

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 17-01
(The James & Linda Burgio Family Limited Partnership LTD)

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 The James & Linda Burgio Family Limited Partnership LTD to rezone approximately 8.56 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning General Business (CZ-GB) District. The site is lying along the east side of NC 68, approximately 450 feet north of Regency Drive (3022 NC Highway 68). 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. However, staff pointed out the precedent-setting nature of this request as it pertains to the proposed use and access to NC 68 within this portion of the Eastchester Gateway Corridor Overlay.
- B. On February 28, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-01. The Planning & Zoning Commission recommended **approval** of this request, by a vote of 6-1.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The James & Linda Burgio Family Limited Partnership LTD

Zoning Map Amendment 17-01

At its February 28, 2017 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximately 8.56-acre parcel 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 the staff recommendation of approval. He noted that conditions offered by the applicant mitigate the impacts of allowing a vehicle establishment use (motorcycle dealership) within this segment of the Eastchester Gateway Corridor Overlay. However, if approved, the condition to allow access to Eastchester Drive will be a precedent-setting change to a long-standing policy for this segment of the Eastchester Gateway Corridor Overlay that limits vehicular access points to Eastchester Drive and calls for parallel services roads to be constructed to provide access.

Speaking in favor of the request:

Speaking in favor of the request was the applicant's attorney, Mr. Michael Fox, with the Tuggle-Duggins Law Firm, 100 N Greene Street, Suite. 600, Greensboro, N.C.; Mr. Mark Wheelihan, owner and operator of Harley-Davidson of Greensboro, 538 Farragut Street, Greensboro, N.C. and Ms. Judy Stalder, 665 North Main Street, High Point, N.C. Key points from these speaker's presentations were:

B. Allowing a Vehicle Establishment Use (motorcycle dealership):

City Council has historically prohibited automobile dealerships within this segment of the Eastchester Gateway Corridor Overlay. These speakers argued that conditions offered by the applicant prohibiting outdoor storage and outdoor display will allow the proposed motorcycle dealership to resemble an office building as viewed from Eastchester Drive and be visually consistent with other nearby businesses.

B. Allowing Access to Eastchester Drive:

1. The zoning site is at a lower elevation than adjacent properties and lacks the visibility that other businesses in the corridor have. This makes it difficult for motorists to see how to access the parcel making the right-in, right-out off Eastchester Drive necessary.
2. Other service road access points are visible to the motoring public along Eastchester Drive. Due to its distance from Eastchester Drive, access from Tynning Street is not intuitive as being the primary means of access to the site.
3. The applicant has agreed to extend Tynning Street when development occurs east of the Tynning Street extension or when development occurs north of the zoning site. Also, a median is being considered to be installed in the future by NCDOT to the north along Gallimore Dairy Road. Depending on its design, it may prevent motorists from making a left-in or left-out from the Tynning Street service road when it is extended.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Once the public hearing was closed, the Commissioners offered the following comments and concerns:

- A. Other businesses located in Phase III of the Eastchester Drive Corridor, that are served by a service road, could petition for direct access to Eastchester Drive if this request is approved.
- B. Accessing the site via a deceleration lane off Eastchester Drive is safer, particularly for motorcyclists, than accessing the site via a right turn onto a service road.

- C. There is a lack of visibility to the Tying Street service road, which makes this site access more difficult to navigate than other nearby properties.

Planning & Zoning Commission Action

The Planning & Zoning Commission recommended **approval** of this request by a vote of 6-1. Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Map Amendment 17-01 would be consistent with the City's adopted plans. Additionally, the Commission concurred with staff's items 1 and 2 of the reasonableness and public interest statement in the staff report. The Commission agreed to support the applicant's condition to permit access to Eastchester Drive because it would be limited to right-in/right-out with a tapered deceleration lane, the topographic conditions of the site relative to adjacent properties, the lack of visibility of the service road (Tying Street) from Eastchester Drive and safety concerns for the customers visiting the site on motorcycles.

The one vote in opposition was from Mr. Kirkman who stated that he was not necessarily opposed to the request as the use issue has been mitigated. His primary concern was the precedent-setting nature of allowing access to this segment of Eastchester Drive, which conflicts with policy set and enforced by previous City Councils.

Statement:	impression of the community. Obj. 5E: Require that street systems connect with one another whenever possible to move all modes of traffic efficiently, to avoid congestion along key corridors, to improve traffic and pedestrian safety, and to enhance emergency management access.
Land Use Plan Map Classification:	The site has a Local/Convenience Commercial land use designation. This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.
Land Use Plan Goals, Objectives & Policies:	The following goal and objective of the Land Use Plan are 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. Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
Relevant Area Plan:	<u>Eastchester Drive Corridor Plan – Phase III:</u> The plan recommends the construction of parallel service roads in order to minimize the number of access points to Eastchester Drive. It also recommends the use of appearance guidelines along the corridor to preserve high standards of development, and limits new commercial development to well-separated clusters at major intersections.
Zoning History:	The most recent zoning approval in this area was for approximately 80 acres lying along the south side of Regency Drive, west of NC 68. This 2012 zoning established a Planned Unit Development-Mixed (PDM) District, which allowed for a mixed-use development consisting of commercial and multifamily uses.

