

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Plan Amendment 16-02; and  
Zoning Map Amendment 16-02  
(4008 Mendenhall Oaks, LLC)

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

**Meeting Date:** May 2, 2015

**Public Hearing:** Yes

**Advertising Date:** April 20 & 27, 2016

**Advertised By:** Planning & Development

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

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### **PURPOSE:**

#### Plan Amendment 16-02

A request by 4008 Mendenhall Oaks, LLC and the Planning & Development Department to change the Land Use Map classification for approximately 17 acres from the Restricted Industrial classification to the Local Convenience Commercial classification. The site is lying along the east side of Eastchester Drive, to the north and south of Mendenhall Oaks Parkway.

AND

#### Zoning Map Amendment 16-02

A request by 4008 Mendenhall Oaks, LLC to rezone approximately 12.85 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, and a Conditional Use Light Industrial District to a Conditional Zoning General Business District (CZ-GB) District. The site is lying along the east side of Eastchester Drive and south of Mendenhall Oaks Parkway (2760 & 2756 NC 68 and 4006 thru 4012 Mendenhall Oaks Parkway). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

### **BACKGROUND:**

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

### **BUDGET IMPACT:**

There is no budget impact.

### **RECOMMENDATION / ACTION REQUESTED:**

- A. On March 22, 2016, a public hearing was held before the Planning and Zoning Commission regarding Land Use Plan Amendment 16-02 and Zoning Map Amendment 16-02. Staff recommended *approval* of both requests.
- B. The Planning & Zoning Commission recommended approval of Plan Amendment 16-02 by a vote of 7-0.
- C. The Planning & Zoning Commission recommended approval of Zoning Map Amendment 16-02 by a vote of 7-0.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

At its March 22, 2016 public hearing, the Planning and Zoning Commission reviewed the Plan Amendment and Zoning Map Amendment applications submitted by 4008 Mendenhall Oaks, LLC. All members of the Commission were present, except for Mr. John McKenzie. Ms. Heidi Galanti, Planning Administrator, presented the Plan Amendment and Mr. Herbert Shannon, Senior Planner, presented Zoning Map Amendment. Staff recommended approval of these requests as outlined in the staff report.

### **Speaking in favor of the requests:**

Speaking in favor of these applications was the applicant's engineer, Mr. Chuck Truby, president of CPT Engineering and Surveying, 4400 Tynning Street, High Point, N.C. Mr. Truby provided an overview of the developers design proposal for the site and presented a rendering of the designed concept he is working on with the developer. The requested reduction in setback from NC 68 would allow parking to be placed behind the building so that it is not visible from the road while still allowing development to be in harmony with other development adjacent to the property. Furthermore, Mr. Truby stated that the requested CZ-GB district, with the restriction noted in their conditional zoning ordinance, allows a few additional uses than the LI District, which would allow a few small retail uses.

### **Speaking in opposition of the requests:**

No one spoke in opposition of the requests.

The Planning & Zoning Commission recommended approval of Plan Amendment 16-02, as recommended by staff, by a vote of 7-0.

The Planning & Zoning Commission recommended approval of Zoning Map Amendment 16-02, as recommended by staff, by a vote of 7-0.

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

**STAFF REPORT  
PLAN AMENDMENT 16-02 AND ZONING MAP AMENDMENT 16-02  
March 22, 2016**

<b>Requests</b>	
<b>Applicant:</b> 4008 Mendenhall Oaks, LLC	<b>Owners:</b> 4008 Mendenhall Oaks, LLC; LSOP NC Land LLC; and Truliant Federal Credit Union
<b>LUPA Proposal:</b> To change the future land use designation for approximately 15.8 acres to a Local Convenience Commercial land use designation.	<b>From:</b> Restricted Industrial  <b>To:</b> Local/Convenience Commercial
<b>Zoning Proposal:</b> To rezone approximately 12.8 acres	<b>From:</b> <b>AG</b> Agricultural District ( <i>Guilford County</i> ) <b>CU-LI</b> Conditional Use Light Industrial District  <b>To:</b> <b>CZ GB</b> Conditional Zoning General Business District

<b>Site Information</b>	
<b>Location:</b>	The site is lying along the east side of N.C N.C. Highway 68 and south of Mendenhall Oaks Parkway.
<b>Tax Parcel Numbers:</b>	<b>Plan Amendment</b> <b>Zoning Request</b>
	017008, 017009, 0207855 and 0207858 thru 61.                      Same as plan amendment, except parcel 0207855 is not included.
<b>Site Acreage:</b>	<b>Plan Amendment</b> <b>Zoning Request</b>
	Approximately 15 acres                      Approximately 12.8 acres
<b>Current Land Use:</b>	<b>Plan Amendment</b> <b>Zoning Request</b>
	Two banks, personal service retail uses and undeveloped parcels                      One bank, personal service retail uses and undeveloped parcels
<b>Physical Characteristics:</b>	The northwestern portion of the site has been developed or graded for future development, and has a relatively flat terrain. The southern and northeastern portions of the site are undeveloped and have a moderate to steeply sloping terrain. A perennial stream runs along the eastern boundary of the property and the steeper terrain is along this stream corridor.
<b>Water and Sewer Proximity:</b>	A 12-inch City water line and an 8-inch City sewer line are lying adjacent to the site along Mendenhall Oaks Parkway. There is also a 12-inch City sewer line running along the southern and eastern boundary of the site adjacent to the stream corridor.

