

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 **March 20, 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 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

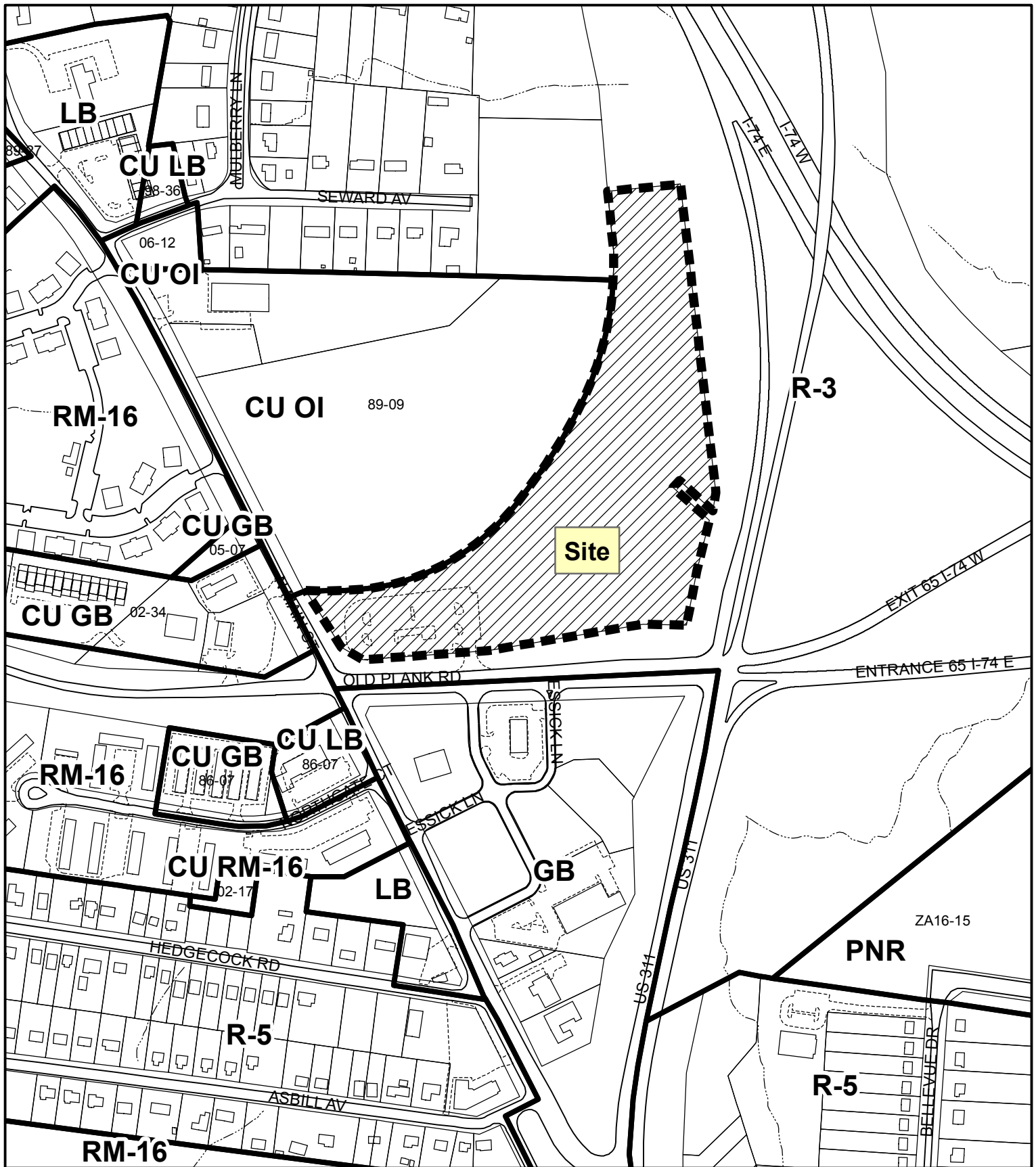
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

20th day of **March, 2017.**

Lisa B. Vierling, City Clerk



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'

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

