

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 17-11
(Mark Reynolds)

From: Lee Burnette, Planning & Development
Director

Meeting Date: July 17, 2017

Public Hearing: Yes

Advertising Date: July 5, 2017 and July 12, 2017

Advertised By: Planning & Development

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

PURPOSE:

A request by Mark Reynolds to rezone an approximate 1.8-acre parcel from a Conditional Use Office Institutional (CU-OI) District to a Conditional Zoning General Business (CZ-GB) District. The site is lying at the northeast corner of Samet Drive and Admiral Drive.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are 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 June 27, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-11. The Planning & Zoning Commission recommended *approval* of this request, by a vote of 8-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Mark Reynolds

Zoning Map Amendment 17-11

At its June 27, 2017 public hearing, the Planning and Zoning Commission reviewed this request to rezone an approximate 1.8-acre parcel from a Conditional Use Office Institutional (CU-OI) District to a Conditional Zoning General Business (CZ-GB) District. All members of the Commission were present. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking in favor of the request:

Speaking in favor of the request was the applicant's representative, Mr. Anthony Lester, Evans Engineering, 4609 Dundas Drive, Greensboro, NC and the applicant, Mr. Mark Reynolds, 529 College Road, Greensboro, NC. These speakers gave an overview of the development proposal and addressed questions from the Commission members.

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 8-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Map Amendment 17-11 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 proposed CZ-GB District is consistent with adopted plans, particularly the Eastchester Corridor and W. Wendover Avenue Corridor plans;
- 2) The zoning site is located within a development that has a mixture of uses in close proximity to one another. The property abuts similar commercial zoning to the east, office zoning to the north and multifamily zoning to the south. The requested CZ-GB District will be compatible with surrounding uses as it permits commercial, office and multifamily uses. Development of the property, as permitted, will not introduce uses that are not already allowed in the adjacent zoning districts; and
- 3) Requirements of the Development Ordinance, along with requirements of the Eastchester Gateway Corridor overlay, will assist in ensuring development of the site will be compatible with existing development in the area.

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

**STAFF REPORT
ZONING MAP AMENDMENT 17-11**

June 27, 2017

Request	
Applicant: Mark Reynolds	Owner: Deep River Center LLC
Zoning Proposal: To rezone an approximate 1.8-acre parcel	From: CU-OI Conditional Use Office Institutional (CU-OI) District
	To: CZ-GB Conditional Zoning General Business (CZ-GB) District

Site Information	
Location:	The site is lying at the northeast corner of Samet Drive & Admiral Drive.
Tax Parcel Number:	Guilford County Tax Parcel 0196589
Site Acreage:	Approximately 1.8 acres
Current Land Use:	Undeveloped parcel
Physical Characteristics:	The site has been previously graded to accommodate future development and is relatively level along the Samet Drive frontage.
Water and Sewer Proximity:	An 8-inch & 12-inch City water line and an 8-inch City sewer line lie adjacent to the site along Admiral Drive and Samet Drive.
General Drainage and Watershed:	The site drains in a southerly direction and development is subject to the City Lake General Watershed Area requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site.
Overlay Districts:	Eastchester Gateway Corridor Overlay District City Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	CU-OI	Conditional Use Office Institutional District	Multifamily development
South:	CU RM-26	Conditional Use Residential Multifamily-26 District	Multifamily development
East:	CU-GB	Conditional Use General Business District	Undeveloped parcel
West:	CU-OI	Conditional Use Office Institutional District	Undeveloped parcel

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is neither in conflict, nor does it promote, the goals and objectives of the Community Growth Vision Statement.
Land Use Plan Map Classification:	The site has an Office land use designation. This classification includes professional, personal and business service uses.
Land Use Plan Goals, Objectives & Policies:	The following objective of the Land Use Plan is relevant to this request: Obj. #8. Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations.

