CITY OF HIGH POINT AGENDA ITEM



Title: Special Use 16-01 (City of High Point)

From: Lee Burnette, Planning & Development Meeting Date: May 16, 2016

Director

Public Hearing: Yes **Advertising Date:** May 4 & 11, 2016

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation

B. Special Use Staff Report

C. Special Use Permit

PURPOSE:

A request by the City of High Point (Electric Utilities Department) to allow a Utility Service Facility (electrical sub-station) in the Residential Single Family 7 (RS-7) District and the Residential Single Family-5 (RS-5) District. The site is lying along the east side of N. University Parkway, between Boundary Avenue and Graves Avenue (1404, 1406 & 1408 Boundary Avenue and 1605 Graves Avenue)

BACKGROUND:

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

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. The Planning & Development Department recommended approval of this request as outlined in the staff report.
- B. The Planning & Zoning Commission recommended approval of Special Use 16-01 by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point (Electric Utilities Department)

Special Use 16-01

At its April 26, 2016 public hearing, the Planning and Zoning Commission reviewed this request to allow a Utility Service Facility (electrical substation) in a residential zoning district. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval as outlined in the staff report.

Speaking in favor of the requests:

Speaking in favor was High Point Deputy City Manager, Randy McCaslin, and Garey Edwards, Electric Utilities Director for the City of High Point. These speakers provided an overview of this request and the manner in which the site will be developed. Key points noted were:

- This request is a public necessity as it will lessen service loads at three other electrical substations that jointly provide service to this area, which are currently overloaded.
- A significant amount of landscaping, consisting mostly of evergreen species, will be installed around the perimeter of the site to screen the facility from public view. Also, a 6-foot high wooden fence will be installed next to abutting single family residences.
- The placement of electrical substations are very specific as they require direct access to 100kv power lines, which are only available in limited areas of the City. This site was chosen because it's in the area needed for service, it's next to a 100kv powerline and its lower topography will help screen the equipment from view of the public.

Speaking in opposition of the requests:

Speaking in opposition was Susan Wood, executive director of Habitat for Humanity of High Point-Archdale & Trinity, 3645 Rising River Lane, Greensboro. She expressed the following concerns:

- Proximity of the site to the Habitat for Humanity homes along Graves Avenue and N. Hoskins Street. The proposed substation will not enhance this neighborhood.
- The facility may impede efforts to reduce drug activity in the area. The proposed vegetative screening may be used by people involved in illicit drug activity to hide and sell drugs.
- Ms. Wood suggested expanding the current electrical substation at the corner of N. University Parkway and E. Martin Luther King Jr. Drive, located approximately ½ mile south of this site.

The Commission asked Mr. McCaslin about Ms. Wood's suggestion to expand an existing substation. Mr. McCaslin responded that the city looked at expanding that facility; however, it is not close enough to the area that needs to be served and would require the installation of additional 100kv lines and 100-foot tall poles which has been unpopular in other areas of the City. In closing, Mr. McCaslin added that the city has a vested interest in the Habitat for Humanity community off Graves Avenue, since the City purchased many of those parcels and donated them to that non-profit agency. The City is a partner in the redevelopment of that abutting neighborhood and would not do anything to negatively impact that community.

Planning & Zoning Commission Action

The Commission closed the public hearing and after a brief deliberation agreed that the proposed electrical substation is a public necessity to provide reliable electric service to its citizens and that it meets all the city requirements for the special use permit.

The Commission recommended approval of Special Use 16-01, as recommended by staff, by a vote of 6-0.

CITY OF HIGH POINT PLANNING AND DEVELOPMENT DEPARTMENT

STAFF REPORT SPECIAL USE 16-01 April 26, 2016

Request			
Applicant:		Owner:	
City of High Point City of High Point		City of High Point	
Proposal:	A Special Use Permit request to allow a Utility Service Facility (electrical sub-		
	station) in the Residential Single Family-7 (RS-7) and the Residential Single		
	Family-5 (RS-5) Districts.		