Transportation Information			
Adjacent Streets:	Name		Classification
	NC 68		Major Thoroughfare
	Tyning Street		Local Street
Vehicular Access:	Access is proposed by the applicant from NC 68 and Tyning Street.		
Traffic Counts: (Average Daily Trips)	NC 68		33,000 AADT Based on NCDOT 2015 Traffic Counts
Estimated Trip Generation:	Not applicable		
Traffic Impact Analysis:	Required		TIA Comments
	<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:	<u>Right-of-Way Dedication:</u> The property owner shall dedicate a minimum of sixty (60) feet of right-of-way for the Tyning Street extension.		

	<p><u>Access:</u> The zoning site shall have one point of access to NC 68 and shall be right in/right out only. Two points of access shall be allowed to Tynning Street upon its completion to the northern property line.</p> <p><u>Improvements:</u> The property owner shall construct a right turn lane, with appropriate storage and tapers, at the NC 68 access point into the rezoning site. The developer shall extend Tynning Street twenty (20) feet north of the approved driveway location.</p> <p>With any future development to the site or the development of the adjacent parcel to the north, Tynning Street shall be extended to the northern property line.</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>
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School District Comment

Not applicable to this zoning case.

Details of Proposal

The applicant has requested annexation and a zoning map amendment to establish initial city zoning on this 8.56-acre parcel in order to connect to City utilities. The applicant has requested that a Conditional Zoning General Business (CZ-GB) District be established on the property in order to allow the development of commercial uses. The GB district is intended to accommodate a wide range of general retail, business, and service uses that serve groups of neighborhoods. GB districts are generally located at major street intersections and along major thoroughfares.

Included with this application is a Conditional Zoning Ordinance in which the applicant has offered conditions to:

1. Restrict allowable GB District uses to the "Vehicle Establishments" Use Category and the "Office" Use Category;
2. Prohibit any type of outdoor storage or outdoor display;
3. Dedicate right-of-way for the extension of Tynning Street through the zoning site along with conditions as to when the actual physical street/pavement is to be installed in this right-of-way; and
4. Allow a right-in/right-out access point to NC 68.

Staff Analysis

The subject site is located within the Eastchester Gateway Corridor Overlay. Land use policies established by the City Council have been designed to protect this gateway corridor by limiting vehicular access, restricting certain commercial uses and restricting commercial uses to specific nodes/intersections along the corridor so as to prevent strip commercial development.

Actions taken by the City Council regarding land use plan amendments and zoning map amendments either reaffirm adopted policy guidance or establish new land use policies. For this site, land use policies were established by the City Council in part through the adoption of the Eastchester Drive Corridor Plan (Phase III). The policy contained in that plan have been further

defined and reaffirmed by the approval of previous zoning cases within this section of the corridor.

This application proposes development that challenges two long-standing policies in the Eastchester corridor; one relates to allowable uses and the other relates to vehicular access. These are further discussed in the review factors below.

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 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:

The proposed General Business base zoning is found in the immediate vicinity. However, the following issues are related to the consistency of the proposed conditions with previous land use policy and the Eastchester Drive Corridor Plan:

Allowable Land Uses:

The applicant is proposing to develop a motorcycles dealership use on the property, which is included in the vehicle establishment land use category, which also includes automobile dealerships and used vehicle dealerships. Previous City Council zoning actions have specifically prohibited the use along this segment of the Eastchester/NC 68 corridor. The applicant has offered a condition to prohibit outdoor display and outdoor storage. Thus, all products related to the motorcycle dealership (vehicular establishment) must be stored and displayed within the principal building. Based on this condition, the site, as viewed from the corridor and adjacent parcels, would be consistent with the intended land use policy established for this area. However, it would be a departure from the established prohibition against vehicle establishment, and a precedent setting decision.

Vehicular Access:

Phase III of the Eastchester Drive Corridor Plan covers that portion of the corridor from Penny Road to Gallimore Dairy Road. From Willard Dairy Road/Mendenhall Oaks Parkway northward, the plan speaks to the establishment of service roads that run parallel to and along both sides of the Eastchester Corridor. The plan states that "construction of these service roads is absolutely vital to orderly growth in Phase III of the corridor. Without them, additional access points on NC 68 would be required to serve development parcels, seriously degrading the highway's ability to move traffic safely and efficiently."

