

CITY OF HIGH POINT

AGENDA ITEM



Title: Plan Amendment 16-05 AND Zoning Map Amendment 16-28
City of High Point

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. Plan Amendment Resolution of Adoption
D. Zoning Ordinance of Adoption

PURPOSE:

1. Plan Amendment 16-05: A request by the City of High Point Planning & Development Department to change the Land Use Map classification for approximately 4.3 acres from Low-Density Residential and Medium-Density Residential to an Office classification and to change the Land Use Map classification for approximately 1.1 acres from Medium-Density Residential to a Community Regional Commercial classification. The site is lying approximately 275 feet west of N. Main Street, between Fisher Avenue and Idol Street.
2. Zoning Map Amendment 16-28: A request by the City of High Point City Council to rezone an approximately 2.14-acre parcel from the Residential Single Family-5 (R-5) District to the Office & Institutional (OI) District. The site is lying along the south side of Fisher Avenue, approximately 440 feet west of N. Main Street (213 Fisher Avenue).

BACKGROUND:

Staff report, Plan Amendment resolution of adoption, Zoning Map Amendment ordinance of adoption and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

1. Plan Amendment 16-05:
 - 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. The Planning & Zoning Commission recommended **approval** of this request, by a vote of 8-1, as outlined in the staff report and as recommended by staff.
2. Zoning Map Amendment 16-28:
 - 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. The Planning & Zoning Commission recommended **approval** of this request, by a vote of 8-1, as outlined in the staff report and as recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point (Planning & Development Department)

Plan Amendment 16-05

At its December 13, 2016 public hearing, the Planning and Zoning Commission reviewed a request to change the Land Use Map classification for approximately 4.3 acres. All members of the Commission were present. Ms. Heidi Galanti, Planning Administrator, presented the case and recommended approval of the request as outlined in the staff report.

AND

City of High Point (City Council)

Zoning Map Amendment 16-28

At its December 13, 2016 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximately 2.14-acre parcel to the Office & Institutional (OI) 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:

No one spoke in favor of the request.

Speaking in opposition of the request:

Speaking in opposition were Mr. David Bolton and Mrs. Lynn Bolton, 214 and 218 Idol Street. These speakers noted that they live to the south of the zoning site along Idol Street. They expressed concern that these two requests, along with the proposed opening of the Publix commercial development, will increase traffic along Idol Street. They stated this is a narrow road with a blind spot on a curve near their home and Idol Street should be improved and speeding enforcement be provided.

The Planning & Zoning Commission directed Mr. and Mrs. Bolton to talk to the Transportation Department representative in the audience, Mr. Greg Venable, Transportation Planner, regarding starting a petition to reduce the speed limit along this segment of Idol Street from 35 to 25 mph.

Planning & Zoning Commission Action

1. **Plan Amendment 16-05:** The Planning & Zoning Commission recommended **approval** of this request, as recommended by staff, by a vote of 8-1.
2. **Zoning Map Amendment 16-28:** The Planning & Zoning Commission recommended **approval** of this request, as recommended by staff, by a vote of 8-1.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Map Amendment 16-28 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:

- a) Subject to approval of the associated Land Use Plan Amendment 16-05, the requested OI District will be consistent with the Land Use Plan;
- b) The request is consistent with Goal #5 and Objective #9 of the Land Use Plan as it promotes an urban growth pattern that occurs in an orderly fashion and stimulates more efficient use of the City's land resources by encouraging in-fill development at appropriate locations and provide a transition in land uses between more and less intensive land uses;
- c) The Core City Plan envisions a mixture of various uses in close proximity to each other, which is not unusual in urban environments near commercial corridors; and
- d) The Plan Amendment and requested OI District along the south side of Fisher Avenue will assist in meeting redevelopment goals of the Core City Plan.

