

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 16-31
(Selwyn Property Group Investments, LLC)

From: Lee Burnette, Planning & Development
Director

Meeting Date: March 20, 2017

Public Hearing: Yes

Advertising Date: March 8 & 15, 2017

Advertised By: Planning & Development

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

PURPOSE:

A request by Selwyn Property Group Investments, LLC to rezone approximately 16.25 acres from the Residential Single Family-3 (R-3) District to a Conditional Zoning General Business (CZ-GB) District. The site is lying along the north side of Old Plank Road, between N. Main Street and I-74 (6531 Old Plank Road).

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 February 28, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 16-31. The Planning & Zoning Commission recommended *approval* of this request, by a vote of 7-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Selwyn Property Group Investments, LLC

Zoning Map Amendment 16-31

At its February 28, 2017 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 16.25 acres to a Conditional Zoning General Business (CZ-GB) District. All members of the Commission were present except for Mr. Keith McInnis and 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:

Speaking in favor were the applicant's attorney Mr. Tom Terrell, 529 West Parkway Avenue, High Point, N.C. and the applicant, Mr. Jensie Teague, a partner and owner of the Selwyn Property Group, 2416 Beretania Circle, Charlotte N.C. Additional speakers were Mr. Michael Fox, an attorney with the Tuggle-Duggins Law Firm, 100 N Greene Street, Suite 600, Greensboro, N.C., representing the Piedmont Authority for Regional Transportation (PART) and Mr. Mike Carr, President of Carr Properties, 209 Cascade Drive, High Point N.C.

Mr. Terrell and Mr. Teague noted that this intersection is classified on the City of High Point's Land Use Map for commercial uses and provided an overview of their proposal to develop this property with a multi-tenant commercial development.

Mr. Fox noted that the PART facility at this location is underutilized. When approached by the applicant regarding redeveloping the site and reimbursing PART for their park & ride facility they were agreeable to this proposal. In conclusion, Mr. Fox stated that PART will continue to have a presence within the proposed new commercial development, but at a much smaller scale.

Mr. Carr, a local developer, who constructed the adjacent commercial developments to the south and west of this zoning site spoke in favor of the applicant's request.

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 16-31 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, as it is designated for commercial use;
- 2) The zoning site is surrounded on three sides by non-residential zoning districts and an interstate highway. Additionally, to the south and west the GB and CU-GB Districts have already been established, which permits the same land uses being requested by this application. The request is consistent with the intent of Goal #5 of the Land Use Plan, which speaks to promoting an urban growth pattern that occurs in an orderly fashion; and
- 3) The applicant has offered conditions to mitigate traffic impacts including restricting access and requiring street improvements at all access points.

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

**STAFF REPORT
ZONING MAP AMENDMENT 16-31**

March 9, 2017

(Revised)

Request	
Applicant: Selwyn Property Group Investments, LLC	Owner: Hedgecock Holding, LLC
Zoning Proposal: To rezone an approximately 16.25-acre parcel in order to allow commercial uses	From: R-3 Residential Single Family-3 District
	To: CZ-GB Conditional Zoning General Business District

Site Information	
Location:	The site is lying along the north side of Old Plank Road, between N. Main Street and I-74 (6531 Old Plank Road).
Tax Parcel Number:	Guilford County Tax Parcel 0223243
Site Acreage:	Approximately 16.25 acres
Current Land Use:	A Piedmont Authority for Regional Transportation (PART) park & ride facility, with 193 parking spaces, is located on the western three acres of the site. The remaining area of the property is undeveloped.
Physical Characteristics:	The western portion of the property, PART parking lot, is relatively flat. The remaining area of the property is heavily wooded with a moderately sloping terrain.
Water and Sewer Proximity:	A 12-inch City water line and an 8-inch City sewer line lie adjacent to the site along N. Main Street.
General Drainage and Watershed:	The site drains in a southeasterly direction and development is subject to the Oak Hollow Lake General Watershed Area (GWA) requirements. Engineered stormwater treatment measures are required for development with a total impervious surface area greater than 24% of the site.
Overlay District:	Oak Hollow Lake GWA

Adjacent Property Zoning and Current Land Use			
North:	R-3 CU-OI	Residential Single Family-3- District Conditional Use Office & Institutional District	Undeveloped parcels
South:	GB	General Business District	Convenience store with gas pumps, restaurant with drive thru window and an undeveloped parcel
East:	R-3	Residential Single Family-3- District	I-74 right-of-way
West:	CU-GB	Conditional Use General Business District	Vacant convenience store with gas pumps

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	This request is neither in conflict with the goals and objectives of the Community Growth Vision Statement nor does it promote those goals and objectives.
Land Use Plan Map Classification:	This area is designated primarily as Local/Convenience Commercial with a small area of Low-Density Residential on the northeastern perimeter. The Local/Convenience Commercial classification is intended to accommodate moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is 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.
Relevant Area Plan:	None
Zoning History:	Except for a 2009 Special Use Permit to allow the PART park & ride facility, on the western portion of the zoning site, there have been no recent zoning approvals in this area.

