

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 17-25
(Marsh Investments LLC)

From: Lee Burnette, Planning & Development
Director

Meeting Date: December 18, 2018

Public Hearing: Yes

Advertising Date: December 6 & 13, 2017

Advertised By: Planning & Development

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

PURPOSE:

A request by Marsh Investments LLC to rezone an approximate 8.7-acre parcel from the Residential Single Family-40 (RS-40) District, within Guilford County's jurisdiction, to the Employment Center (EC) District. The site is lying along the south side of National Service Road, approximately 500 feet west of Tyner Road (8017 National Service Road). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

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 November 14, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-25. 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

Marsh Investment LLC

Zoning Map Amendment 17-25

At its November 14, 2017 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximate 8.7-acre parcel to the Employment Center (EC) District. All members of the Commission were present except for Ms. Marie Stone. Mr. Bob Robbins, Development Administrator, 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, on behalf of the applicant, was Ms. Amanda P. Hodierne, an attorney with Isaacson-Isaacson-Sheridan-Fountain & Leftwich, LLP, 804 Green Valley Road, Suite 200; Greensboro. Ms. Hodierne gave a brief summary of the request and made herself available for questions.

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 the Restricted Industrial designation as applied in the northern portion of the City's Planning Area and is consistent with the adopted Land Use Plan.

Reasonableness Statement

The Commission stated it would be reasonable and in the public interest to approve this request, as the proposed EC District's allowable uses, and its building and site design standards are similar and compatible with previous conditional zoning approvals granted in this area.

The Planning & Zoning Commission **adopted these statements** by a vote of 8-0.

Zoning Map Amendment

The Commission recommended **approval** of Zoning Map Amendment 17-25, as recommended by staff, by a vote of 8-0.

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

**STAFF REPORT
ZONING MAP AMENDMENT 17-25
November 14, 2017**

Request	
Applicant: Marsh Investments LLC	Owners: Debbie Tucker Roberson and Martin T. Tucker
Zoning Proposal: To annex and apply initial City zoning to an 8.7-acre parcel	From: RS-40 Residential Single Family – 40 District (<i>Guilford County</i>) To: EC Employment Center District

Site Information	
Location:	Lying along the south side of National Service Road, approximately 500 feet west of Tyner Road (8017 National Service Road).
Tax Parcel Number:	Guilford County Tax Parcel 0169800
Site Acreage:	Approximately 8.7 acres
Current Land Use:	Single family detached dwelling
Physical Characteristics:	The site has a moderately sloping terrain with the western half of the property being heavily wooded. A drainage ditch runs in a north-to-south direction along the western portion of the property.
Water and Sewer Proximity:	A 12-inch City water line lies adjacent to the site along National Service Road and an 8-inch City sewer line lies along National Service Road, approximately 260 feet west of the site.
General Drainage and Watershed:	The site drains in a southerly direction and development is subject to the City Lake General Watershed Area (GWA) requirements. Engineered stormwater 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 Districts:	City Lake General Watershed Area Airport Overlay (Zone 1)

Adjacent Property Zoning and Current Land Use			
North	CU-LI AG	Conditional Use Light Industrial District Agricultural District (Guilford County)	Undeveloped parcel and single-family dwelling
South:	AG	Agricultural District (Guilford County)	Undeveloped parcel
East:	AG	Conditional Use Light Industrial District	Industrial/manufacturing uses
West:	AG	Agricultural District (Guilford County)	Undeveloped parcel

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	Obj. 1B: Preserve and link environmentally sensitive lands such as floodplains, wetlands and steep slopes. Goal 6: Keep High Point's economy strong and make it more diversified.

Land Use Plan Map Classification:	The site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research & development, distribution, and light manufacturing or assembly uses on larger sites in unified developments.
Land Use Plan Goals, Objectives & Policies:	The following goals and objective of the Land Use Plan are relevant to this request: Goal #1: Ensure that development respects the natural environment; Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area; Obj. #2. Protect and preserve environmentally sensitive locations including designated open space and watershed critical areas from inappropriate development.
Relevant Area Plan:	Not applicable
Zoning History:	Since the late 1980s and early 1990s, property in this northern portion of the City's Planning area have been annexed to support restricted industrial uses. To the north and west of this current zoning request is the Willard Tucker industrial subdivision that was annexed and granted Conditional Use Light Industrial (CU-LI) District zoning in 1996. Also, abutting the site to the east is the Piedmont Corporate Park industrial subdivision, which was annexed and granted CU-LI zoning in 1997.

