

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Zoning Map Amendment 16-25  
Vintage Investment Company

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

**Meeting Date:** January 17, 2017

**Public Hearing:** Yes

**Advertising Date:** January 4 & 11, 2017

**Advertised By:** Planning & Development  
Department

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

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### PURPOSE:

A request by Vintage Investment Company to rezone an approximately 0.34-acre parcel from a Conditional Use General Business (CU-GB) District to the General Business (GB) District. The site is lying along the north side of Scott Avenue, approximately 780 feet west of N. Main Street (*126 Scott Avenue*).

### BACKGROUND:

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

### BUDGET IMPACT:

There is no budget impact.

### RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommends ***approval*** of this request, as outlined in the attached staff report.
- B. On December 13, 2016, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 16-25. The Planning & Zoning Commission recommended ***approval*** of this request, by a vote of 9-0, as outlined in the staff report and as recommended by staff.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

### **Vintage Investment Company**

### **Zoning Map Amendment 16-25**

At its December 13, 2016 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximate 0.34-acre parcel (126 Scott Avenue) to the General Business (GB) District. All members of the Commission were present. 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:**

Speaking in favor of the request was the applicant, Ms. Sherry Vaughan, 502 S. Elm Street, High Point.

#### **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 9-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Map Amendment 16-25 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 subject site is part of a larger two-block area bounded by W. Parris Avenue, N. Main Street, Westchester Drive and Idol Street that is classified on the Land Use Map as Community/Regional Commercial. The requested GB District will be consistent with the land use map.
- 2) This two-block area, as described above, is almost entirely zoned GB or CU-GB District and mostly developed with commercial uses. The applicant's request is consistent with the zoning and development pattern that has been established in this area.
- 3) The basic effect of this zoning change is to allow direct commercial driveway access to the parcel.

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

**STAFF REPORT  
ZONING MAP AMENDMENT 16-25  
December 13, 2016**

<b>Request</b>	
<b>Applicant:</b> Vintage Investment Company	<b>Owner:</b> Vintage Investment Company
<b>Zoning Proposal:</b> To rezone a 0.34-acre parcel	<b>From: CU-GB</b> Conditional Use General Business District
	<b>To: GB</b> General Business District

<b>Site Information</b>	
<b>Location:</b>	Lying along the north side of Scott Avenue, approximately 780 feet west of N. Main Street ( <i>126 Scott Avenue</i> ).
<b>Tax Parcel Number:</b>	Guilford County Tax Parcel 0194675
<b>Site Acreage:</b>	Approximately 0.34 acres (14,548 square feet)
<b>Current Land Use:</b>	Undeveloped
<b>Physical Characteristics:</b>	The site is relatively flat with no noteworthy features.
<b>Water and Sewer Proximity:</b>	A 6-inch City water and an 8-inch City sanitary sewer line lie adjacent to the site along Scott Avenue.
<b>General Drainage and Watershed:</b>	The site drains in a westerly direction, and is within the Yadkin Pee-Dee (non-water supply) watershed. Based on the size of the site, stormwater controls are not required.
<b>Overlay District:</b>	None

<b>Adjacent Property Zoning and Current Land Use</b>			
<b>North:</b>	R-5	Residential Single Family-5 District	Single family dwellings
<b>South:</b>	CU-GB	Conditional Use General Business District	Commercial garden center/nursey
<b>East:</b>	CU-GB	Conditional Use General Business District	Office use
<b>West:</b>	GB	Conditional Use General Business District	Research testing facility and lawnmower service facility

<b>Relevant Land Use Policies and Related Zoning History</b>	
<b>Community Growth Vision Statement:</b>	This request is neither in conflict with the Community Growth Vision Statement's goals and objectives, nor does it promote those goals and objectives.
<b>Land Use Plan Map Classification:</b>	The site has a Community/Regional Commercial land use designation. This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

<b>Land Use Plan Goals, Objectives &amp; Policies:</b>	The following objective of the Land Use Plan is relevant to this request: 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.
<b>Relevant Area Plan:</b>	Not applicable
<b>Zoning History:</b>	There have been no recent zoning map amendments in this area. The majority of the parcels in this block were rezoned from a residential to a commercial or office zoning district during the 1980s and 1990s.