Relevant Area Plans:	<p><u>Eastchester Drive Corridor Plan (Phase II)</u> The plan recommends this quadrant of W. Wendover Avenue, between Eastchester Drive and Penny Road, be developed with mixed uses offering a wide range of commercial, service, high-rise office, and high density residential uses. It also recommends this area maintain a high standard of appearance through design guidelines to ensure the unified treatment of multi-tenant developments.</p> <p><u>West Wendover Avenue/Guilford College Road Corridor Plan</u> Land Use Objectives:</p> <ul style="list-style-type: none"> Concentrate community/regional commercial uses at each end of the corridor, including near the intersection of NC 68 & W. Wendover Avenue. <p>Visual Quality Objectives:</p> <ul style="list-style-type: none"> Ensure the maintenance of a high visual quality in the W. Wendover Avenue Corridor with appropriate standards for signs, landscaping, buffer yards, setbacks and design guidelines.
Zoning History:	The land area lying south of Eastchester Drive/W. Wendover Avenue intersection, between Hickwood Road and Penny Road, contains the Wendover Landing and Wendover Crossing developments. This area has been rezoned multiple times to permit a wide variety of office and commercial uses.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Samet Drive Admiral Drive	Local Local	370 feet 270 feet
Vehicular Access:	The site will have one point of access to Samet Drive and one point of access to Admiral Drive.		
Traffic Counts:	None available		
Estimated Trip Generation:	Approximately 20 trips in the peak hour		
Traffic Impact Analysis (TIA):	Required		TIA Comments
	<u>Yes</u>	<u>No</u> X	None

School District Comment
Not applicable to this zoning case.

Details of Proposal
The applicant has requested rezoning of this parcel from its current Conditional Use Office & Institutional (CU-OI) District to a Conditional Zoning General Business (CZ-GB) District to facilitate development of a 3-story 72,000-square-foot internal access self-storage warehousing facility. This site is part of the Wendover Crossing commercial development and as such it is subject to the architectural design standards of that development and the standards of the Eastchester Gateway Corridor Overlay District.

In conjunction with the application, a conditional zoning ordinance is provided in which the applicant has offered a condition to provide a higher standard perimeter landscape yard along the north property line where it abuts a multifamily residential use.

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:

The site is located within a development that has a variety of uses in close proximity to one another, including commercial, multi-family residential and institutional uses. This flexibility in the mix of uses is specifically mentioned in the Eastchester Corridor Plan for the area. The requested CZ-GB District allows that same mixture of uses. The area plans also emphasize the need for design standards to maintain a high visual quality for new development. These standards are already in place for the site, which in combination with additional conditions related to landscaping, should help ensure consistency with adopted plan policies.

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> <ul style="list-style-type: none">❖ The requested GB District permits a wide variety of uses ranging from residential, institutional and commercial uses. This parcel is situated in a portion of this development where it abuts commercial, office and multifamily uses. Thus, development of the property, as permitted by the GB District, will be compatible with adjacent land uses.❖ The proposed internal access self-storage warehouse will be subject to the architectural design standards of the Eastchester Gateway Overlay and the design standards of the Wendover Landing Development. These standards will further ensure development of the zoning site will be compatible with the surrounding land uses.
<u>Factor #2</u>	Minimizes or effectively mitigates 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> <ul style="list-style-type: none">❖ The applicant desires to develop an internal access self-storage warehouse use at this location. The Development Ordinance prohibits this use from having outdoor storage and prohibits visibility of the operation from the adjacent public streets.

	<p>These standards of the ordinance assist in mitigating any potential adverse impacts to adjacent properties.</p> <ul style="list-style-type: none"> ❖ The applicant has offered a condition to install a higher standard landscape yard (Type C Yard) abutting the adjoining residential use to the north. This will assist in mitigating impact between uses.
<u>Factor #3</u>	<p>Minimizes or effectively mitigates 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 City Lake General Watershed Area and developments are required to meet watershed standards. A master stormwater control plan was developed and installed for the Wendover Crossing and Wendover Landing commercial development. Stormwater runoff from this site will drain into an existing stormwater control pond located south of Samet Drive.</p>
<u>Factor #4</u>	<p>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; and;</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>Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent lands.</p> <p><u>Staff Comments:</u> The property was initially zoned to permit a wide variety of commercial and retail uses. Over the years the Wendover Crossing Development has evolved into a mixed-use development with commercial, office, personal service and multifamily residential uses. The proposed CZ-GB District is consistent with zoning previously approved in this area.</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:

The zoning site is part of a larger development that began in the 1990s. The general character of this area as a mixed-use development consisting of commercial uses along perimeter frontage roads, and office/business professional uses and multifamily uses internally, has not changed. Allowable uses of the requested GB District will not alter the type or nature of development that has been established in this area.