	Site Information			
Location:	Lying along the east side of N. University Parkway, between Boundary			
	Avenue and Graves Avenue (1404, 1406 & 1408 Boundary Avenue and			
	1605 Graves Avenue).			
Tax Parcel Numbers:	Guilford County Tax Parcels 0176476, 77 & 78 and 0190992			
Site Acreage:	Approximately 1.08 acres			
Current Land Use:	There is a vacant single family dwelling on the 1408 Boundary Avenue			
DI	property, the remaining parcels are undeveloped.			
Physical	The site has a gentle to moderately sloping terrain within its interior and			
Characteristics:	a severely sloping terrain along its perimeter. The elevation along the			
	perimeter of the site drops approximately 18 feet from its Graves			
	Avenue frontage and drops approximately 10 feet from its Boundary			
	Avenue frontage.			
Water & Sewer	A 6-inch and 12-inch City water line are lying adjacent to the site along			
Proximity:	Boundary Avenue, N. University Parkway and Graves Avenue. An 8-			
	inch sewer line lies adjacent to the site along Boundary Avenue and			
	Graves Avenue. Also, a 12-inch sewer line bisects the northwestern			
	corner of the site.			
General Drainage	The site drains in a northeasterly direction and development is subject			
and Watershed:	to the City Lake General Watershed requirements. Engineered			
	stormwater treatment measures are required for multifamily			
	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.			
Overlay Districts	City Lake General Watershed (GWA)			

Adjacent Property Zoning and Current Land Use				
North:	RS-7	Residential Single Family-7 District	Single family dwellings	
South:	RS-5	Residential Single Family-5 District	Church, single family dwelling and	
			undeveloped parcel	
East:	RS-5	Residential Single Family-5 District	Single family dwellings	
	RS-7	Residential Single Family-7 District		
West:	RS-7	Residential Single Family-7 District	Single family dwellings	

Relevant Land Use Policies and Related Zoning History				
Community Growth	This request is neither in conflict, nor does it promote, the Community			
Vision Statement:	Growth Vision Statement goals and objectives.			
Land Use Plan Map	The site has the following land use designations:			
Classification:	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.			
	Moderate-Density Residential: This classification includes a variety of			
	detached or attached dwellings, generally including single family			
	homes, cluster homes, duplexes and townhouses. Development			
	densities shall range from five to eight dwelling units per gross acre.			
Land Use Plan	The following goals and objective of the Land Use Plan are relevant to			
Goals, Objectives	this request:			
&Policies:	Goal #2: Encourage development that enhances and preserves established neighborhoods;			
	Goal #4: Ensure that all required public services and facilities are sequenced to meet demands of development;			
	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.			
Relevant Area	University Parkway is identified as a key corridor in the Core City Plan			
Plan(s): Core City	and it recommends that it be treated as a gateway to the university for			
Plan	both aesthetic and functional improvements.			
Zoning History:	Zoning Case 10-10: In 2010, the City Council approved the rezoning of			
	the southern portion of this site and the abutting subdivision lying north			
	of this site to a RS-5 District. This zoning application was submitted by			
	the Community Development Department to foster redevelopment of the			
	abutting neighborhood.			

Transportation Information					
Adjacent Streets:	Name			Classification	Approx. Frontage
	Boundary Avenue		Loc	al Street	200 ft
	N University Parkway		y Maj	or Thoroughfare	270 ft
	Graves Avenue		Loc	al Street	160 ft
Vehicular Access:	Access: Boundary Avenue (pub		ublic str	eet)	
Traffic Counts:	N University Parkway		У	9,600 ADT (2013, NCDOT)	
(Average Daily Trips)					
Estimated Trip	No information				
Generation:					
Traffic Impact	Required			Comment	
Analysis:	Yes	<u>No</u>	None		
		X			
Pedestrian Access:	Not applicable				

School District Information

Not applicable to this zoning case.

