

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 17-24
T&Z Commercial Property, LLC

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
November 15, 2017

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

Advertised By: Planning & Development

PURPOSE:

A request by T&Z Commercial Property, LLC to rezone an approximate 1.74-acre parcel from the Retail Center (RC) District to the General Business (GB) District. The site is lying west of Johnson Street and north of E. Parris Avenue (295 E. Parris Avenue).

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 October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-24. The Planning & Zoning Commission recommended *approval* of this request, by a vote of 9-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

T&Z Commercial Property, LLC

Zoning Map Amendment 17-24

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximate 1.74-acre parcel to the General Business (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. Alex Field, Price Commercial Properties, 1220 N. Main Street, Suite. 201, High Point, N.C. Mr. Field explained that a portion of this site would be a small car-rental facility with a maximum of eight to ten cars. He noted that it would be a complementary use with the existing gas station, auto body shop and vehicle repair facility currently operating at this location.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

Consistency Statement

The Commission stated that the request is consistent with adopted policy guidance, and that the current RC District is not appropriate for this site. More specifically, the manner in which the land along the north of E. Parris Avenue has developed does not support the intent and purpose of the RC District. The Planning & Zoning Commission **adopted this statement** by a vote of 9-0.

Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 17-24, as recommended by staff, by a vote of 9-0.

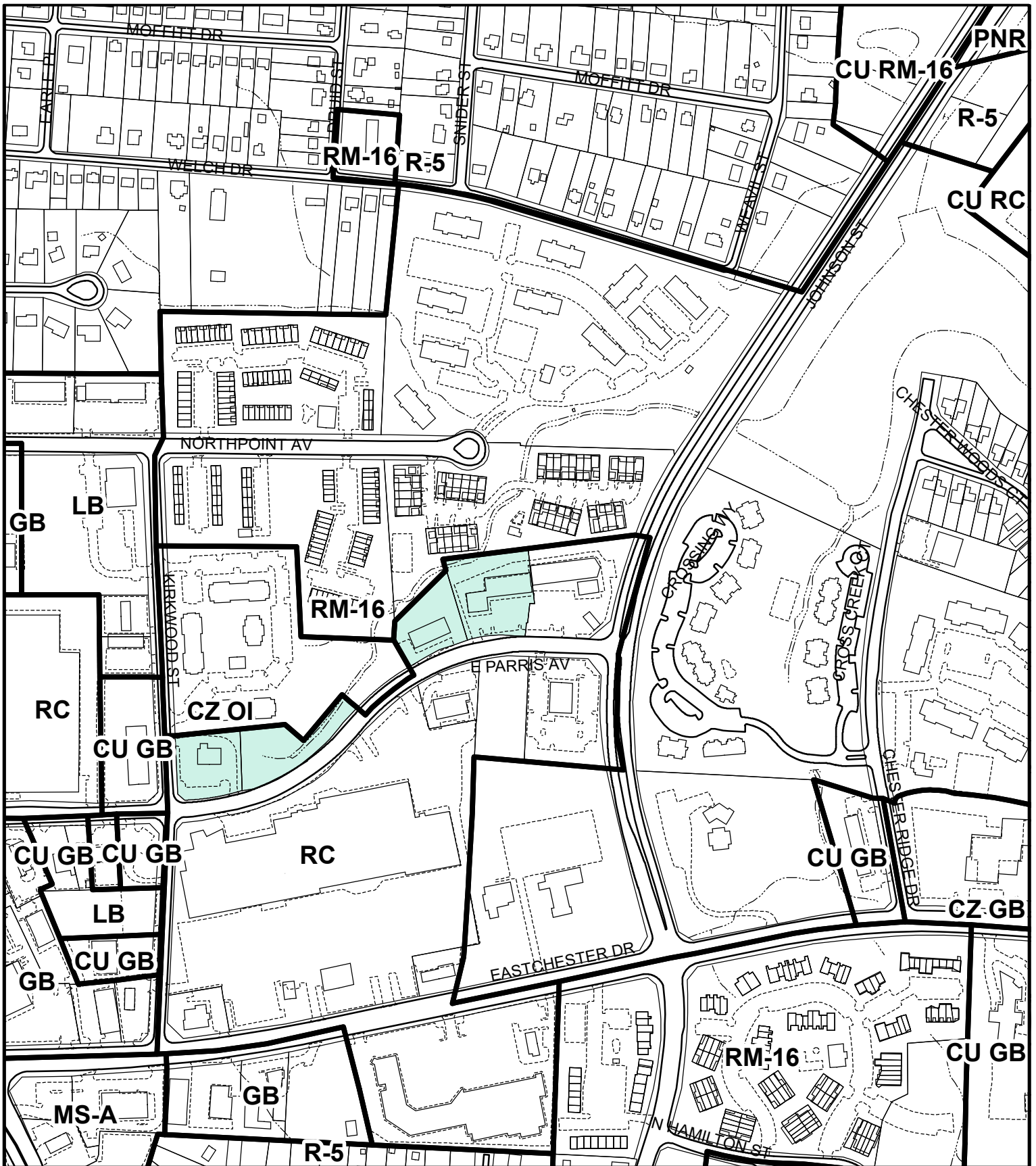
There are four small parcels, lying directly west of this zoning site, that also have a RC District zoning designation. The Commission recommended that the City Council initiate a Zoning Map Amendment application to rezone these remaining RC District parcels to the GB District.