Transportation Information			
Adjacent Streets:	Name		Classification
	National Service Road		Minor Thoroughfare
	Approx. Frontage		
	600 ft.		
Vehicular Access:	National Service Road		
Traffic Counts: <i>(Average Daily Trips)</i>	National Service Road	1,100 (NCDOT 2015 AADT)	
Estimated Trip Generation:	Not Applicable		
Traffic Impact Analysis:	Required		TIA Comment
	<u>Yes</u>	<u>No</u> X	No comment
Comments:	One point of access shall be allowed to National Service Road. 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.		

School District Comment
Not applicable to this zoning case.

Details of Proposal
The applicant desires to develop a minor manufacturing use on this parcel. In order to have access to City utilities, they have submitted applications to annex and to establish initial City zoning on the property. This property is situated in the northern portion of the City's planning area, which extends

northward to I-40, and is designated on the adopted Land Use Map for Restricted Industrial uses. There have been a number of annexations and zoning approvals to allow Restricted Industrial type uses in this portion of the City's Planning area since the 1990s. Also, the site is located in Zone 1 of the Airport Overlay District, which only allows nonresidential uses.

Staff Analysis

The applicant has requested the Employment Center (EC) zoning district be granted for this property to facilitate the development of a minor manufacturing use. The EC District has been established to accommodate office, warehouse, research & development, light industrial, and supporting activities in a well-planned, high-quality business park setting. In addition to an expectation for high quality design, the district includes standards to help ensure compatibility between development and nearby residential uses.

The zoning site is adjacent to similar zoned properties to the north, west and east that were annexed in mid 1990s. Although these adjacent industrial developments have a CU-LI District zoning, they were conditioned to meet the higher development standards of the former Corporate Park (CP) District. The LI District was utilized to allow for a higher building area coverage percentage. Under the new Development Ordinance, which became effective on January 1, 2017, the CP District was eliminated and the newly established EC District was adopted to support limited industrial type development in areas designated on the City's Land Use Plan as Restricted Industrial. The EC District contains building and site design standards, prohibits more intensive industrial uses and allows greater building coverage. This new district eliminated the need to have a conditional zoning request with numerous conditions consisting of a mixture of CP and LI District standards.

Allowable uses of the requested EC District include the applicant's proposed minor manufacturing use and similar uses envisioned by the Restricted Industrial classification. The minor manufacturing use type involves indoor processing or assembly of finished or partially finished goods that do not require large stockpiles of raw material. Key to the designation of "minor" is that the processing and storage activities take place within enclosed buildings, which limit the creation of noise, vibration, dust, glare, heat, odor, and smoke.

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 the purpose, goal objectives, and policies of the City's adopted policy guidance.

The request is consistent with the Restricted Industrial designation applied to the northern portion of the City's Planning Area and is consistent with the adopted Land Use Plan.

Reasonableness/Public Interest:

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

The requested EC Districts allowable uses, and its building and site design standards are similar and compatible with previous conditional zoning approvals granted in this area.

Recommendation

Staff Recommends Approval

The Planning & Development Department recommends approval of the request to rezone this 8.7-acre parcel to the EC 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.

Applicant: Debbie T. Roberson and Martain T. Tucker

*High
Point*

**City of
Greensboro**

Site

I-40

A map showing the location of Sandy Ridge Rd. The road is depicted as a thick black line running diagonally across the map. The area to the left of the road is shaded gray, while the area to the right is white. The road is labeled "SANDY RIDGE RD" in bold, black, uppercase letters, following the curve of the road.