Details of Proposal

This is a request by the City of High Point Electric Utilities Department for a Special Use to place a "Utility Service Facility" (electric substation) in a residential zoning district. Utility Service Facilities are a land use allowed in all residential districts subject to obtaining special use permit approval. The Development Ordinance requires utility service facilities to meet specific development criteria in order to be generally compatible with the surrounding area in which the facility is located. The special use review is to ensure the facility is appropriate for that location and to ensure there are no impacts upon adjacent properties, or that any impacts are sufficiently mitigated.

The site is located within the Core City area and in close proximity to High Point University. Development associated with the expansion of the University has increased electrical demands in this area. Other substations in the surrounding areas have been forced to handle this increased service demand. The placement of a new electrical substation at this location will assist in providing for a more equalization of service load between the various substations in the surrounding area. In order for the Electric Utilities Department to keep up with this growing service demand, they have requested this special use to develop an electrical substation at this location.

Findings

A special use is an additional use to those permitted by right in a zoning district. Such a use requires analysis for its potential impact on the proposed site and its impact on surrounding properties. The purpose of the Special Use Permit process is to allow the Planning and Zoning Commission and City Council an opportunity to perform this analysis.

Section 9-3-14 of the Development Ordinance requires that certain findings be made before a Special Use Permit may be approved. 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 required findings.

That the use wil	l not materially endanger the public health or safety if located where
proposed; staff fir	nds
Compliance	The proposed utility service facility will assist in improving the public health
	and safety by allowing the City to keep up with the growth occurring within
	this portion of the Core City.

That the use meets all required standards, conditions and specifications of the Development Ordinance, and any additional restrictions imposed pursuant to Section 9-3-14(d) <i>Greater Restrictions</i> ; staff finds			
Compliance	Based upon the site plan provided, the request is meets the requirements of		
	the Development Ordinance. As part of the Technical Review Committee		
	(TRC) review of the grading of the site, a landscaping plan is required.		

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Based on preliminary review of a conceptual layout of the landscaping plan, there will be sufficient area to meet or exceed the required planting rates.

That the use will not substantially injure the value of adjoining or abutting property, or that it is a public necessity; staff finds

Compliance

- The facility is a public necessity; it will upgrade the City's overall electrical utilities infrastructure in this portion of the City and will assist in ensuring that electrical services are sequenced to meet demands of current citizens and future development.
- The proposed electrical substation will be located in the middle of the site. The area impacted by development will be an approximate 18,550-square foot compound area that covers approximately 40% of the site. The compound area, where the equipment will be located, will be surrounded by a security fence and the facility will receive minor traffic; just periodic visits for maintenance purposes.
- ❖ The topography of this site is such that the finished grade will be approximately 10 to 18 feet below the abutting streets, which will help screen this use. Landscaping will be installed at the higher grades around the perimeter of the site to further screen this facility from public view.

That the location and character of the use shall be in harmony with the area in which it is located and in general conformity with the plan of development of the city and its environs; staff finds

Compliance

- The primary concern is the visual impact from the proposed electrical substation. For this request, the objective is to screen the facility from adjacent properties by taking advantage of the lower topography of the property and by exceeding minimum planting standards around the perimeter of the site at its higher elevations. The perimeter landscaping will consist of a variety of evergreen planting materials to provide year-round screening. A similar landscaping scheme (use of evergreen plantings) has been used at other electrical substation sites within the city (Penny Road facility and the Barrow Road facility). Based on experience at these other sites, within 3 to 5 years of planting, the landscaping has successfully screened the equipment within the fenced compound area. The combination of perimeter elevation difference and perimeter landscaping will help ensure development will be compatible with the surrounding area.
- ❖ The Type A planting yard is required to be installed along the eastern boundary of the site next to the abutting residential uses. This planting yard requires the installation of 14 trees and 33 shrubs every 100 linear feet (approximately 51 trees along the eastern portion of the site). Due to the configuration of the property an alternative landscaping plan, as allowed by the Development Ordinance, will be submitted to the TRC for approval. This plan may allow some reduction in the width of the planting yards; however, the planting rate (number of trees and shrubs to be installed) will not be reduced and will most likely exceed minimum