<b>General Drainage and Watershed:</b>	The site drains in a general southeasterly direction and development is subject to the City Lake General Watershed Area (GWA) requirements. Engineered storm water treatment measures are required for development 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.
<b>Overlay District:</b>	Eastchester Scenic Corridor Overlay; City Lake General Watershed Area and Airport Overlay (Zone 4)

<b>Adjacent Property Zoning and Current Land Use</b>			
<b>North:</b>	<b>CU-LI</b>	Conditional Use Light Industrial District	Bank
<b>South:</b>	<b>CU-LI</b>	Conditional Use Light Industrial District	Office use
<b>East:</b>	<b>CU-LI</b>	Conditional Use Light Industrial District	Industrial/manufacturing
<b>West:</b>	<b>CU-LI</b>	Conditional Use Light Industrial District	Office uses and industrial uses ( <i>across N.C. Highway 68</i> )

<b>Adjacent Land Use Plan Designations</b>	
<b>North:</b>	Restricted Industrial
<b>South:</b>	Restricted Industrial
<b>East:</b>	Restricted Industrial
<b>West:</b>	Restricted Industrial ( <i>across N.C. Highway 68</i> )

<b>Purpose of Existing and Proposed Land Use Plan Designations</b>	
<b>Existing Designation:</b>	<b>Restricted Industrial:</b> This classification accommodates office, warehouse, research and development, distribution, and light manufacturing or assembly uses on larger sites in unified developments.
<b>Proposed Designation:</b>	<b>Local/Convenience Commercial:</b> This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.

<b>Relevant Land Use Policies and Related Zoning &amp; LUPA History</b>	
Community Growth Vision Statement	This request is neither in conflict with the Community Growth Vision Statement's goals and objectives nor does it promote those goals and objectives.
Land Use Plan Goals, Objectives & Policies:	The following goal and objective of the Land Use Plan are relevant to this request: 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. Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
<b>Relevant Area Plan(s):</b>	<u>Eastchester Drive Corridor Plan-Phase III</u> Restrict new commercial development to well-separated clusters located

	at major intersections, most notably Eastchester Drive and Gallimore Dairy Road – the opportunity to site attractively designed and landscaped larger-scale office/warehouse uses in Phase III will be undermined if strip commercial development is allowed in the corridor.
<b>Zoning History:</b>	During the past 25 years there have been multiple zoning applications submitted (approximately 14 cases) in the vicinity of the intersection of Eastchester Drive and Willard Dairy Road/Mendenhall Oaks Parkway. All of these requests were for the CU-LI District and except for one, all were approved. The one denial was for a non-intersection location where a wide variety of commercial and automotive related commercial uses were proposed, which was not consistent with land use policies established by City Council for this segment of the Eastchester Corridor.
<b>LUPA History:</b>	<ul style="list-style-type: none"> <li>• <b>PA03-03:</b> Parcels between Samet and Premier drives north of W. Wendover Dr. (Palladium), and consisting of approximately 70 acres, went from Office and Restricted Industrial to Mixed Use Development; adopted December 18, 2003.</li> <li>• <b>PA15-02 and PA15-03:</b> The area on the west side of Eastchester Drive at its intersection with Penny Road, consisting of approximately 13 acres, went from Office and Restricted Industrial to Community/Regional Commercial; adopted September 21, 2015.</li> </ul>

Transportation Information				
<b>Adjacent Streets:</b>	<b>Name</b>		<b>Classification</b>	<b>Approx. Frontage</b>
	N.C. Highway 68		Major Thoroughfare	528 ft
	Mendenhall Oaks Pkwy		Collector Street	435 ft
<b>Vehicular Access:</b>	N.C. Highway 68 (public street) and Mendenhall Oaks Pkwy (public street)			
<b>Traffic Counts:</b> <i>(Average Daily Trips)</i>	N.C. Highway 68		50,429 ADT (2015, COHP)	
	Mendenhall Oaks Pkwy		3,893 ADT (2015, COHP)	
<b>Estimated Trip Generation:</b>	No information			
<b>Traffic Impact Analysis:</b>	<b>Required</b>		<b>Comment</b>	
	<u>Yes</u> X	<u>No</u>	Updated TIA has not been received.	
<b>Pedestrian Access:</b>	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 subject site is located within the Eastchester Scenic Corridor. This specific segment of the corridor is designated by the Land Use Plan as Restricted Industrial, which is intended to accommodate office, warehouse, research and development, distribution, and light manufacturing or assembly uses on larger sites in unified developments. Current and

previous land use policies established by the City Council have been designed to protect the Eastchester Scenic Corridor, limiting commercial or retail-type uses to specific commercial nodes, located at key intersections, so as to prevent strip commercial development. The applicant proposes to establish a business/service-related commercial node at the southeastern corner of the intersection of N.C. Highway 68 and Mendenhall Oaks Parkway, and has submitted Plan Amendment and Zoning Map Amendment applications to change the land use policies and zoning for this specific section of the Eastchester Scenic Corridor.

2. Summary of Plan Amendment Request:

The applicant's request is to amend the Land Use Plan from Restricted Industrial to Local/Convenience Commercial for an area consisting of approximately 12.8-acres along the east side of N.C. Highway 68 south of Mendenhall Oaks Parkway. The area consists of six parcels. The two parcels located just to the south of the corner of N.C. Highway 68 and Mendenhall Oaks Parkway are developed, one with a Truliant Federal Credit Union and the other with a building that has a mix of office and retail spaces. The other four parcels are currently undeveloped. The applicant is proposing a development on the two undeveloped parcels with frontage on N.C. Highway 68. If the Land Use Plan is amended, staff recommends the inclusion of the First Citizens Bank parcel on the north side of Mendenhall Oaks Parkway, which consists of approximately 3 acres. The inclusion of this parcel would take in all of the commercial type uses within this area.

3. Summary of Zoning Map Amendment Request:

The applicant proposes to establish a business/service type commercial node at this intersection to serve individuals working in the adjacent employment center (Piedmont Center). To facilitate these types of uses the applicant has submitted a Zoning Map Amendment application (rezoning) to establish a Conditional Zoning General Business (CZ-GB) District zoning on the property. In conjunction with this request, the applicant has submitted a conditional zoning ordinance that prohibits higher intensity retail/commercial uses, prohibits automotive-related commercial uses, limits access and restricts the size of individual retail establishments.

4. Applicant's Request to Reduce Standards of Development Ordinance

As part of the conditional zoning ordinance, the applicant has proposed to allow for a reduction in the Eastchester Scenic Corridor setback standards. The Development Ordinance allows an applicant to request less restrictive standards with regard to dimensional (setbacks or lot size), parking, and landscaping requirements. The Planning & Zoning Commission and City Council are under no obligation to approve a request for a reduction in standards. As it pertains to this site, the ordinance requires a minimum 75-foot street setback along this segment of the Eastchester Scenic Corridor; the applicant has proposed a condition to allow a 40-foot street setback from N.C. Highway 68, subject to parking being located to the side or rear of the buildings.