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

**STAFF REPORT
PLAN AMENDMENT CASE 16-05 AND ZONING MAP AMENDMENT 16-28
December 13, 2016**

Requests	
Applicant: City of High Point City Council	Owner: City of High Point
Plan Amendment Proposal: To change the Land Use Map classification for approximately 5.4 acres	From: Low Density Residential and Medium Density Residential To: Office and Community/Regional Commercial
Zoning Map Amendment Proposal: To rezone an approximately 2.14-acre parcel	From: R-5 Residential Single Family – 5 District To: OI Office & Institutional District

Site Information		
Location:	The zoning request pertains to a parcel lying along the south side of Fisher Avenue, approximately 470 feet west of N. Main Street (<i>213 Fisher Avenue</i>). The plan amendment pertains to the land area lying approximately 300 feet west of N. Main Street, lying between Fischer Avenue and Idol Street.	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Guilford County Tax Parcels 0188745, 0188747, 0188756 thru 59, 0188766, 0188772, 0188773, 0188776 and 0188778	Guilford County Tax Parcel 0188745
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 5.4 acres	Approximately 2.14 acres
Current Land Use:	Plan Amendment	Zoning Request
	City of High Point Fire Department Maintenance facility, residential dwellings, and portions of commercial parcels	City of High Point Fire Department Maintenance facility
Physical Characteristics:	The property has no noteworthy features	
Water and Sewer Proximity:	An 8-inch City water line and an 8-inch City sewer line both lie adjacent to the site along Fisher Avenue.	
General Drainage and Watershed:	The site drains in a northeasterly direction and development is subject to the Oak Hollow Lake General Watershed Area (GWA) 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.	
Overlay District:	Oak Hollow Lake General Watershed Area	

Adjacent Property Zoning and Current Land Use			
North:	CZ-RC	Conditional Zoning Regional Commercial District	Construction is currently proceeding on a commercial development
South:	R-5	Residential Single Family-5 District	Single family dwellings
East:	R-5	Residential Single Family-5 District	Single family dwellings
West:	R-5	Residential Single Family-5 District	Single family dwellings

Adjacent Land Use Plan Designations	
North:	Community/Regional Commercial
South:	Medium Density Residential and Low Density Residential
East:	Community/Regional Commercial
West:	Low Density Residential

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	<p>Medium-Density Residential: This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwelling units per gross acre.</p> <p style="text-align: center;">AND</p> <p>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.</p>
Proposed Designation:	<p>Office: This classification includes professional, personal & business service uses.</p> <p style="text-align: center;">AND</p> <p>Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.</p>

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	This request is neither in conflict with nor does it promote the goals and objectives of the Community Growth Vision Statement.
Land Use Plan Goals, Objectives & Policies:	<p>The following goals 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. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.</p>
Relevant Area Plan:	<p><u>Core City Plan (Mixed Use Corridor District)</u></p> <p>This district is intended to reinforce the Core City's existing commercial spine along Main Street. While the area features numerous retail and service uses, it is an objective of this plan that other compatible uses also occur here, including offices, high-density housing and institutional uses.</p>

Zoning History:	In January 2016, Zoning Map Amendment 15-18 was adopted and rezoned approximately 13 acres, along the north side of Fisher Avenue, to a CZ-RC District. The site is proposed to be developed with a 55,000 square foot commercial use (Publix Grocery Store) and includes commercial outparcels that will front along N. Main Street and Westchester Drive.
LUPA History: PA15-05	In January 2016, Plan Amendment 15-05 was adopted. This amendment changed the Land Use Map classification for approximately 12.1 acres along the north side of Fisher Avenue, between N. Main Street and Idol Street, from Institutional, Office and Low Density Residential classifications to a Community/Regional Commercial classification.

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

School District Comment
Not applicable to this zoning case.

Details of Proposal

- General Overview:
With the adoption of the new Development Ordinance and its corresponding transition from former zoning districts to new zoning districts on January 1, 2017, the City's Fire Department maintenance facility off Fischer Avenue has become a non-conforming use. The zoning application proposes to apply a compatible zoning district that will allow this facility to remain a conforming use. Additionally, with the adoption and implementation of the Main Street (MS) zoning district along this segment of N. Main Street corridor and the recent amendment of the Land Use Map to facilitate construction of the commercial development along the north side of Fisher Avenue, the Planning & Development Department is recommending a Land Use Map amendment for land area along the south side of Fisher Avenue.
- Summary of Land Use Plan Amendment Request:
The request is to amend the Land Use Plan for an approximate 5.4-acre area between Fisher Avenue and Idol Street from Low Density Residential and Medium Density Residential to Office and Community/Regional Commercial. This area contains a mixture of an institutional use, residential homes, commercial uses, and undeveloped lots. The lot on the northeast corner of

Idol Street and Long Streets was recently developed as a parking lot and the northwest corner remains unimproved. Also, within the past year, some of the residential structures in this area have been removed which could indicate that this area may be in a state of transition to other uses.