Transportation Information			
<b>Adjacent Streets:</b>	<b>Name</b>		<b>Classification</b>
	Scott Avenue		Local Street
			<b>Approx. Frontage</b>
			87 ft.
<b>Vehicular Access:</b>	Driveway access is proposed from Scott Avenue.		
<b>Traffic Counts:</b> (Average Daily Trips)	Scott Avenue		None available
<b>Estimated Trip Generation:</b>	None available		
<b>Traffic Impact Analysis:</b>	<b>Required</b>		<b>TIA Comment</b>
	<u>Yes</u>	<u>No</u> X	None
<b>Pedestrian Access:</b>	Development of the site is subject to the sidewalk requirements of the Development Ordinance.		
<b>Comments:</b>	None		

School District Comment
Not applicable to this zoning case.

### Details of Proposal

The zoning site was part of a larger one-acre tract of land that was granted commercial zoning, CU-GB District, in 1988. Due to the fact this was predominately a residential area in the 1980s, the zoning approval restricted the one-acre parcel to one point of access to Scott Avenue. The previous property owner developed an office building on the eastern portion of the tract where driveway access was provided. The parcel was subdivided in 2001 so that the developed eastern portion of the site (existing office building) may be sold off as a separate parcel. This left the zoning site, the western undeveloped area, as a separate parcel with no direct means of access to Scott Avenue. Per the zoning condition, this parcel would be required to take access through the parking lot of this adjacent office use.

Although the driveway from the former single family home is still located on the zoning site, whenever the property is redeveloped, this driveway cannot be used for a nonresidential use. To more effectively market the property for sale and development, and to remove zoning conditions imposed over 28 years ago, the applicant has requested rezoning to the GB District, which would allow a commercial driveway for the property.

### Staff Analysis

The adopted Land Use Map classifies the two block area between W. Parris Avenue and Westchester Drive, from N. Main Street to Idol Street, as Community/Regional Commercial. This land use classification supports a wide range of retail and service uses. This two block area is lying northwest of a major commercial intersection, being the N. Main Street and Westchester/Eastchester Drive intersection. Since the early 1980s there have been multiple zoning approvals in this area, transforming it from a residential to a commercial area. Based on review of aerial photos, there were approximately 29 residential dwellings in this area in 1985, and only seven remain today. All of the other parcels have been rezoned and developed with commercial uses. The site currently has commercial zoning, so this request to rezone from a CU-GB District to a GB District will not change the character in which this area has emerged over the past 30 years. Landscaping and screening requirements of the Development Ordinance will protect the remaining single family dwellings until such time as they are redeveloped for commercial uses.

#### **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 proposed GB District zoning is appropriate for this location, because it was zoned for commercial use for a number of years, albeit with a conditional use permit. Much of the surrounding area is also zoned the same. This change is needed to market the property for potential infill development, which is encouraged by the Land Use Plan.

#### **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 subject site is part of a larger two-block area bounded by W. Parris Avenue, N. Main Street, Westchester Drive and Idol Street that is classified on the Land Use Map as Community/Regional Commercial. The requested GB District will be consistent with the land use map.
- 2) This two-block area, as described above, is almost entirely zoned GB or CU-GB District and mostly developed with commercial uses. The applicant's request is consistent with the zoning and development pattern that has been established in this area.
- 3) The basic effect of this zoning change is to allow direct commercial driveway access to the parcel.

### Recommendation

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

The Planning & Development Department recommends approval of the request to rezone this 0.34-acre parcel to the GB District. This zoning map amendment request will be compatible with the surrounding area and in conformance with adopted plans.

### **Required Action**

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

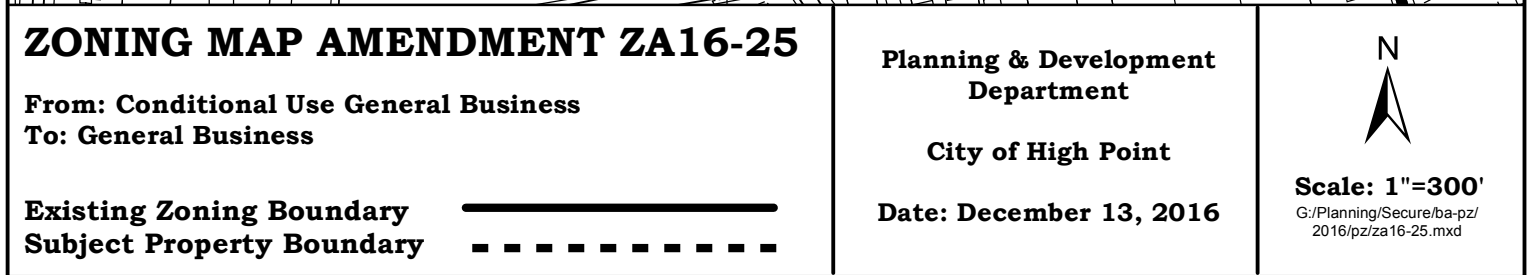
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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