### 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 Plan Amendment and Conditional Zoning District are 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:**

The subject area consists of seven fairly small parcels that do and will continue to offer a mix of office and convenience service uses that support the business park, and they are concentrated at the intersection of N.C. Highway 68 and Mendenhall Oaks Parkway. The three remaining undeveloped parcels will be an expansion of office and commercial service uses that will provide services to the adjacent business park. If the Plan Amendment is approved, the proposed Conditional Zoning District will be consistent with adopted City policy.

**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:**

<b><u>Factor #1</u></b>	<b>Produces a development that is compatible with surrounding development character and land uses;</b>
	<p><b><u>Staff Comments:</u></b></p> <ul style="list-style-type: none"> <li>❖ Current adopted land use policy does not support commercial development, as the sole or primary use, at this location. The surrounding zoning consists of CU-LI District, which permits some commercial uses that may serve adjacent employment areas. The applicant has proposed a CZ-GB District, which permits a wider array of commercial uses. In order for this request to be compatible with the Land Use Plan the Plan Amendment, to establish a Local/Convenience Commercial classification, must be approved.</li> <li>❖ The applicant proposes this 12.8 acre area provide limited retail opportunities, and business &amp; professional services type uses to workers in the adjacent employment center. It’s not intended to become an extension of the regional commercial node lying approximately ½ mile to the south (Palladium and Shoppes at Deep River commercial developments). Existing uses on the northern portion of the site consists of a bank and a small retail service strip center. This application proposes to expand the land area and allowable uses of this service center. To ensure development is focused on serving the adjacent employment center and does not convert into a higher intensity commercial node the applicant has offered conditions to prohibit higher intensity commercial and automotive related commercial uses. Additionally, the applicant has offered to limit the size of individual retail establishments so as to promote smaller service-type uses and thus excluding large regional-type retail uses which are more appropriately located at larger regional commercial node. As conditioned, allowable uses will be generally consistent with the type and scale of smaller service type uses currently established in this area.</li> </ul>

<p><b><u>Factor #2</u></b></p>	<p><b>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.;</b></p> <p><i>Staff Comments:</i>                  So as to limit the traffic impacts and not degrade the vehicular capacity of this major corridor, the applicant has offered a condition limiting the site to only one point of access to N.C. Highway 68 with the installation of a turn lane. Furthermore, this is to be a right-in/right-out access with no median cut.</p>
<p><b><u>Factor #3</u></b></p>	<p><b>Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;</b></p> <p><i>Staff Comments:</i>                  A perennial stream and flood plain runs along the eastern and southern boundary of the site. Environmental regulations of the Development Ordinance will limit disturbance near this stream corridor by establishing a 100-foot wide stream buffer along both sides of the stream.</p>
<p><b><u>Factor #4</u></b></p>	<p><b>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;</b></p> <p><i>Staff Comments:</i>                  The site is within an area currently served by City of High Point utilities and municipal services. There are no known adverse impacts on municipal services.</p>
<p><b><u>Factor #5</u></b></p>	<p><b>Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.</b></p> <p><i>Staff Comments:</i>                  Surrounding zoning consists of CU-LI Districts that permits a variety of office, commercial, warehouse/distribution and light manufacturing uses. Several of the office and commercial retail related uses that are allowed on these adjacent CU-LI zoned parcels are also permitted in the requested CZ-GB District. Staff has not identified any adverse impacts to adjacent property owners if GB District uses, as restricted by the applicant, are permitted at this location.</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 City began annexing land in this northern portion of its planning area in the late 1980s. Starting with the adopted 1992 Land Use Map, this segment of the Eastchester Scenic Corridor has been designated for Restricted Industrial uses. During the past 25 years there has been significant development in this area spurred by the Piedmont Center Business Park. Except for specific intersection/nodes, designated by the adopted Land Use Plan for commercial uses, approved zoning requests in this area have consisted of CU-LI Districts with limitations on the type commercial uses allowed and with design restrictions of the Corporate Park District.

**Development Patterns:**

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

**Staff Comments:**

- ❖ The Eastchester Scenic Corridor Plan has established specific nodes centered at major intersections for commercial development. These consist of intersections along the corridor from N. Main Street to Lassiter Drive, Skeet Club Road/Penny Road/W. Wendover Avenue intersections and the Regency Drive/Gallimore Dairy Road intersection. Although, currently zoned CU-LI, the area to the east of the intersection of N.C. Highway 68/Mendenhall Oaks Parkway has developed with smaller size commercial/business service type uses consisting of two banks and a small commercial strip center. The applicant's request for GB District uses, as conditioned, would expand on these allowed uses.
- ❖ The requested GB District would allow for a wide variety of commercial retail uses. To ensure smaller personal service type uses develop, the applicant has offered conditions to limit the size of retail uses to 5,000 square feet and has prohibited higher intensity and automotive related commercial uses.
- ❖ The proposal to reduce the Eastchester Scenic Corridor setback requirement will set a new development pattern for this segment of the corridor. However, the proposal only allows for building setback reduction if parking is located on the side or rear of structures. Placing parking to the rear or to the sides of buildings does provide for an aesthetically pleasing view along this corridor and this standard is being considered for inclusion in the new Development Ordinance.

**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 may be considered reasonable and in the public interest because:

- 1) Subject to approval of Plan Amendment 16-02, the requested CZ-GB District will be consistent with the Land Use Plan;
- 2) Small size services related uses have been established at this location under the current CU-LI District. The allowance of GB District uses, as restricted by the applicant's conditional zoning ordinance, will not be introducing any significantly more intensive uses or new land uses types in this area;
- 3) Conditions allowing for reduction in setbacks along N.C. Highway 68 (Eastchester Drive), if parking is placed to the side or rear of buildings, will further promote the goal of having higher development standards along this scenic corridor; and
- 4) Piecemeal commercial development of non-intersection locations has been prohibited along this corridor. Bringing the entire corner of this intersection in as one development assists in ensuring there will be a unified cohesive development with a planned traffic circulation pattern.