3. Summary of Zoning Request:

The rezoning of this existing City of High Point Fire Department maintenance facility is necessary as such uses are not permitted in residential zoning districts under the new Development Ordinance. The proposed OI District supports a wide variety of moderate and high intensity office, institutional, and residential uses and would be compatible with adjacent residential uses.

Staff Analysis

This area has undergone a fairly significant change over the course of the last year. The area on the north side of Fisher Avenue is in the process of being developed as a shopping center and two residential structures on Long Street at the intersection with Idol Street have been demolished. One of the former residential lots has been developed as a parking lot and the other lot remains unimproved. These changes seem to indicate that this area is ready for a transition into other uses. The Core City Plan identifies this area of Main Street as a mixed use corridor which supports retail sales and service uses along with other compatible uses such as offices, high density housing, and institutional uses. This area could support those additional compatible uses and serve as a transition to the neighborhood that is further to the west.

This Fire Department maintenance facility is proposed to be rezoned to the Office and Institutional (OI) District for the use to be conforming in the new ordinance; however, the Land Use Plan shows this area as Low Density Residential and Medium Density Residential. Staff recommends that the area along the west side of Long Street including the maintenance facility be changed to the Office Land Use classification to serve as a transition between the commercial uses along N. Main Street and Fisher Ave and the residential uses to the west. Staff also recommends revising the Land Use Plan for the portions of the lots along the east side of Long Street from Medium Density Residential to Community/Regional Commercial to better reflect the uses that have grown into this area from Main Street over the years.

Consistency with Adopted Plans:

The requested Plan Amendment and the requested Zoning District are appropriate for the proposed location and are consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans.

Staff Comments:

This request is appropriate for the area based on the changes that are occurring in this area and it is supported by the Land Use Plan and the Core City Plan, which promote the orderly growth of the City and the incorporation of offices, higher density housing and institutional uses along the City's mixed use corridors.

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) Subject to approval of the associated Land Use Plan Amendment 16-05, the requested OI District will be consistent with the Land Use Plan;
- 2) The request is consistent with Goal #5 and Objective #9 of the Land Use Plan as it promotes an urban growth pattern that occurs in an orderly fashion and stimulates more efficient use of the City's land resources by encouraging in-fill development at appropriate locations and provide a transition in land uses between more and less intensive land uses;
- 3) The Core City Plan envisions a mixture of various uses in close proximity to each other, which is not unusual in urban environments near commercial corridors; and
- 4) The Plan Amendment and requested OI District along the south side of Fisher Avenue will assist in meeting redevelopment goals of the Core City Plan.

Recommendation

1. Plan Amendment 16-05:

Staff Recommends Approval:

Staff recommends approval of the request to change the land use designation for approximately 5.4 acres to an Office and Community/Regional Commercial land use classification. The request meets the goals and objectives of the Land Use Plan and the Core City Plan and it will be in harmony with the land use pattern of the surrounding area.

