

CITY OF HIGH POINT

AGENDA ITEM



Title: Annexation Case 17-06
(Mumtaz Ali Khan)

From: Lee Burnette, Planning & Development
Director

Meeting Date: July 17, 2017

Public Hearing: Yes

Advertising Date: June 30, 2017

Advertised By: Planning & Development
Department

Attachments: A. Staff Report
B. Map
C. Annexation Ordinance of Adoption

PURPOSE:

A request by Mumtaz Ali Khan to consider a voluntary contiguous annexation of an approximate 0.26-acre parcel lying along the south side of E. Martin Luther King Jr. Drive, approximately 875 feet east of Triangle Lake Road (3406 E. Martin Luther King Jr. Drive). The property is known as Guilford County Tax Parcel 0161207.

BACKGROUND:

Staff report and recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends approval of Annexation Case 17-06.

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

**STAFF REPORT
ANNEXATION 17-06
July 17, 2017**

Request	
Applicant: Mumtaz Ali Khan	Owner: Mumtaz Ali Khan
Proposal: Voluntary contiguous annexation	Effective Date: Upon adoption
	Associated Zoning Case: None

Site Information	
Location:	Lying along the south side of E. Martin Luther King Jr. Drive, approximately 875 feet east of Triangle Lake Road (3406 E. Martin Luther King Jr. Drive).
Tax Parcel Numbers:	Guilford County Tax Parcel 0161207
Site Acreage:	Approximately 0.23 acres
Current Zoning:	Heavy Industrial (HI) District (<i>City of High Point Extraterritorial Jurisdiction [ETJ] Area</i>)
Current Land Use:	Undeveloped
Current Fire District:	Pinecroft-Sedgefield District
Proposed Development:	Vehicle establishment, major (used car dealership)
Proposed Unit Type, Number and Average Value:	Total value of development is estimated at approximately \$45,000
Proposed Build-out Schedule:	The property owner anticipates a one-year build-out schedule.
Proposed City of High Point Council Ward:	The proposed annexation site is currently surrounded by Ward 2. If approved, the annexation area will be part of Ward 2.
Physical Characteristics:	The property is relatively flat with no noteworthy features.
Water and Sewer Proximity:	A 16-inch City water line, a 12-inch City sewer line and a 15-inch City stormwater line lies adjacent to the site along E. Martin Luther King Jr. Drive.
General Drainage and Watershed:	The site drains in a southerly direction and development is subject to the Randleman Lake General Watershed Area requirements. Engineered stormwater measures are required for multifamily and non-residential development with an impervious surface area that exceeds 50% or more of the site and for single family developments with a gross density of one-dwelling unit per acre or more.
Overlay District:	Randleman Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	CU RM-16	Conditional Use Residential Multifamily-16 District	Apartment complex (<i>north side of E. MLK Drive right-of-way</i>)
South:	HI	Heavy Industrial (HI) District <i>City of High Point ETJ Area</i>	Undeveloped parcel
East:	HI	Heavy Industrial (HI) District <i>City of High Point ETJ Area</i>	Undeveloped parcel
West:	HI	Heavy Industrial (HI) District <i>City of High Point ETJ Area</i>	Single family dwellings

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	E. Martin Luther King Jr. Drive	Major Thoroughfare	70 ft.
Vehicular Access:	Driveway access from E. Martin Luther King Jr. Drive		

