

CITY OF HIGH POINT

AGENDA ITEM



Title: Special Use 17-01
City of High Point

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. Special Use Permit

Advertised By: Planning & Development

PURPOSE:

A request by the City Manager's Office to permit a Major Assembly use in the MX-D District. The site is generally bounded by Gatewood Avenue, N. Elm Street, Lindsay Street and W. English Road.

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 Special Use 17-01. 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

City of High Point

Special Use 17-01

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed a Special Use request to allow a major assembly use on an approximate 8.3-acre site in the northwestern portion of the downtown area. 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 requests was the applicant, Greg Demko, City Manager for the City of High Point, 211 S. Hamilton Street, High Point. Mr. Demko stated that he agrees with the statements provided by staff and made himself available to answer any questions.

Also speaking in favor of the request was Tim Gorkman, 308 Oakwood Street, High Point, N.C. Mr. Gorkman stated that he believes this request is vital to the downtown area and that the current city's historic downtown is dead, so we need to create a new one. Mr. Gorkman also stated that he believes that [the proposed stadium] is a catalyst project to start the mixed-use development downtown and is necessary to provide the city with a true downtown area. As a resident, he noted that he has no concerns and is in full support of the project.

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 9-0.

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

**STAFF REPORT
SPECIAL USE SU-17-01
October 25, 2016**

Request	
Applicant: City of High Point City Manager's Office	Owner: City of High Point; DR Management USA Inc, FHO Properties LLC, Gatewood Avenue, LLC, Glenaco Inc, Piedmont Urological, and United Way of Greater High Point Inc.
Proposal:	A Special Use request to permit a Major Assembly use in the Mixed-Use Downtown (MX-D) District.

Site Information	
Location:	The site is generally bounded by Gatewood Avenue, N. Elm Street, and S. Lindsay Street.
Tax Parcel Numbers:	Guilford County Tax Parcels 0186799, 0186800, 0186805, 0186806, 0186807, 0186808, 0186810, 0186811, 0186812, 0186813, 0186815, 0186827, 0186828, 0186834, 0186835 and 0186838
Site Acreage:	Approximately 8.3 acres
Current Land Use:	A mixture of medical offices, personal service uses, commercial uses, vacant structures and undeveloped parcels.
Physical Characteristics:	The site is mostly developed with a variety of non-residential structures with associated parking lots.
Water & Sewer Proximity:	A network of 6, 8 and 10-inch City sewer lines and 6, 8 and 12-inch City water line are lying within the various public streets adjacent and running through the site.
General Drainage and Watershed:	The site drains in a southerly direction and development is subject to the Yadkin Pee-Dee Watershed (non-water supply) requirements. Based upon the acreage of the site and the allowable development intensity, the watershed regulations may require stormwater controls to be provided.
Overlay Districts	Yadkin Pee-Dee (non-water supply) watershed

Adjacent Property Zoning and Current Land Use			
North:	OI	Office Institutional District	Medical and professional offices and personal service uses
South:	LI GB	Light Industrial District General Business District	Market Showroom and undeveloped parcel
East:	OI CB	Office Institutional District Central Business District	Medical office, office and undeveloped parcel
West:	OI	Office Institutional District	Office and personal service uses
NOTE: Subject to approval of Zoning Map Amendment 17-22, the site will be within and surrounded by the Mixed-Use Downtown (MX-D) District.			

