

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 17-28
(City of High Point)

From: Lee Burnette, Planning & Development
Director

Meeting Date: February 19, 2018

Public Hearing: Yes

Advertising Date: February 7, 2018, and
February 14, 2018

Advertised By: Planning & Development

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

PURPOSE:

A request by the City Council to rezone four parcels, totaling approximately 4.1 acres, from the Retail Commercial (RC) District to the General Business (GB) District. These parcels are lying along the north side of E. Parris Avenue, between Johnson Street and Kirkwood Street.

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 January 23, 2018, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-28. The Planning & Zoning Commission recommended *approval* of this request, as outlined in the staff report and recommended by staff, by a vote of 8-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point

Zoning Map Amendment 17-28

At its January 23, 2018⁷ public hearing, the Planning and Zoning Commission reviewed a request to rezone four parcels, totaling approximately 4.1 acres, to the General Business (GB) District. All members of the Commission were present except for Mr. Mark Walsh. 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:

No one spoke in favor to this request.

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, as the zoning site is designated as Community/Regional Commercial by the Land Use Plan Map and the GB District was established to be consistent with that designation.

Reasonableness Statement

The Commission stated that the request is reasonable and in the public interest as the requested GB District is consistent with the December 2017 zoning approval granted along E. Parriss Avenue and it removes the nonconforming use status for the existing vehicle establishments that were previously conforming uses.

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

Zoning Map Amendment

The Commission recommended *approval* of Zoning Map Amendment 17-28, as recommended by staff, by a vote of 8-0.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-17-28
January 23, 2017**

Request	
Applicant: City of High Point	Owners: Bradian Investments LLC; Regal Holdings LLC Donna Gilstrap and Orion Venture BOA LLC
Zoning Proposal: To rezone approximately 4.1 acres	From: RC Retail Center District
	To: GB General Business District

Site Information	
Location:	Lying along the north side of E. Parris Avenue, between Johnson Street and Kirkwood Street
Tax Parcel Numbers:	Guilford County Tax Parcels 0199860, 0199864, 0199866 and 0199867
Site Acreage:	Approximately 4.1 acres
Current Land Use:	Major vehicle establishments (body shop and a repair facility), bank and an undeveloped parcel.
Physical Characteristics:	A perennial stream and a 100-year floodplain impacts the western and northern portions of the site.
Water and Sewer Proximity:	A 12-inch City water line and an 8-inch City sewer line serve the site from E. Parris Avenue. Additionally, a 15-inch City sewer line bisects the site, as it follows the stream corridor.
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.
Overlay District:	None

Adjacent Property Zoning and Current Land Use			
North:	RM-16 CZ-OI	Residential Multifamily-16 District Conditional Zoning Office Institutional District	Single family attached dwellings (Northpoint Estates Condos) Kirkwood Crossing apartments
South:	RC	Retail Center District	Major retail establishment containing multiple commercial uses
East:	GB	General Business District	Convenience store with gas pumps and a multi-tenant commercial structure
West:	CU-GB	Conditional Use General Business District	Restaurant

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 wide 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:	In December 2017, Zoning Map Amendment 17-24 was approved and case established a GB District on approximately 1.74 acres at the northwest corner of E. Parris Avenue and Johnson Street.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	E. Parris Avenue		Local	1,020 feet
	Kirkwood Street		Local	200 feet
Vehicular Access:	Via driveways from E Parris Avenue and Kirkwood Street			
Traffic Counts: <i>(Average Daily Trips)</i>	E. Parris Avenue		6,800 ADT (HP DOT 2015 12-hour count)	
	Kirkwood Street		5,000 ADT (HP DOT 2015 12-hour count)	
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis:	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	None	

School District Comment
Not applicable to this zoning case.

Details of Proposal

During the Planning and Development Department staff's evaluation of the request to rezone the northwest corner of E. Parris Avenue and Johnson Street from RC to GB in December 2017 (ZA-17-24), four additional parcels were identified along the north side of E. Parris Avenue between Kirkwood Street and Johnson Street that are also zoned RC. In the ZA-17-24 case, a major factor leading to the decision to rezone the property to GB was that the RC zoning district was inappropriate for the property's size of 1.74 acres (RC requires a minimum 5 acre parcel). Therefore, staff requested that the Council initiate a rezoning to GB for the four remaining RC properties based upon the same reasoning.

Three of the four properties included in this request are under 1 acre in size, and the fourth is approximately 1.3 acres.

Staff Analysis

The RC District zoning is intended to accommodate a diverse range of high-intensity retail, service uses on parcels five acres or larger. The subject parcels along the north side of E. Parris Avenue are small, collectively less than four acres, and two of them are developed with service-related vehicle

establishments that are currently non-conforming uses in the RC District. It is highly unlikely that enough land could be assembled to produce a conforming RC development without significant investment and redevelopment.