2. Zoning Map Amendment 16-28:

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone this 2.14 -acre parcel to the OI District. Subject to adoption of Plan Amendment 16-05, the request will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

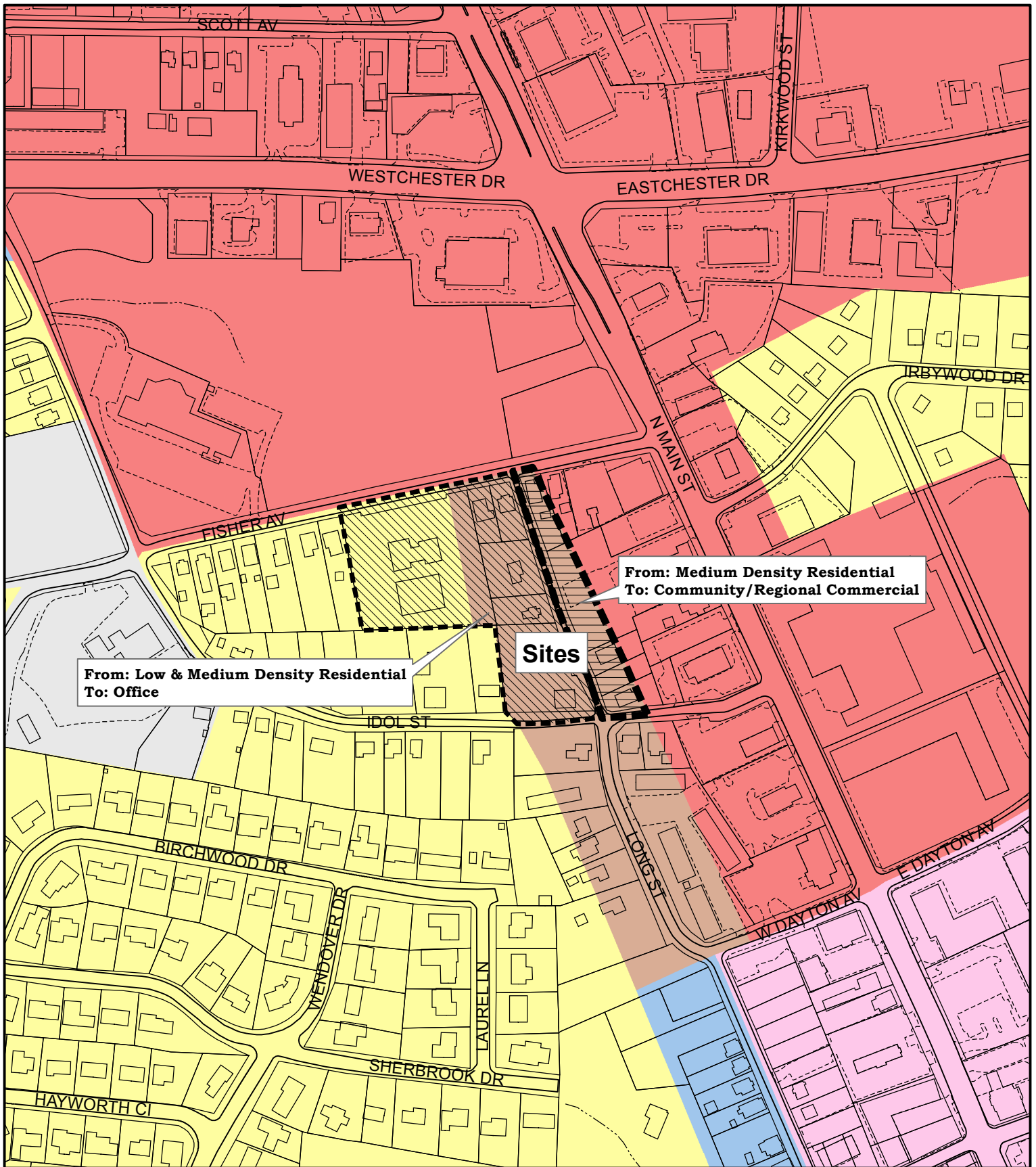
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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



