

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Zoning Map Amendment 16-12  
(West Mountain Funding, LLC)

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

**Meeting Date:** June 20, 2016

**Public Hearing:** Yes

**Advertising Date:** June 8 & 15, 2016

**Advertised By:** Planning & Development

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

---

### PURPOSE:

A request by West Mountain Funding, LLC to rezone approximately 3.64 acres from a Conditional Use Residential Single Family-9 (CU RS-9) District and the Residential Single Family-40 (RS-40) District within Guilford County's zoning jurisdiction to the Residential Single Family-9 (RS-9) District. The site is lying north of Skeet Club Road and along the east and west side of St. John's Street, running approximately 1,000 feet north of Skeet Club Road. 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. Staff recommended approval of this request, as outlined in the attached staff report.
- B. On May 24, 2016, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 16-12. The Planning & Zoning Commission recommended approval of this request by a vote of 7-0 as outlined in the staff report.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

### **West Mountain Funding, LLC**

### **Zoning Map Amendment 16-12**

At its May 24, 2016 public hearing, the Planning and Zoning Commission reviewed this request to rezone approximate 3.64-acres. All members of the Commission were present except for Ms. Marie Stone. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

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

The applicant, Mr. Greg Garrett, West Mountain Funding, LLC, 221 Jonestown Road, Winston-Salem, made himself available to answer questions from the Commission.

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

No one spoke in opposition to this request.

### **Planning & Zoning Commission Action**

The Planning & Zoning Commission recommended **approval** of this request, as recommended by staff, by a vote of 7-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Map Amendment 16-12 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 request is consistent with the Land Use Plan; and
- 2) The request promotes an orderly urban growth pattern as the zoning site abuts existing RS-9 zoning and single family uses.

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

**STAFF REPORT  
ZONING MAP AMENDMENT 16-12  
May 24, 2016**

| <b>Request</b>   |  |
|--|--|
| <b>Applicant:</b><br>West Mountain Funding, LLC                | <b>Owner(s):</b><br>West Mountain Funding, LLC; Shugart Management, Inc. and Calvin Leon Johnson |
| <b>Zoning Proposal:</b><br>To rezone approximately 3.64 acres. | <b>From RS-40</b> Residential Single Family-40<br>( <i>Guilford County</i> )                     |
|  | <b>CU RS-9</b> Conditional Use Residential Single Family-9 District                              |
|  | <b>To: RS-9</b> Residential Single Family-9 District   |

| <b>Site Information</b>                |  |
|--|--|
| <b>Location:</b>                       | Lying north of Skeet Club Road and along the east and west side of St. John's Street, running approximately 1,000 feet north of Skeet Club Road.   |
| <b>Tax Parcel Numbers:</b>             | Guilford County Tax Parcels 0169450 thru 0169453 and 0216325.  |
| <b>Site Acreage:</b>                   | Approximately 3.64 acres   |
| <b>Current Land Use:</b>               | Undeveloped  |
| <b>Physical Characteristics:</b>       | The northwestern portion of the site is heavily wooded and has a moderately sloping terrain.   |
| <b>Water and Sewer Proximity:</b>      | An 8-inch City water line and an 8-inch City sanitary sewer line lie adjacent to the site within St. John's Street.  |
| <b>General Drainage and Watershed:</b> | The site drains in a northerly and northwesterly direction and development is subject to the Oak Hollow Lake General Watershed Area requirements. Engineered stormwater treatment measures are required for multi-family 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(s):</b>            | Oak Hollow Lake General Watershed Area (GWA)<br>Airport Overlay - Zone 4   |

| <b>Adjacent Property Zoning and Current Land Use</b> |         |   |   |
|--|---------|---|---|
| <b>North:</b>  | RS-40   | Residential Single Family-40 District<br>( <i>Guilford County</i> ) | Undeveloped parcels                           |
| <b>South:</b>  | RS-15   | Residential Single Family-15 District                               | Single family dwellings                       |
| <b>East:</b>   | RS-9    | Residential Single Family-9 District                                | Single family dwelling and undeveloped parcel |
|  | CU RS-9 | Conditional Use Residential Single Family-9 District                |   |
|  | RS-15   | Residential Single Family-15 District                               |   |

|              |       |   |  |
|--------------|-------|---|--|
| <b>West:</b> | RS-40 | Residential Single Family-40 District<br>( <i>Guilford County</i> ) | Single family dwelling and undeveloped parcels |
|              | RS-15 | Residential Single Family-15 District                               |  |