## Recommendation

### 1. Plan Amendment 16-02:

#### **Staff Recommends Approval:**

One of the main objectives of the Eastchester Corridor Plan was to prevent strip commercialization of the Eastchester Corridor. The reason for this objective was to maintain a high functioning transportation corridor and to establish high quality development along one of the City's major gateways. The City adopted policies to limit commercial land uses to well-separated clusters. Based upon the existing commercial service uses present within the subject area and proposed by the conditional zoning ordinance, the commercial land uses allowed will be those that primarily provide service to the business park and immediate area. Allowing a Local/Convenience Commercial classification will reflect the uses that have been established under current LI District zoning and will enable a limited amount of new commercial service uses along with offices to be developed. It does not and should not encourage the commercial uses found and targeted in the City's adopted policies for the Community/Regional Commercial land use classification that is designated for the area to the south.

### 2. Zoning Map Amendment 16-02:

Zoning determination by the governing body (approval and denials) establishes or reaffirms land use policy. In this case, subject to approval of Plan Amendment 16-02, the requested CZ-GB District as restricted by the applicant would be consistent with the Land Use Plan and would allow development similar to uses already established on the site.

## Required Action

### **Planning and Zoning Commission:**

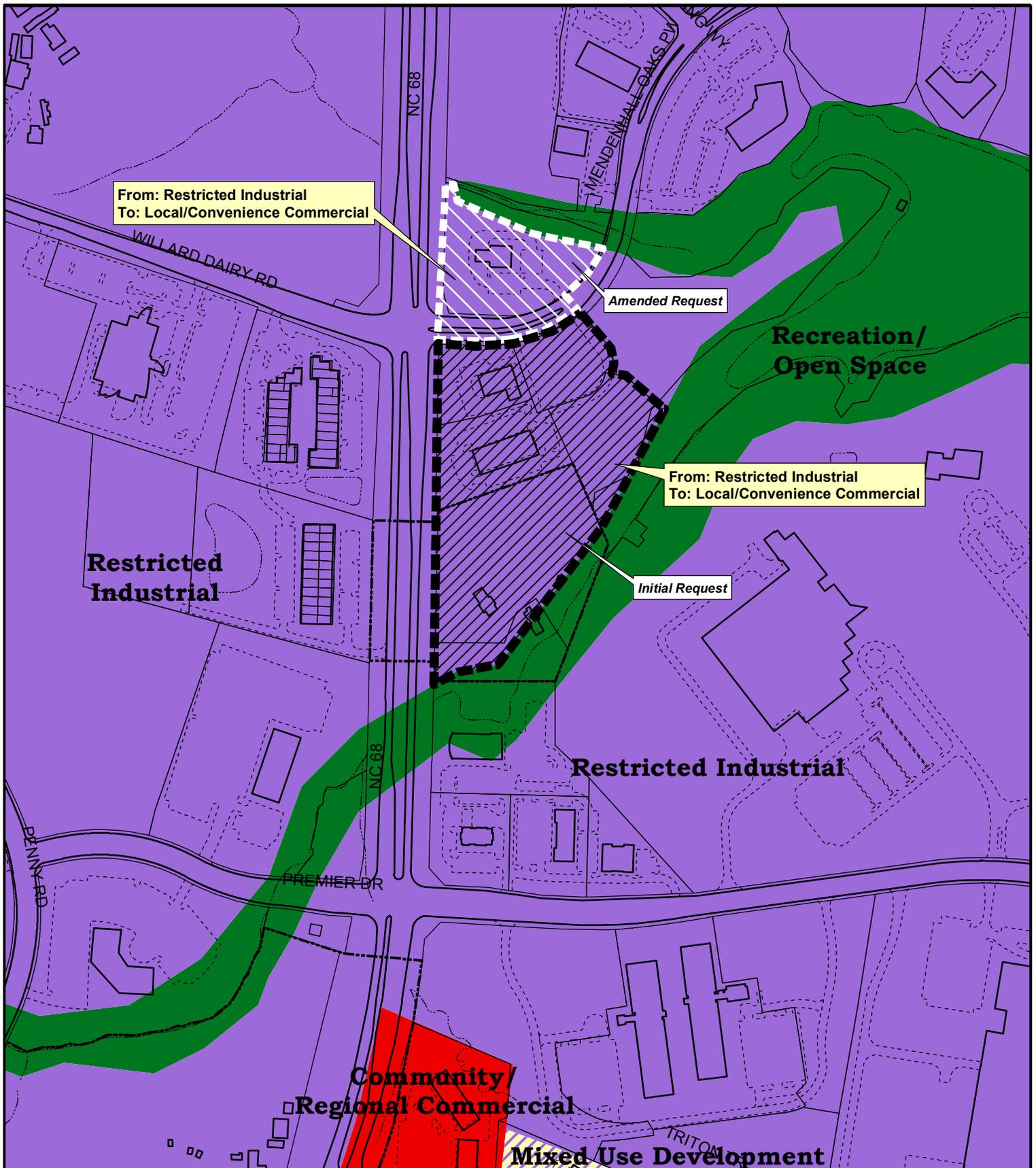
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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