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	<p>The following goal and objectives of the Community Growth Vision Statement are relevant to this request</p> <p>Goal 4: Make Downtown High Point and its environs a vibrant, diverse and mixed-use environment.</p> <p><u>Objective 4A:</u> Expand the role of Downtown High Point and its environs as the community's cultural and institutional hub through a variety of public facilities.</p> <p><u>Objective 4D:</u> Establish more retail shops, services, restaurants, and entertainment through zoning and/or incentives.</p> <p><u>Objective 4H:</u> Create public spaces with a variety of scales, designs and functions, and couple them with uses that will help to activate them, such as civic uses, retail and housing.</p>
Land Use Plan Map Classification:	Subject to approval of Plan Amendment 17-05, the site and surrounding area will have a Community/Regional Commercial classification. 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:	<p>The following objectives of the Land Use Plan are relevant to this request:</p> <p>Obj.#4. Protect the City's older, established neighborhoods, and promote their revitalization through needed infrastructure improvements and new residential investment;</p> <p>Obj.#10. Target appropriate established neighborhoods and areas adjoining the central business district and industrial locations for conservation and revitalization activities including public and private investment; and</p>
Relevant Area Plan(s):	<p><u>Core City Plan</u></p> <p>MX-D Area – The Core City Plan shows the area proposed for special use as Downtown Mixed Mixed-Use. The Downtown Mixed-Use District is intended to function more like a conventional downtown including shopping, dining, entertainment, offices, institutional uses, cultural facilities, and housing where mixed-use buildings are encouraged.</p> <p><u>Downtown Mixed-Use Area Plan</u></p> <p>MX-D Area – The Downtown Mixed-Use Area Plan calls for the area to be rezoned to MX-D to create a cohesive downtown area that encourages the desired development style and mix of uses that are typical in traditional downtown areas. By consolidating this area under one zoning district, the City will establish one set of allowed uses and dimensional standards that promote an environment with an increased density and intensity of mixed uses.</p>
Zoning History:	There have been a few zoning cases in the area over the past 10-15 years and they have all been to zone to a more intense zoning district. Two went from Office to General Business and one went from General Business to Central Business.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Pine Street	Local Street	50 feet
	Church Avenue	Local Street	60 feet
	Gatewood Avenue	Local Street	615 feet
Traffic Counts: (Average Daily Trips)	N. Main Street———	16,000 (2015 NCDOT AADT)	
	N. Elm Street———	4,100 (2015 NCDOT AADT)	
	N. Lindsay Street——	No information available	
	Gatewood Avenue——	1,200 (2014 HPDOT 12 Hour Count)	
	W. English Road———	5,900 (2015 NCDOT AADT)	

School District Comment
Not applicable.

Details of Proposal

This case is associated with Zoning Map Amendment 17-22 to establish a Mixed-Use Downtown (MX-D) District over this area. The applicant is requesting Special Use approval to allow a major assembly use on an approximate 8.3-acre site in the northwestern portion of the downtown area. An assembly use includes buildings that primarily provide meeting areas for civic, fraternal, business or professional organizations, or for conferences, seminars, recreation, training programs, and venues for sports, or entertainment. An assembly use with over 15,000 square feet of gross floor area is classified as a major assembly use.

A major assembly use is a permitted use in the MX-D District; however, a major assembly use with permanent seating for 1,000 or more requires Special Use approval. A multi-use stadium facility is proposed for the site that will consist of the following:

- 3,800 fixed seats and 1,200 other non-fixed seats (removable seats on field).
- A majority tenant will be an Atlantic League baseball team, which will play 70 home games per year.
- The facility will have flexibility to also host soccer, football and lacrosse as well as other events such as concerts and banquets.

Findings

A special use is an additional use to those permitted by right in a zoning district. Such a use requires analysis for its potential impact on the proposed site and its impact on surrounding properties. The purpose of the special use review process is to allow the Planning and Zoning Commission and City Council an opportunity to perform this analysis. Section 2.4.11 of the Development Ordinance requires that certain findings be made before a Special Use Permit may be approved. 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 required findings.

Will not materially endanger the public health or safety if located where proposed.

Compliance	The site is located in the northwestern portion of the downtown area where there is a mixture of commercial, office, personal service, medical and industrial uses. Based upon the building and development requirements for the proposed use, public health and safety will be ensured.
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Complies with all required standards, conditions, and specifications of the Development Ordinance, including Chapter 4: Uses.