| Relevant Land Use Policies and Related Zoning History  |   |
|--|---|
| <b>Community Growth Vision Statement:</b>              | This request is neither in conflict with nor does it promote the goals and objectives of the Community Growth Vision Statement.   |
| <b>Land Use Plan Map Classification:</b>               | The site has a Low-Density Residential land use designation. This classification includes primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.  |
| <b>Land Use Plan Goals, Objectives &amp; Policies:</b> | <p>The following goal and objective of the Land Use Plan are relevant to this request:</p> <p>Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.</p> <p>Obj. #8. Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations.</p>  |
| <b>Relevant Area Plan:</b>                             | <p><b>Northwest Area Plan</b></p> <p>The site is located within the boundaries of the Northwest Area Plan adopted in 2011, and the request is consistent with the recommendation to continue low-density residential development in the area.</p>   |
| <b>Zoning History:</b>                                 | <p><b><u>Zoning Map Amendment 06-15:</u></b> The abutting development to the north (Meadow Valley Subdivision) was part of an 87-acre annexation and rezoning for a CU RS-9 District in 2006. This subdivision is being developed with single family detached dwellings.</p> <p><b><u>Zoning Map Amendment 16-03:</u></b> A similar request was approved in March 2016 to annex and establish the RS-9 District on a 1.4-acre parcel lying on the east side of St. John's Street, directly opposite of this current site.</p> |

| Transportation Information                      |                     |                |                        |
|---|---------------------|----------------|------------------------|
| <b>Adjacent Streets:</b>                        | <b>Name</b>         |                | <b>Classification</b>  |
|   | Saint John's Street |                | Local Street           |
| <b>Vehicular Access:</b>                        | Saint John's Street |                |                        |
| <b>Traffic Counts:</b><br>(Average Daily Trips) | Skeet Club Road     |                | 5,800 ADT (2013, COHP) |
| <b>Estimated Trip Generation:</b>               | No information      |                |                        |
| <b>Traffic Impact Analysis:</b>                 | <b>Required</b>     |                | <b>Comment</b>         |
|   | <u>Yes</u>          | <u>No</u><br>X |                        |

|                           |   |
|---------------------------|---|
| <b>Pedestrian Access:</b> | Development of the site is subject to the sidewalk requirements of the Development Ordinance. |
|---------------------------|---|

| <b>School District Comment</b>       |                                  |                                     |                               |   |
|--------------------------------------|----------------------------------|-------------------------------------|-------------------------------|---|
| <b>Guilford County School System</b> |                                  |                                     |                               |   |
| <b>Local Schools:</b>                | <b>Enrollment:<br/>Fall 2015</b> | <b>Maximum<br/>Design Capacity:</b> | <b>Mobile<br/>Classrooms:</b> | <b>Projected<br/>Additional<br/>Students:</b> |
| Shadybrook Elementary                | 460                              | 535                                 | 10                            | 3 - 4   |
| Ferndale Middle                      | 749                              | 1,213                               | 0                             | 2 - 3   |
| High Point Central H.S.              | 1,454                            | 1,392                               | 0                             | 1 - 2   |
| <b>School District Remarks:</b> None |                                  |                                     |                               |   |

### **Details of Proposal**

The northern portion of the zoning site consists of lots platted in 1964 for the Staton Park Subdivision. The Staton Park subdivision was never developed and most of its land area has been replatted into what is now the Meadow Valley Subdivision. The applicant is proposing to annex and establish initial City zoning on these lots so that the land area may be resubdivided and oriented toward St. John's Street and developed with single family dwellings.

### **Staff Analysis**

The applicant is proposing to build single family homes on these parcels and is requesting annexation and initial City zoning in order to have access to city utilities. Adjacent parcels along St. John's Street are part of the Meadow Valley Subdivision. City utilities consisting of improved public streets, water lines and sewer lines have been installed and single family homes are being constructed in this subdivision.

The requested RS-9 District is consistent with the Low-Density Residential land use classification established by the Land Use Plan Map for this area and is the same zoning established for the abutting Meadow Valley Subdivision. Therefore, the request is compatible with the surrounding area.

### **Consistency with Adopted Plans:**

**The proposed 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:**

The request is consistent with the Low-Density Residential land use plan designation in the Land Use Plan and the Northwest Area Plan, and is not in conflict with any relevant goals and objectives.

**Reasonableness/Public Interest:**

**An approval of the proposed Zoning District is considered reasonable and in the public interest.**

**Staff Comments:**

In this case, staff suggests that the approval of this request is reasonable and in the public interest because:

- 1) The request is consistent with the Land Use Plan; and
- 2) The request promotes an orderly urban growth pattern as the zoning site abuts existing RS-9 zoning and single family uses.