**PLAN AMENDMENT PA16-02**

**Request - From: Restricted Industrial  
To: Local/Convenience Commercial**

**Existing Land Use Plan**  
**Subject Property Boundary**



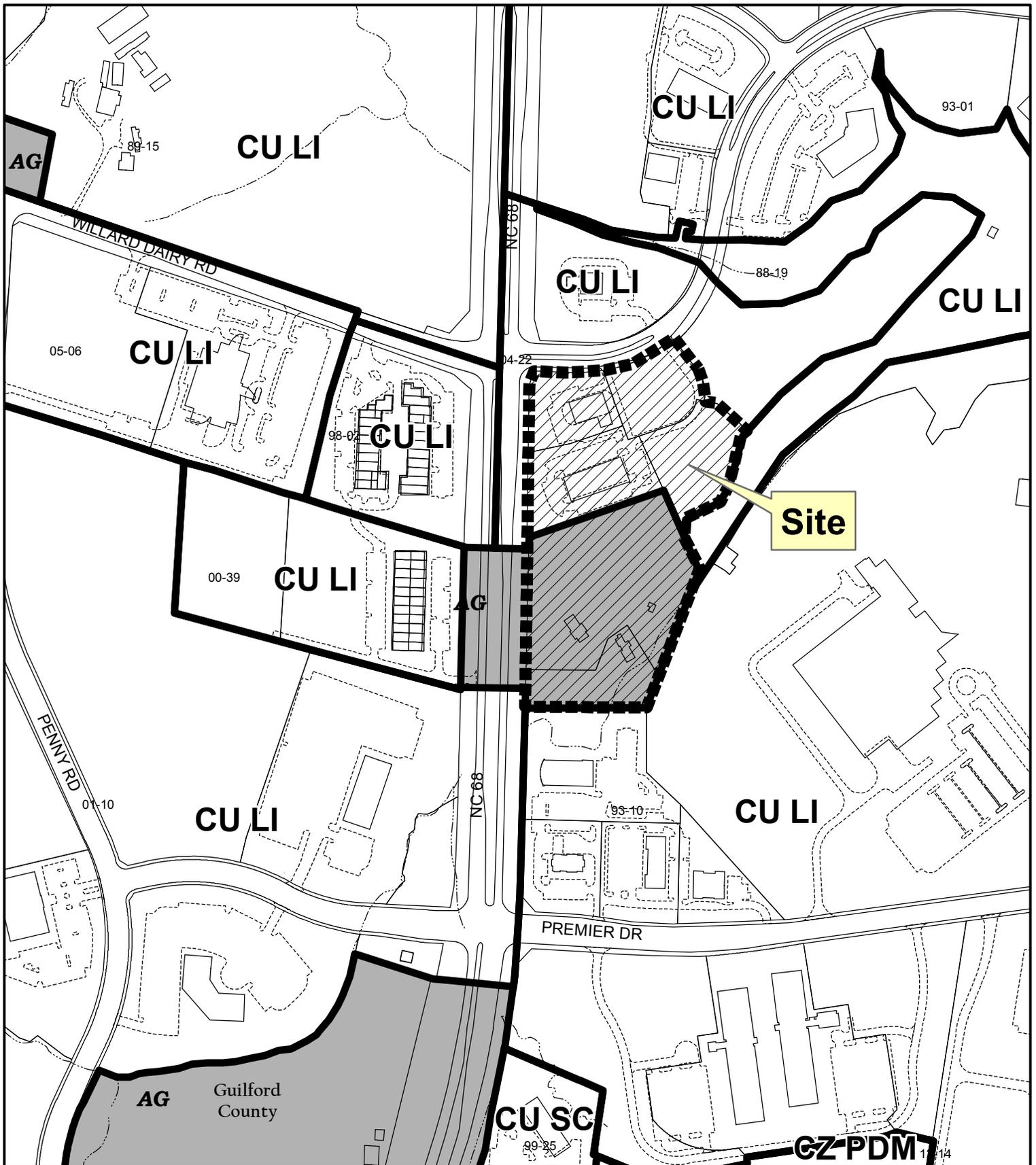
**Planning & Development  
Department**

**City of High Point**

**Date: March 22, 2016**



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**ZONING MAP AMENDMENT ZA16-02**

**From: Agricultural (Guilford County) and  
Conditional Use Light Industrial  
To: Conditional Zoning General Business**