An example of this service road concept has been established along the opposite side of NC 68, across from the zoning site. Sedgebrook Street was constructed by the developer of that commercial development and extends from Regency Drive to Gallimore Dairy Road, and all individual parcels take access from the service road. Also, a previous zoning approval for approximately 80 acres lying south of Regency Road included the provision of a service road to limit access to NC 68. The one exception is for a parcel developed at the southwest corner of

Gallimore Dairy Road and NC 68, which was developed prior to the adoption of this phase of the corridor plan.

The zoning site abuts Tynning Street to the south, which is intended to serve as the service road that will run from Regency Drive to Gallimore Dairy Road. Rather than taking access only from Tynning Street, as the policy envisions, the applicant wants to change the access policy by allowing the site to also have access to NC 68. If approved, the allowance of access to NC 68, even though a service road directly abuts a parcel, will set precedent within Phase III of the Eastchester Corridor Plan. Such a change would not only apply to new development, but may be requested by existing developed parcels along this segment of the corridor. The requested access point to NC 68 is not consistent with the access policy established by City Council in the corridor plan.

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 requested GB District uses have been established in this area, with some uses being prohibited. The applicant has offered conditions limiting uses of the property to vehicle establishment and office uses. However, outdoor display and outdoor storage are specifically prohibited. Thus, the establishment of a vehicle establishment, as conditioned, and office uses would visually be in character with the surrounding development.
<u>Factor #2</u>	Minimize or effectively mitigate any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> The proposed vehicle establish use has the potential to produce negative impacts on adjacent property owners. However, conditions offered by the applicant to prohibit outdoor display and outdoor storage will mitigate any potential adverse impacts on adjacent or nearby properties.
<u>Factor #3</u>	Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	<u>Staff Comments:</u> The site is within the City Lake General Watershed Area, and as such, development is required to meet the watershed standards of the Development Ordinance.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire;
	<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.

Factor #5	Minimize or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	<p><u>Staff Comments:</u> The following use standards of the development ordinance, for a vehicle establishment use, will further mitigate any potential adverse impacts on adjacent or nearby properties:</p> <ul style="list-style-type: none">• Salvaging and storage of vehicles for parts is prohibited;• Repair of all vehicles and the storage of all parts shall be within an enclosed building; and• Vehicle washing operations shall take place within a building.

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 changes in this area. The adopted land use map has classified this area for commercial uses since 1992 and during this time period, this area has developed as a commercial node as envisioned by the Land Use Plan.

Development Patterns:

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

Staff Comments:

Except for the proposal to permit vehicular access to the site from NC 68, the requested CZ-GB District would be consistent with the preferred development pattern for this segment of the Eastchester/NC68 corridor.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered 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 Land Use Map designates this portion of the City's planning area as Local/Convenience Commercial. Based on allowable use conditions offered by the applicant, the requested CZ-GB District is consistent with the intended goals of the Land Use Plan for this portion of the City's planning area.
- 2) The use condition offered by the applicant to permit a vehicle establishment will set new a land use policy for this portion of the Eastchester Gateway Corridor. However, those conditions offered by the applicant, that prohibit outdoor storage and outdoor display, effectively mitigate negative impacts from this use.
- 3) The condition offered by the applicant to establish a vehicular access point to the site from NC 68 is not consistent with adopted plans and will set a precedent for this segment of the Eastchester Gateway Corridor for both new and existing developed parcels. Nevertheless, the distance of the Tying Street service road from the NC68/Eastchester Drive corridor in conjunction with conditions offered by the applicant to limit this access to right-in and right-out only, installation of deceleration & turn lanes and the proposal to extend the Tying Street

service road may lessen the impact of this deviation from access policy.

Recommendation

Staff Recommends Approval:

As outlined in the Staff Analysis section of this report, the requested CZ-GB zoning district with the conditions offered by the applicant pertaining to permitted uses, outdoor storage, outdoor display and the extension of Tynning Street will effectively mitigate impacts such that the resulting development will be compatible with surrounding land uses and consistent with the character of this section of the Eastchester/NC 68 corridor. However, if approved, the provision allowing a right-in/right-out access to NC 68 will be a precedent setting change to a long-standing corridor policy regarding vehicular access that will have an effect on existing developed parcels and on future development in the area.

Required Action

Planning and Zoning Commission:

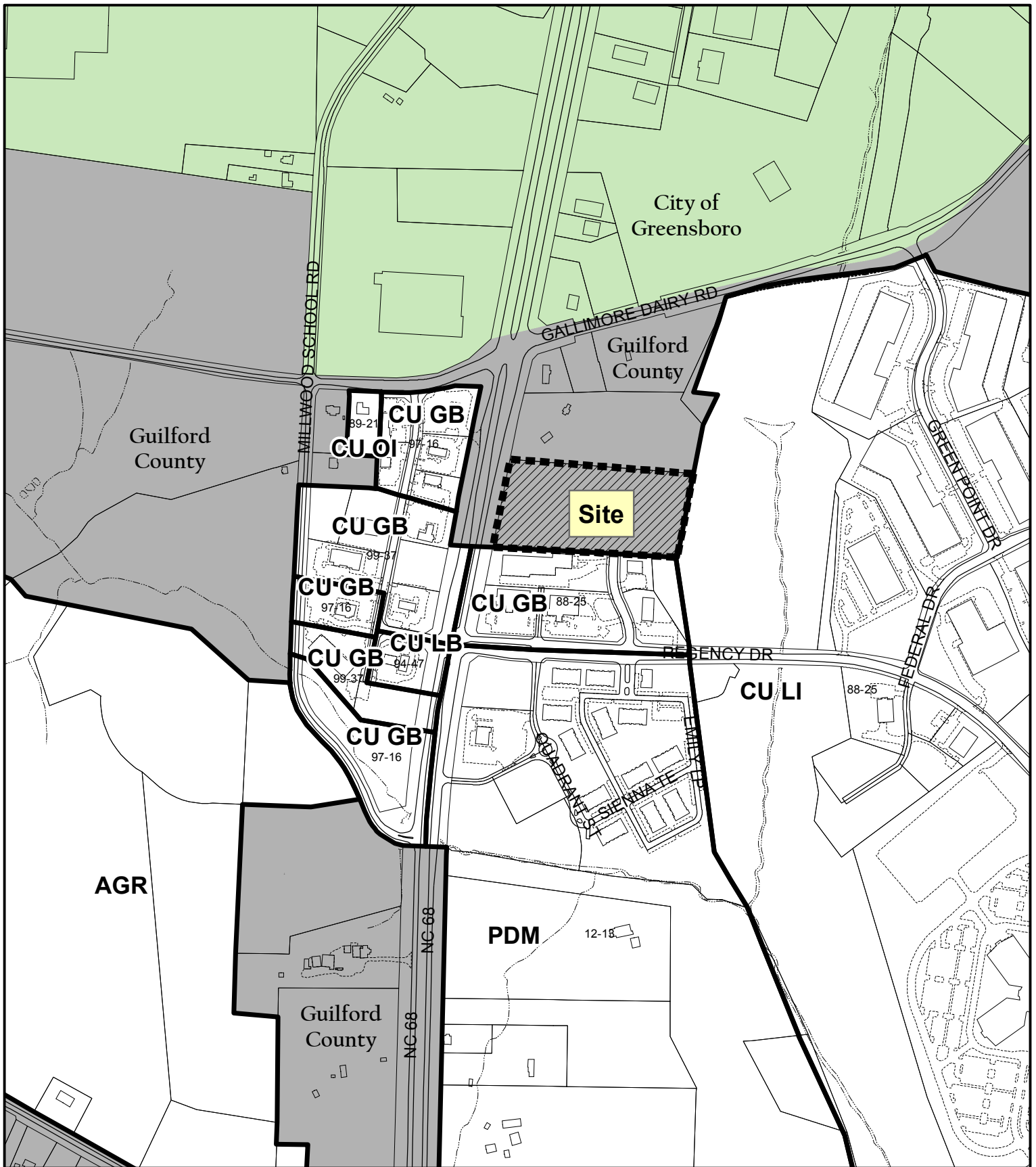
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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



