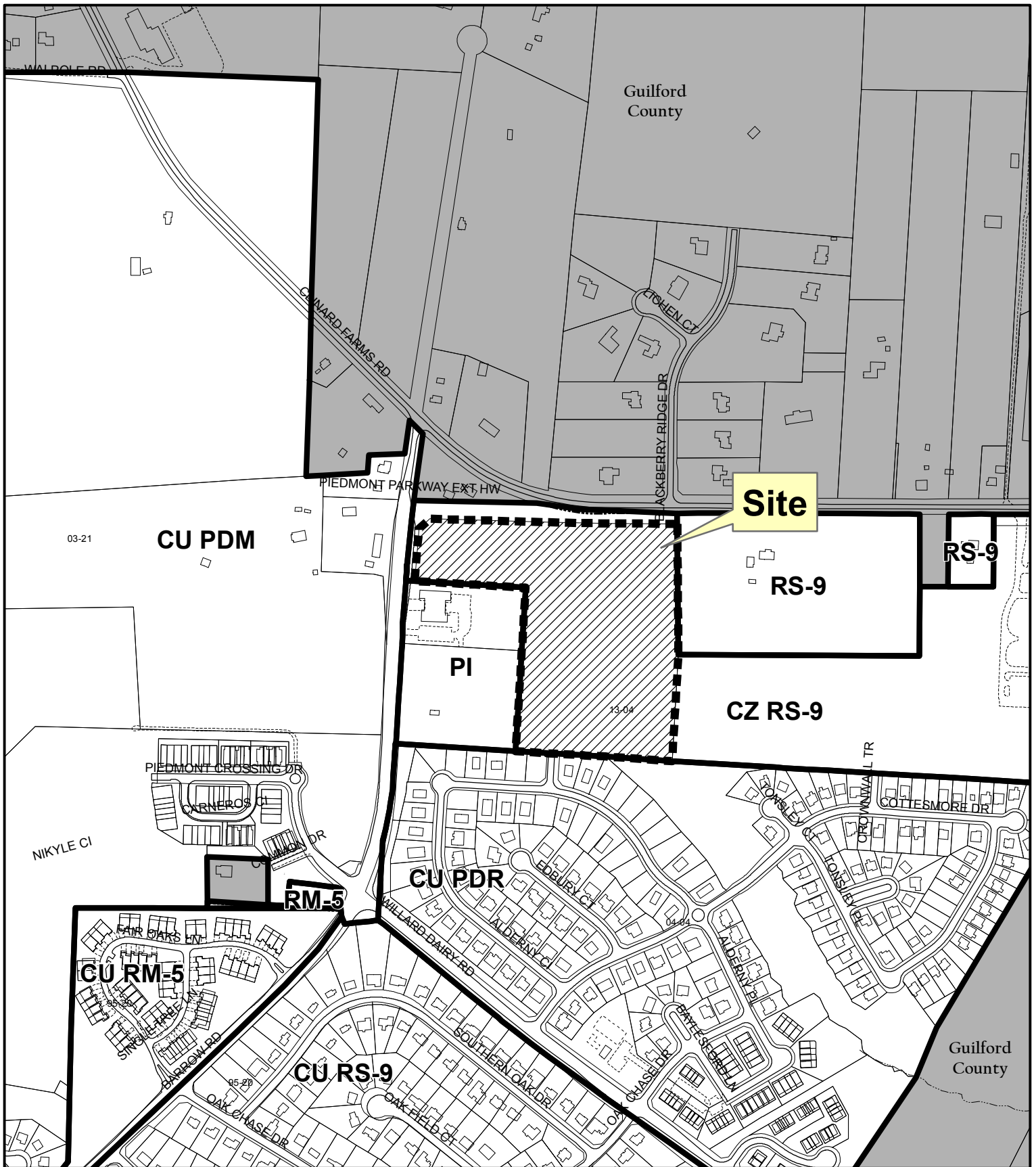
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting 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 MAP AMENDMENT ZA16-01