Transportation Information			
Adjacent Streets:	Name		Classification
	North Main Street		Minor Thoroughfare
	Old Plank Road		Major Thoroughfare
	I-74 (off-ramp)		Major Thoroughfare
Vehicular Access:	Access drives are proposed to be from North Main Street and Old Plank Road.		
Traffic Counts: (Average Daily Trips)	North Main Street	8,500 AADT	(NCDOT 2015 Traffic Counts)
	Old Plank Road	5,900 AADT	(NCDOT 2015 Traffic Counts)
Estimated Trip Generation:	Using the development data provided by the applicant approximately 6,517 trips, with 582 new trips in the mid-day peak hour, are anticipated. This does not include area marked as future development (Tract B) on site plan.		
Traffic Impact Analysis:	Required		TIA Comments
	<u>Yes</u> X	<u>No</u>	The TIA does not include the area marked as future development (Tract B), but it should have been included and/or referenced in the study
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.		
Comments:	<p><u>Access:</u> The rezoning site shall have two points of access to Old Plank Road and one point of access to N. Main Street. The Old Plank Road access points shall consist of one full movement access to align with the Sheets/McDonald's full movement access, and one right-in/right-out only. The North Main Street access point shall be right-in/right-out only with North Main Street having a median installed.</p> <p><u>Improvements:</u></p> <p>1) Old Plank Road and the Sheetz/McDonald's Access/Full Movement Access</p> <p>a. Construct a three-lane cross-section on the southbound stop-control</p>		

	<p>approach of the full movement access with one ingress lane and two egress lanes. Provide a shared left-through lane and an exclusive right turn lane exiting the site.</p> <p>b. Construct an exclusive right turn lane on the westbound approach of Old Plank Road. Provide a minimum 100 feet of full storage and an appropriate bay taper.</p> <p>2) Old Plank Road and Right-in/Right-out Access</p> <p>a. Construct a two-lane cross-section on the southbound stop-controlled approach of the right-in/right-out access with one ingress lane and one egress lane.</p> <p>b. Construct an exclusive right turn lane on the westbound approach of Old Plank Road. Provide a minimum 100 feet of full storage and an appropriate bay taper.</p> <p>3) North Main Street and Right-in/Right-out Access</p> <p>a. Construct a two-lane cross-section on the westbound stop-controlled approach of the right-in/right-out access with one ingress lane and one egress lane.</p> <p>b. Construct a raised concrete median on North Main Street to prohibit left turns into and out of the right-in/right-out access.</p> <p>c. Construct an exclusive right turn lane on the northbound approach of North Main Street. Provide a minimum 100 feet of full storage and an appropriate bay taper.</p> <p>With any future development to the site, the Transportation Department shall be allowed to review the proposed development and a revised TIA shall be required at this time.</p> <p>The City of High Point Transportation Director and the North Carolina Department of Transportation (NCDOT) shall approve the exact location and design of all access points and improvements.</p>
--	---

School District Comment

Not applicable to this zoning case.

Details of Proposal

The applicant has requested rezoning of this 16.25-acre residentially zoned parcel to facilitate construction of a commercial development. The land associated with this application was previously State Right-of-Way (ROW) acquired for construction of the US 311 By-Pass. With the competition of the US 311 By-Pass through the City in 2011 and its incorporation into the I-74 interstate corridor, the North Carolina Department of Transportation (NCDOT) determined this land area was excess ROW and not needed for future road improvements. It was subsequently reverted back to the heirs of the owner it was initially acquired from. The adopted Land Use Plan designates the property and surrounding area as Local/Convenience Commercial, which may accommodate moderate-intensity convenience retail or service uses. The applicant has requested a Conditional Zoning General Business (CZ-GB) District be established on the property. The GB District is intended to accommodate a wide range of general retail, business, and service uses that serve

groups of neighborhoods. The GB District is generally located at major street intersections and along major thoroughfares.

In conjunction with this application, a conditional zoning ordinance has been offered by the applicant. The property is fronting along major and minor thoroughfares, and is mostly surrounded by non-residential zoning districts. As such, the conditional zoning ordinance does not prohibit any GB District uses, but seeks to mitigate transportation related impacts associated with the development of a moderate-intensity commercial development.

Staff Analysis

Section 2.4.5.(C) of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. 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 Policy Guidance:

Whether and the extent to which the proposed conditional zoning district is appropriate for its proposed location, and is consistent with the City's adopted policy guidance;

Staff Comments:

This request is consistent with the Land Use Plan in that the property is designated for commercial uses on the Land Use Map, to serve nearby neighborhoods, and it is an orderly growth of development within the city.