Development Patterns:

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

Staff Comments:

During the past 20 years, Wendover Landings and Wendover Crossing became developments with a mixture of commercial, retail, office, personal services and multifamily uses. The requested CZ-GB District permits the same mixture of uses (commercial, office and multifamily uses) that have been established in this area.

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 proposed CZ-GB District is consistent with adopted plans, particularly the Eastchester Corridor and W. Wendover Avenue Corridor plans;
- 2) The zoning site is located within a development that has a mixture of uses in close proximity to one another. The property abuts similar commercial zoning to the east, office zoning to the north and multifamily zoning to the south. The requested CZ-GB District will be compatible with surrounding uses as it permits commercial, office and multifamily uses. Development of the property, as permitted, will not introduce uses that are not already allowed in the adjacent zoning districts; and
- 3) Requirements of the Development Ordinance along with requirements of the Eastchester Gateway Corridor overlay, will assist in ensuring development of the site will be compatible with existing development in the area.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone this 1.8-acre parcel to the CZ-GB District. As conditioned, the requested CZ-GB District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

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

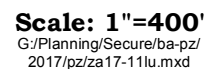
City Council:

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

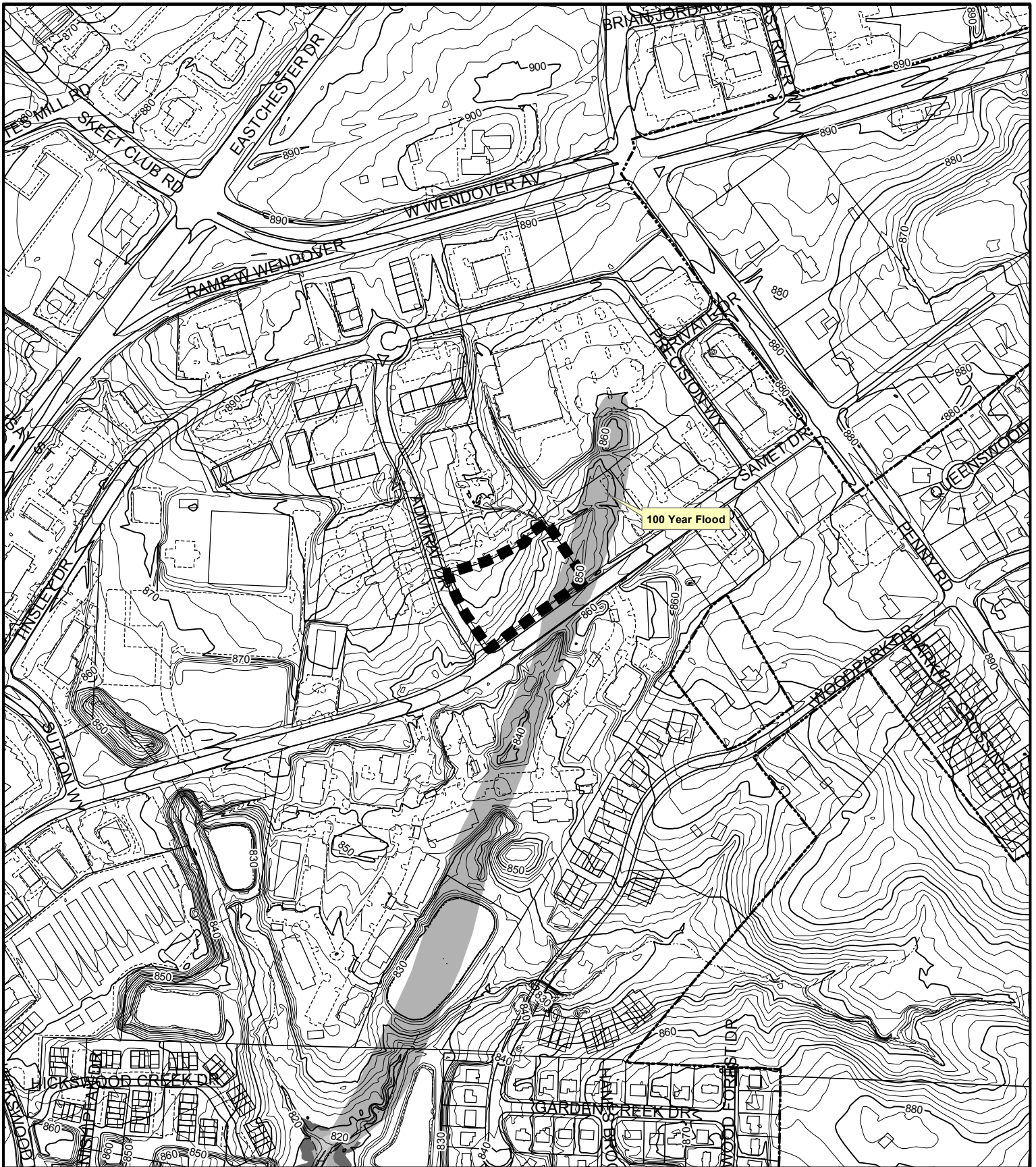
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