From: Conditional Zoning Residential Single Family-9
To: Conditional Zoning Residential Single Family-9

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

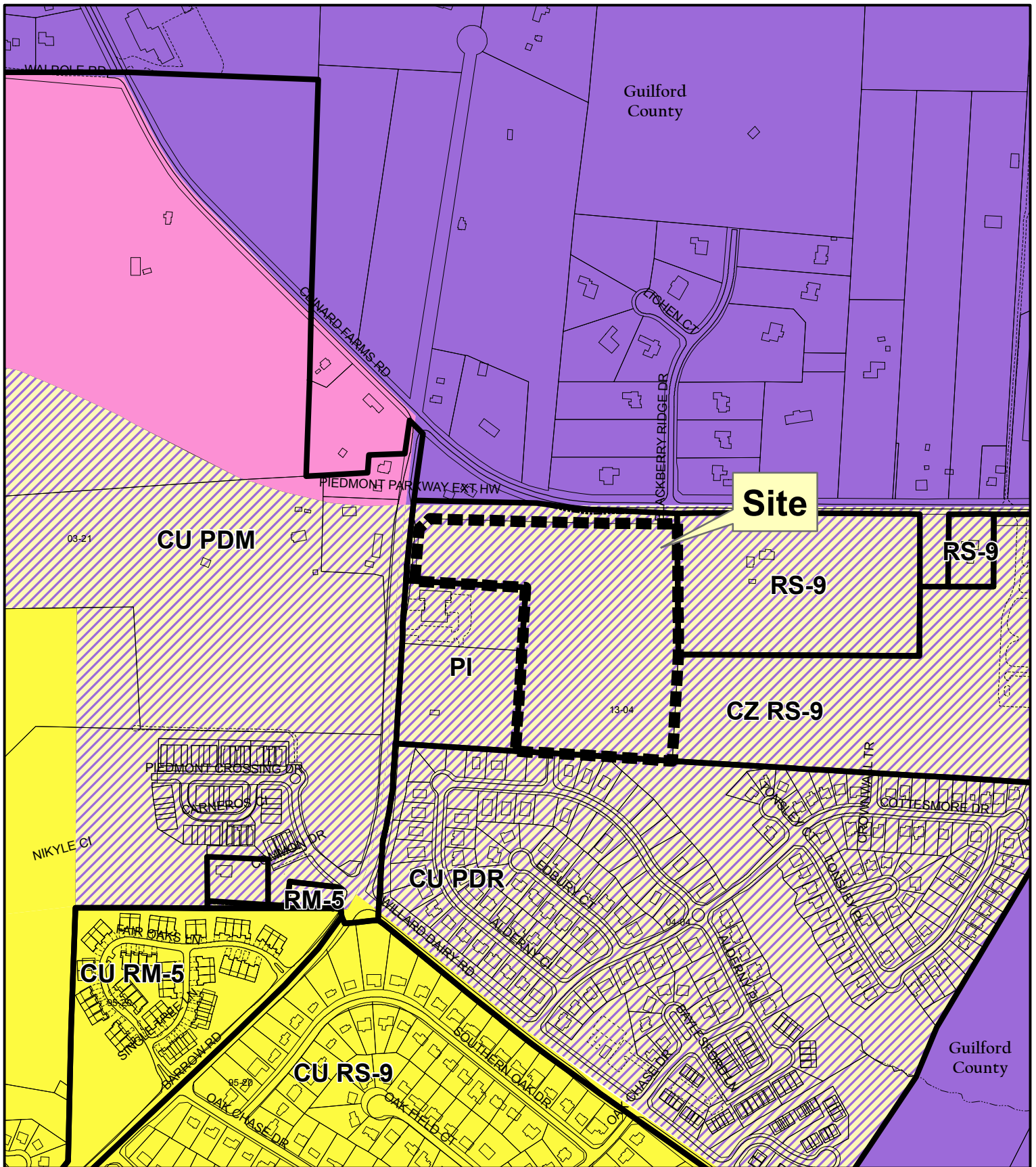
**Planning & Development
 Department**

City of High Point

Date: February 23, 2016



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ZONING MAP AMENDMENT ZA16-01