ZONING MAP AMENDMENT ZA-17-01

From: Agricultural (Guilford County)
To: Conditional Zoning General Business

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

**Planning & Development
Department**

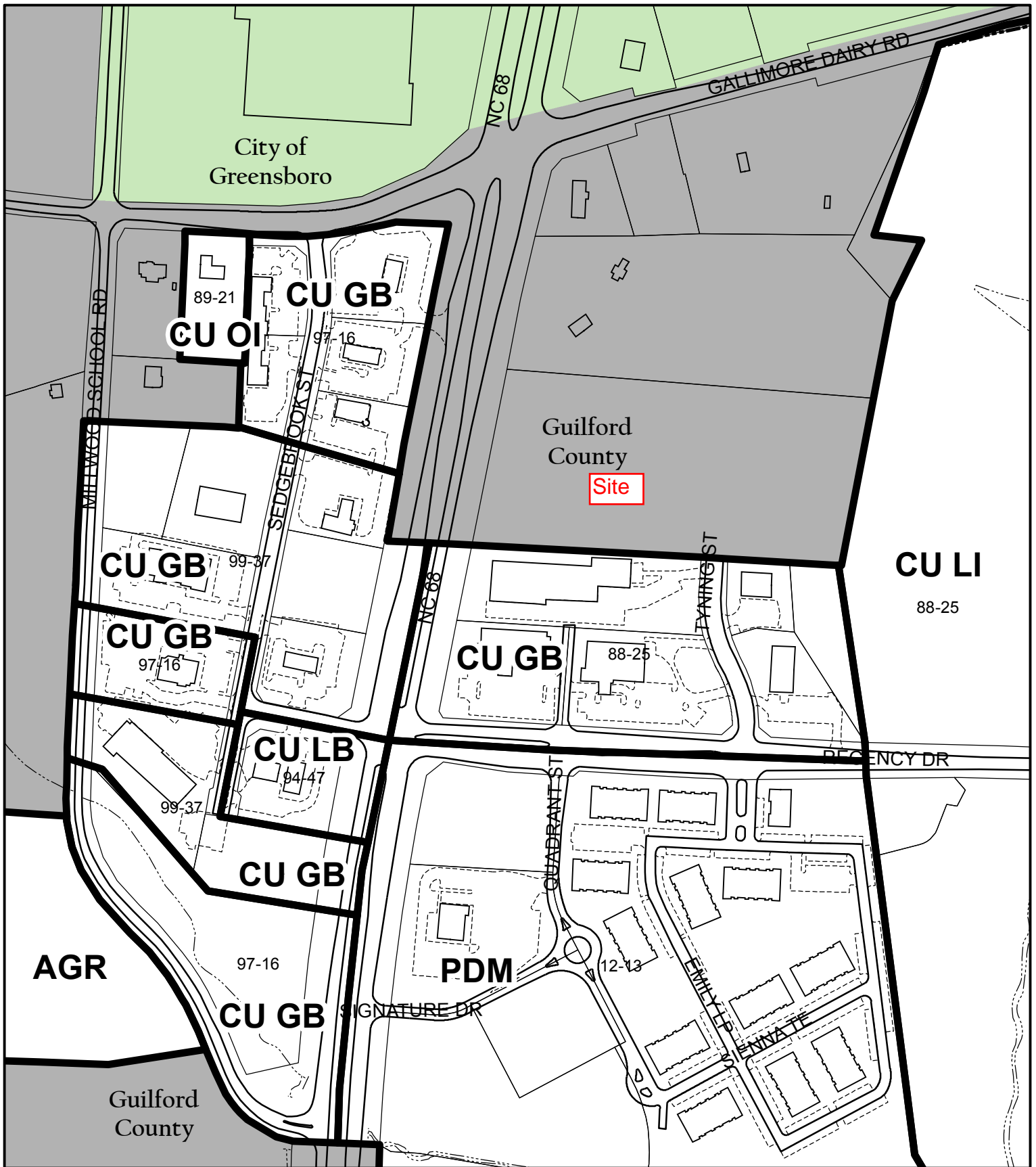
City of High Point

Date: February 28, 2017



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ZONING MAP AMENDMENT ZA-17-01