City Department Comment Summary

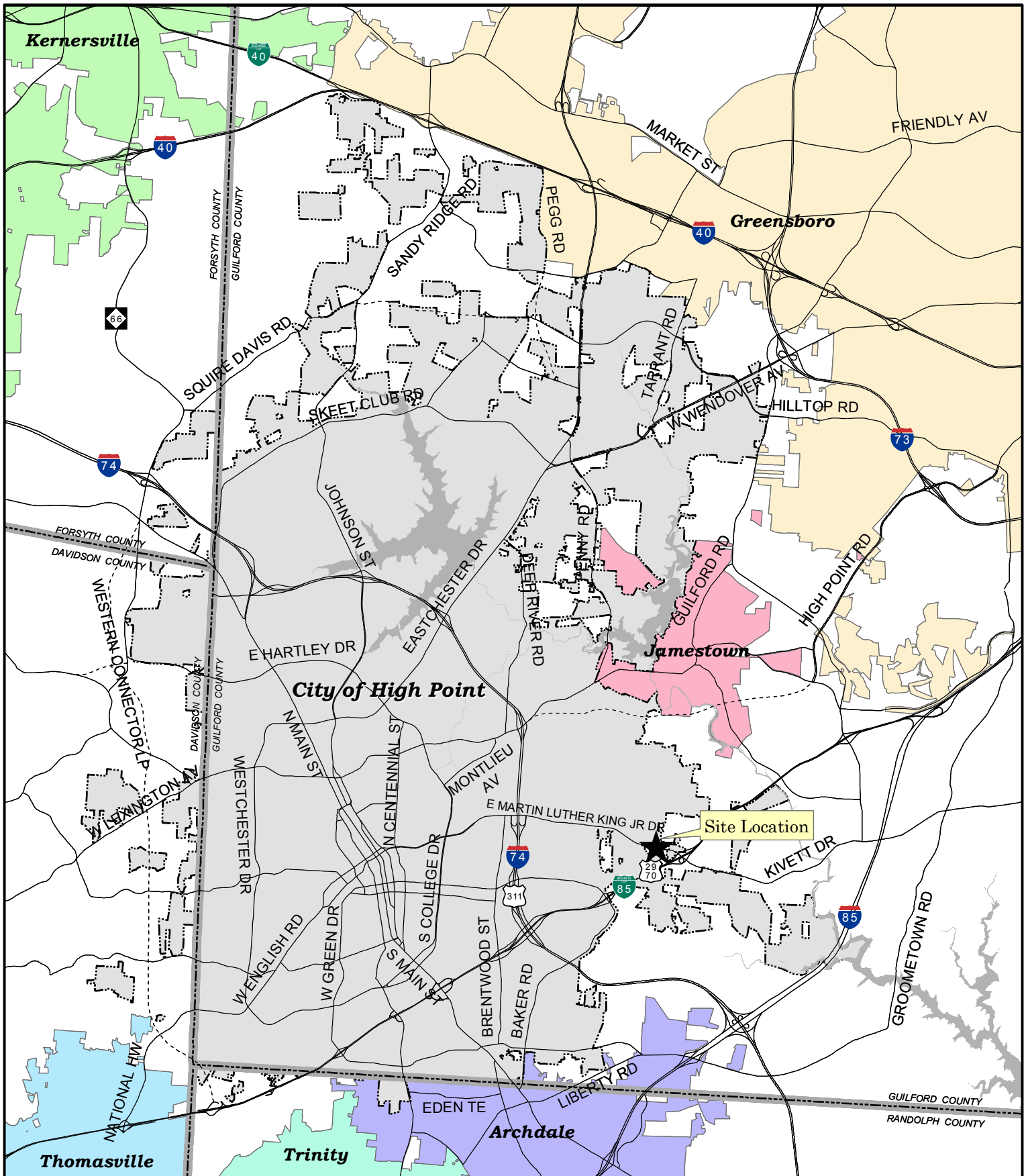
Comments were not requested for this proposed annexation due to the fact the site is surrounded by the City's corporate limits. Annexation petitions for uses within close proximity to existing service areas do not cause the need for individual department comment.

Details of Proposal

The applicant is requesting to annex a 0.23-acre parcel in order to connect to City utilities and develop a used car dealership. The property is part of a small enclave that is completely surrounded by the City's corporate limits and City services and vehicles are already present in this area. Therefore, this annexation petition represents a logical progression of the City's annexation policy for this area.

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 Lee Burnette AICP, Director.