Compliance	<p>The Development Ordinance requires a major assembly use to meet the following standards:</p> <ol style="list-style-type: none">1. Not front or gain access from a residential local street. <u>Compliance.</u> The site does not front or gain access from a residential local street. The abutting streets serve non-residential uses and are considered non-residential local streets.2. Outdoor courts, swimming pools, and athletic fields shall be located at least 50 feet from any lot line abutting residential district. <u>Compliance.</u> The nearest residential zoning district is over 800 feet (approximately 1/4/ mile) to the west near Locke Street.3. Assembly uses in residential districts shall be on a lot of at least two acres. <u>Compliance.</u> This is not a residentially zoned site.4. Assembly uses with permanent seating for 1,000 or more shall require a special use in accordance with Section 2.4.11 Special Use. <u>Compliance.</u> The special use sketch plan has been reviewed by the Planning & Development Department and found to meet all applicable requirements of the Development Ordinance. All lots must be combined into one lot prior to development to insure compliance with setback requirements. In addition, the affected right-of-ways in SA-17-04 must be abandoned prior to development. Detailed engineered drawings will be reviewed as part of the site plan approval process by the Technical Review Committee if the special use is approved.
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Will not substantially injure the value of the abutting land, or the special use is a public necessity;

Compliance	Subject to approval of Zoning Map Amendment 17-22, a MX-D District zoning will govern development on the site and the area surrounding the proposed stadium development. The MX-D District is intended to establish compact, pedestrian-oriented, mixed-use development at key locations in the Core City in accordance with the City's adopted policy guidance. It seeks to revitalize existing neighborhoods by enabling the development of higher intensity neighborhood centers with new housing, shopping, working, and recreational options in close proximity to one another.
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	Based on the purpose and intent of the MX District, and the current mixture of non-residential uses surrounding the site, staff finds no evidence that the proposed major assembly use will negatively impact the value of abutting lands.
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Will be in harmony with the area in which it is to be located.

Compliance	As outlined above, subject to approval of ZA-17-22, the MX-D District will govern uses in this area. As the site will be surrounded by this MX-D District, and the current development pattern includes a variety of non-residential uses, a regional hospital and an existing major assembly use (i.e. YWCA), the proposed stadium is consistent and compatible with similar uses located and permitted in the district.
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Is in general conformity with the City's adopted policy guidance.

Compliance	The Core City Plan in conjunction with the Downtown Mixed-Use Area Plan call for this area to function like a conventional downtown including shopping, dining, entertainment, offices, institutional uses, cultural facilities, and housing where mixed-use buildings are encouraged. The proposal to establish a multi-use stadium with the goal of having events year-round is in conformance with those adopted plans.
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Recommendation

Staff recommends approval

Subject to approval of Text Amendment 17-06, Plan Amendment 17-05 and Zoning Map Amendment 17-22, the requested Special Use to permit a major assembly use will be consistent with the surrounding zoning, surrounding uses, and in compliance with adopted policy guidance documents. On that basis, the Planning and Development Department recommends approval of the requested Special Use and the accompanying Special Use sketch plan, with the following conditions:

- 1) All lots must be combined into one lot prior to development, and
- 2) The affected right-of-ways in SA-17-04 must be abandoned prior to development.

Report Preparation

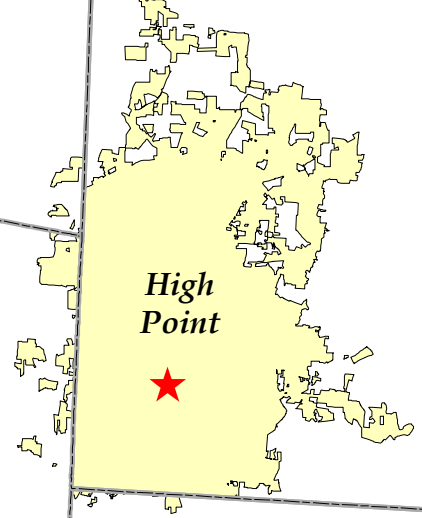
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.