#### **City Council:**

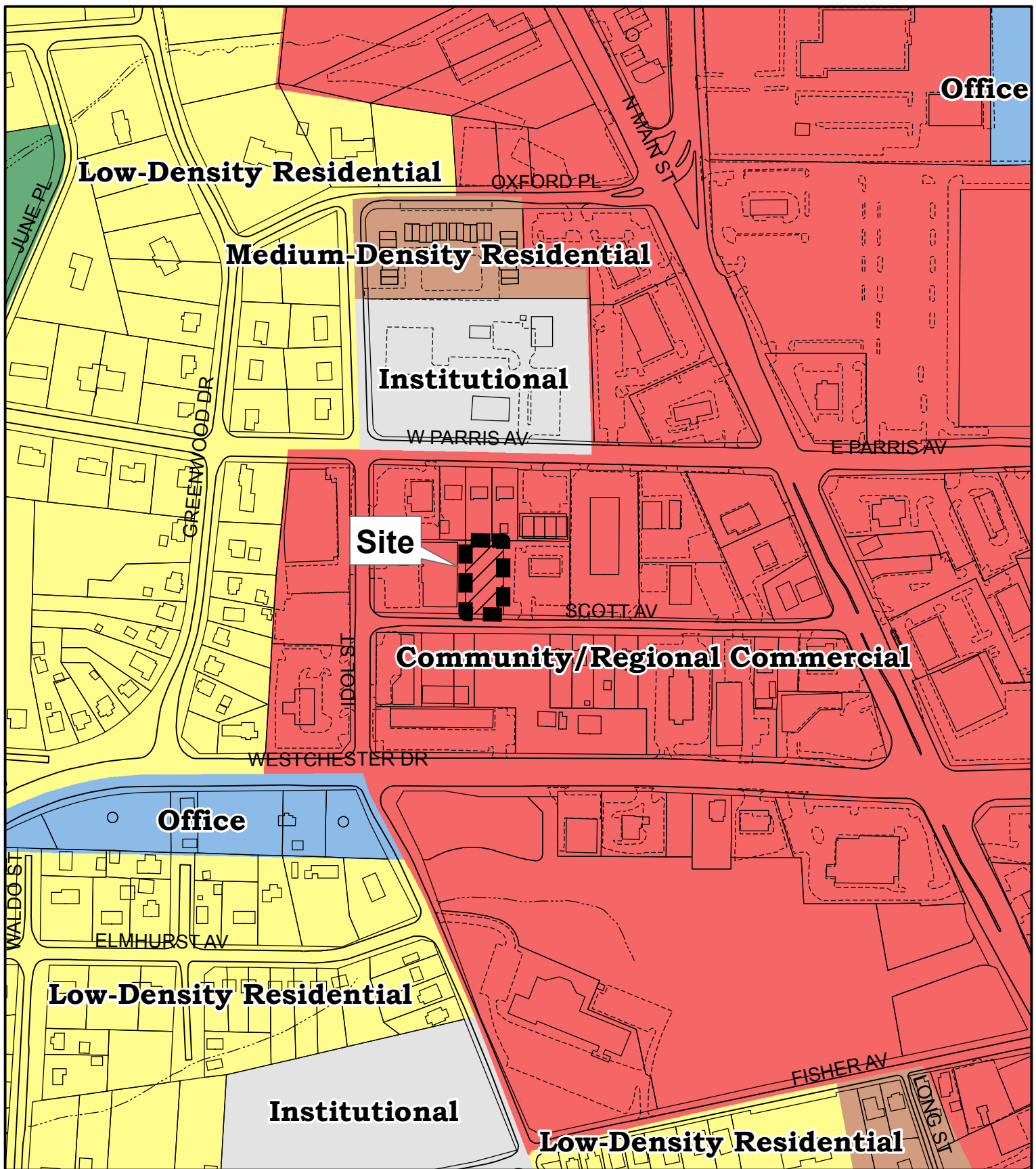
The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished 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 G. Lee Burnette AICP, Director.