PLAN AMENDMENT PA-16-05

**Request: From: Low & Medium Density Residential
To: Office and Community/Regional Commercial**

Existing Land Use Boundary
Subject Property Boundary



**Planning & Development
Department**

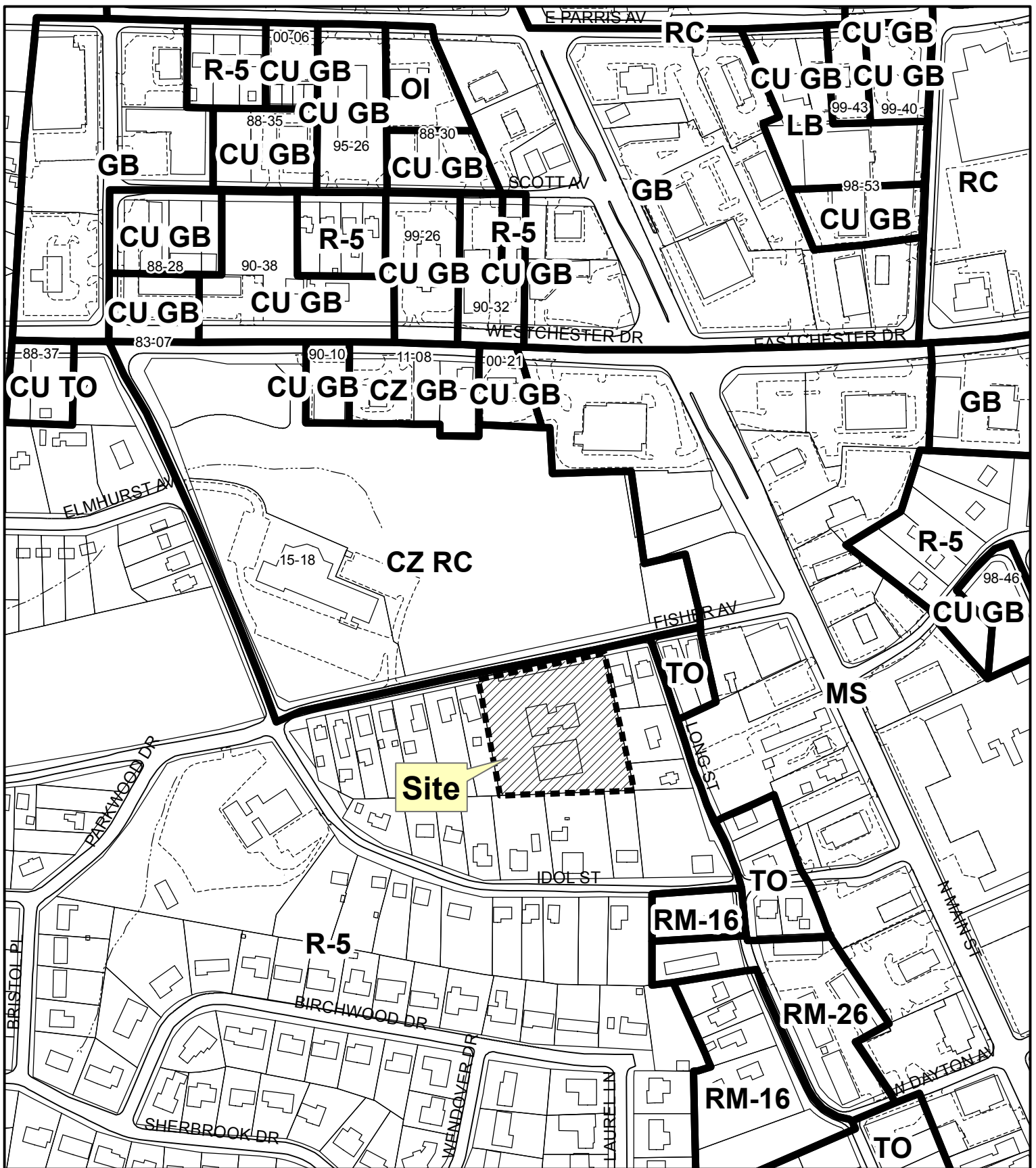
City of High Point

Date: December 13, 2016



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ZONING MAP AMENDMENT ZA-16-28