As stated in the staff report for ZA-17-24, 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, and much of the former SC zoning was replaced to facilitate the development of multifamily residential uses.

The requested GB District permits smaller commercial lots, mirroring the manner in which this area developed. It also permits major vehicle establishment uses, which would remove the non-conforming status on the vehicle service uses that are already established here. Based on the district standards and the manner in which the land along the north side of E. Parris Avenue developed, the proposed GB District is consistent with the character of existing development.

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 zoning site is designated as Community/Regional Commercial by the Land Use Plan Map and the GB District was established to be consistent with that designation.

Reasonableness/Public Interest:

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

The GB District is consistent with the December 2017 zoning approval and removes the nonconform use status for the existing vehicle establishments that were previously conforming uses.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone 4.1 acres 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.

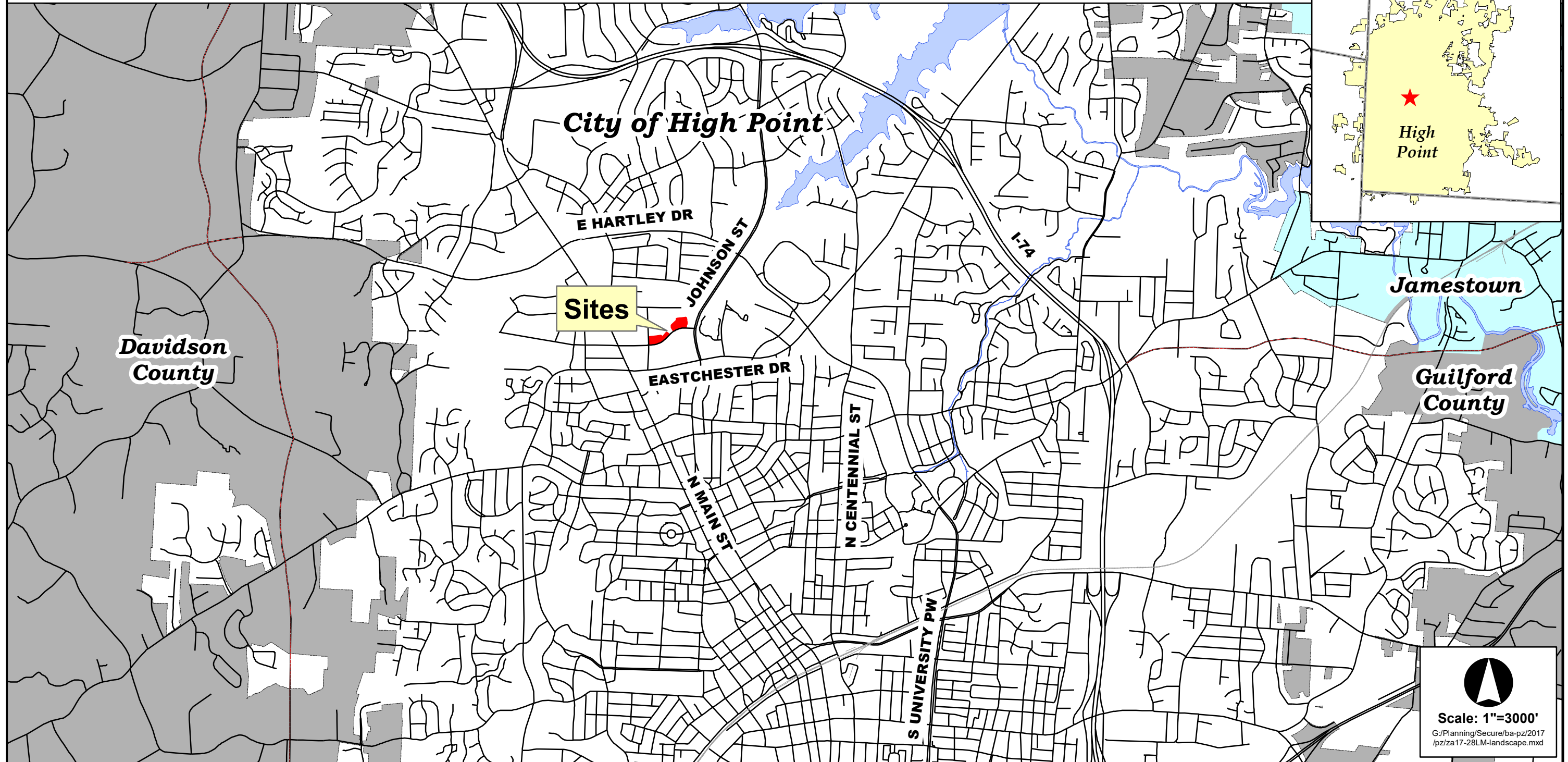
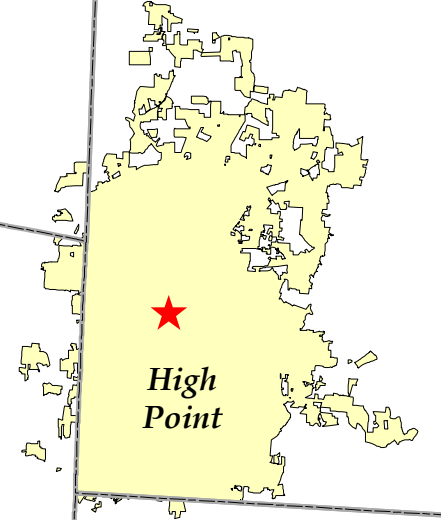
Report Preparation