Review Factors:

Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:

<u>Factor #1</u>	Result in a development that is compatible with surrounding development character and land uses; <u>Staff Comments:</u> The zoning site is located in a predominately non-residential area. The requested CZ-GB District will be compatible with surrounding uses based on the following: <ul style="list-style-type: none">❖ The property is bordered on two sides by thoroughfare roadways and the I-74 interstate corridor, and access will be from the abutting thoroughfare streets.❖ The property is surrounded by the Conditional Use Office & Institutional (CUOI) District to the north and General Business (GB) and Conditional Use General Business (CU-GB) Districts to the south and west, respectively. The requested zoning map amendment will not introduce land uses or zoning districts that are not already established in this area.
<u>Factor #2</u>	Minimize or effectively mitigate any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; <u>Staff Comments:</u> To mitigate potential traffic impacts, the applicant has offered the following transportation-related conditions: <ul style="list-style-type: none">❖ Restrict the site to only two points of access to Old Plank Road, with only one being full access and the other right in/right-out;

	<ul style="list-style-type: none"> ❖ Require the construction of right turn lanes at both access points to Old Plank Road; ❖ Require access to N. Main Street include the installation of a median to ensure said access is right-in/right-out; and ❖ Limit the number of high traffic generating uses (i.e. drive thru restaurants) and only permit the Old Plank Road frontage of the site to develop until an updated TIA is performed. At such time, the traffic improvements identified from the study would be installed.
<u>Factor #3</u>	<p>Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;</p> <p><u>Staff Comments:</u> The site is within the Oak Hollow Lake General Watershed Area, and as such, development is required to meet the watershed standards of the Development Ordinance.</p>
<u>Factor #4</u>	<p>Minimize or effectively mitigate any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire;</p> <p><u>Staff Comments:</u> The site is within an area currently served by City of High Point utilities and municipal services. The zoning submittal has no known adverse impacts on municipal services.</p>
<u>Factor #5</u>	<p>Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands.</p> <p><u>Staff Comments:</u> The zoning site is located in an area identified by the Land Use Map for commercial uses and the applicant has offered conditions, accepted by the Transportation Department, to mitigate potential transportation-related impacts. Staff has found no evidence that the requested CZ-GB District would adversely affect adjacent property owners.</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:

There have been no significant land use map amendment or zoning changes at this intersection. Since the adoption of the 1983 Land Use Map and its subsequent updates in 1992 and 2000, commercial land uses have been envisioned for this area. Additionally, the CU-OI District to the north and GB District to the south have been in place since the 1980s. The GB District was established on the west side of N. Main Street, directly opposite the zoning site, in 2002.

Development Patterns:

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

Staff Comments:

Based on the adopted land use policies along with the surrounding zoning and development pattern, which consists of a variety of commercial and office land uses, the requested CZ-GB

District is consistent with the preferred development pattern envisioned for this portion of the City.

Reasonableness/Public Interest:

Whether an approval of the conditional zoning is reasonable and in the public interest.

Staff Comments:

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

- 1) The request is consistent with the Land Use Plan, as it is designated for commercial use;
- 2) The zoning site is surrounded on three sides by non-residential zoning districts and an interstate highway. Additionally, to the south and west the GB and CU-GB Districts have already been established, which permits the same land uses being requested by this application. The request is consistent with the intent of Goal #5 of the Land Use Plan, which speaks to promoting an urban growth pattern that occurs in an orderly fashion; and
- 3) The applicant has offered conditions to mitigate traffic impacts including restricting access and requiring street improvements at all access points.

Recommendation

Staff Recommends Approval:

As addressed in the Staff Analysis section of this report, the requested CZ-GB District is consistent with the Land Use Plan and the conditions offered by the applicant will ensure development of the zoning site will be compatible with adjacent uses. The Planning & Development Department recommends approval of the request to rezone this 16.25-acre parcel to the CZ-GB District.

Required Action

Planning and Zoning Commission:

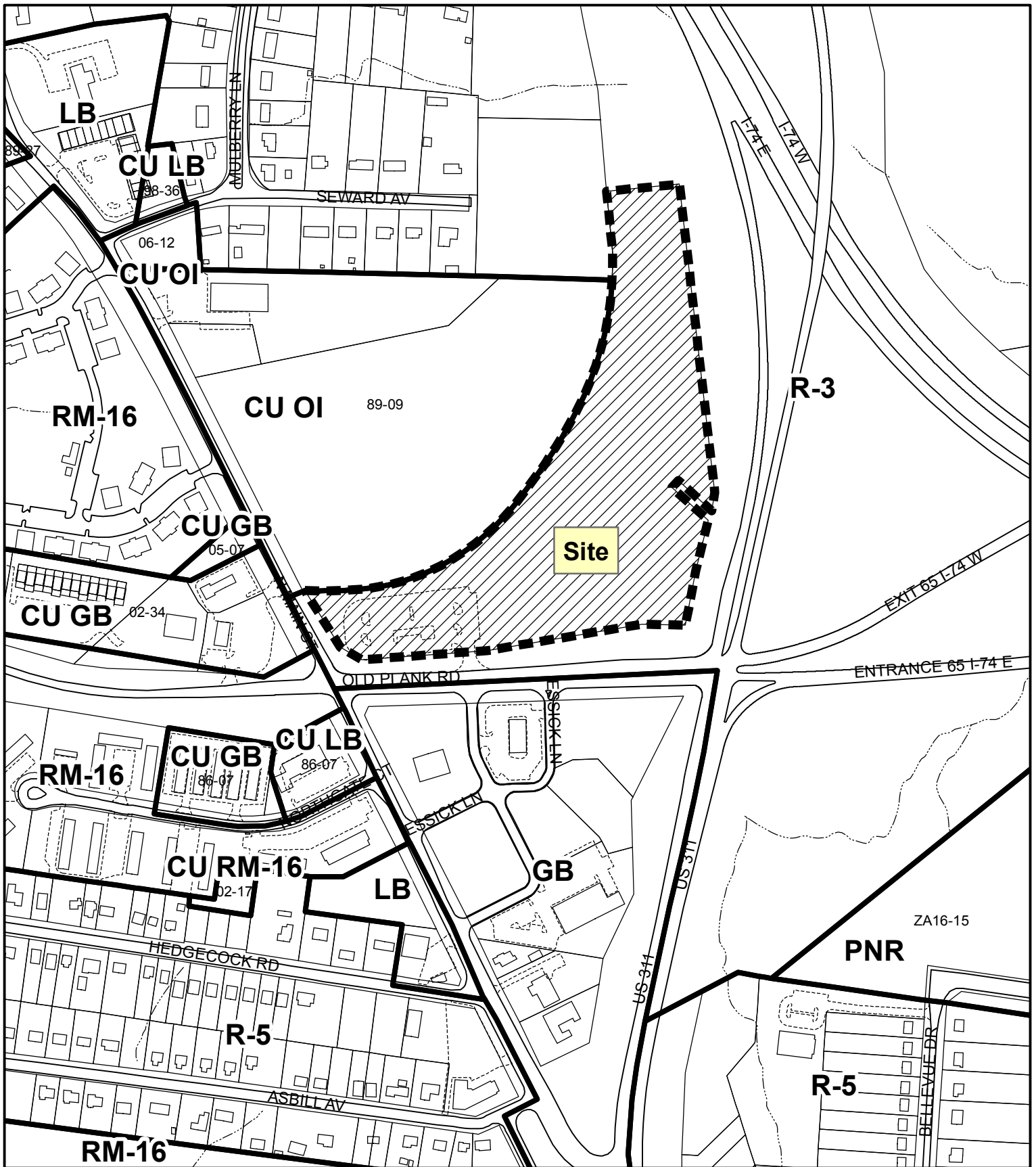
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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