**Guilford
County**

**Guilford
County**

68 NC

SKEET CLUB RD

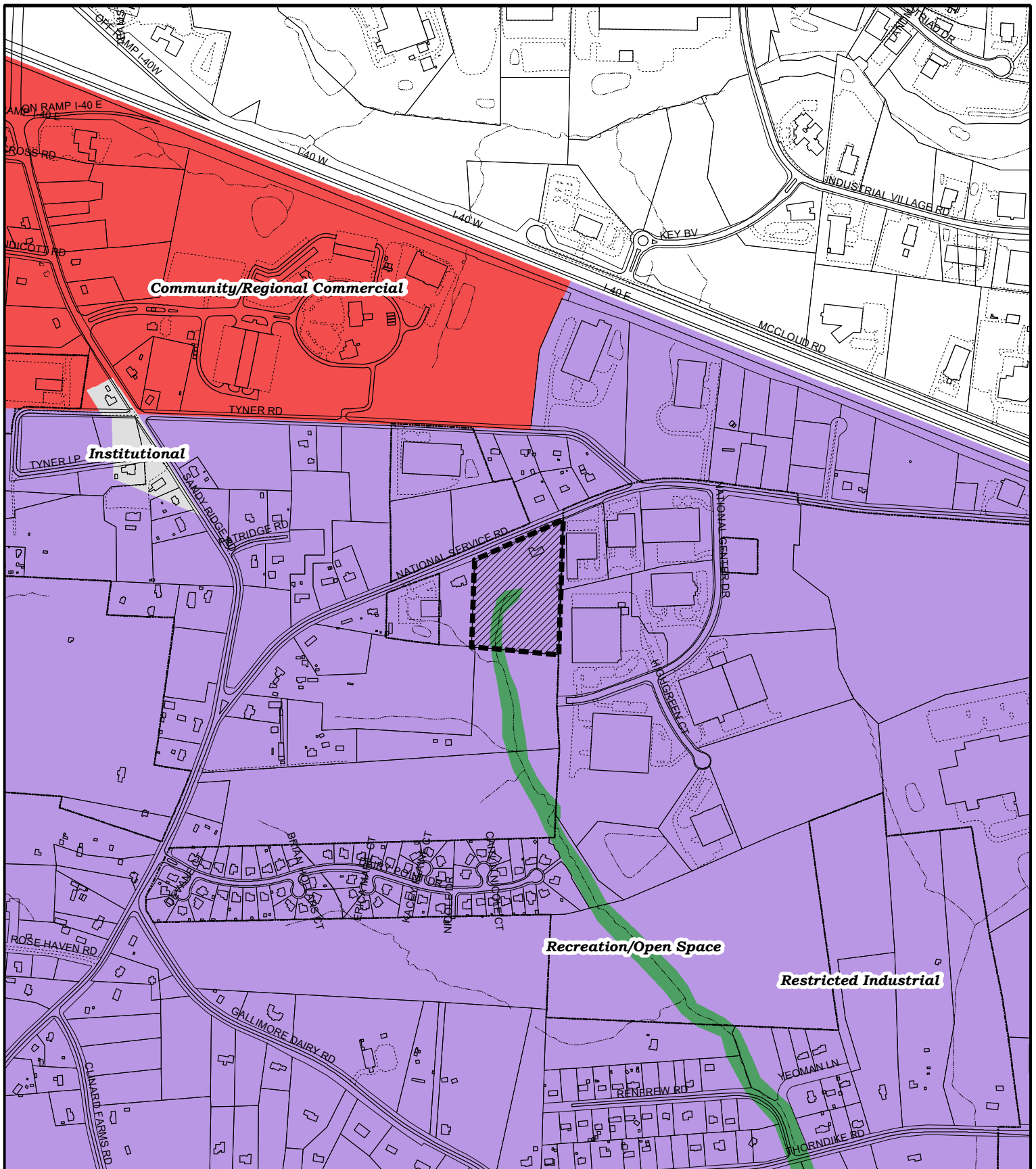
A map showing the location of the property on W Wendover Av. The map includes a street grid with W Wendover Av running horizontally. The property is located on the south side of W Wendover Av, between W 1st St and W 2nd St. The map is a black and white line drawing.

**Guilford
County**

City of High Point

A map showing the intersection of Eastchester Dr and the proposed road. Eastchester Dr is a major road running diagonally from the bottom left to the top right. The proposed road is a straight line running diagonally from the top left to the bottom right, intersecting Eastchester Dr. The map includes labels for 'EASTCHESTER DR' and 'PROPOSED ROAD'.