Land Use Plan

- | | |
|--|--|
|  Mixed Use Development |  Local/Convenience Commercial |
|  Low-Density Residential |  Restricted Industrial |

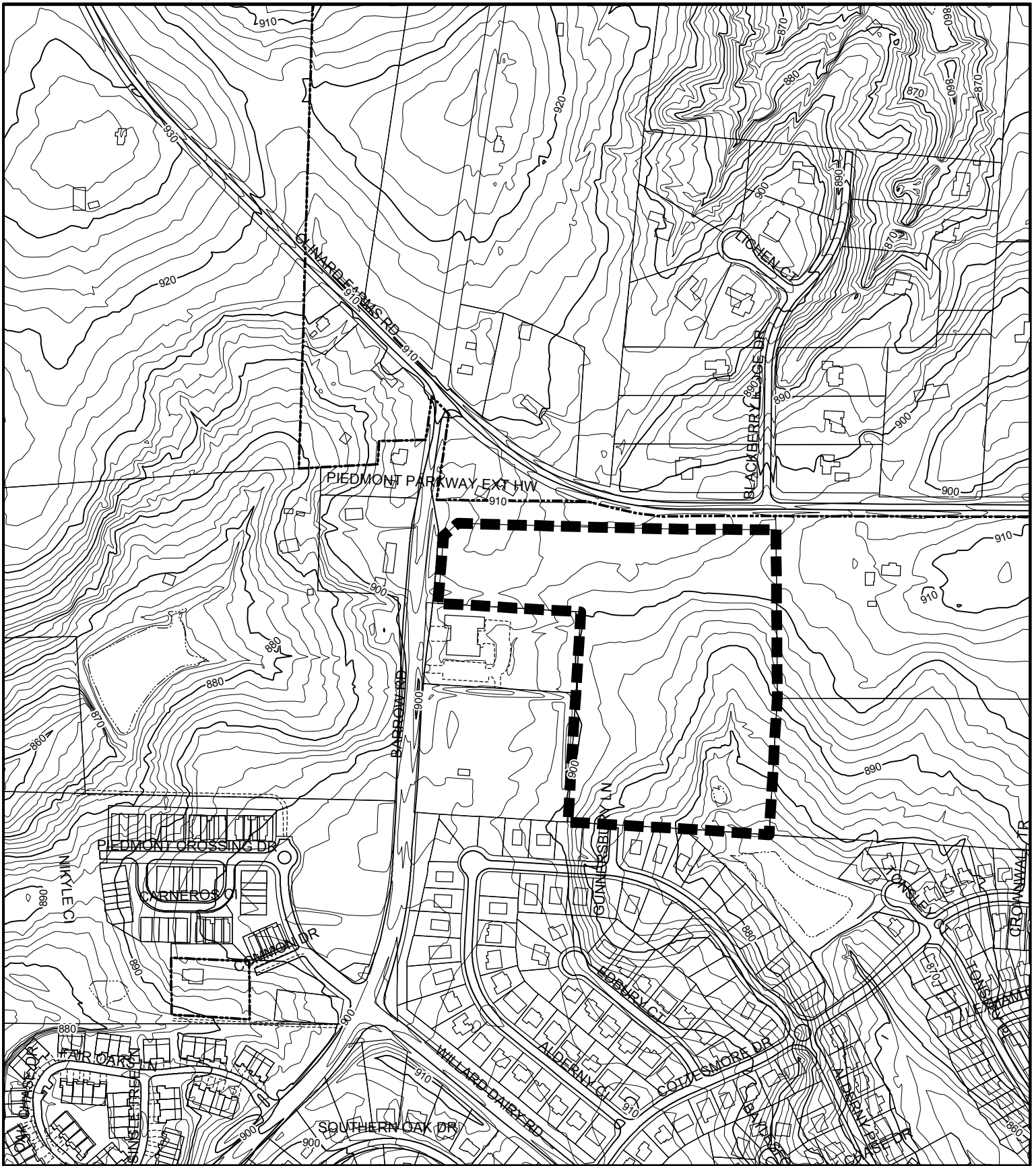
**Planning & Development
Department**

City of High Point

Date: February 23, 2016



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ZONING MAP AMENDMENT ZA16-01