ZONING MAP AMENDMENT ZA-16-31

From: Residential Single Family-3
To: Conditional Zoning General Business

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

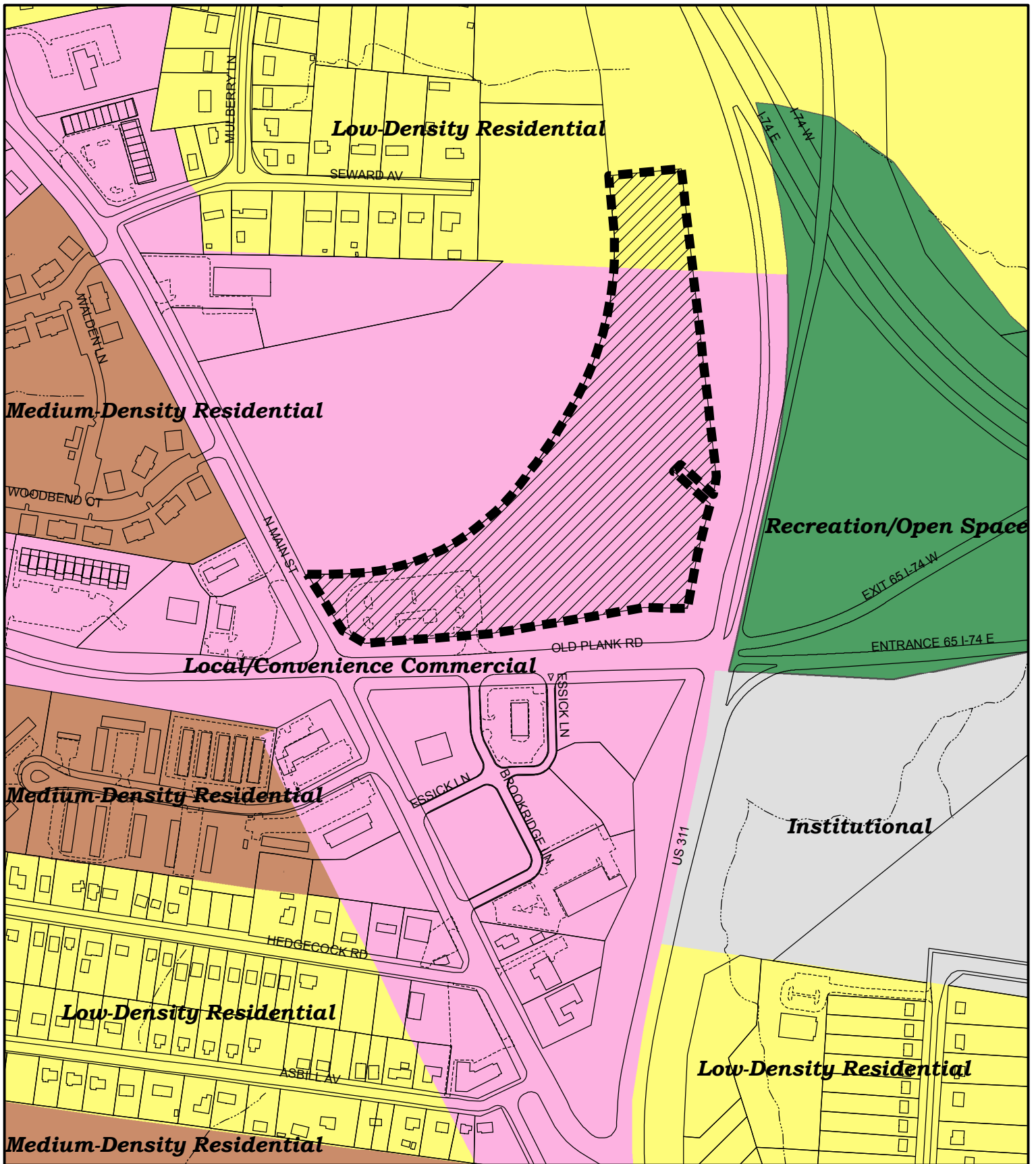
**Planning & Development
 Department**

City of High Point

Date: February 28, 2017



Scale: 1"=400'
 G:/Planning/Secure/ba-pz/
 2016/pz/za16-31.mxd



ZONING MAP AMENDMENT ZA-16-31

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



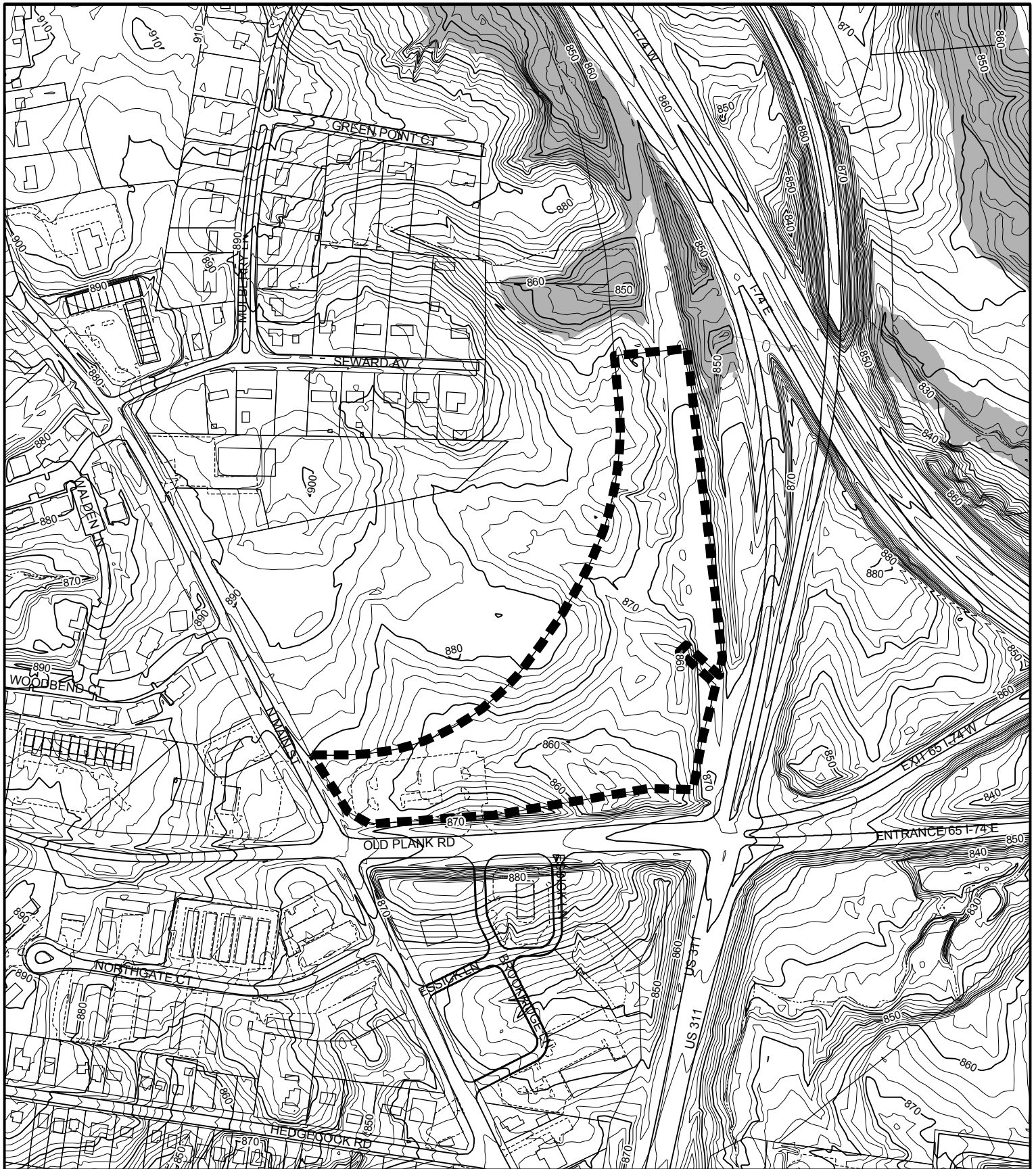
**Planning & Development
 Department**

City of High Point

Date: February 28, 2017



Scale: 1"=400'
 G:\Planning\Secure\ba-pz/
 2016\pz\za16-31lu.mxd



ZONING MAP AMENDMENT ZA-16-31

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: February 28, 2017



Scale: 1"=400'

G:\Planning\Secure\ba-pz/
2016/pz/za16-31topo.mxd

ZONING MAP AMENDMENT ZA-16-31



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on February 28, 2017 and before the City Council of the City of High Point on March 20, 2017 regarding **Zoning Map Amendment Case 16-31 (ZA-16-31)** 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 February 19, 2017, for the Planning and Zoning Commission public hearing and on March 8, 2017 and March 15, 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: **Conditional Zoning General Business (CZ-GB) District**. The property is approximately 16.25 acres and lying along the north side of Old Plank Road, between N. Main Street and I-74 (6531 Old Plank Road). The property is also known as Guilford County Tax Parcel 0223243).

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:

- A. Any of the land uses allowed in the General Business (GB) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the GB District and the specific conditions listed in this ordinance.

B. Tract “A” Use Restrictions (see Exhibit #1)

The development of more than three (3) “Restaurant (Major)” use types (restaurant with a drive-through) as listed in Table 4.1.9 (Principal Use Table) of the Development Ordinance or a combination of land uses that has the potential to generate more vehicle trips during AM, mid-day and PM peak periods than the development analyzed in the Traffic Impact Analysis (*Traffic Impact Analysis for Old Plank Road Retail Center dated February 2016*), shall not be permitted without additional analysis being performed and accepted by the City and NCDOT

C. Tract “B” Use Restrictions (see Exhibit #1)

At the time Tract B is proposed to be developed the existing Traffic Impact Analysis (*Traffic Impact Analysis for Old Plank Road Retail Center dated February 2016*) shall be updated to evaluate the potential impact [at the study intersections] associated with the added development traffic. Mitigation measures which are identified and recommended in the updated TIA shall be provided by the developer to accommodate the added development traffic. No development shall be permitted on Tract B without this new traffic analysis being performed and accepted by the City and NCDOT.