ZONING MAP AMENDMENT ZA-17-25

Land Use Plan

Existing Land Use Plan
Subject Property Boundary

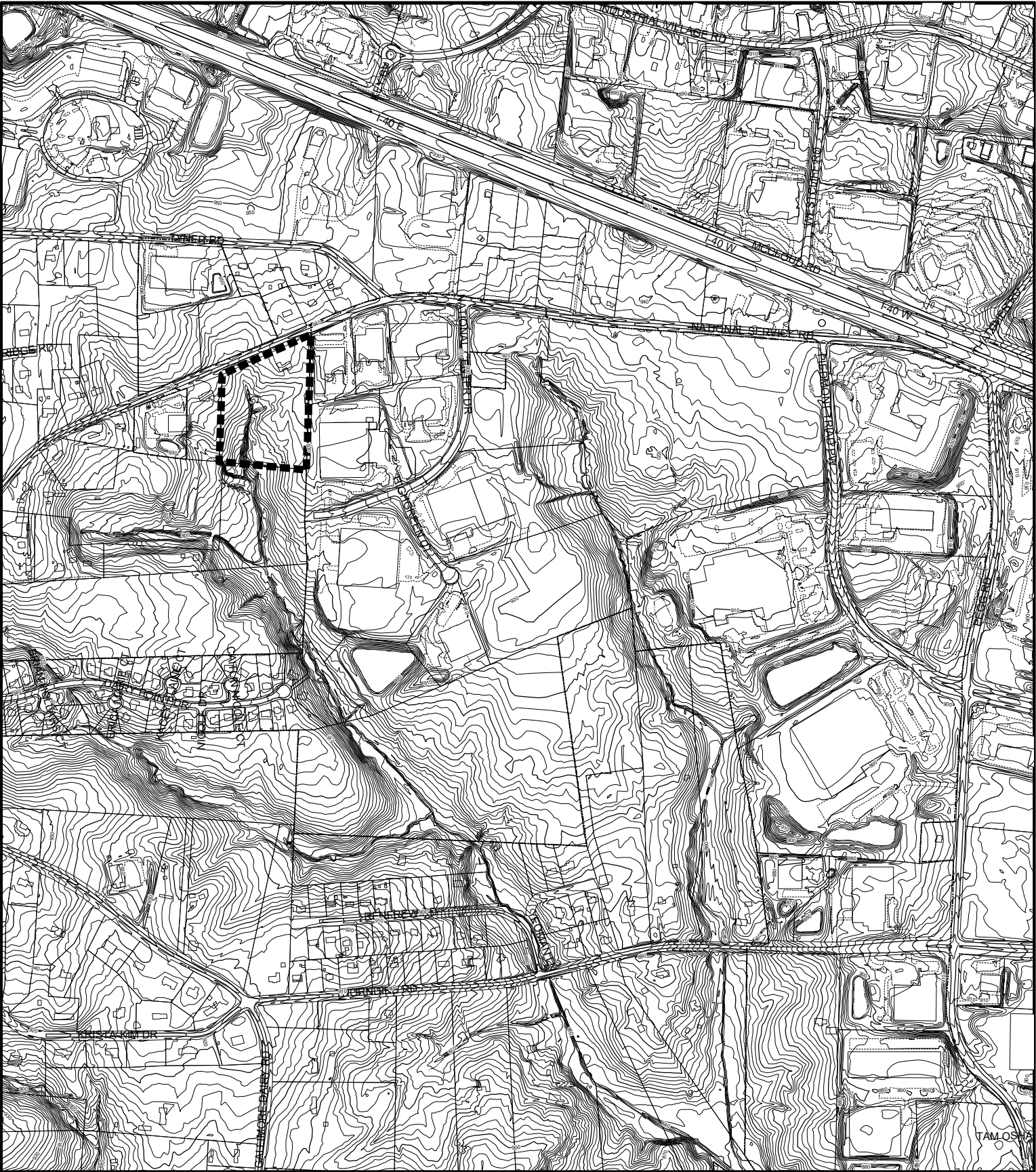


Planning & Development
Department

City of High Point



Scale: 1"=800'
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2017/pz/za17-25lu.mxd