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: February 23, 2016



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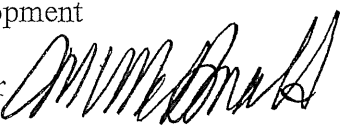
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ZONING MAP AMENDMENT ZA16-01





January 2, 2016

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: **Zoning Case #16-01**, BSC Holdings. Property located south of Clinard Farms Road and east of Barrow Road (4540 Barrow Road).

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

A traffic impact analysis was not 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.

Access:

One (1) point of access shall be required to Clinard Farms Road and it shall align with Blackberry Ridge Drive. One (1) point of access shall connect to the Gunnersbury Lane stub south of the property. A stub shall be required to the property east of the development.

Roadway and Intersection Improvements:

Clinard Farms Road @ site access: The property owner shall construct an eastbound right turn lane with appropriate tapers and a westbound left turn lane with appropriate tapers.

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

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 February 23, 2016 and before the City Council of the City of High Point on March 21, 2016 regarding **Zoning Case 16-01** 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 February 14, 2016, for the Planning and Zoning Commission public hearing and on March 9, 2016 and March 16, 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: **Conditional Zoning Residential Single Family-9 District (CZ RS-9) District.** The property is approximately 16.9 acres lying at the southeast corner of Clinard Farms Road and Barrow Road. The property is also known as Guilford County Tax Parcels 0218639.

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:**

Any of the land uses allowed in the Residential Single Family-9 District (RS-9) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the RS-9 District and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Transportation Conditions.

1. Access

- a). One point of access shall be required to Clinard Farms Road and it shall align with Blackberry Ridge Drive.
- b). Access to the site shall be from an extension of Gunnesbury Lane to the south (from the Cottesmore Subdivision).
- c). A public street stub shall be provided to the east, to Guilford County Tax Parcel 0221066 (7861 Clinard Farms Road).
- d). No access shall be permitted from Barrow Road.

2. Roadway & Intersection Improvements (Clinard Farms Road at site access):

The property owner shall construct a westbound left turn lane, with appropriate tapers, at this access point to the site.

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

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.

21st day of March, 2016.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report

Zoning Case ZA16-01

Submitted by Barry Siegal

Minutes for Citizens Information Meeting on the rezoning of 15 acres adjacent to Cottesmore Subdivision at the corner of Barrow Road and Clinard Farm Road

A letter (see letter and mailing list attached) was sent to citizens who live within 300 feet of the property described above. The letter invited them to attend an informational meeting concerning the rezoning of this tract. The date set for this meeting was February 11, 2016 at 6:30 in the evening.

On Thursday evening February 11, 2016, Bob Woodard, manager of Royal Homes of N.C. and Barry Siegal, developer of the Cottesmore Subdivision and future developer of the Phoenix Academy's 15 acre tract met with owners of property located within 300 feet of the proposed zoning site. Carol Ferrell and Janet Brown with Ed Price & Associates were also in attendance. Angelo and Tonya Williams who live at 4342 Alderny Circle in Cottesmore Subdivision were the only citizen attendees. Tonya is the treasurer of the HOA of Cottesmore.

Barry and Bob outlined the plans for the development of the Phoenix Academy property and shared the same information as they did with the HOA members of Cottesmore on February 9, 2016. See minutes and attachments from that board meeting.

Mr and Mrs Williams were not in favor of the Blackberry Ridge connection through Clinard Farms Road. They were of the opinion that it would endanger their safety and their children's safety. They really liked all the other aspects of the new development including the annexation of the new development into the Cottesmore Subdivision. The additional HOA dues and builder/developer contributions would allow for improving amenities and maintaining infrastructure of Cottesmore Subdivision.