Part II. CONDITIONS:

A. Transportation Conditions.

1. Access: The rezoning site shall have two points of access to Old Plank Road and one point of access to N. Main Street. The Old Plank Road access points shall consist of one full movement access to align with the Sheets/McDonald’s full movement access, and one right-in/right-out only. The North Main Street access point shall be right-in/right-out only with North Main Street having a median installed.
2. Improvements
 - a) Old Plank Road Full Movement Access (full movement access point lying between lots 1 & 2 as depicted on Final IMUD Plat for Old Plank Road Crossing [PB 182 PG 129])
 - i. Construct a three-lane cross-section on the southbound stop-controlled approach of the full movement access with one ingress lane and two egress lanes. Provide a shared left-through lane and an exclusive right turn lane exiting the site
 - ii. Construct an exclusive right turn lane at each approach on Old Plank Road. Provide a minimum 100 feet of full storage and an appropriate bay taper.

b) Old Plank Road and Right-in/Right-out Access

- i. Construct a two-lane cross-section on the southbound stop-controlled approach of the right-in/right-out access with one ingress lane and one egress lane.
- ii. Construct an exclusive right turn lane on the westbound approach of Old Plank Road. Provide a minimum 100 feet of full storage and an appropriate bay taper.

c) North Main Street and Right-in/Right-out Access

- i. Construct a two-lane cross-section on the westbound stop-controlled approach of the right-in/right-out access with one ingress lane and one egress lane.
- ii. Construct a raised concrete median on North Main Street to prohibit left turns into and out of the right-in/right-out access. The median shall begin at the intersection of Old Plank Road and extend north to the existing driveway for Guilford County Tax Parcel # 0198419

3. Other Transportation Conditions

- a) With any future development to the site, the Transportation Department shall be allowed to review the proposed development and a revised TIA may be required at this time.
- b) The City of High Point Transportation Director and the North Carolina Department of Transportation (NCDOT) shall approve the exact location and design of all access points 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 that are 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.

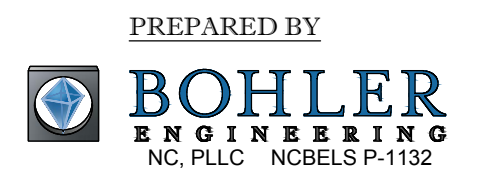
This ordinance shall become effective upon the date of adoption.