LOCATION MAP

SPECIAL USE SU-17-01

Applicant: City of High Point

Vicinity Map



City of High Point

EASTCHESTER DR

N MAIN ST

N CENTENNIAL ST

I-74

Site

ENGLISH RD

S MAIN ST

BUSINESS I-85



SPECIAL USE PERMIT SU-17-01

Request: To permit a Major Assembly use

Existing Zoning Boundary
Subject Property Boundary

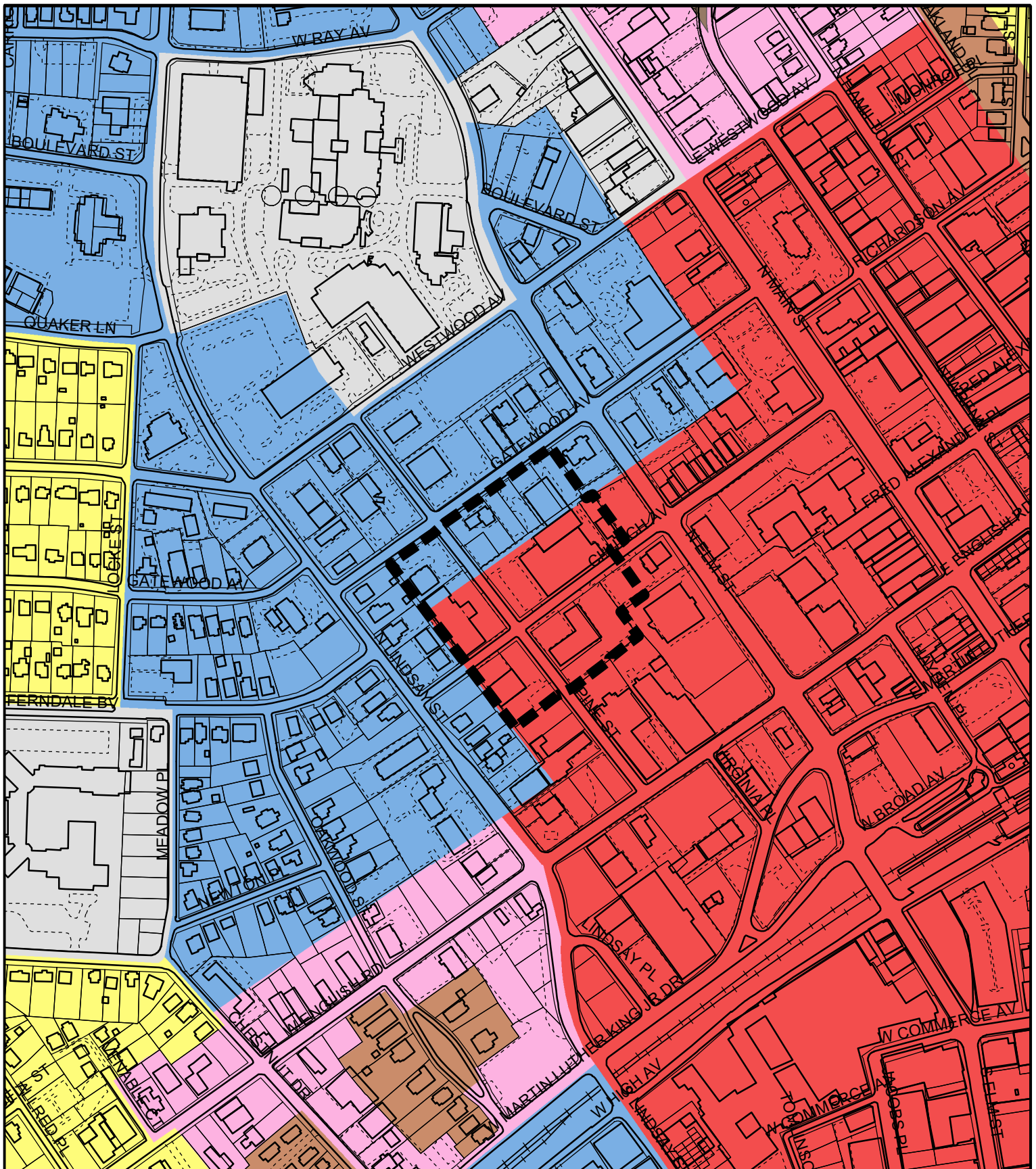