To: Honorable Mayor & City Council
From: G. Lee Burnette, AICP
Date: November 10, 2017
Subject: **Request to Initiate Zoning Map Amendment**
(201, 203, 245 and 255 E. Parris Avenue)

At their October 24, 2017 public hearing, the Planning and Zoning Commission reviewed Zoning Map Amendment Case 17-24 (ZA-17-24). This is a request to rezone a 1.74-acre parcel, at the northwest corner of Johnson Street and E. Parris Avenue (295 E. Parris Avenue), from the RC District to the GB District. The Commission recommended approval of ZA-17-24, stating that the manner in which the land along the north of E. Parris Avenue has developed does not support the intent and purpose of the RC District.

The Commission also noted that there are four additional small parcels along the north side of E. Parris Avenue, between Johnson Street and Kirkwood Street, that also have a RC District zoning designation. The Planning and Zoning Commission recommended, and staff concurs, that the City Council should initiate an amendment to rezone these remaining RC District parcels (201, 203, 245 and 255 E. Parris Avenue) to the GB District.



REQUEST TO INITIATE ZONING MAP AMENDMENT

**From: Retail Commercial (RC)
To: General Business (GB)**

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

**Planning & Development
Department**

City of High Point



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

**STAFF REPORT
ZONING MAP AMENDMENT 17-24
October 24, 2017**

Request	
Applicant: T&Z Commercial Property, LLC	Owners: T&Z Commercial Property, LLC
Zoning Proposal: To rezone approximately 1.74 acres	From: RC Retail Center District To: GB General Business District

Site Information	
Location:	Lying west of Johnson Street and north of E. Parris Avenue.
Tax Parcel Number:	Guilford County Tax Parcel 0199859
Site Acreage:	Approximately 1.74 acres
Current Land Use:	Convenience store and a multi-tenant commercial structure with a mixture of retail sales and personal services uses.
Physical Characteristics:	The site is flat with no distinguishable features.
Water and Sewer Proximity:	A 12-inch City water line and an 8-inch City sewer line lies adjacent to the site along E. Parris Avenue.
General Drainage and Watershed:	The site drains in a general northerly direction and development is subject to the Oak Hollow Lake General Watershed Area (GWA) requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more.
Overlay District:	None

Adjacent Property Zoning and Current Land Use			
North:	RM-16	Residential Multifamily-16 District	Single family attached dwellings (Northpoint Estates Condos)
South:	RC	Retail Center District	Restaurant
East:	RM-16	Residential Multifamily-16 District	Multifamily development (Crossings apartment complex)
West:	RC	Retail Center District	Automotive body shop/repair facility

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is neither consistent nor inconsistent with the goals and objectives of the Community Growth Vision Statement.
Land Use Plan Map Classification:	The site has a Community/Regional Commercial land use designation. This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