From: Agricultural (Guilford County)
To: Conditional Zoning General Business

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

**Planning & Development
Department**

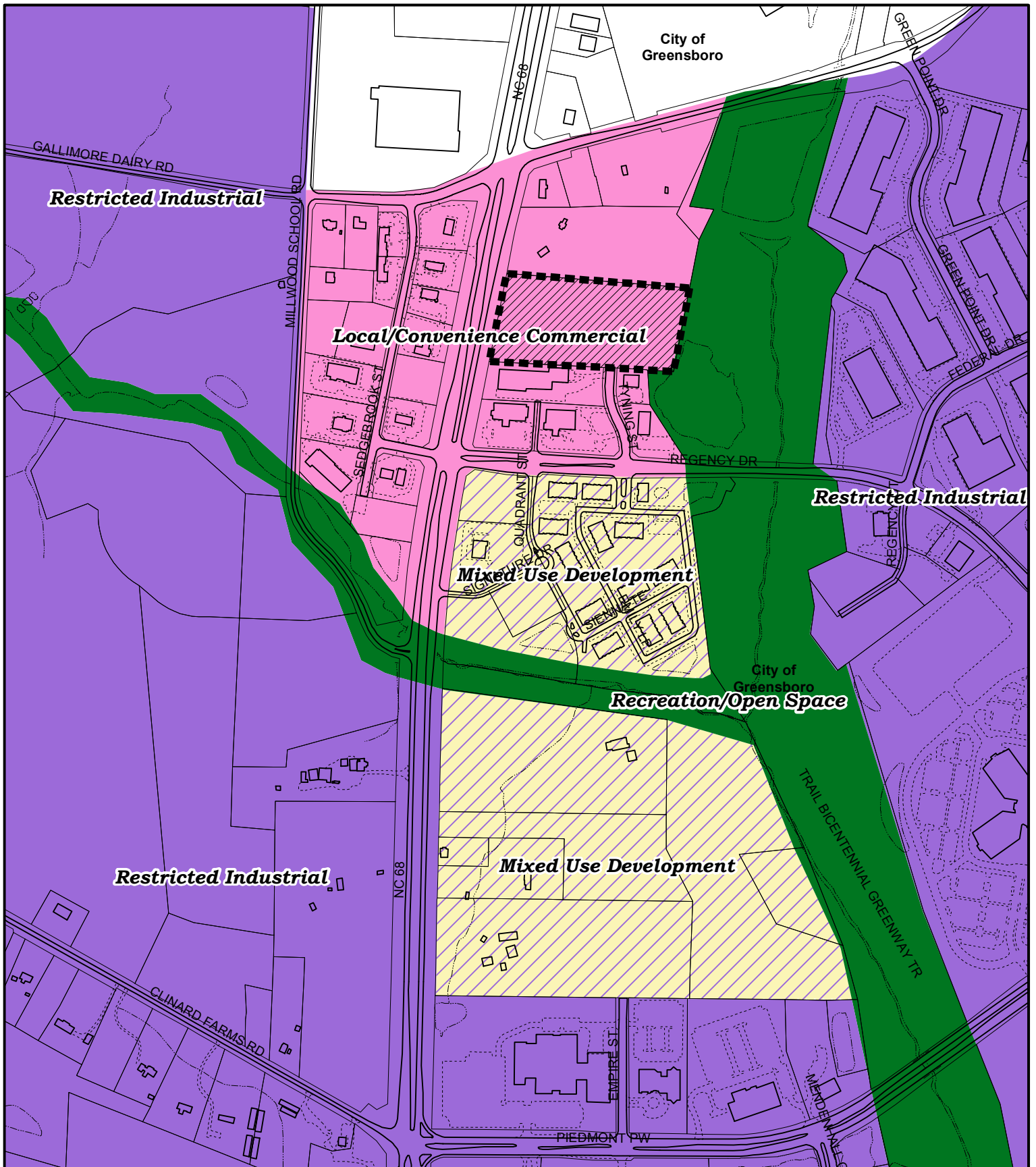
City of High Point

Date: February 28, 2017



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ZONING MAP AMENDMENT ZA-17-01

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

City of High Point

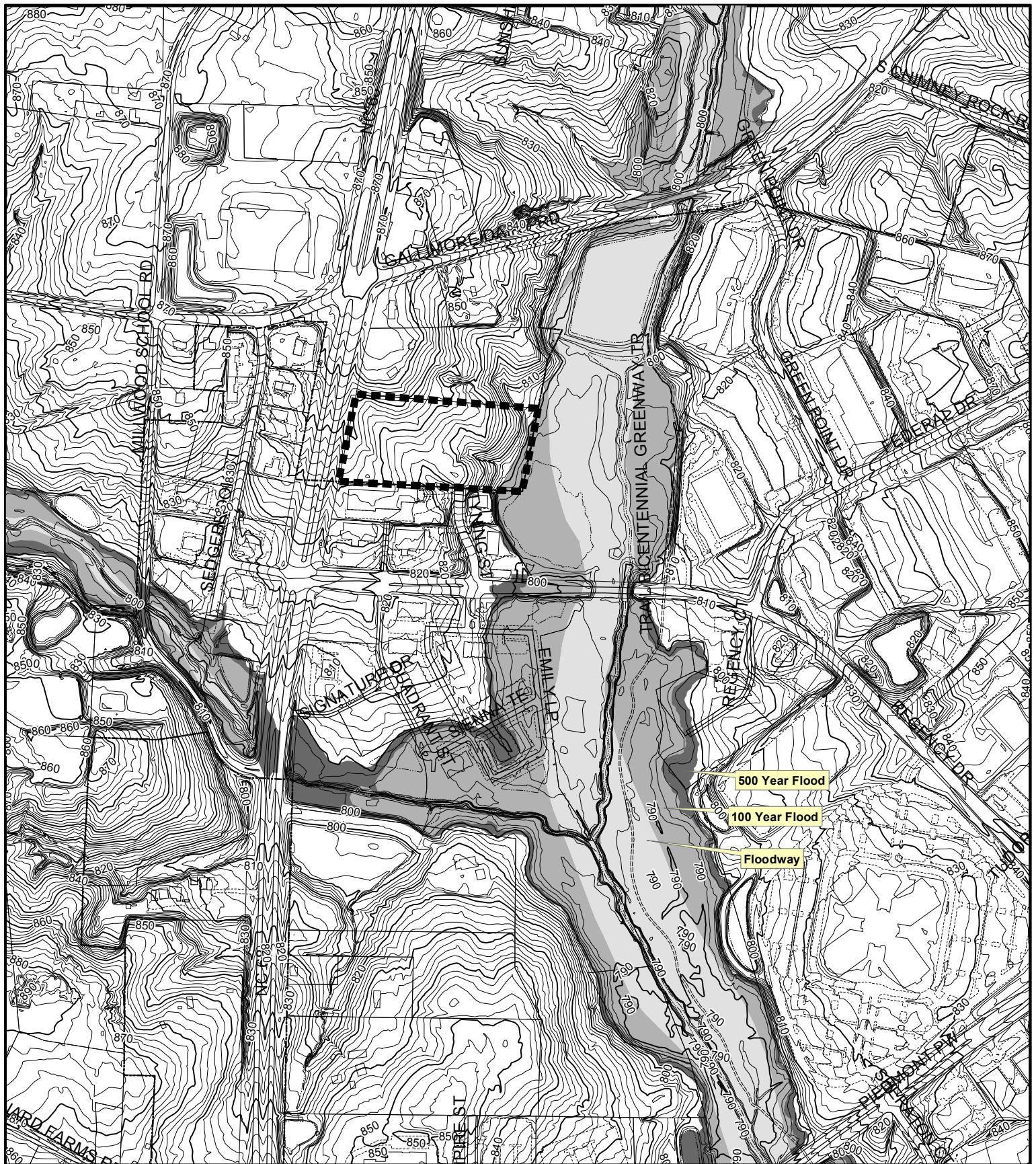
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ZONING MAP AMENDMENT ZA-17-01