They asked about the sizes of the new houses and they were assured that they would be as big or bigger than the homes in Cottesmore Subdivision with some additional floor plans available. Bob told them he had gotten calls from the letters that went out by people wanting to reserve lots.

Letter Sent to Citizens who
live within 300 Ft of
Property Proposed for Rezoning

Ed Price & Associates

1220 N. Main Street

High Point, N.C. 27262

February 3, 2016

Dear Neighbor,

My name is Carol Ferrell. I am a Real Estate Broker affiliated with Ed Price Associates, LLC. I am representing BSC Holdings, Inc., the developer of Cottesmore Subdivision.

BSC Holdings, Inc. and its president Barry Siegal have contracted to purchase a 14 plus acre tract immediately adjacent to Cottesmore at the corner of Barrow Road and Clinard Farm Road. BSC Holdings will be developing the property into single family lots the same size as the adjacent lots in Cottesmore. The lots will be conveyed to Royal Homes of North Carolina, which is owned by Bob Woodard and Barry Siegal. Royal Homes plans to build similar size and styles homes that it has built in Cottesmore.

We are inviting you to attend a meeting next Thursday, February 11, 2016 at 6:30 p.m. at the office of Ed Price Associates to hear in greater detail the plans of the developer and builder. Both Barry and Bob will be present and will be happy to answer any questions you may have.

Ed Price Associates office is located at 1220 North Main Street, High Point. Please park in the back parking lot at the rear of the building and go up the stairs. We look forward to seeing you there. If you have any questions before then, please do not hesitate to call me.