Land Use Plan Goals, Objectives & Policies:	This request does not conflict with the Land Use Plan's goals and objectives.
Relevant Area Plan:	Not applicable.
Zoning History:	Except for a 2011 approval to establish a CZ-GO-H (Now CZ-OI) District to the west along Kirkwood St., there have been no recent zoning requests in this area.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	E. Parris Avenue		Minor Thoroughfare	620 ft.
	Johnson Street		Major Thoroughfare	330 ft.
Vehicular Access:	Via existing driveway from E. Parris Avenue			
Traffic Counts: <i>(Average Daily Trips)</i>	E. Parris Avenue		2,000 ADT (HP DOT 2014, 12-hour count)	
	Johnson Street		9,200 ADT (NCDOT 2015, 24 hour count)	
Estimated Trip Generation:	Not applicable, the site is already fully developed.			
Traffic Impact Analysis:	Required		Comment	
	<u>Yes</u>	<u>No</u> X	None	

School District Comment
Not applicable.

Details of Proposal

The applicant is requesting rezoning to permit a major vehicle establishment use. This use category includes the direct sale, rental; storage, and servicing of automobiles (including trucks, boats & motorcycles). The applicant desires to lease a portion of the existing multi-tenant commercial building for an automotive rental facility. This use is not permitted in the RC District; thus, the applicant has requested rezoning to a GB District.

Staff Analysis

The RC District accommodates a diverse range of high-intensity retail, service, and office uses that provide goods and services serving the residents and businesses of the region. Development in the RC district is often configured as large-scale with multiple uses, shared parking, coordinated signage and landscaping, and deep front setbacks, with a minimum area of five acres when located outside the Core City Area.

The area along the north side of E. Parris Avenue no longer meets the purpose and intent outlined by the Development Ordinance for the RC District. In the early 1970s, E. Parris Avenue stopped at Kirkwood Street and it was anticipated that the large tract of land north of Eastchester Drive between Johnson Street and Kirkwood Street would develop as a regional commercial center, and so was zoned SC, for shopping center uses. The Eastchester Drive frontage developed with a major commercial use, however, an extension of E. Parris Avenue to Johnson Street in the early 1980s and the presence of a perennial stream to the north of the extension reduced the available land for large scale commercial development. Subsequently, the north side of E. Parris Avenue

has developed with smaller individual commercial parcels, including two service-related major vehicle establishment uses that are currently non-conforming uses. Much of the former SC zoning along the north side of E. Parris Avenue has been replaced to facilitate the development of multifamily and smaller lot commercial uses. However, a few parcels still carry the new RC District designation (converted from the old SC District) and the rezoning of these remnant parcels to a more appropriate commercial district is warranted.

The requested GB District permits smaller commercial lots and is intended to accommodate a wide range of general retail, business, and service uses that serve groups of neighborhoods. Based on the district standards and the manner in which the land along the north side of E. Parris Avenue has developed, the establishment of the GB District would be consistent with the character of existing development. More specifically, City Council should initiate a zoning map amendment to rezone the remaining three RC zoned parcels on the north side of E. Parris Avenue.

Consistency with Adopted Policy Guidance:

Whether and the extent to which the proposed zoning map amendment is appropriate for its proposed location, and is consistent with purpose, goals, objectives, and policies of the City's adopted policy guidance.

The zoning site, and other properties in GB Districts along E. Parris Avenue, are designated by the Land Use Plan Map for Community/Regional Commercial uses.

Reasonableness/Public Interest:

Whether an approval of the proposed zoning map amendment reasonable and in the public interest.

The manner in which the land along the north of E. Parris Avenue has developed does not support the intent and purpose of the RC District.

More specifically:

- 1) The request is consistent with the City's adopted policy guidance for this portion of the City.
- 2) The requested GB District more accurately reflect the manner and character in which this area has developed.
- 3) The presence of a perennial stream to the north of E. Parris Avenue makes development under RC District standards impractical.

Recommendation

Staff Recommends Approval

The Planning & Development Department recommends approval of the request to rezone this 1.74-acre parcel to the GB District. In addition, staff recommends that the City Council initiate a zoning map amendment to rezone the three remaining RC-zoned parcels to the 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.