**Recommendation**

**Staff Recommends Approval:**

The Planning & Development Department recommends approval of the request to rezone 3.64 acres to a RS-9 District. The zoning request is compatible with the surrounding area and in conformance with adopted plans.

**Required Action**

**Planning and Zoning Commission:**

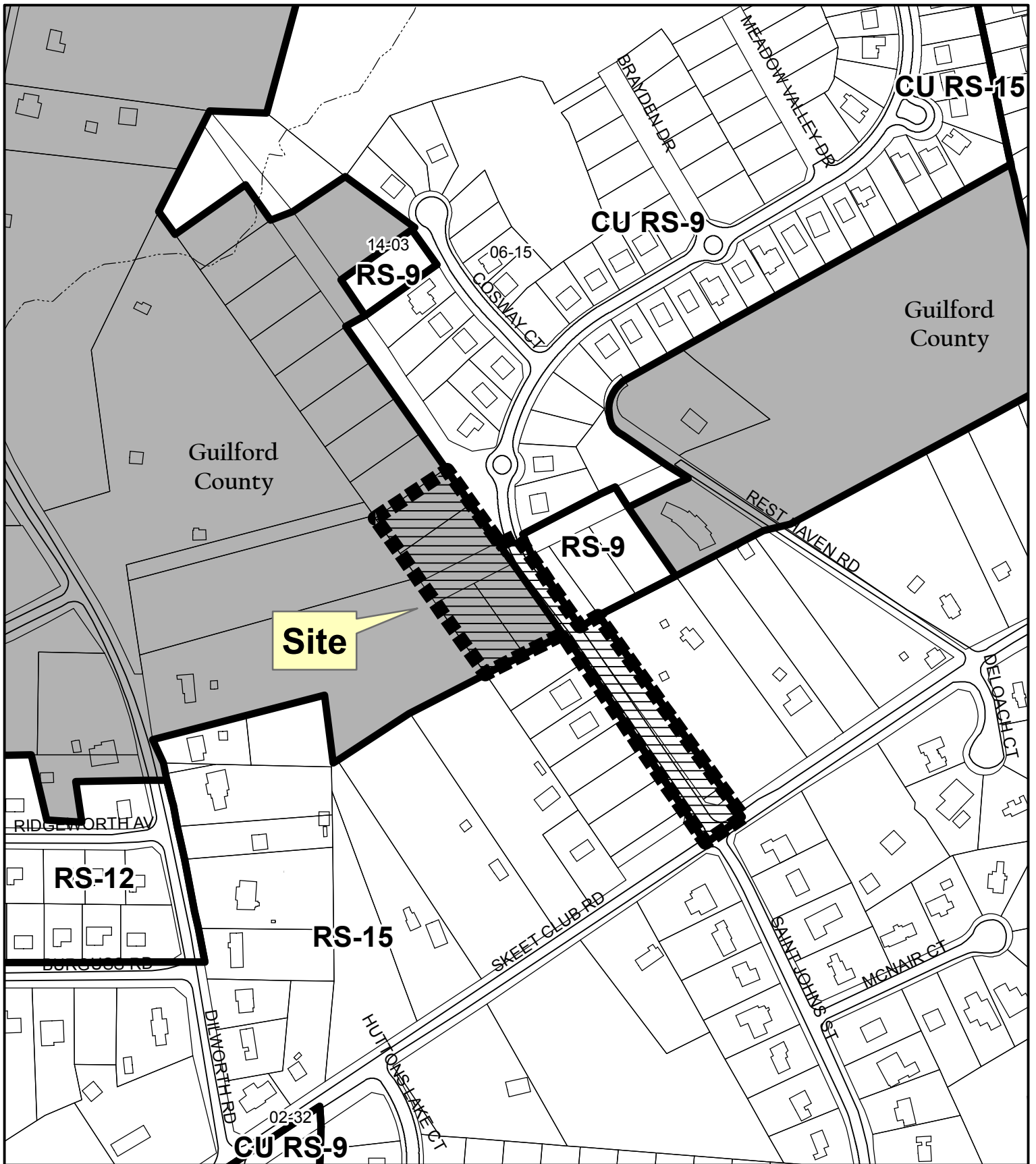
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting 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 ZA16-12