Carol Ferrell

336-669-4703

Addresses of Citizens Within 300 Ft of Property Proposed for Rezoning -

AMH 2015-1 BORROWER LLC
30601 AGOURA RD STE 200
AGOURA HILLS CA 91301

BACHU, PRAVEEN KRISHNA ;
SURYANARAYANAN, MADHUMITHA
4415 ALDERNY CIR
HIGH POINT NC 27265

BASANNAVAR, RAJENDRA
4346 ALDERNY CIR
HIGH POINT NC 27265

BASSI, DALVINDER ; BASSI, KUMALJIT
4441 ALDERNY CIR
HIGH POINT NC 27265

BSC Holdings - Amanda Williams
3929 TINSLEY DR STE 104
HIGH POINT NC 27265

BSC Holdings - Barry Siegal
3929 TINSLEY DR STE 104
HIGH POINT NC 27265

CALDERON, MANUEL ; ROSA, ANA M
4412 ALDERNY CIR
HIGH POINT NC 27265

CARRIER, JAMES A ; CARRIER, SHAWN J
1249 BLACKBERRY RIDGE DR
HIGH POINT NC 27265

CHAFFIN, CHRISTOPHER R ; CHAFFIN,
VALERIE F
4009 TONSLEY CT
HIGH POINT NC 27265

COTTESMORE HOMEOWNERS
ASSOCIATION INC
3929 TINSLEY DR STE 104
HIGH POINT NC 27265

DOERR, MONICA ; WEIL, DAVID R
4432 EDBURY CT
HIGH POINT NC 27265

EDUCATION CAPITAL SOLUTIONS LLC
909 WALNUT ST STE 200
KANSAS CITY MO 64106

ENNIS, JOHN THOMAS ; ENNIS, TRACY L G
1251 BLACKBERRY RIDGE DR
HIGH POINT NC 27265

FPF HIGH POINT LLC
3842 W 16TH AVE
HIALEAH FL 33012

HAMPTON, LEONARD SR
1250 BLACKBERRY RIDGE DR
HIGH POINT NC 27265

HENSON, KARA ; HENSON, ROBERT
4330 ALDERNY CIR
HIGH POINT NC 27265

JONES, LARRY L ; JONES, REGINA ANN
1300 PEPPER HILL RD
GREENSBORO NC 27407

JORDAN, COLON H ; JORDAN, CAROL B
2721 NC 68 SOUTH
HIGH POINT NC 27265

KAUR, NAVNEET ; SINGH, JAGDEEP
4350 ALDERNY CIR
HIGH POINT NC 27265

KORSAPATHY, CHARITHA ; KORSAPATHY,
SRIKANTH REDDY
4335 ALDERNY CIR
HIGH POINT NC 27265

MARRUFO, JOSE ; MARRUFO, MELCIBETH
4408 ALDERNY CIR
HIGH POINT NC 27265

MCMURTRY, BRADLEY DEAN
7872 CLINARD FARMS RD
HIGH POINT NC 27265

MUJAHID, SABAHUDDIN ; QURESHI,
FAREEDA
4437 ALDERNY CIR
HIGH POINT NC 27265

NEKKALAPUDI, AISHWARYA ;
VEMULAPALLI, SUDEEP
4343 ALDERNY CIR
HIGH POINT NC 27265

NOMULA, ARUNA ; PASAM, MALLA REDDY
4347 ALDERNY CIR
HIGH POINT NC 27265

PATTERSON, JOHN T JR ; PATTERSON,
TRACIE A
4334 ALDERNY CIR
HIGH POINT NC 27265

PHOENIX ACADEMY FOUNDATION INC -
Paul Norcross
4191 MENDENHALL OAKS PKWY