**Planning & Development
Department**

City of High Point

Date: October 24, 2017



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2017/pz/su17-01.mxd



SPECIAL USE SU-17-01

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



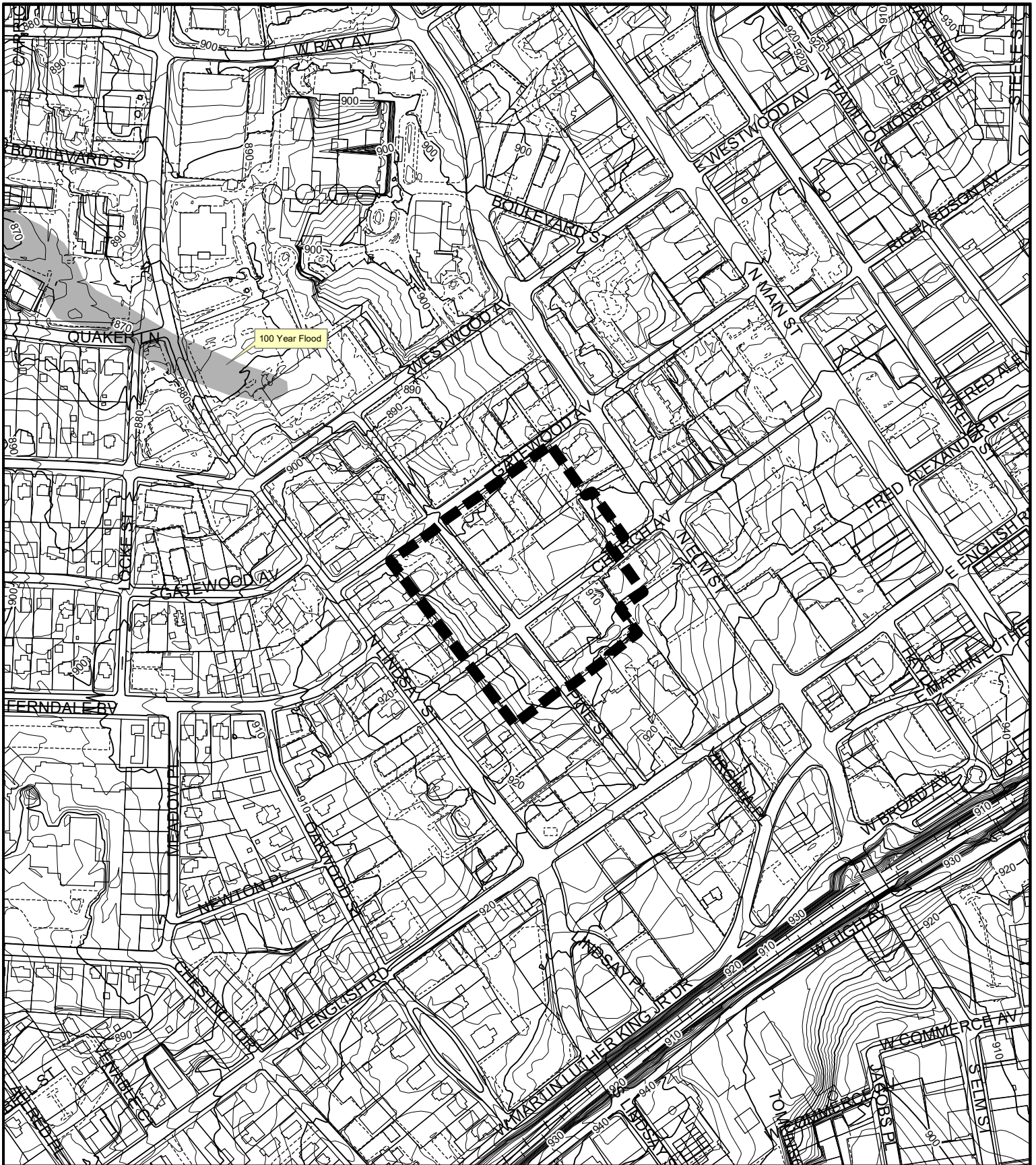
**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