PROPOSED ANNEXATION REQUEST

Applicant: KHAN, MUMTAZ ALI
Area: 0.26 acres (approximate)

**Planning & Development
 Department**

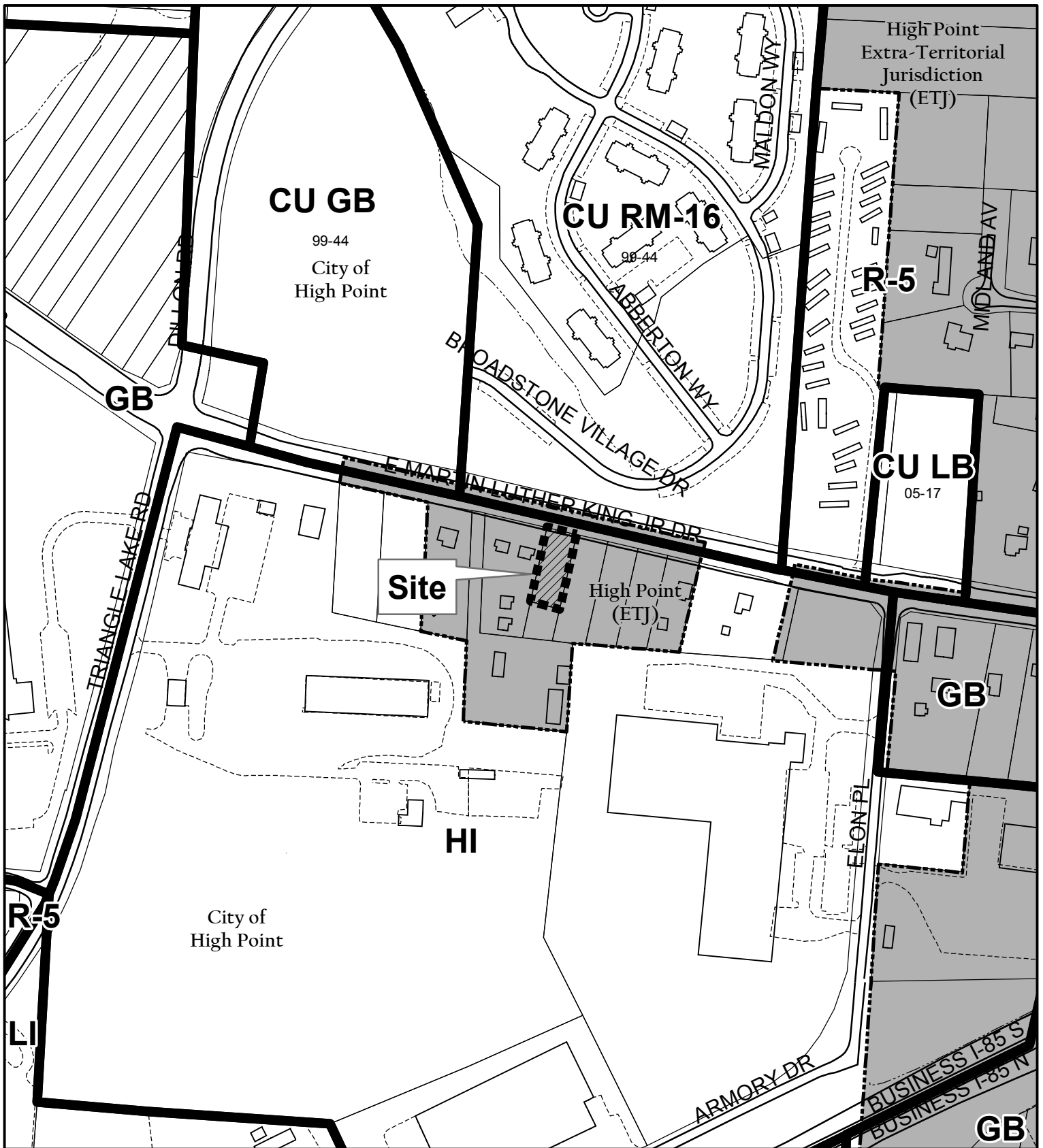
City of High Point

Date: June 5, 2017



Scale: 1"=8,500'

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 2016\pz\AnnexVicMap.mxd



PROPOSED ANNEXATION REQUEST

Applicant: KHAN, MUMTAZ ALI
Area: 0.26 acres (approximate)

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

**Planning & Development
 Department**

City of High Point

Date: June 5, 2017



Scale: 1"=300'

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 2016/pz/an17-06.mxd

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. xxxx / 17-xx

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE
CITY OF HIGH POINT, NORTH CAROLINA**

WHEREAS, The City of High Point has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid; and

WHEREAS, a public hearing on this annexation was held at the High Point Theatre at 5:30 p.m. on the 17th day of July, 2017; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1. By virtue of the authority granted by G.S. 160A-31 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of **July 19, 2017**.