HIGH POINT NC 27265

PRESSLEY, DONALD P ; PRESSLEY, TASHA
RENEE-CLARK
4339 ALDERNY CIR
HIGH POINT NC 27265

ROYAL HOMES OF NORTH CAROLINA LLC
3929 TINSLEY DR SUITE 104
HIGH POINT NC 27265

SAMUDRALA, UMAMESHWARI ;
SAMUDRALA, VENKATESWARA RAO
4407 ALDERNY CIR
HIGH POINT NC 27265

SHEELEY, EMILY B ; SHEELEY, JOHNNIE R
JR
4416 ALDERNY CIR
HIGH POINT NC 27265

THOMAS, C W
3625 RISING RIVER LN
GREENSBORO NC 27409

THORNHILL, JAKE J JR ; THORNHILL,
PATSY M
1247 BLACKBERRY RIDGE RD
HIGH POINT NC 27265

TURNER, AMBER ; TURNER, BRANDON H
7870 CLINARD FARM RD
HIGH POINT NC 27265

VO, THY ANH
4420 ALDERNY CIR
HIGH POINT NC 27265

WARREN L SIMMONS & PENNY H SIMMON
REVOCABLE TRUST
1246 BLACKBERRY RIDGE DR
HIGH POINT NC 27265

WIER, JAMES NORMAN ; WIER, IMOGENE R
T/C
7878 CLINARD FARMS RD
HIGH POINT NC 27265

WILKERSON, ROBERT WESLEY ;
WILKERSON, LAURA MICHELLE
4424 EDBURY CT
HIGH POINT NC 27265

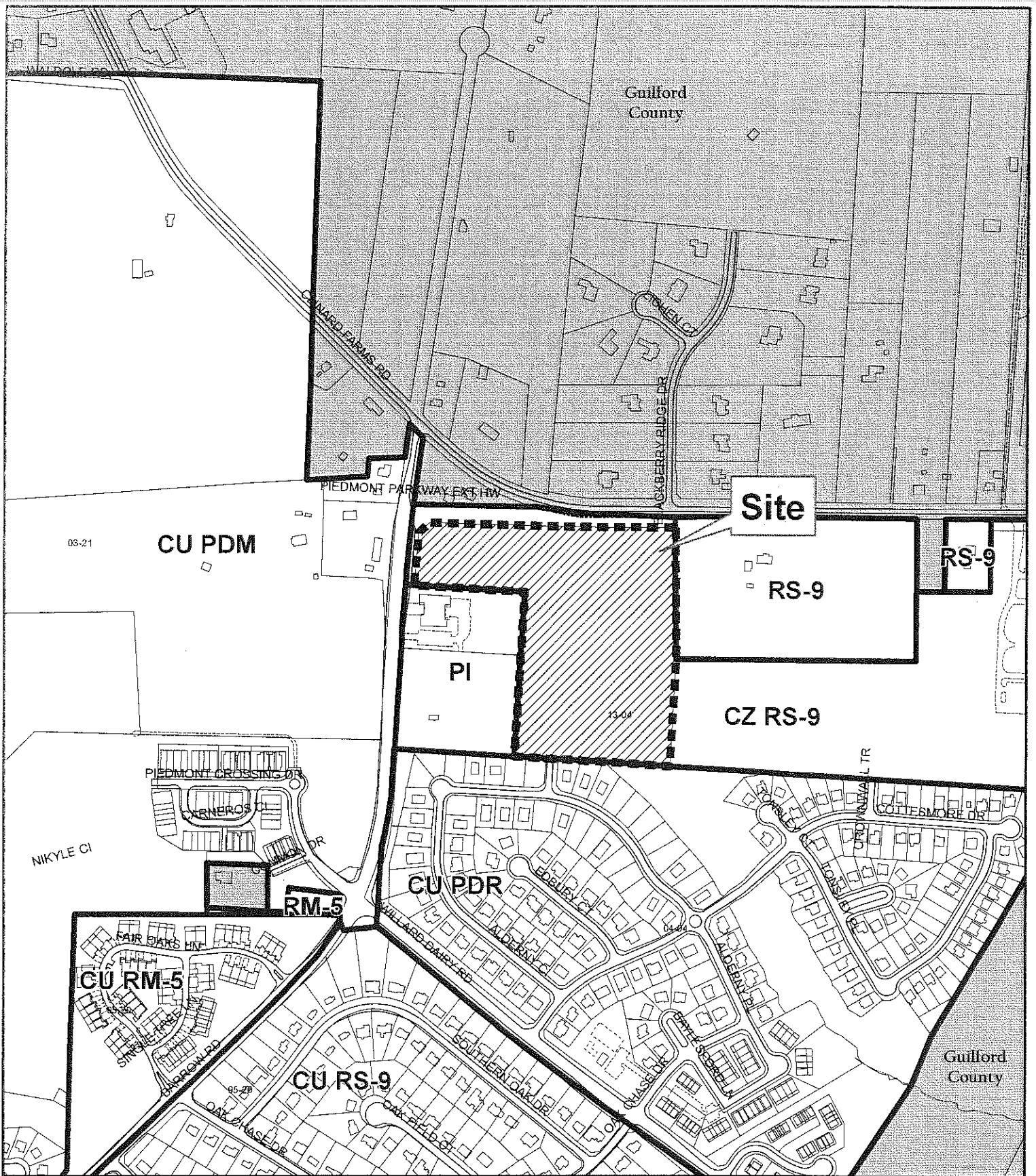
WILLARD DAIRY ROAD ASSOCIATES LLC
3411-D W WENDOVER AVE
GREENSBORO NC 27407

WILLIAMS, ANGELO DEVON ; WILLIAMS,
TONYA M C
4342 ALDERNY CIR
HIGH POINT NC 27265

Sign In Sheet - February 11 2016

Tonya Williams
Angelo Williams

4342 Alderney Circle -



ZONING MAP AMENDMENT ZA16-01

From: Conditional Zoning Residential Single Family-9
To: Conditional Zoning Residential Single Family-9

Existing Zoning Boundary
Subject Property Boundary



**Planning & Development
 Department**

City of High Point

Date: January 29, 2016



Scale: 1"=400'

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Board Meeting with the Members of the Cottesmore Home Owners Association

On Tuesday evening, February 9, 2016, Bob Woodard, manager of Royal Homes of NC and Barry Siegal, developer of the Cottesmore subdivision and future developer of the Phoenix Academy's 15 acre tract met with members of the Board of Directors of the Cottesmore Home Owners Association. Members of the board consisted of Robert Moser, President, Chad Pollio, Vice President, and Robert Newhardt, member. Also present was Lisa Austin of Priestly Management who is the manager of the Association.