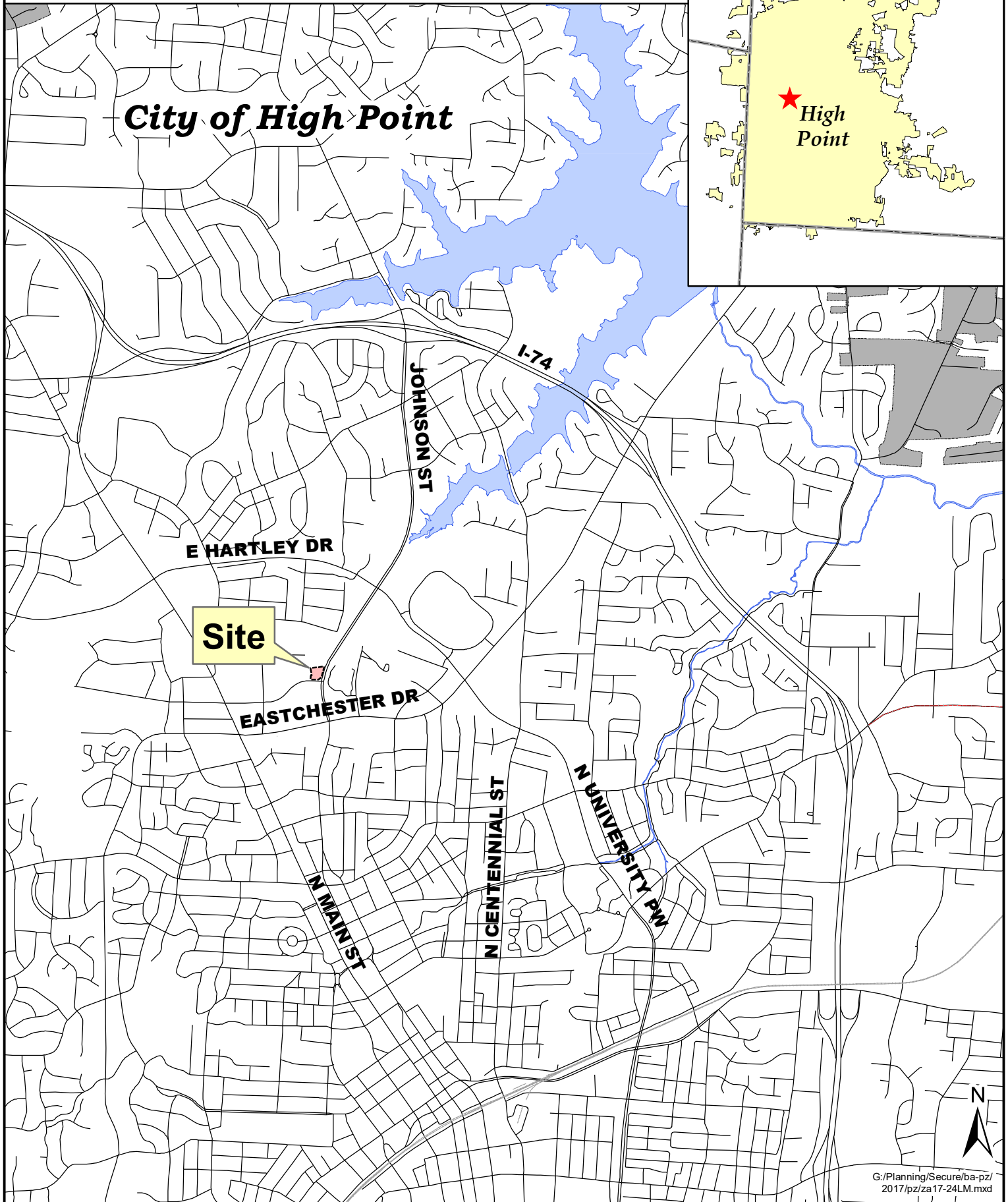
Report Preparation

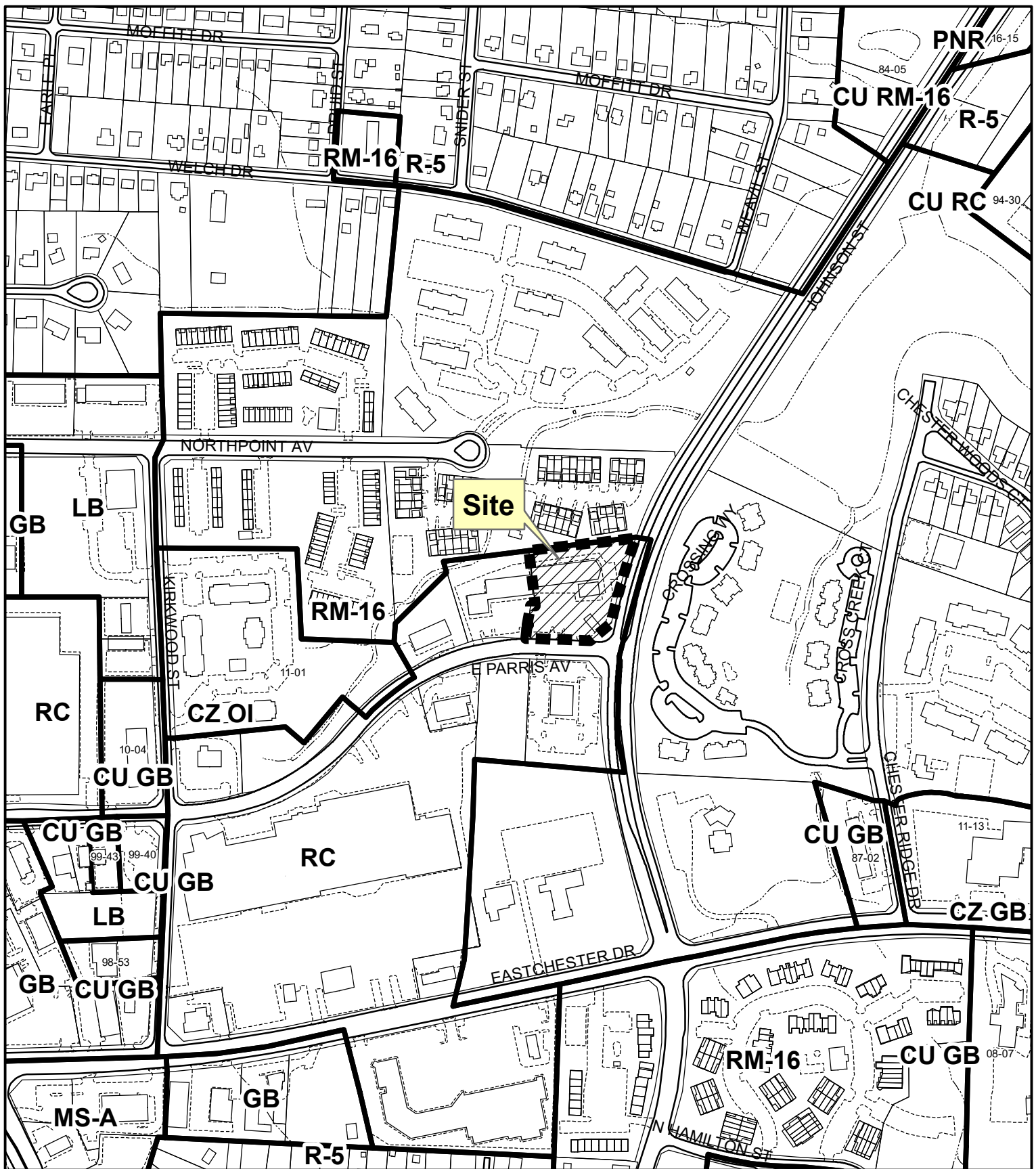
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-17-24

Applicant: Enzine Inc.