ZONING MAP AMENDMENT ZA-17-01

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: February 28, 2017



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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 17-01 (ZA-17-01)** 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 2017.

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 8.56 acres and lying along the east side of NC 68, approximately 450 feet north of Regency Drive (3022 NC Highway 68). The property is also known as Guilford County Tax Parcel 0169880.

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:

Only the following uses, as permitted 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.

- A. All uses authorized under the “Offices” Use Category as listed in Table 4.1.9 (Principal Use Table) of the Development Ordinance.
- B. All uses authorized under the “Vehicle Establishments” Use Category as listed in Table 4.1.9 (Principal Use Table) of the Development Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

- 1) Outdoor Storage: The zoning site shall have no outdoor storage.
- 2) Outdoor Display: The zoning site shall have no outdoor display.

B. Transportation Conditions.

- 1) Right-of-Way Dedication - Tynning Street extension: The property owner shall dedicate a sixty (60) foot wide right-of-way, extending from the southern property line to the northern property line of the zoning site, for the Tynning Street extension.
- 2) Access: The zoning site shall have one point of access to NC 68 and shall be right in/right out only. Two points of access shall be allowed to Tynning Street upon its completion to the northern property line.
- 3) Improvements:
 - a) The property owner shall construct a right turn lane, with appropriate storage and tapers, at the NC 68 access point into the rezoning site.
 - b) Improvement of Tynning Street (installation of a Public Street)
 - i. The property owner shall improve Tynning Street twenty (20) feet north of the approved driveway location; and
 - ii. The property owner shall improve all of the Tynning Street extension, through the zoning site, at the time either one of the following occurs:
 - (1) At the time and in conjunction with development of that portion of the zoning site lying east of the Tynning Street extension, or
 - (2) At the time a site plan or group development plan is approved for the abutting parcel to the north (Guilford County Tax Parcel 0169880).
- 4) Other Transportation Conditions
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

Citizens Information Meeting Report Zoning Map Amendment 17-01

Submitted by: Mr. Michael S. Fox on behalf of
The James & Linda Burgio Family
Limited Partnership LTD

CITIZEN INFORMATION MEETING REPORT FOR 3036 NC HIGHWAY 68

1. Meeting Date, Time, and Location

Applicant opted not to conduct a formal, in-person informational meeting, thus no specific meeting date, time, and location is available to report. As permitted under Subsection 2.3.3 (“Citizen Information Meeting”) of the City of High Point Development Ordinance, applicant elected to conduct the citizen information meeting telephonically. Via mailed notification (See Exhibit A), applicant notified all landowners required to be notified, at the addresses provided by the City of High Point (See Exhibit B), including information on the proposed development, contact information for applicant’s counsel, and seeking comment or questions from any notified party at the contact information listed in the notice.

2. Method and Date of Notification

Via mailed notification (See Exhibit A), applicant notified all landowners required to be notified, at the addresses provided by the City of High Point (See Exhibit B), including information on the proposed development, contact information for applicant’s counsel, and seeking comment or questions from any notified party at the contact information listed in the notice. Notifications were sent out via mail on Monday, January 26, 2017.

3. List of Landowners Notified

Applicant notified all landowners required to be notified, at the addresses provided by the City of High Point (See Exhibit B).

4. List of Meeting Attendees

As previously noted, applicant did not conduct a formal, in-person informational meeting. As of the filing of this report, applicant has discussed the development project with several neighbors. Applicant was contacted by the following individuals:

1. Slade McPherson, owner of the Country BBQ restaurant, located at 3921 Sedgebrook Street, High Point, NC 27265
2. Representatives from Pita Delite, located at 3924 Sedgebrook St, High Point, NC 27265
3. Betty P. Parrish, owner of the property at 3058 NC Highway 68 South, the property immediately north of the subject property

5. Telephonic Meeting

As permitted under Subsection 2.3.3 (“Citizen Information Meeting”) of the City of High Point Development Ordinance, applicant elected to conduct the citizen information meeting telephonically. Via mailed notification (See Exhibit A), applicant notified all landowners required to be informed, at the addresses provided by the City of High Point (See Exhibit B),

including information on the proposed development, contact information for applicant's counsel, and seeking comment or questions from any notified party at the contact information listed in the notice.