ZONING MAP AMENDMENT ZA-17-25

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point



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2017/pz/za17-25topo.mxd

ZONING MAP AMENDMENT ZA-17-25



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 November 14, 2017 and before the City Council of the City of High Point on December 19, 2017 regarding **Zoning Map Amendment Case 17-25 (ZA-17-25)** 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 November 5, 2017, for the Planning and Zoning Commission public hearing and on December 6, 2017 and December 13, 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 **December 18, 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: **Employment Center (EC) District**. The property is approximately 8.7 acres and lying along the south side of National Service Road, approximately 500 feet west of Tyner Road (8017 National Service Road). The property is also known as Guilford County Tax Parcel 0169800.

SECTION 2

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 3

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.

18th day of **December, 2017**.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report Zoning Map Amendment 17-25

Submitted by: Amanda P. Hodierne, Attorney at Law, on
behalf of Marsh Investments LLC.



8011 National Service Road • PO Box 550 • Colfax, NC 27235
Telephone: (336) 931-1100

October 17, 2017

Dear Neighbor:

Our company, Marsh Investments, LLC, is under contract to purchase the property located at 8017 National Service Road. Marsh Investments is a long standing member of the community with its business Tenn-Tex Plastics already located at 8011 National Service Road.

We plan to expand our current facility with the addition of this property. We have applied to the City of High Point to annex and rezone this property to allow for additional manufacturing space.

The granting of our request will enable us to proceed with plans for an attractive and functional use of this property. We have worked closely with High Point planning staff to ensure our request and eventual development is in keeping with City's vision for this part of town and we believe our request is in harmony with the surrounding community.

Please feel free to contact our office with any questions you have about this request. The High Point Planning and Zoning Commission will meet to consider our request on Tuesday, November 14th at 6:00 pm. The meeting is held in the Council Chambers located on the third floor of the Municipal Building at 211 S. Hamilton Street.

Sincerely,

A handwritten signature in dark ink, appearing to read "Rick Marsh", written over a horizontal line.

Rick Marsh

Marsh Investments, LLC and
Tenn-Tex Plastics, Inc.

8017 NATIONAL SERVICE ROAD
SUMMARY OF NEIGHBORHOOD COMMUNICATION

- Based on the scattered nature of the surrounding property owners, the small number of surrounding property owners and the presence of many non-residential property owners in the area, the applicant chose to send a letter about this request to each person on the City's notification list.
- The attached letter was sent on October 17th to all property owners on the attached mailing list provided by the Planning Department.
- The letter explained the request and the reason for it, informed the recipient of the date, time and location of the Planning and Zoning Board public hearing and invited the recipient to contact the applicant with any questions
- To date, we have had no response from the letter

BARRINGER LEASING LLC
1620 FAIRFAX RD
GREENSBORO NC 27407

CLEVELAND, MICHAEL ; CLEVELAND, MARSHA W
8215 TYNER RD
COLFAX NC 27235

DERIC LLC
PO BOX 4024
GREENSBORO NC 27404

FRAZIER, LINDA J
8219 TYNER RD
COLFAX NC 27235

GEORGE H PITTS & LALA B PITTS REVOCABLE
TRUST ; PITTS, LALA B TRUSTEE
2520 SANDY RIDGE RD
COLFAX NC 27235

MARSH INVESTMENTS LLC
PO BOX 43
WALLBURG NC 27373

OWENS, LARRY MICHAEL ; OWENS, BETTY S
8217 TYNER RD
COLFAX NC 27235

ROBINSON, DENNIS WADE ; ROBINSON,
PAULETTE D BULL
PO BOX 207
COLFAX NC 27235

RWK-TRIAD LLC
1813 CAPITAL BLVD
RALEIGH NC 27604

SPIVEY, CYNTHIA H
8000 NATIONAL SERVICE RD
COLFAX NC 27235

STICEA, CONSTANTIN ; STICEA, LILIANA
8023 NATIONAL SERVICE RD
COLFAX NC 27235

TUCKER, FORREST A
8017 NATIONAL SERVICE RD
COLFAX NC 27235

TUCKER, M WILLARD ; TUCKER, BARBARA C
8109 THORNDIKE RD
GREENSBORO NC 27409