ZONING MAP AMENDMENT ZA17-24

From: Retail Commercial (RC)
To: General Business (GB)

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

**Planning & Development
 Department**

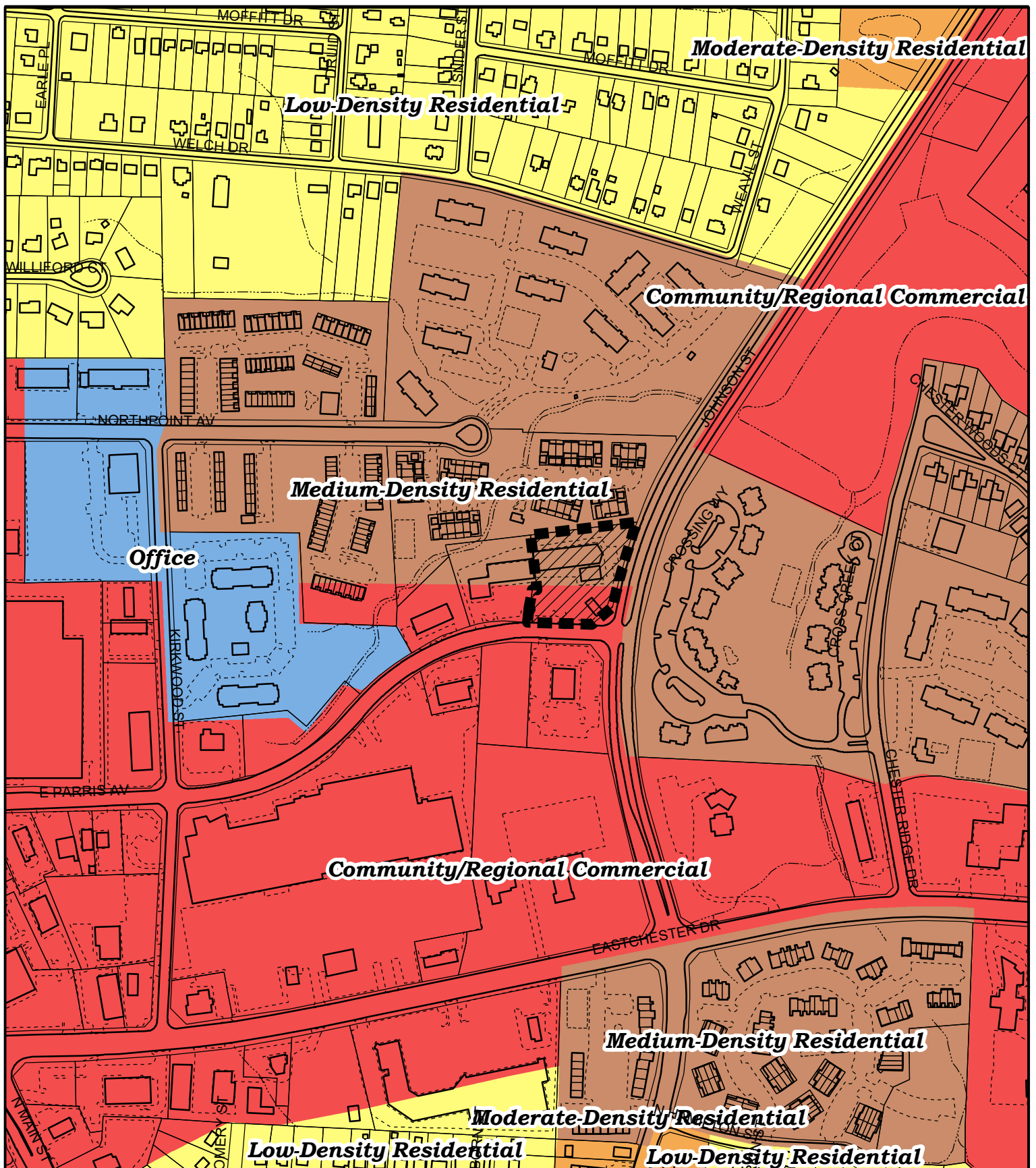
City of High Point

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ZONING MAP AMENDMENT ZA-17-24