____th day of XXXXXXXXXX XX, 2017.

Lisa B. Vierling, City Clerk



HIGHWAY 311 & OLD PLANK ROAD
HIGH POINT, NC
2/9/17



The applicant's traffic engineer submitted the following Executive Summary from their Traffic Impact Analysis (TIA).

In addition to this summary, the complete TIA has been submitted to the City of High Point Transportation Department for review.

EXECUTIVE SUMMARY

This report summarizes the findings of the Traffic Impact Analysis (TIA) that was performed for the proposed Old Plank Road Retail Center in High Point, North Carolina. The development could consist of a pharmacy with drive-through window and three (3) fast-food restaurants with drive-through windows. For the purpose of this analysis, the site was assumed to consist of a 13,500 square-foot pharmacy with a drive-through window, and 10,500 total square feet of fast-food restaurants with drive-through windows.

The purpose of this study is to determine the potential impacts to the surrounding transportation system created by the additional traffic generated by the proposed development. In order to accomplish this objective, the study analyzed existing (2015) traffic conditions and future (2022) traffic conditions without and with the proposed development during the weekday AM, Midday, and PM peak hours. In addition to site-generated traffic, this study also considered the impact of background traffic growth within the study area.

Existing Traffic Conditions

Under existing (2015) traffic conditions, the signalized intersections operate at an acceptable overall LOS C or better during the peak hours. In addition, the intersection approaches operate at an acceptable LOS D or better. The main street left turn movements on Old Plank Road at the unsignalized intersection operate at LOS A, while the northbound and southbound stop-controlled approaches operate at an acceptable LOS D or better.

Future 'No-Build' Traffic Conditions

Under future (2022) 'no-build' traffic conditions, the signalized intersections are expected to operate at an acceptable overall LOS C during the peak hours. In addition, the intersection approaches are expected to operate at an acceptable LOS D or better. The main street left turn movements on Old Plank Road at the unsignalized intersection are expected to operate at LOS A, while the northbound and southbound stop-controlled approaches are expected to operate at an acceptable LOS D or better.

Future 'Build' Traffic Conditions

Under future (2022) 'build' traffic conditions, the signalized intersections are expected to continue operating at an acceptable overall LOS C during the peak hours. In addition, the intersection approaches are expected to operate at an acceptable LOS D or better.

The main street left turn movements on Old Plank Road at the unsignalized intersection of the Sheetz / McDonald's Access and the Proposed Development's Full Access are expected to operate at LOS A, while the northbound and southbound stop-controlled approaches are expected to operate at an acceptable LOS D or better as a result of the gaps created in the mainline traffic by the existing adjacent traffic signals.

As for the unsignalized right-in/right-out accesses on Old Plank Road and North Main Street, the southbound and westbound stop-controlled approaches are expected to operate at LOS B or better during the peak hours.

Queuing Results

It appears that the existing and proposed turn lane storage and taper is adequate to accommodate anticipated queues during the peak hours. If it is expected to be exceeded, the difference is less than 20 feet (1 vehicle) when the 'build' conditions are compared to the 'no-build' conditions. As for the eastbound and westbound queues, the queues are not expected to extend back into the adjacent intersections on Old Plank Road.

Based on the findings of this study, the following improvements should be provided to accommodate the traffic volumes associated with the proposed development.

Old Plank Road and the Sheetz / McDonald's Access/Full Movement Access

- Construct a three-lane cross-section on the southbound stop-controlled approach of the full movement access with one ingress lane and two egress lanes. Provide a shared left-through lane and an exclusive right turn lane exiting the site.
- Construct an exclusive right turn lane on the westbound approach of Old Plank Road. Provide a minimum 100 feet of full storage and an appropriate bay taper.

Old Plank Road and Right-In/Right-Out Access

- Construct a two-lane cross-section on the southbound stop-controlled approach of the right-in/right-out access with one ingress lane and one egress lanes.
- Construct an exclusive right turn lane on the westbound approach of Old Plank Road. Provide a minimum 100 feet of full storage and an appropriate bay taper.

North Main Street and Right-In/Right-Out Access

- Construct a two-lane cross-section on the westbound stop-controlled approach of the right-in/right-out access with one ingress lane and one egress lanes.
- Construct a raised concrete median on North Main Street to prohibit left turns into and out of the right-in/right-out access.

Citizens Information Meeting Report Zoning Map Amendment 16-31

Submitted by: Mr. Thomas E. Terrell, Jr. on behalf of
Selwyn Property Group Investments, LLC

Citizens' Communication Report

**Selwyn Property Group Investments, LLC
ZA 16-31**

**Submitted by
Thomas E. Terrell, Jr.**

1. No Meeting Considered Necessary

Although there are some residential properties to the north, the subject property lies in an area that has already been developed for commercial and office use and not within what one would consider a residential area. Accordingly, a less formal manner of communication was considered to be acceptable.

2. Letter

The letter attached as Exhibit A (with map in color) was sent to all neighbors surrounding the site. The letter included a copy of the official citizens' information statement.