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

**Planning & Development  
Department**

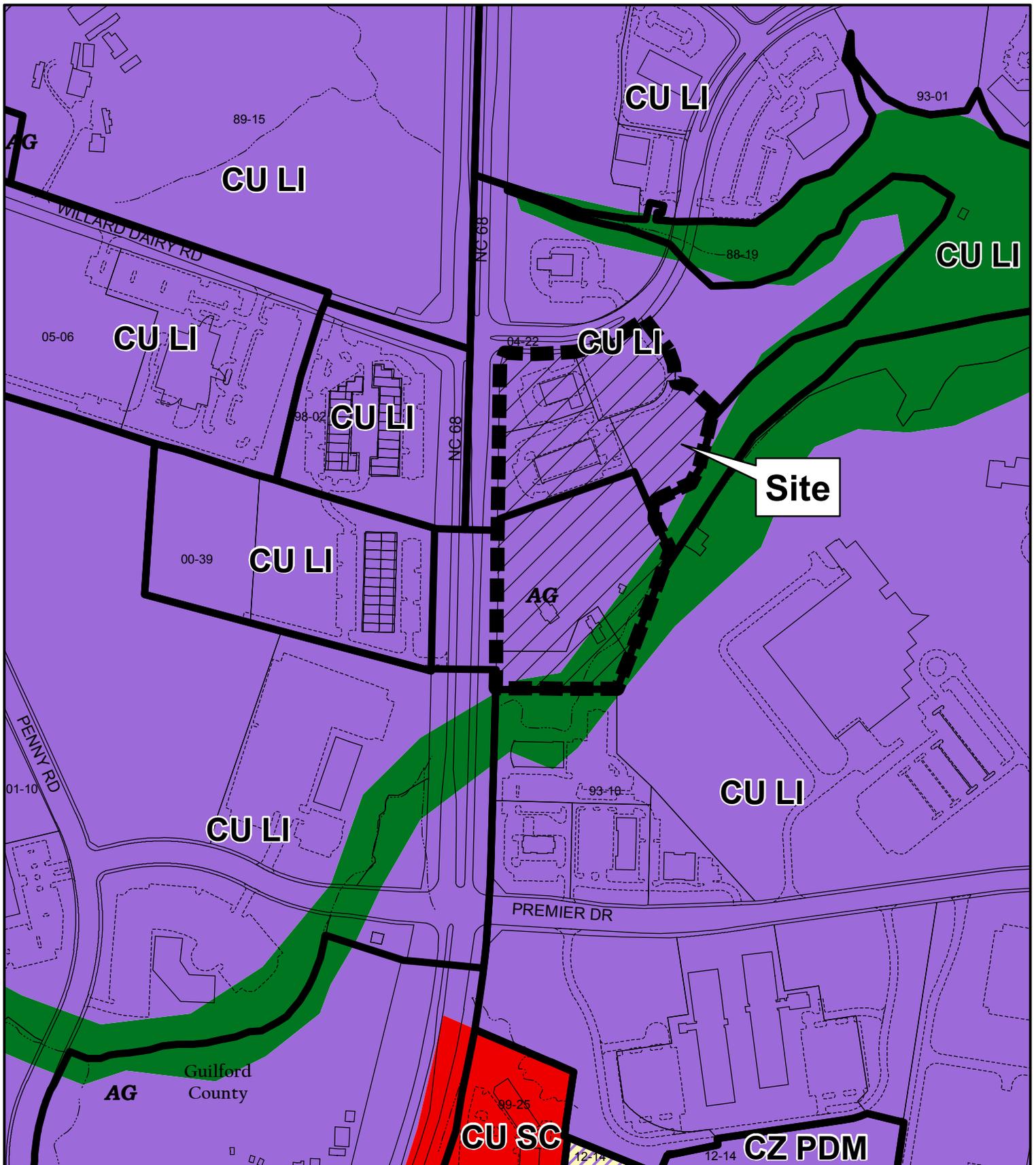
**City of High Point**

**Date: March 9, 2016**



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**ZONING MAP AMENDMENT ZA16-02**

**Land Use Plan**

- |  |                       |  |                               |
|--|-----------------------|--|-------------------------------|
|  | Mixed Use Development |  | Community/Regional Commercial |
|  | Recreation/Open Space |  | Restricted Industrial         |

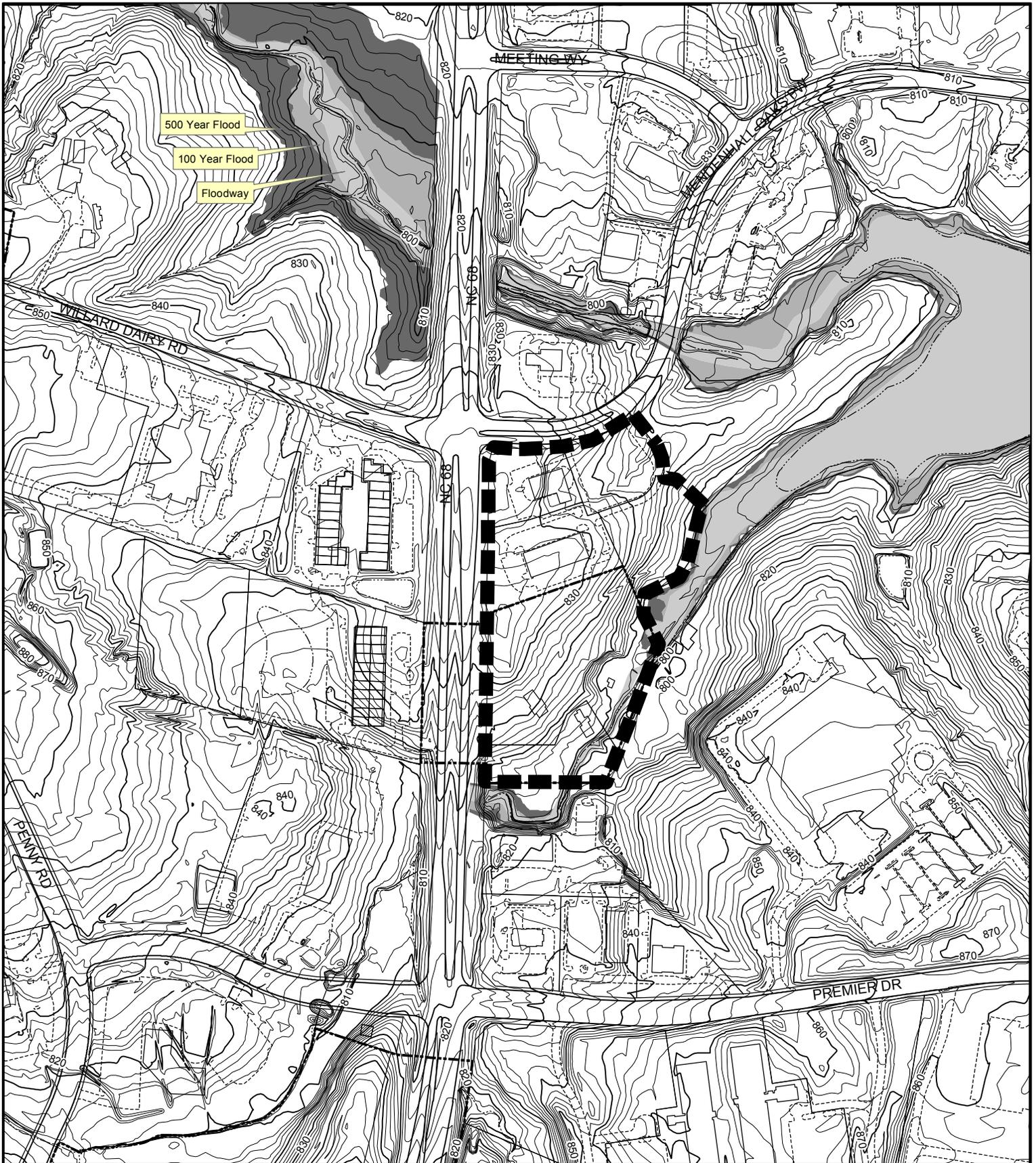
**Planning & Development  
Department**

**City of High Point**

**Date: March 22, 2016**



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**ZONING MAP AMENDMENT ZA16-02**