From: Residential Single Family-5
To: Office and Institutional

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

**Planning & Development
 Department**

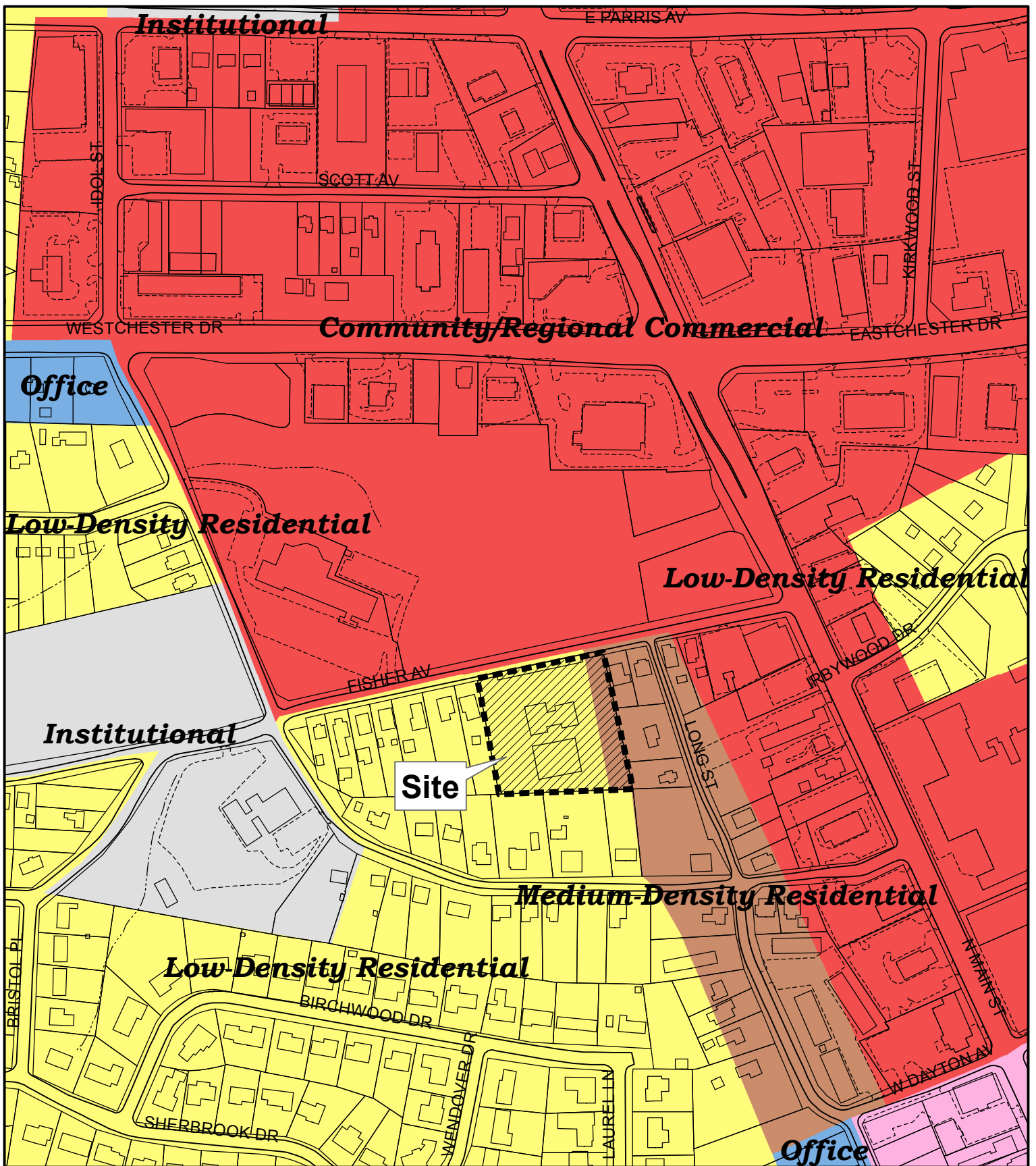
City of High Point

Date: December 13, 2016



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ZONING MAP AMENDMENT ZA-16-28