The letter provided ample direct, personal contact information for any person to use if they had questions. This report will be updated if other neighbors respond beyond what is reported below.

3. Recipients

The list of recipients, prepared by the City of High Point Planning Department, is attached as Exhibit B.

4. Direct Communications

The applicant and legal counsel have had past communications by phone, email and in person with John Bencini of Bencini Realty, Ltd., which owns the property to the north and west.

5. Responses

Mike Carr, an owner of adjoining properties, received the letter and called on behalf of himself, Carr Family Trust, LLC, and Carr Properties, LLC, to say "please know that I support this rezoning one hundred and ten thousand percent."

EXHIBIT A

February 1, 2017

Dear Neighbor:

I represent Selwyn Property Group which has filed an application with the City of High Point to change the zoning of the property outlined below to CZ-GB (Conditional District, General Business).



You have received this letter because your property lies within 300 feet of the outer boundary of this tract.

Selwyn is a highly respected development company based in Charlotte. They have not selected tenants yet but likely will develop the property for a mix of uses that could include drive-through restaurants, a drug store, or similar types of retail/commercial uses.

Because this area has already been established as an office and commercial corridor, I have elected not to set a time and place for a neighborhood information meeting. However, I am pleased to speak or meet with you personally if you have questions, and I'm pleased to introduce you to Mr. Jensie Teague, one of the Selwyn principals, if you have concerns or matters he needs to address.

February 1, 2017

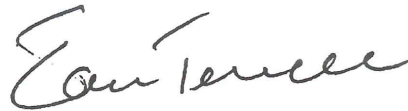
Page 2

My direct number at my office is (336) 378-5412, and my cell number is (336) 847-2000. If more convenient, email me at tom.terrell@smithmoorelaw.com.

Also enclosed is a sheet that explains how zoning decisions are heard by the Planning and Zoning Commission and City Council. The Planning and Zoning Commission will hear the matter at 6:00 pm on Tuesday, February 28, in High Point City Hall.

Sincerely,

Smith Moore Leatherwood LLP

A handwritten signature in black ink, appearing to read "Tom Terrell". The signature is fluid and cursive, with the first name "Tom" and last name "Terrell" clearly distinguishable.

Thomas E. Terrell, Jr.

TET/th

Enclosure



**City of High Point
Conditional Zoning District Zoning
Citizen Information Meetings**

Anyone planning to file a zoning application for a Conditional Zoning district from the City of High Point is required to hold a citizen information meeting prior to filing the application. This requirement applies only to an application for a conditional zoning district or an application to amend a previously approved conditional zoning district. Conditional zoning is a type of zoning where property owners can impose specific conditions or restrictions on the development and use of their property, and where the conditions are enforceable by the City regardless of the property's future ownership.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person planning to file an application, otherwise known as the applicant, the opportunity to inform citizens about the development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed zoning site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a written description of the development proposal and any other available information that would help citizens to better understand it. After the zoning application is filed with the City's Planning & Development Department, the

applicant submits to the City a written report of the citizen information meeting(s). At a minimum, this report records the property owners notified; date, time and location of the meeting(s); the written description of the development proposal; and any comments, ideas or suggestions from citizens that were incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300-feet of the zoning site. This notice provides information on the conditional zoning district request; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the zoning site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the zoning site.

No condition can be included in a conditional zoning district that specifies ownership status, race, religion or characteristics of the development's occupants, the minimum size of a dwelling, the minimum value of buildings or improvements, or ones that otherwise excludes specific races, religions or classes of people.

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the department's website for additional information on the City's zoning process, and for information about specific development proposals.

Contact:

Planning & Development Department 336-883-3328

www.highpointnc.gov/plan/

www.buildhighpoint.com

EXHIBIT B

BENCINI REALTY LTD
PO BOX 1130
HIGH POINT NC 27261

CARR FAMILY TRUST LLC
1414 LONG ST
HIGH POINT NC 27262

CARR PROPERTIES LLC
1414 LONG ST
HIGH POINT NC 27262

CARR, MICHAEL E
1414 LONG ST
HIGH POINT NC 27262

DCK LLC
1414 LONG ST
HIGH POINT NC 27262

FROG'S HAVEN LIMITED PARTNERSHIP
PO BOX 5484
HIGH POINT NC 27262

HEDGECOCK HOLDINGS LLC
2774 EAST ROAD
WALNUT COVE NC 27052

MEADOWBROOK APARTMENTS LLC
826 N ELM ST SUITE 200
GREENSBORO NC 27401

N & R PROPERTY DEVELOPMENT OF NC
LLC
284 N EMILY CT
HIGH POINT NC 27265

NOVANT HEALTH INC
2085 FRONTIS PLAZA BLVD
WINSTON SALEM NC 27103

OLD PLANK ROAD CROSSING
ASSOCIATION INC
1414 LONG ST
HIGH POINT NC 27262

TWO DAUGHTERS LLC
2516 OAK CREST AVE SUITE B
GREENSBORO NC 27408

WILLIARD INVESTMENT LLC
449 S WRENN ST
HIGH POINT NC 27260