**From: Residential Single Family-40 (Guilford County)  
& Conditional Use Residential Single Family-9**

**To: Residential Single Family-9**

**Existing Zoning Boundary**

**Subject Property Boundary**



**Planning & Development  
Department**

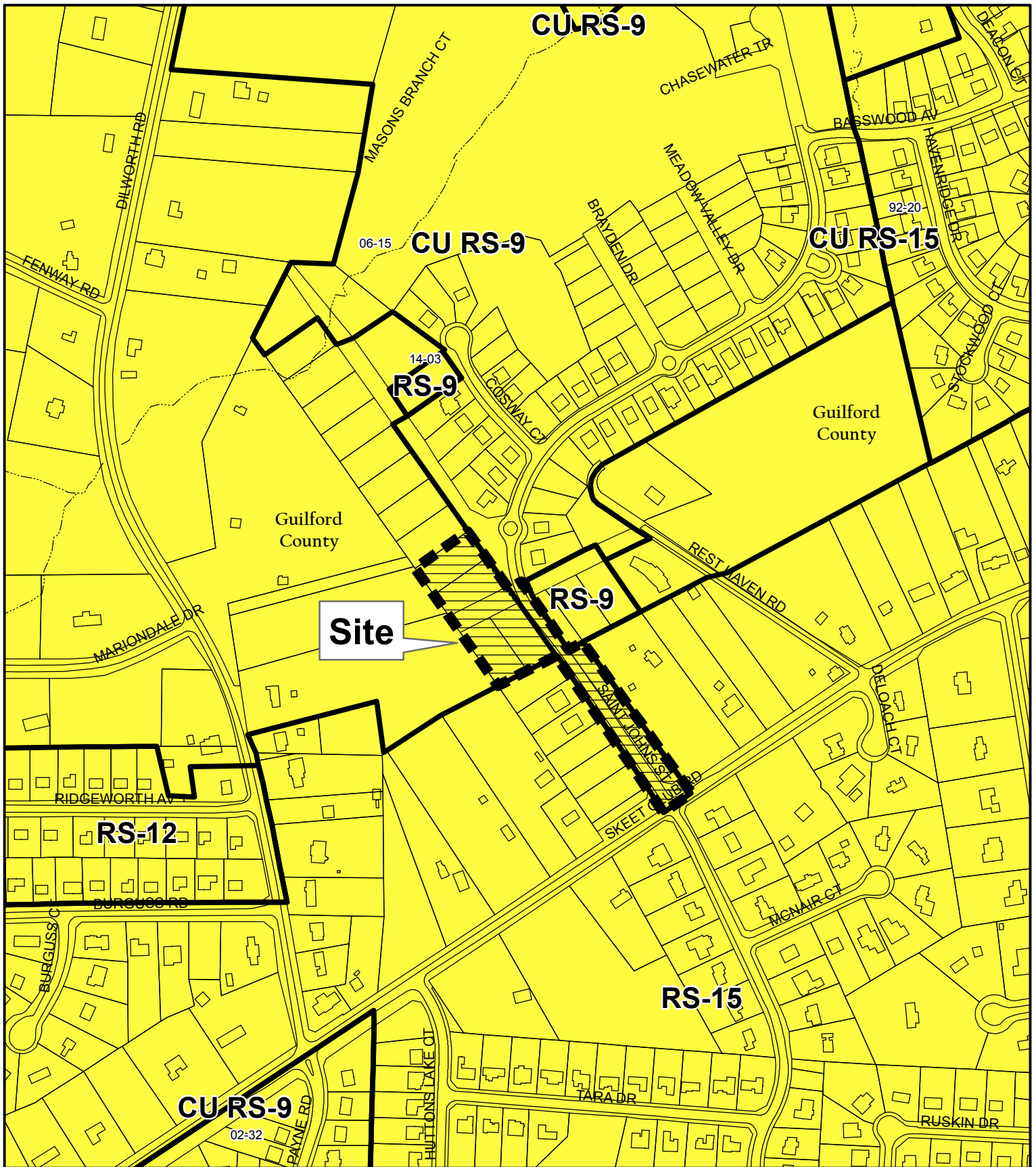
**City of High Point**

**Date: May 9, 2016**




**Scale: 1"=300'**

G:/Planning/Secure/ba-pz/  
2016/pz/za16-03.mxd



**ZONING MAP AMENDMENT ZA16-12**

**Land Use Plan**

 Low-Density Residential

**Planning & Development  
Department**

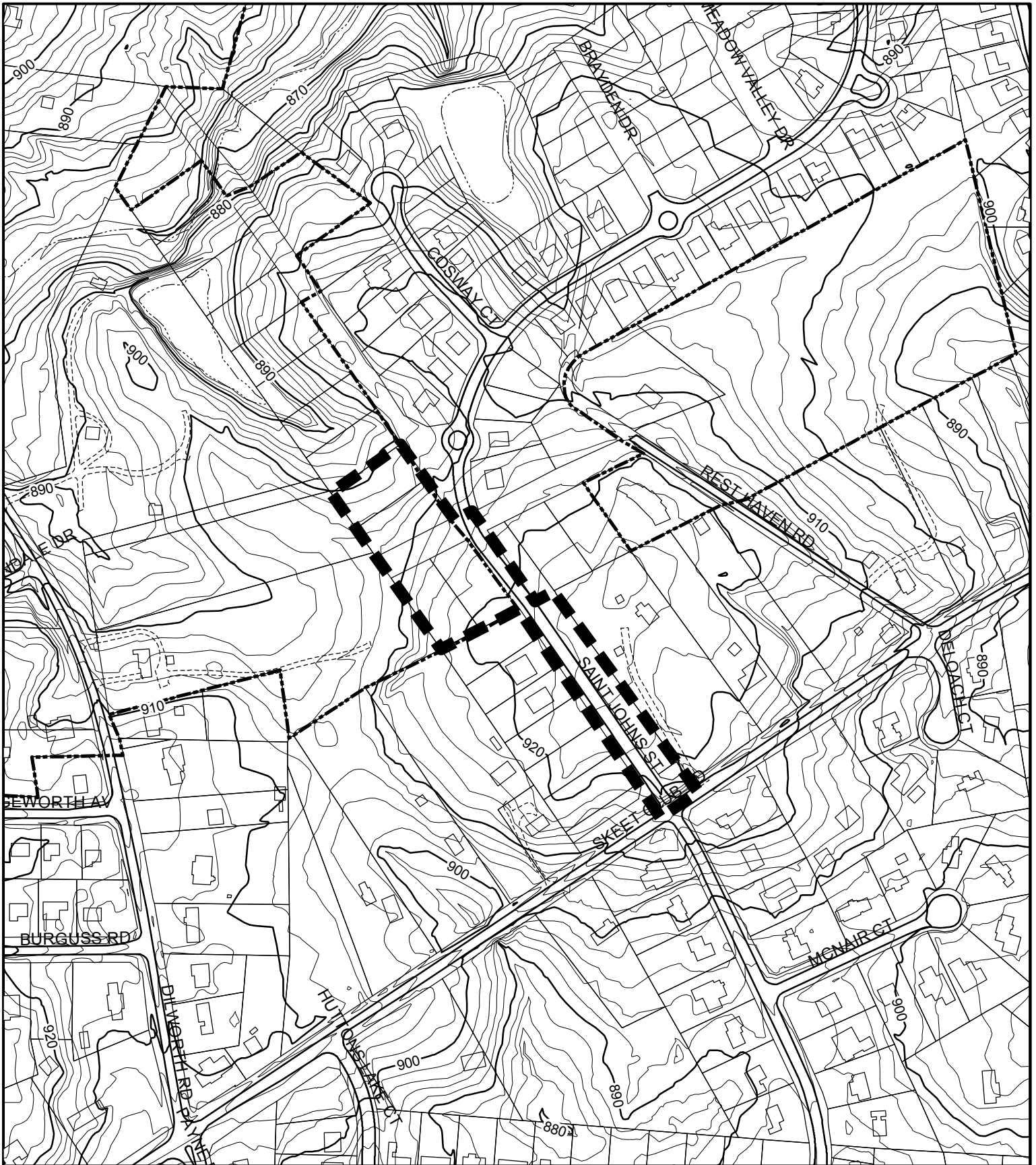
**City of High Point**

**Date: May 24, 2016**



**Scale: 1"=400'**  
G:/Planning/Secure/ba-pz/  
2016/pz/za16-03clu.mxd





## ZONING MAP AMENDMENT ZA16-12

### Topography

Subject Property Boundary - - - - -

Planning & Development  
Department

City of High Point

Date: May 24, 2016



Scale: 1"=300'

G:\Planning\Secure\ba-pz/  
2016\pz\za16-12\topo.mxd



# ZONING MAP AMENDMENT ZA16-12





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 May 24, 2016 and before the City Council of the City of High Point on June 20, 2016 regarding **Zoning Case 16-12** 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 May 15, 2016, for the Planning and Zoning Commission public hearing and on June 8, 2016 and June 15, 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 **June 20, 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: **Residential Single Family-9 (RS-9) District**. The property is approximately 3.64 acres lying north of Skeet Club Road and along the east and west side of St. John’s Street, running approximately 1,000 feet north of Skeet Club Road. The property is also known as Guilford County Tax Parcels 0169450 thru 0169453 and 0216325.

**SECTION 2**

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 3**

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 4.**

This ordinance shall become effective upon the date of adoption.  
**20<sup>th</sup> day of June, 2016.**

Lisa B. Vierling, City Clerk