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requirements of the ordinance. With the installation of a 6-foot high wood fence privacy fence at the property line next to the abutting single family homes and by making the 8-foot wide street planting yards wider, there will be sufficient area to meet and exceed the required planting rate on the site.

- ❖ Based upon the following, staff finds that the request will not substantially injure the value of adjacent property owners:
 - There will be a limited area of impact; approximately 40% of the site will consist of the substation compound. The remaining area, approximately 0.6 acres, will be used as landscaping or buffer areas.
 - ➤ The conceptual landscape plan under consideration consists of the installation of a 6-foot high wood fence along the eastern property line next to the single family homes, planting giant arborvitae trees next to the single family homes, and landscaping along the street frontages of the property. The arborvitae is a fast growing evergreen tree that has the ability to reach 20 25 feet in height. The lower topography of the site in conjunction with the perimeter landscaping will generally screen this use from the public.

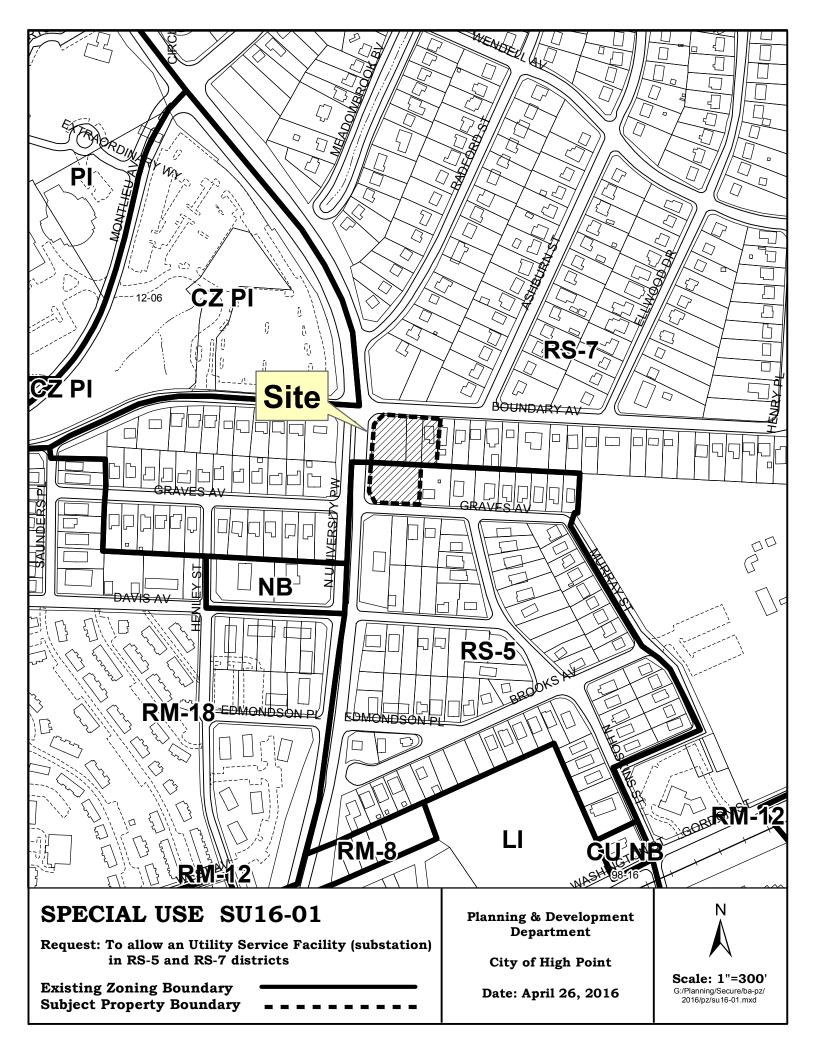
Recommendation

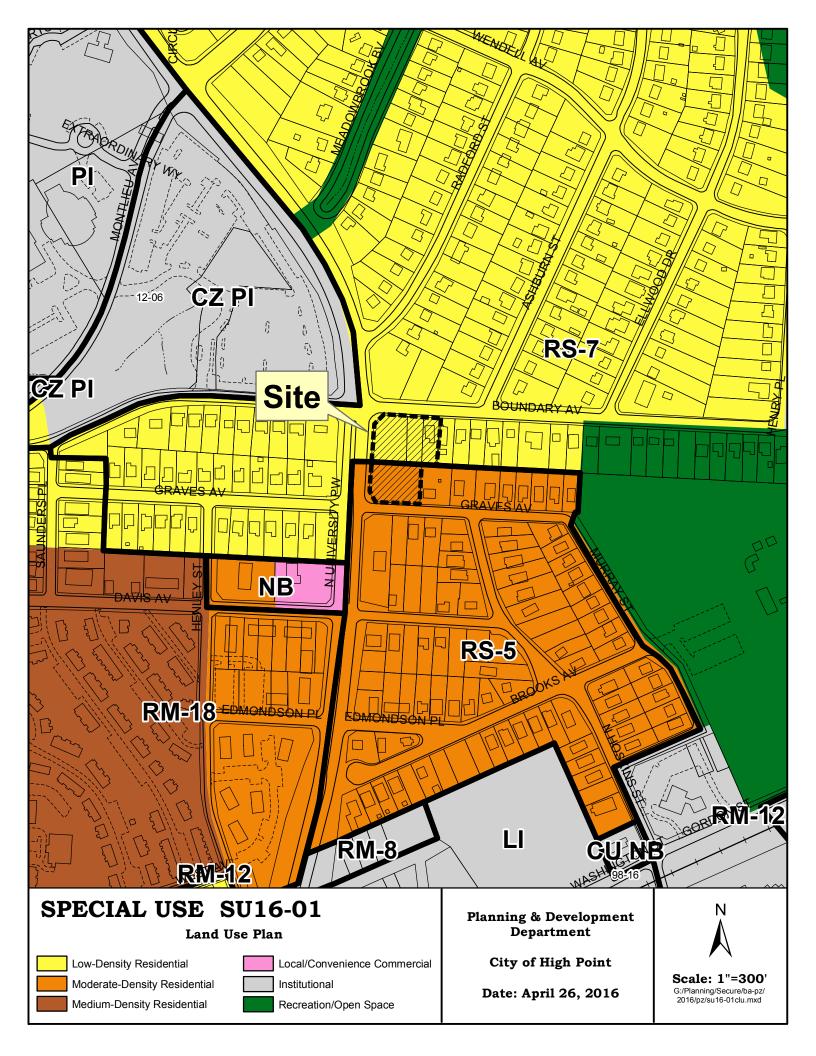
Based upon the conditions in the attached Special Use Permit application and the preliminary findings of facts, staff finds that the request is generally consistent with the surrounding zoning and development in this area. This use is a public necessity and will meet development criteria of the Development Ordinance.