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SPECIAL USE SU-17-01

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

Date: October 24, 2017



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SPECIAL USE SU-17-01

**SPECIAL USE 17-01
CITY OF HIGH POINT, NORTH CAROLINA**

October 24, 2017
(Submitted)

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 2.4.11, SPECIAL USE, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

USE:

Major Assembly Use with over 1,000 seats.

CONDITIONS:

Development of the site shall be generally consistent with the attached SUP Sketch Plan.

DESCRIPTION OF PROPERTY:

The property is approximately 8.3 acres generally bounded by Gatewood Avenue, N. Elm Street, and S. Lindsay Street. The property is also known as Guilford County Tax Parcels 0186799, 0186800, 0186805, 0186806, 0186807, 0186808, 0186810, 0186811, 0186812, 0186813, 0186815, 0186827, 0186828, 0186828, 0186834, 0186835 and 0186838 0169206 and 0169220.

This Special Use and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use approval shall be null and void and of no effect. If for any reason any condition imposed this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

The issuance of this Special Use authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 17-01 AND THE ACCOMPANYING AMENDED SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE XX DAY OF NOVEMBER, 2017.

Lisa B. Vierling
City Clerk

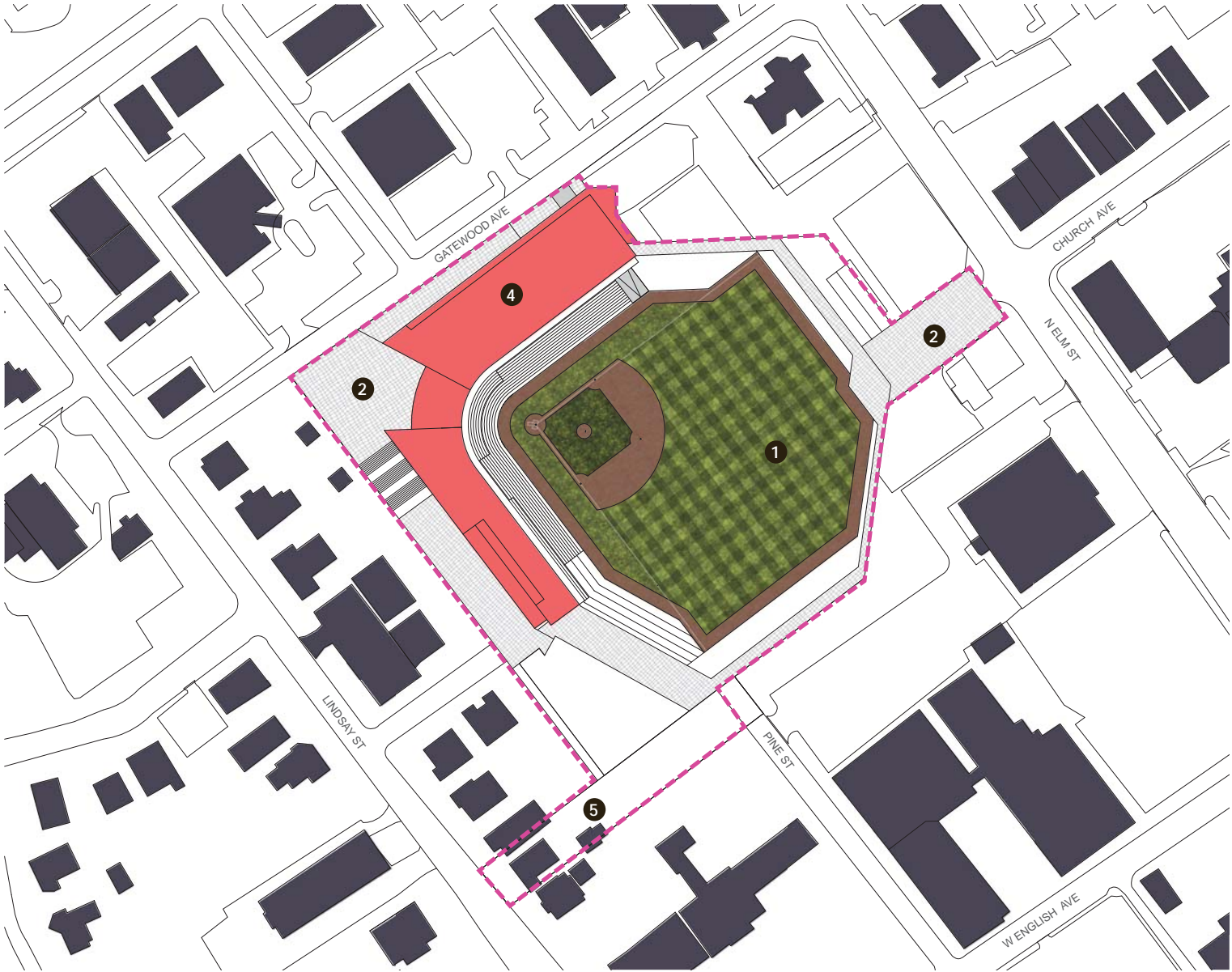
Date

Conceptual Site Plan

Legend

- 1 Ballpark
- 2 Ballpark Entrance / Plaza
- 4 Ballpark Program Area
- 5 Area for Proposed Street to intersect with Pine St.

Ballpark Project area



0' 60' 120' 240'

**Citizens Information Meeting Report
Special Use 17-01**