**Topography**

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

**Planning & Development  
Department**

**City of High Point**

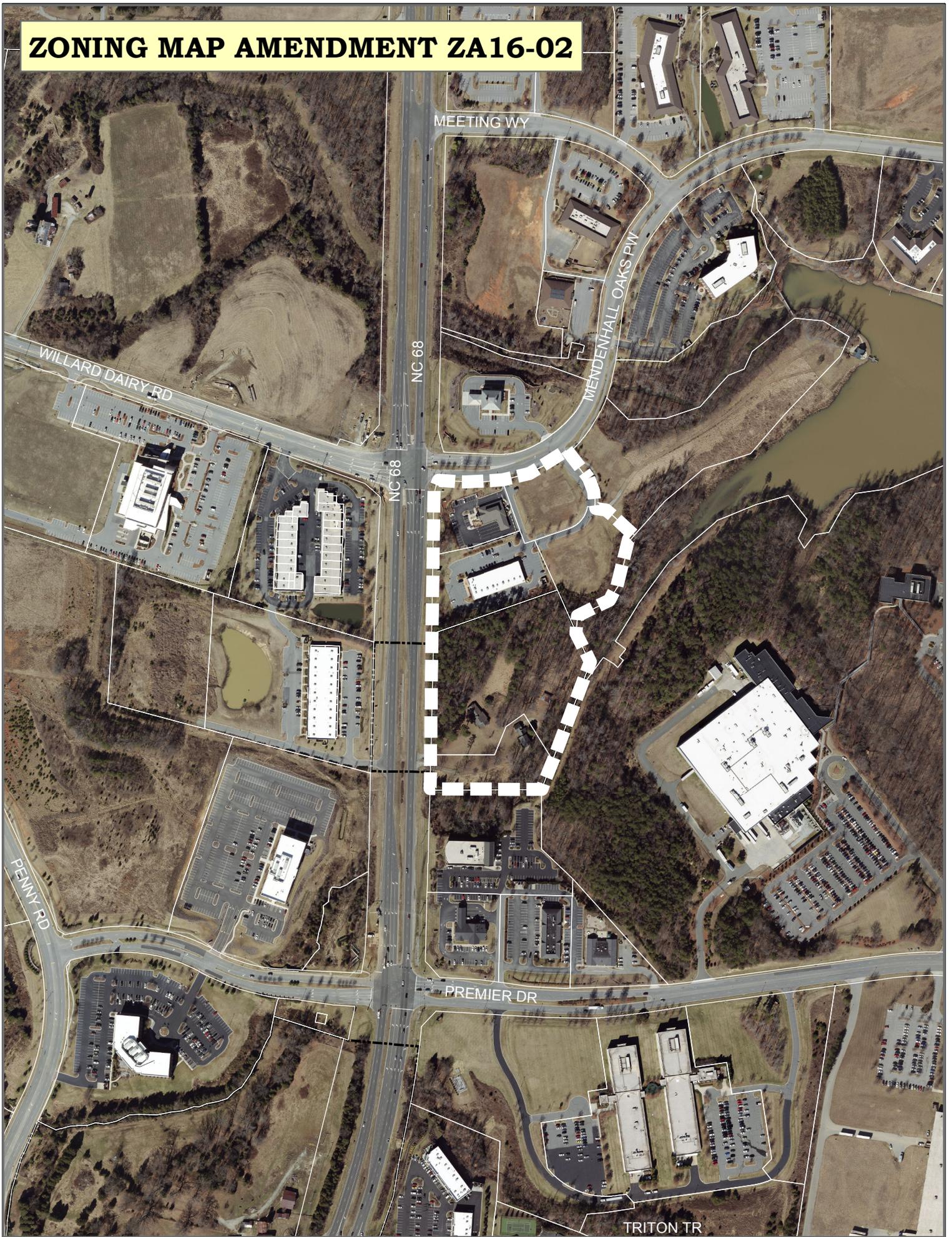
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# ZONING MAP AMENDMENT ZA16-02





March 7, 2016

**To:** Lee Burnette, Director of Planning and Development  
**From:** Mark McDonald, P.E., Transportation Director   
**Subject:** **Zoning Case #16-02, 4008 Mendenhall Oaks, LLC.** Property located along the east side of Eastchester Drive, to the north and south of Mendenhall Oaks Parkway (2760 and 2756 NC 68 and 4006, 4008, 4010, 4012 & 4045 Mendenhall Oaks Parkway).

My staff and I have reviewed the rezoning request and have 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 one hundred and sixty (160) trips in the AM peak hour, three hundred and twenty (320) trips in the PM peak hour and a total of 3,536 trips.

Access:

One (1) point of access shall be allowed to Eastchester Drive. This access point shall be right-in right-out only.

Roadway and Intersection Improvements:

Eastchester Drive @ site access: The property owner shall construct a northbound right turn lane with 100 feet of storage 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.

N 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 March 22, 2016 and before the City Council of the City of High Point on May 2, 2016 regarding **Zoning Case 16-02** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on March 13, 2016, for the Planning and Zoning Commission public hearing and on April 20, 2016 and April 27, 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 \_\_\_\_\_, 2016.

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 General Business (CZ-GB) District.** Approximately 12.5 acres, consisting of six (6) parcels, lying along the east side of Eastchester Drive and south of Mendenhall Oaks Parkway. The properties are also known as Guilford County Tax Parcels 017009, 017008, 0207860, 0207859, 0207861, 0207858 and their respective street addresses are 2760 NC HWY 68, 2756 NC HWY 68, 4010 Mendenhall Oaks Parkway, 4012 Mendenhall Oaks Parkway, 4008 Mendenhall Oaks Parkway & 4006 Mendenhall Oaks Parkway.

#### 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 General Business (GB) District shall be permitted, with the exceptions listed below, subject to the development and dimensional requirements of the Development Ordinance and subject to the specific conditions of this ordinance.

- A. Prohibited Uses: The following uses, enumerated in Table 4-7-1, Permitted Use Schedule of the Development Ordinance, shall be prohibited:
1. All agricultural uses
  2. All residential uses
  3. All accessory uses and structures listed in Table 4-7-1, except for customary accessory uses and structures.
  