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



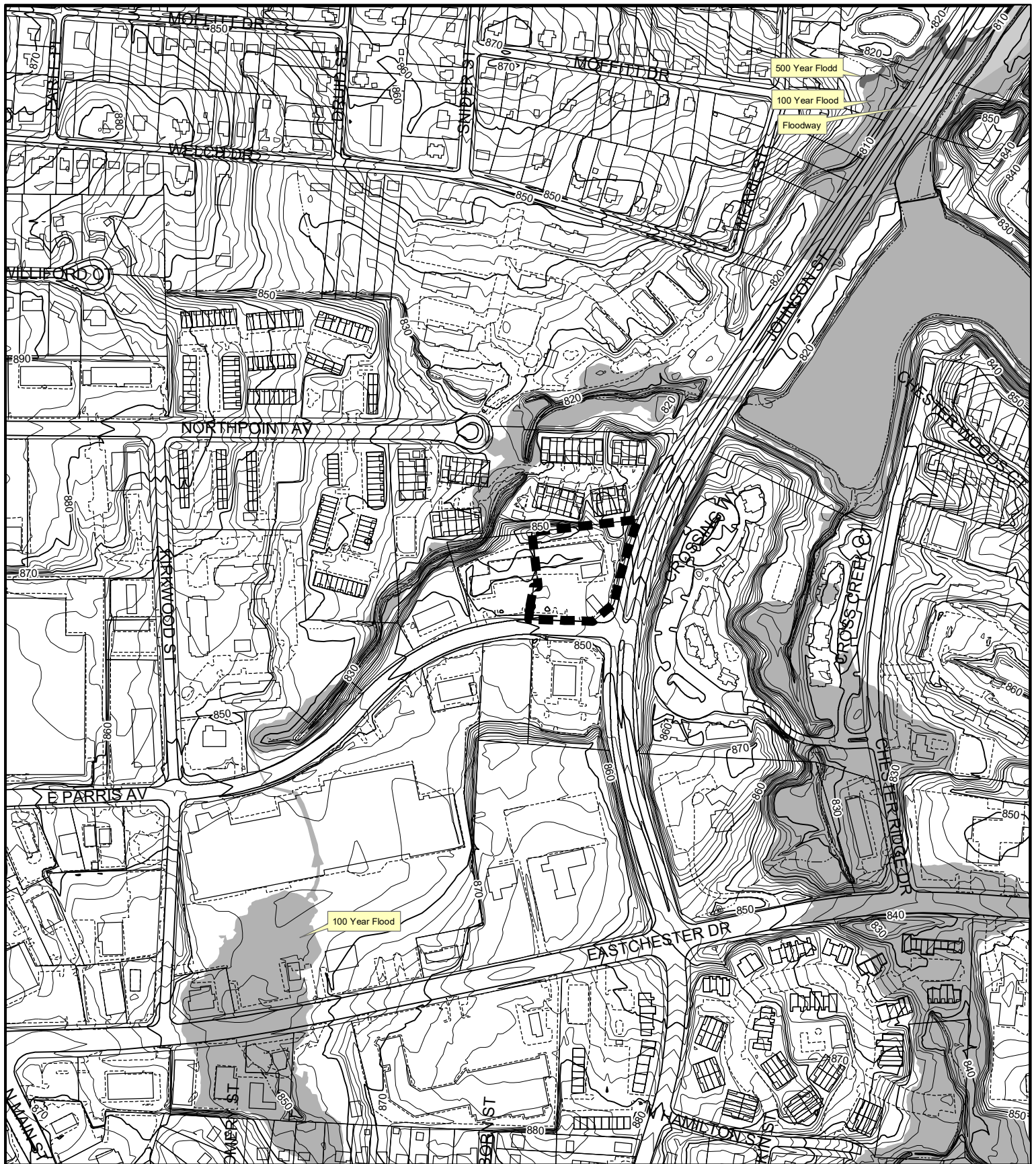
**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-24

Topography

Subject Property Boundary

Planning & Development
Department

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-24



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 October 24, 2017 and before the City Council of the City of High Point on November 20, 2017 regarding **Zoning Map Amendment Case 17-24 (ZA-17-24)** 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 October 15, 2017, for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 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 **November 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 a: **General Business (GB) District**. The property is approximately 1.74 acres lying west of Johnson Street and north of E. Parris Avenue (295 E. Parris Avenue). The property is also known as Guilford County Tax Parcel 0199859).

SECTION 2

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 3

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 4

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

SECTION 5.

This ordinance shall become effective upon the date of adoption.

20th day of November, 2017.

Lisa B. Vierling, City Clerk