Citizen Information Meeting for Special Use Permit for Multi-Use Stadium

The City held a citizen information meeting for the Special-Use for the Multi-use stadium on September 25, 2017 at the First Baptist Church located at 405 N. Main Street, High Point, NC 27260 from 4:00 – 6:00 pm. The City provided a handout to attendees describing the project. Notices were sent to property owners on September 8, 2017. Attached is a list of owners that were mailed a notice.

Christ Spangle was the only person to attend the meeting. Her interest was to find out the latest on the status of the project.

BENWAY PROFESSIONAL BLDG LLC
1602 BENJAMIN PKY
GREENSBORO NC 27408

BOEDICKER CONSTRUCTION INC
2229 PLAINVIEW DR
HIGH POINT NC 27265

CAROLINA 225 LIMITED PARTNERSHIP
PO BOX 2324
HIGH POINT NC 27261

CECIL, DAVID L
102 QUAIL HOLLOW RD
HIGH POINT NC 27265

CHEEK, OLIVIA W ; WILSON, SHARON W
1102 GATEHOUSE RD
HIGH POINT NC 27262

CRISIS PREGNANCY CENTER OF HIGH POINT INC
212 LINDSAY ST
HIGH POINT NC 27262

DILLEN L L C
142 CHURCH AVE
HIGH POINT NC 27262

DJ WORLDWIDE LLC
PO BOX 5108
HIGH POINT NC 27262

DR MANAGEMENT USA INC
215 BOULEVARD OUEST
MASKINONGE QUEBEC JOK 1N0

ELMWOOD PROPERTIES LLC
400 N ELM ST
HIGH POINT NC 27262

EVANS, MITCHELL DWAYNE
2300 W MEADOWVIEW RD SUITE 121
GREENSBORO NC 27407

FHP PROPERTIES LLC
1912 EASTCHESTER DR SUITE 400
HIGH POINT NC 27265

FIELDEN HOLDINGS LLC
115 GATEWOOD AVE
HIGH POINT NC 27262

FIRST BAPTIST CHURCH
405 N MAIN ST
HIGH POINT NC 27260

FOWLER, MADELINE L TR ; HEDGECOCK,
REBECCA F TR ; GREEN, JAMES M
1303 WALES DR
HIGH POINT NC 27262

GATEWOOD AVENUE LLC
1109 ROCKFORD RD
HIGH POINT NC 27262

GINSBURG, ALAN L ; GANOUNG, JANET RAE ;
TRUST U/W OF LEA M GINSBURG FBO HARVEY J
GINSBURG
1312 WESTMINSTER DR
HIGH POINT NC 27262