Barry and Bob outlined the plans for the development of the Phoenix Academy Property, shared a copy of the proposal site plan and a draft of the rezoning application, and discussed the size of the houses to be constructed. The site plan clearly illustrated the zoning conditions proposed by the Applicant particularly with regard to the street tie in to Cottesmore and the stubbing of a street to the Thomas Property (located to the east of the proposed property). Barry shared with the Board members his desire not to have a street tie in to Clinard Farm Road across from the intersection of Blackberry Ridge Road, as requested by Mr. Mark McDonald, Transportation Director of the City of High Point. As discussed with the Board members our desire not to have a street connection to Clinard Farm Road at Blackberry Ridge, was in part due to the prohibitive cost to undertake the improvement requested (eastbound right turn lane with appropriate tapers and a westbound left turn lane with appropriate tapers). At an estimated cost in excess of \$150,000 this would be prohibitive for a 46 lot development. Furthermore, we expressed our concern that a full median opening would provide a cut through for commercial traffic from the future industrial property on the north side of Clinard Farm Road. Several members of the Board acknowledged the potential problems that would be caused by a road connection to Clinard Farm at Blackberry due to the ease of a cut through on Alderny Court to Willard Dairy Road. One member suggested that an outlet to Clinard Farm Road would ease traffic flow onto Willard Dairy Road. While he acknowledged that a tie into the Thomas Property and the future outlet from the Thomas Property to Clinard Farm Road would provide an outlet, he questioned the timetable for the extension of the road work. Other members raised the issue of having two tie ins to Clinard Farm Road (one proposed by Mr. McDonald at Blackberry Lane and the other approximately 500 feet to the east in the center of the Thomas Property). Members of the Board appeared to favor a right-in, right-out at the future access drive into Mr. Thomas' tract. We shared with them the fact that we had met with Mr. Thomas, his granddaughter and their engineer and that Mr. Thomas was considering his options for developing or selling his property in the near future.

Also discussed during the meeting was that as Declarant to Cottesmore, we could annex this property into the HOA. All members of the Board acknowledged the Declarant's right and that they were well aware of our rights to annex this property into the HOA without their approval. The issues that were raised about adding 46 additional homes centered on the possible silting of the retention pond and the additional number of homeowners using the swimming pool. All members acknowledged that the additional income that would be derived from the collection of homeowner dues from the 46 additional families would greatly benefit the HOA due to what appeared to be additional limited costs to the HOA.

With regard to the retention pond, we assured the Board members that the City of High Point storm water policies would hold us accountable for any silting that would occur during development and construction. We would be required to recertify the pond prior to the completion of the development. Members seemed to agree that this would not be an issue. They appeared to be comfortable that we would fulfill our obligation in this regard, as we had previously done so.

The Board shared with us that the Association has been exploring alternatives for increasing the size of the swimming pool. Many members of the Association are dissatisfied with the size of the pool constructed by K Hovnanian Homes (the prior builder of the subdivision). Accordingly, they have been exploring alternatives to address this situation by increasing the size of the pool area. We discussed the merit of adding another pool rather than modifying the existing pool. We assured the Board members that we would assist them as they continued to explore these options. The Board members see our proposed development as a means of obtaining funds. They have proposed that we contribute funds to kick start the pool expansion program. A lengthy discussion on this resulted in all agreeing to work together and explore ways to come up with an expansion program for the pool facilities that would work and be realistic. We agreed to have additional discussions with regard to a developer/builder contribution.

Board members recognized that we could develop the Phoenix Property and not annex it into the Association. However, we all acknowledge the potential issues that the Association could have resulting from homeowners in an adjacent and contiguous development not being members of the Association but having friends and family of the Association inviting them to use the pool facilities.