  4. Recreational Uses
    - a. Billiard Parlors
    - b. Bingo Games
    - c. Clubs or Lodges
    - d. Fortune Tellers, Astrologers
    - e. Golf Courses, Miniature
  
  5. Educational & institutional uses
    - a. Psychiatric Hospitals (AD) (WMX)
    - b. Retreat Centers (AD)
  
  6. Business, Professional & Personal Services Uses
    - a. Automobile Rental or Leasing
    - b. Automobile repair services, major
    - c. Automobile repair services, minor
    - d. Automobile towing and storage services (Ref. SIC 7549)
    - e. Boat Repairs (Ref. SIC 3730)
    - f. Car Washes (Ref. SIC 7542)
    - g. Equipment Repair Light
    - h. Kennels or Pet Grooming Services
    - i. Laundromats, coin-operated (Ref SIC 7215)
    - j. Tattoo establishment (Ref SIC 7299)
    - k. Taxidermists (Ref SIC 7699)
    - l. Truck & Util. Trailer Rent. & Leasing, Light
  
  7. Retail Trade
    - a. Boat Sales (Ref SIC 5551)
    - b. Building Supply Sales (with storage yard) (Ref. SIC 5211)
    - c. Bulky item outdoor sales
    - d. Convenience store (with gasoline pumps) (Ref SIC 5411)
    - e. Motor Vehicle Sales (new & used) (Ref SIC 5511)
    - f. Motorcycle Sales (Ref SIC 5571)
    - g. Recreational Vehicles sales (Ref SIC 5561)
    - h. Restaurants (with drive thru)
    - i. Service station, Gasoline (Ref SIC 5541)
    - j. Tire Sales (Ref SIC 5531)
    - k. Tobacco Sales (Ref. SIC 5993)
    - l. Video Tape Rental & Sales (Ref SIC 7841)

- 8. Transportation, Warehousing and Utilities Uses
  - a. Communication or Broadcasting Facilities (Ref SIC 4800)
  - b. Communication Towers (exceeding height limits of zoning district)
  - c. Demolition debris landfills, minor
  - d. Taxi terminals (Ref SIC 4121)
  
- 9. Other Uses
  - a. Bulky item outdoor sales
  - b. Outdoor retail sales
  - c. Sexually Oriented Businesses

B. Restricted Uses: The following uses, enumerated in Table 4-7-1, Permitted Use Schedule of the Development Ordinance, shall be permitted subject to the listed restrictions:

- 1. No individual Retail Trade use shall exceed 5,000 square feet in gross floor area.
- 2. Mini Storage use must meet the Eastchester design requirements; shall not front Eastchester Drive and must be climate controlled with 95% of the storage units accessed from interior corridors. Any external access must be screened from Eastchester Drive.

Part II. CONDITIONS:

A. Development Standards: The rezoning site shall be subject to the requirements of the Eastchester Scenic Corridor Overlay District.

B. Development and Dimensional Requirements:

- 1. Development shall be subject to the dimensional standards of the GB District. However, development fronting along Eastchester Drive or Mendenhall Oaks Parkway shall be subject to the following higher dimensional standards:

Minimum Lot Size	40,000 square feet
Minimum Lot Width	150 feet
Minimum Street Frontage:	100 feet
Minimum Street Setback:	<ul style="list-style-type: none"> <li>a. Local, Subcollector, &amp; Collector - 30 feet from the property line</li> <li>b. Minor Thoroughfare - 40 feet from the property line.</li> <li>c. Major Thoroughfare - 50 feet from the property line or 40 feet from property line if parking is placed on the side or rear of the building(s).</li> </ul>
Minimum Interior Setback (side and rear yard):	Adj. to Non-Res. Zoning - 20 feet Adj. to Res. Zoning - 50 feet

C. Transportation:

1. Vehicular Access: One point of access shall be allowed to Eastchester Drive (NC 68). This access point shall be right-in / right-out only.
2. Roadway and Intersection Improvements (Eastchester Drive at site access): The property owner shall construct a northbound right turn lane with 100 feet of storage with appropriate tapers.
3. The City of High Point Director of Transportation shall approve the exact location and design of all access points and turn lanes. In addition, the Director of Transportation and the North Carolina Department of Transportation (NCDOT), if applicable, 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 now 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.  
xxxx<sup>th</sup> day of \_\_\_\_\_, 2016.

Lisa B. Vierling, City Clerk

# **Citizens Information Meeting Report Zoning Map Amendment 16-02**

Submitted by: Mr. Will Stevens

March 2, 2016

RE: Mendenhall Oaks Rezoning

Dear Neighbor,

I am sending you this note because I recently purchased two parcels of land nearby to property that you own. They are located at 2756 & 2760 HWY 68 South, High Point, NC.

I have submitted an application to the City of High Point to change the Land Use classification for the southeast corner of Eastchester Drive and Mendenhall Oaks Parkway (approximately 12.5 acres) to a commercial node and have submitted a zoning application to allow General Business zoning at this location, with use restrictions. The map on the back of this page will give you a visual of exactly the properties in discussion.

- Two of the six parcels have already been developed into a Truliant Bank and the Shops at Heron Place.
- You can visit [www.heronvillage.com](http://www.heronvillage.com) to see what is planned for the two parcels or 6.2 acres on HWY 68.
- The use(s) for remaining two lots have yet to be determined.

For your review, I am also including a copy of the City of High Point Conditional Zoning Information Meeting "info sheet".

In a short time, you will receive a rezoning notice from the City of High Point. I personally wanted to send you a note to invite you for a cup of coffee at your leisure to further discuss these plans. Please feel free to reach out to me at 336-580-5977 or [will@pennres.com](mailto:will@pennres.com) anytime to get a meeting on the calendar or to simply chat. Also, if you'd like to learn more about my small company, Penn Properties, you can visit my website at [www.penn-prop.com](http://www.penn-prop.com).

Warm Regards,



Will Stevens

# HERON VILLAGE

HOME

LOCATION

ABOUT US

CONTACT US



## LOCATION



Located near the intersection of Highway 68 & Mendenhall Oaks Pkwy

## HERON PLACE



Next-door Heron Place Shopping Center also owned by Penn Properties

## LEARN ABOUT US



[Penn Properties](#) is locally owned and operated in Greensboro, NC