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

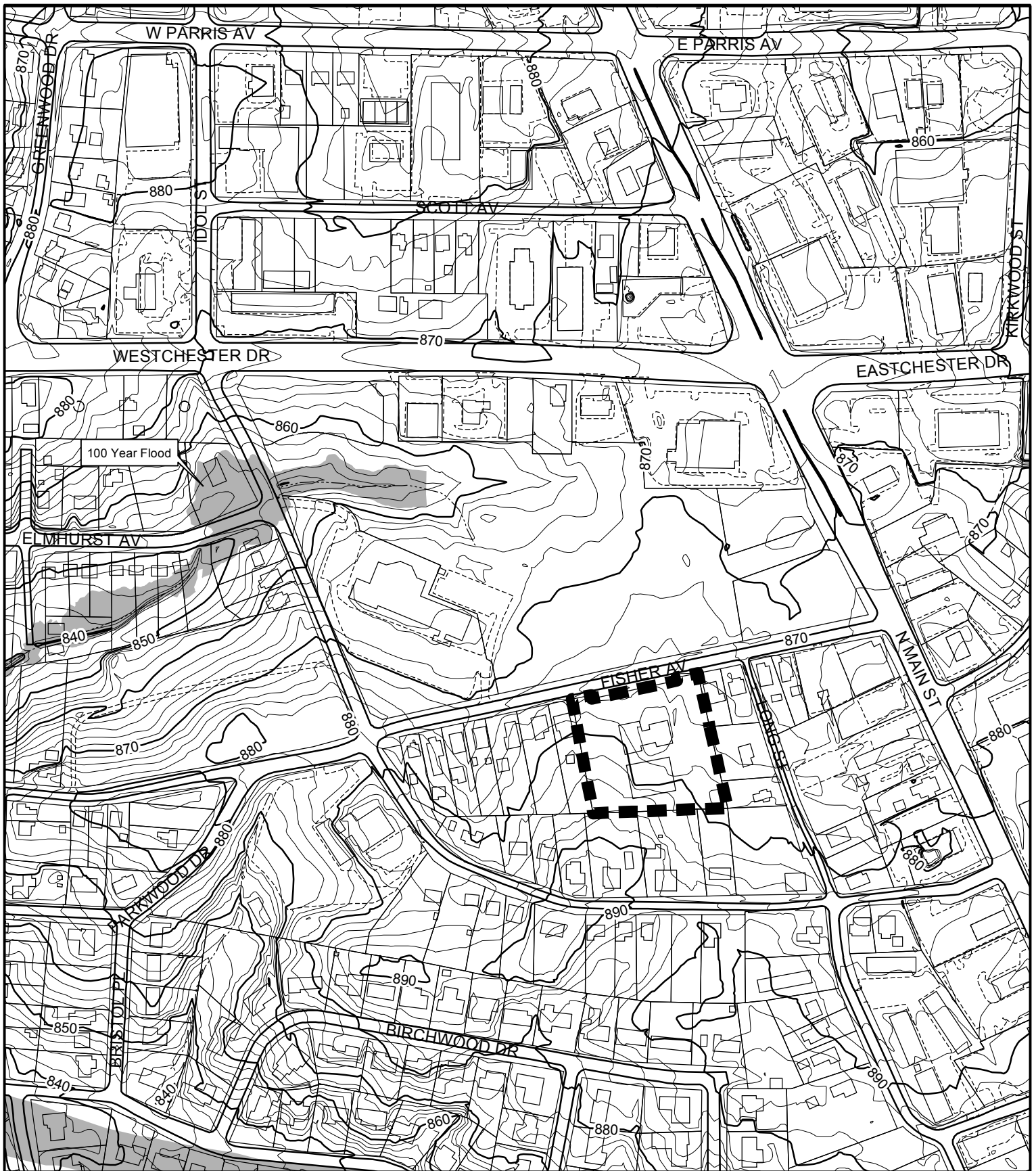
City of High Point

Date: December 13, 2016



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ZONING MAP AMENDMENT ZA-16-28

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: December 13, 2016



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ZONING MAP AMENDMENT ZA-16-28



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 16-28 (ZA-16-28)** 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: **Office & Institutional (OI) District**. The property is approximately 2.14 acres and lying along the south side of Fisher Avenue, approximately 470 feet west of N. Main Street (*213 Fisher Avenue*). The property is also known as Guilford County Tax Parcel 0188745.

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.

____th day of XXXXXXXXXX xx, 2017.

Lisa B. Vierling, City Clerk