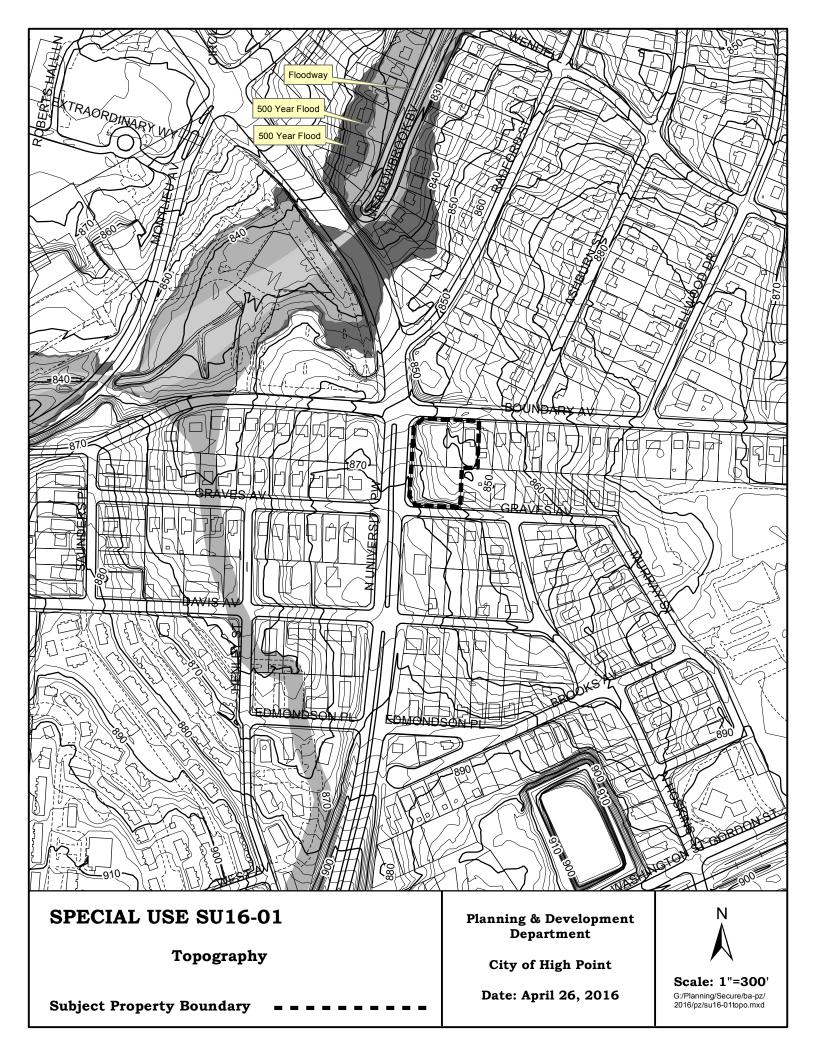
The Planning and Development Department recommends approval of the request to permit a Utility Service Facility within the RS-5 and RS-7 Districts and the accompanying Special Use Permit.

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.









SPECIAL USE PERMIT 15-05 CITY OF HIGH POINT, NORTH CAROLINA

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 9-3-14, SPECIAL USE PERMITS, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE PERMIT AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

<u>USE:</u> Utility Service Facility (Electrical Sub-station).

CONDITIONS:

- 1. Development of the site shall be in accordance with the attached approved Special Use Permit sketch plan.
- 2. A minimum six (6) foot high opaque fence shall be installed along the eastern property line where the site abuts residential uses.
- 3. Landscaping shall include the planting of giant arborvitae trees (or similar evergreen trees) along the eastern boundary of the property, where the site abuts residential uses.

<u>DESCRIPTION OF PROPERTY</u>: A 1.08-acre parcel lying along the east side of N. University Parkway, between Boundary Avenue and Graves Avenue (1404, 1406 & 1408 Boundary Avenue and 1605 Graves Avenue). The site is also known as Guilford County Tax Parcel 0176476, 77 & 78 and 0190992.

This Special Use Permit and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use Permit shall be null and void and of no effect. If for any reason any condition imposed by this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

The issuance of this Special Use Permit authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT $\underline{16-01}$ THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE $\underline{16^{ST}}$ DAY OF \underline{MAY} , $\underline{2016}$.

Lisa B. Vierling	Date
City Clerk	