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## ZONING MAP AMENDMENT ZA16-25

Land Use Plan

Existing Land Use Boundary  
Subject Property Boundary



Planning & Development  
Department

City of High Point

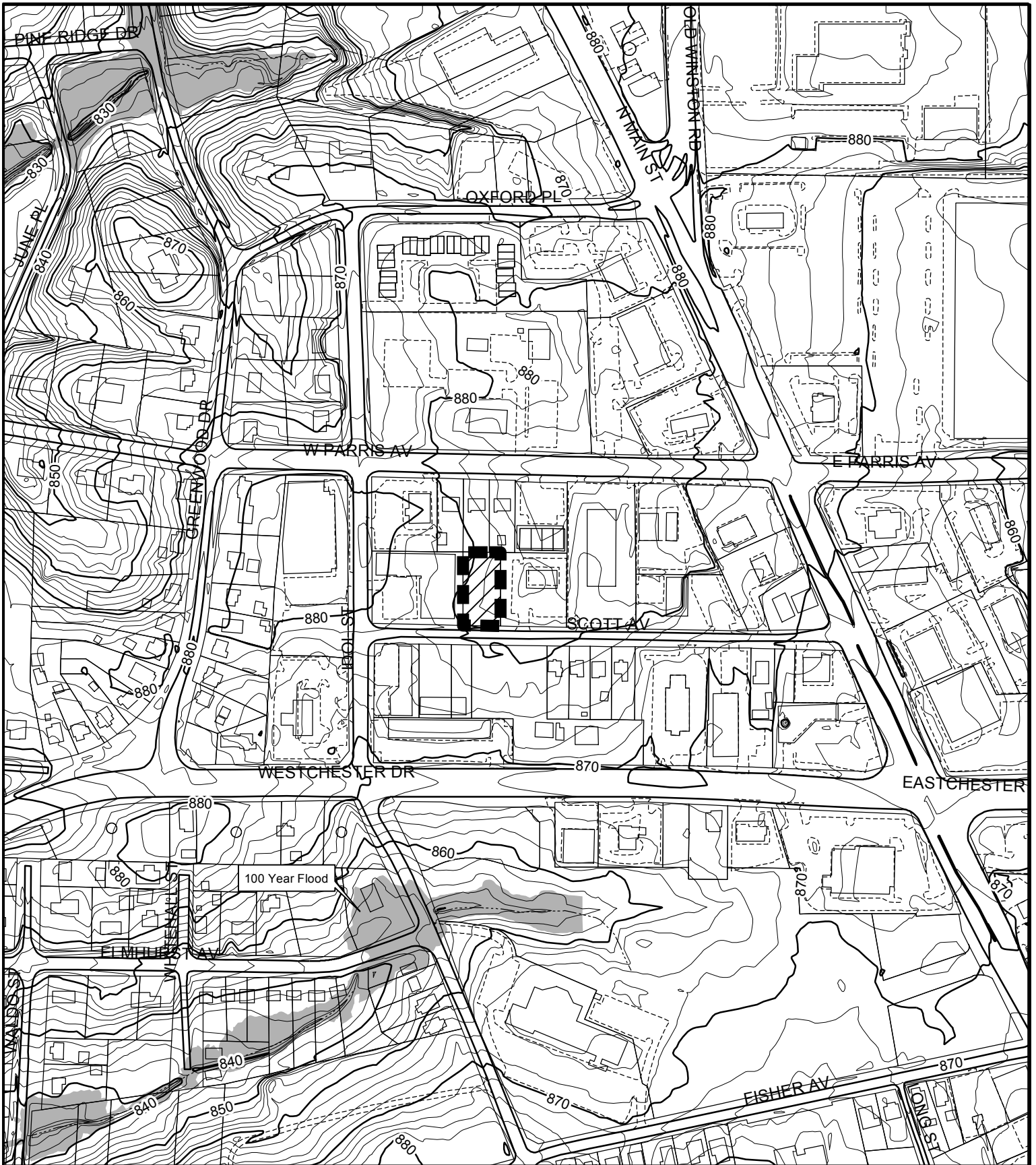
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# **ZONING MAP AMENDMENT ZA16-25**

## **Topography**

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

**Planning & Development  
Department**

**City of High Point**

**Date: December 13, 2016**



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# ZONING MAP AMENDMENT ZA16-25





AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on December 13, 2016 and before the City Council of the City of High Point on January 17, 2017 regarding **Zoning Map Amendment Case 16-25 (ZA-16-25)** 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 December 4, 2016, for the Planning and Zoning Commission public hearing and on January 4, 2017 and January 11, 2017, 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: **General Business (GB) District**. The property is approximately 0.34 acres (approximately 14,548 square feet) and lying along the north side of Scott Avenue, approximately 780 feet west of N. Main Street (*126 Scott Avenue*). The property is also known as Guilford County Tax Parcel 0194675.

**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.

\_\_\_\_<sup>th</sup> day of XXXXXXXXXX xx, 2017.

Lisa B. Vierling, City Clerk