GLENACO INC
PO BOX 2318
HIGH POINT NC 27261

GOLDBERG FAMILY LLC
315 N ELM ST
HIGH POINT NC 27262

HIGH POINT REGIONAL HEALTH SYSTEM
PO BOX HP-5
HIGH POINT NC 27261

JARRELL, HAROLD T ; JARRELL, MARY L
5425 GENEVA TERRACE
COLFAX NC 27235

JNS PROPERTIES LLC
284 N EMILY CT
HIGH POINT NC 27262

KALIL-AL-KHORI LLC
1709 FARNSWORTH CT
HIGH POINT NC 27262

KSHREE LLC
520 LAUSANNE DR
GREENSBORO NC 27410

L & J G STICKLEY INC
1 STICKLEY DRIVE
MANLIUS NY 13104

L E O COMPANY LLC
PO BOX 138
KNOXVILLE TN 37901

LD PROPERTIES OF HP LLC
457 ORINOCO DR
HIGH POINT NC 27265

LINDSAY COURT PARTNERS LLC
PO BOX 5778
HIGH POINT NC 27262

MACKENZIE, BRUCE ; MACKENZIE, SONJA
1410 COVENTRY RD
HIGH POINT NC 27262

MORENO, BARBARA ; MORENO, JAY M
304 N LINDSAY ST
HIGH POINT NC 27262

NOWELL DORN PROPERTIES LLC
405 N LINDSAY ST
HIGH POINT NC 27262

PARKER PRICE PROPERTIES LLC
308 N LINDSAY ST
HIGH POINT NC 27262

PENNELL, WAYNE H ; PENNELL, NANCY B
221 N LINDSAY ST
HIGH POINT NC 27262

PETERS HOLDINGS LLC
507 LINDSAY ST
HIGH POINT NC 27262

PIEDMONT ELECTRIC REPAIR CO
PO BOX 2318
HIGH POINT NC 27261

PIEDMONT UROLOGICAL LLC
218 GATEWOOD AVE
HIGH POINT NC 27262

RICKETSON, J E
405 WESTWOOD AVE
HIGH POINT NC 27262

SILVER MAIN LLC
PO BOX 6363
HIGH POINT NC 27262

SMITH-BISSELL LLC
2800 ST LEOS ST
GREENSBORO NC 27405

SNOW, JAMES M ; SNOW, VIRGINIA K
1112 FORREST HILL DR
HIGH POINT NC 27262

SURLES, CHARLES H ; BRADDY, CLAUDE
JEFFERY ; BRADDY, MARGUERITE ATTKISSON
404 N LINDSAY ST
HIGH POINT NC 27262

TEPCO LLC
3115 CAMP RANGER LANE
JAMESTOWN NC 27282

THE DENTAL FOUNDATION OF NORTH CAROLINA
INC
1090 FIRST DENTAL CB #7450
CHAPEL HILL NC 27599

THIBODEAU, BEVERLY N TR ; WHITWORTH, GALE
T TR ; BEVERLY N THIBODEAU REVOCABLE
LIVING TRUST
661 SPARTINA CT
SOUTHPORT NC 28461

TRAWETS LLC
449 S WRENN STREET
HIGH POINT NC 27260

TYSINGER RANDALL PROPERTIES LLC
609 NATIONAL HWY
THOMASVILLE NC 27360

UNITED WAY OF GREATER HIGH POINT INC
201 CHURCH AVE
HIGH POINT NC 27262

WESTMORELAND, PAUL E
506 CONCORD ST
THOMASVILLE NC 27360