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2017/pz/za17-11.mxd



ZONING MAP AMENDMENT ZA-17-11





ZONING MAP AMENDMENT ZA-17-11

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: June 27, 2017



Scale: 1"=400'

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2017\pz\za17-11\topo.mxd

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 June 27, 2017 and before the City Council of the City of High Point on July 17, 2017 regarding **Zoning Map Amendment Case 17-11 (ZA-17-11)** 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 June 18, 2017, for the Planning and Zoning Commission public hearing and on July 5, 2017 and July 12, 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 **July 17, 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 a: **Conditional Zoning General Business (CZ-GB) District**. The property is approximately 1.8 acres and lying at the northeast corner of Samet Drive and Admiral Drive. The property is also known as Guilford County Tax Parcel 0196589.

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:**

Any uses allowed in the General Business (GB) District subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Landscaping, Buffers and Screening.

A Type C perimeter landscape yard shall be installed where the site abuts Household Living and Life Care Uses.

B. 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.

19th day of July, 2017.

Lisa B. Vierling, City Clerk

Citizens Information

Meeting Report

Zoning Case #ZA-17-11

Submitted By: Mark Reynolds

**City of High Point Rezoning Case #ZA-17-11
Mark Reynolds, Developer
Conditional Use Permit
1.88 Acres @ 5275 Samet Drive
Lot #25 of The Wendover Crossing Development**

Report

Citizen Information Meeting

Held May 15, 2017 at 6:00pm

The citizen information meeting was held at the office of Evans Engineering, Inc. located at 4609 Dundas Drive, Greensboro, NC. This meeting was held at 6:00 pm. There were no attendees at this meeting. Mark Reynolds (The Developer) and Anthony Lester (The Engineer) were present.

A notification letter dated and mailed May 1, 2017 was sent to 8 different adjoining property owners as supplied by The High Point Planning Department. The list of adjoining property owners and addresses to which it was mailed is attached as Attachment 2. The notification letter is attached as Attachment 1 and this letter also included the required statement provided by The High Point Planning and Development Department.

Mr. Reynolds & Mr. Lester waited until 6:30 pm and seeing no one in attendance decided to end the meeting. The notification letter also stated that if anyone could not attend the meeting but still had questions, they could call Mr. Lester. To date, Mr. Lester has not received any calls or inquiries.

mail letter

ATTACHMENT #2

ADDINGTON RIDGE LLC
PO BOX 395
JAMESTOWN NC 27282

COHEN DAYCARE LLC
1658 OMNI BLVD
MOUNT PLEASANT SC 29466

DEEP RIVER CENTER LLC
PO BOX 5657
WINSTON SALEM NC 27113

EBSCO Highbrook LLC
5724 Highway 280 East
Birmingham AL 35242

GOODWILL INDUSTRIES OF CENTRAL
NORTH CAROLINA INC
125 S EUGENE ST
GREENSBORO NC 27406

GREENWOOD & CHARLES INC
1451 TRADEMART BLVD SUITE A
WINSTON SALEM NC 27127

HAGGERTY, RICHARD C JR ; HAGGERTY,
GAIL H
3759 W LEXINGTON AVE
HIGH POINT NC 27265

WALMART REAL ESTATE BUSINESS
TRUST ATTN: 0555
PO BOX 8050
BENTONVILLE AR 72716

ATTACHMENT #3

Date:

[illegible]