6. Description of the Development Proposal

In applicant's mailings to surrounding and nearby neighbors, applicant included description of the development proposal (See Exhibit A) with a current rendering of the proposed development enclosed. (See Exhibit C).

7. Summary of Comments

Applicant was contacted by Slade McPherson, owner of the Country BBQ restaurant, located at 3921 Sedgebrook Street, High Point, NC 27265. Applicant discussed additional project details and Mr. McPherson expressed support for the proposed development project. Additionally, applicant discussed the project with representatives from Pita Delite, located at 3924 Sedgebrook St, High Point, NC 27265. Applicant covered project details with the Pita Delite representatives and they expressed excitement and support for the project. Finally, applicant discussed and presented project details to Betty P. Parrish, owner of the property at 3058 NC Highway 68 South, the property immediately north of the subject property. Ms. Parrish expressed support for the project. During each of these discussions, applicant presented details regarding the project and the proposed development.

EXHIBIT A

TUGGLE DUGGINS P.A.

100 North Greene Street, Suite 600
Greensboro, NC 27401

January 26, 2017

Neighbor

[Address]

Re: Rezoning at 3036 NC Highway 68

Dear [Neighbor],

We are writing to you because you own property that is nearby or next to the property at 3036 NC Highway 68. We want to share with you some information regarding our plans for the property. As you may be aware, we have filed a rezoning application and annexation petition, on behalf of our client, Wheelihan Motor Group, Inc., with the City of High Point. We are asking the zoning be changed to accommodate a Harley-Davidson dealership and office development.

This development will be of high quality and fit nicely into the area. Regarding the Harley-Davidson dealership, it will be an attractive development, no more than two-stories in height, and with no outdoor storage. The development will fit nicely within the existing parcel's footprint. Attached is a rendering of the proposed dealership for your review. In rezoning this parcel and constructing the dealership, our ultimate goal is a development that will be an asset to the surrounding community and area for years to come.

We intend to be a good neighbor to you. While we hope that you are excited about this new development, we understand that you may have questions. Should you have any concerns or if you would like to simply discuss the project, please contact Judy Stalder at (336) 549-1145 or jstalder@northstate.net. You may also contact me at 336-271-5244 or mfox@tuggleduggins.com. We look forward to working with you on this project.

Sincerely,

Michael S. Fox
Attorney
Tuggle Duggins P.A.

EXHIBIT B

BURGIO, JAMES G JR ; BURGIO, LINDA P
FAMILY LTD PRTNRSHIP
5409 MECKLENBURG RD
GREENSBORO NC 27407

CALM III LLC
8000 TOWER POINT DR
CHARLOTTE NC 28227

CARLOS BUTLER LLC
4380 REGENCY DR
HIGH POINT NC 27265

CITY OF HIGH POINT
PO BOX 230
HIGH POINT NC 27261

CREATIVE CORNER CHILD CARE CENTERS
INC
4360 REGENCY DR
HIGH POINT NC 27265

DERGHAM, KAMAL PITA DELITE
350 AIR HARBOR RD
GREENSBORO NC 27455

G & G PROPERTIES OF NORTH CAROLINA
LLC
PO BOX 4573
GREENSBORO NC 27404

HOF PARTNERS
1414 LONG ST
HIGH POINT NC 27262

KAZAKOS, KONSTANTINOS ; KAZAKOS,
EVANGELIA
3600 COMERAGH CT
CLEMMONS NC 27012

MCPHERSON, TONY ; MCPHERSON,
BELINDA
4050 OLD HWY 29
THOMASVILLE NC 27360

PARRISH, BETTY P
845 CROSS CREEK RD
KERNERSVILLE NC 27284

RAKESTRAW, C GARLAND ; RAKESTRAW,
C GARLAND
PO BOX 8019
CARY NC 27512

REDFIELD LLC
1420 PEACHTREE ST SUITE 210
ATLANTA GA 30309

SOUTH MAIN LLC
4140 MENDENHALL OAKS PWY
HIGH POINT NC 27265

TRUBY, CHARLES P ; TRUBY, DEANNA H
502 WAYCROSS DR
GREENSBORO NC 27410

UNITY INVESTMENT LLC
4400 REGENCY DR
HIGH POINT NC 27265

WAKE FOREST UNIVERSITY HEALTH
SCIENCES
PO BOX 7656
WINSTON SALEM NC 27109

EXHIBIT C

TRIAD HARLEY-DAVIDSON