ANNEXATION DESCRIPTION

Mumtaz Ali Khan - (**Annexation Case 17-06**)

A voluntary contiguous annexation of an approximate 0.26-acre parcel lying along the south side of E. Martin Luther King Jr. Drive, approximately 875 feet east of Triangle Lake Road (3406 E. Martin Luther King Jr. Drive). The property is known as Guilford County Tax Parcel 0161207 and more specifically described as follows:

Being all of that certain **0.239 acre** parcel of land lying in Jamestown Township, Guilford County, North Carolina; and bounded by natural boundaries and/or lands owned by and/or in possession of

persons, as follows: on the north by S.R. No. 1113 East Martin Luther King Jr. Drive (formerly Kivett Drive), on the east and south by Dennis W. Morgan, Sr., and on the west by Clifton H. Lamb; said parcel being particularly described by courses (according to the North Carolina Grid System as determined by solar observations) and distances according to a survey and plat prepared by H. Stephen Bowers Professional Land Surveyor No. L-2455, dated July 5, 2017, drawing 17-0705.dwg, to which reference is hereby made, as follows:

BEGINNING at a 7/8" outside diameter set new iron pipe, flush, in the southerly right of way line of S.R. No. 1113 East Martin Luther King Jr. Drive (formerly Kivett Drive), being 43.24 feet from centerline of actual pavement and 9.44 feet from a 1/4" drill hole in the back of curb; said iron pipe having N.C. Grid coordinates of North 806,023.56 (US feet) and East 1,720,184.35 (US feet) as per the North American Datum of 1983 (NSRS 2011) as determined by GPS/OPUS observations; said iron pipe being the northeasterly corner of Clifton H. Lamb (see Deed Book 3494 Page 295 of the Guilford County Registry); thence with said southerly right of way line **South 77 Degrees, 06 Minutes, 10 Seconds East, 69.23 feet**, to a 7/8" outside diameter set new iron pipe, flush, the northwesterly corner of Dennis W. Morgan, Sr. and wife Beverly A. Morgan (see Deed Book 6576 Page 992 of said Registry); thence with the westerly and northerly line of said Dennis W. Morgan, Sr. and wife Beverly A. Morgan the following two calls: (1) thence **South 13 Degrees, 00 Minutes, 05 Seconds West, 149.38 feet**, to a 1" outside diameter found existing iron pipe, flush, the northeasterly corner of other lands of said Dennis W. Morgan, Sr. and wife Beverly A. Morgan (see now Deed Book 6501 Page 855 of said Registry); (2) thence **North 77 Degrees, 08 Minutes, 20 Seconds West, 70.05 feet**, to a 1" outside diameter found existing iron pipe, 4" subsurface, in the easterly line of said Clifton H. Lamb; thence with said easterly line **North 13 Degrees, 19 Minutes, 05 Seconds East, 149.43 feet**, to the **BEGINNING** said 7/8" outside diameter set new iron pipe, flush.

Said **0.239 acre** parcel being a northerly portion of Lot 3 of Union Hill Park as recorded in Plat Book 12 at Page 41 of the Guilford County Registry.

FOR REFERENCE SEE: that deed recorded in Deed Book 7871 at Page 1768 of the Guilford County Registry.

The above described **0.239 acre** parcel is generally known and designated as being Parcel No. 0161207 or PIN 7820051995 of Guilford County Tax Maps as presently constituted, with property address of 3406 East Martin Luther King Jr Drive, High Point, NC 27260.

The above description was prepared by H. Stephen Bowers Professional Land Surveyor No. L-2455, July 5, 2017.

SECTION 2. Upon and after **July 17, 2017** the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds of Guilford County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section

1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Guilford County Board of Elections, as required by G.S. 163-288.1.

Adopted by City Council,
this the 17th day of July, 2017.
Lisa B. Vierling, City Clerk