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-17-28
Applicant: City of High Point

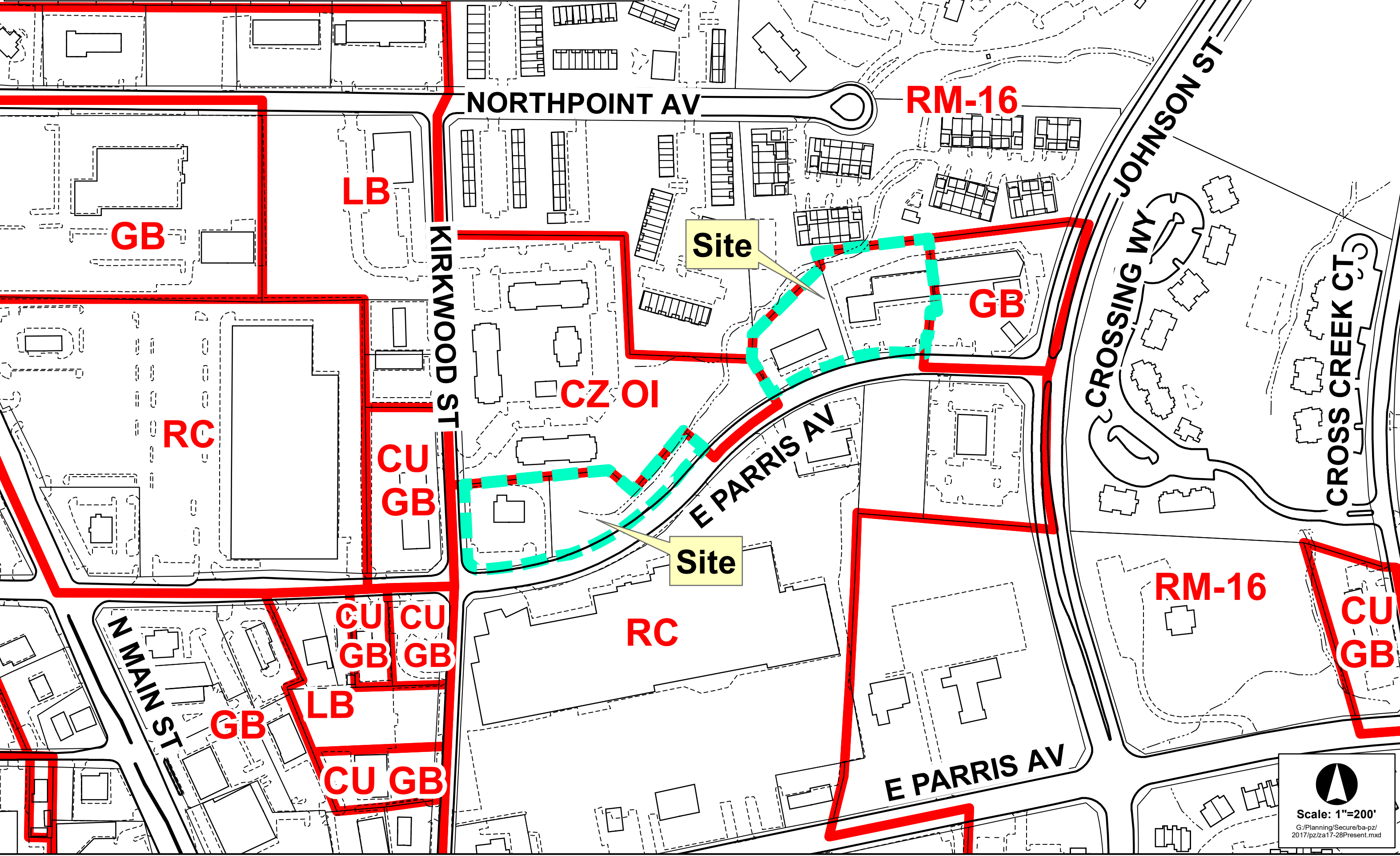
Vicinity Map

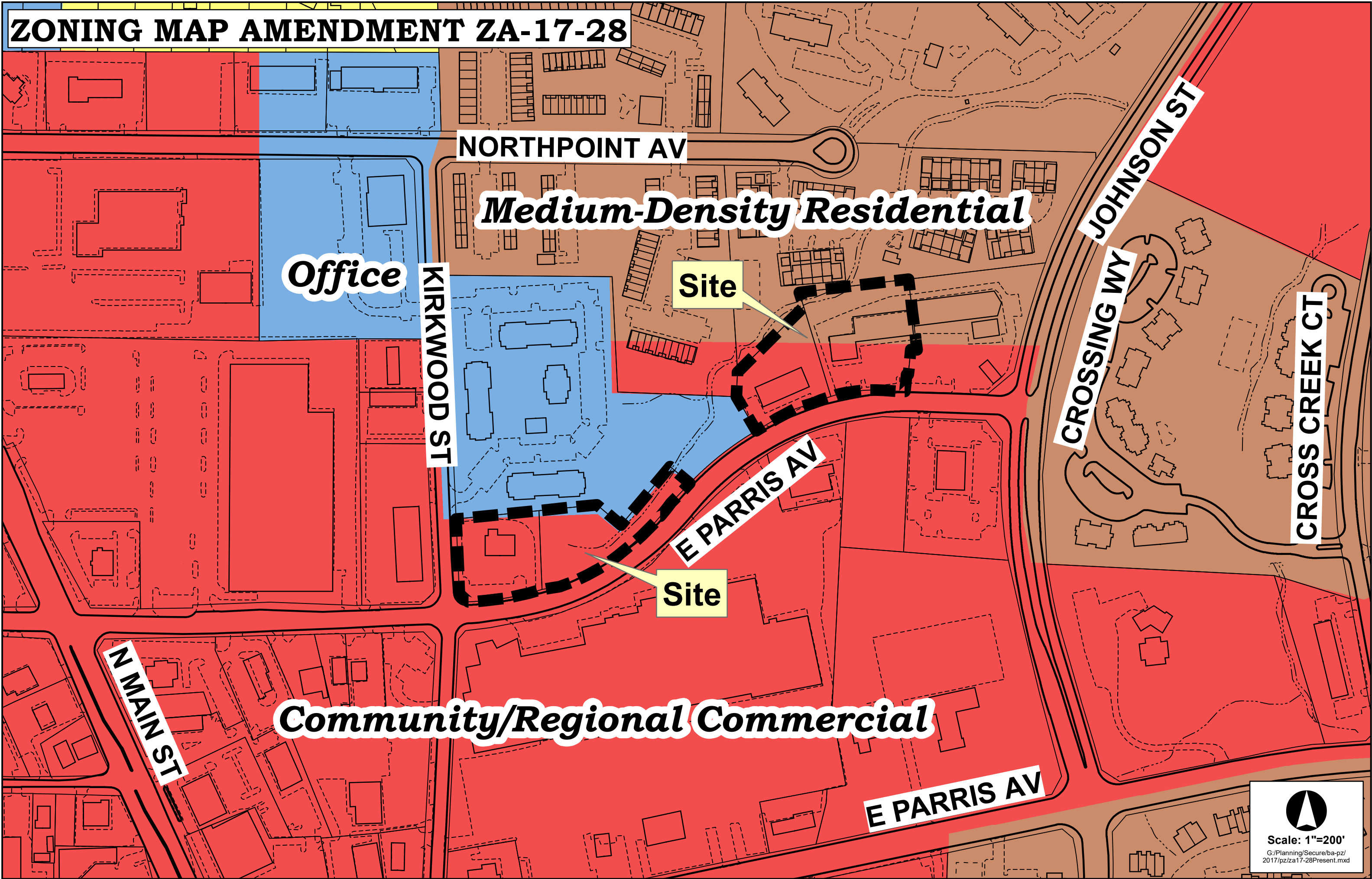


Scale: 1"=3000'

G:\Planning\Secure\ba-pz\2017
pz\za17-28LM-landscape.mxd

ZONING MAP AMENDMENT ZA-17-28





ZONING MAP AMENDMENT ZA-17-28

NORTHPOINT AV

Medium-Density Residential

Office

KIRKWOOD ST

Site

JOHNSON ST
CROSSING WY

CROSS CREEK CT

Site

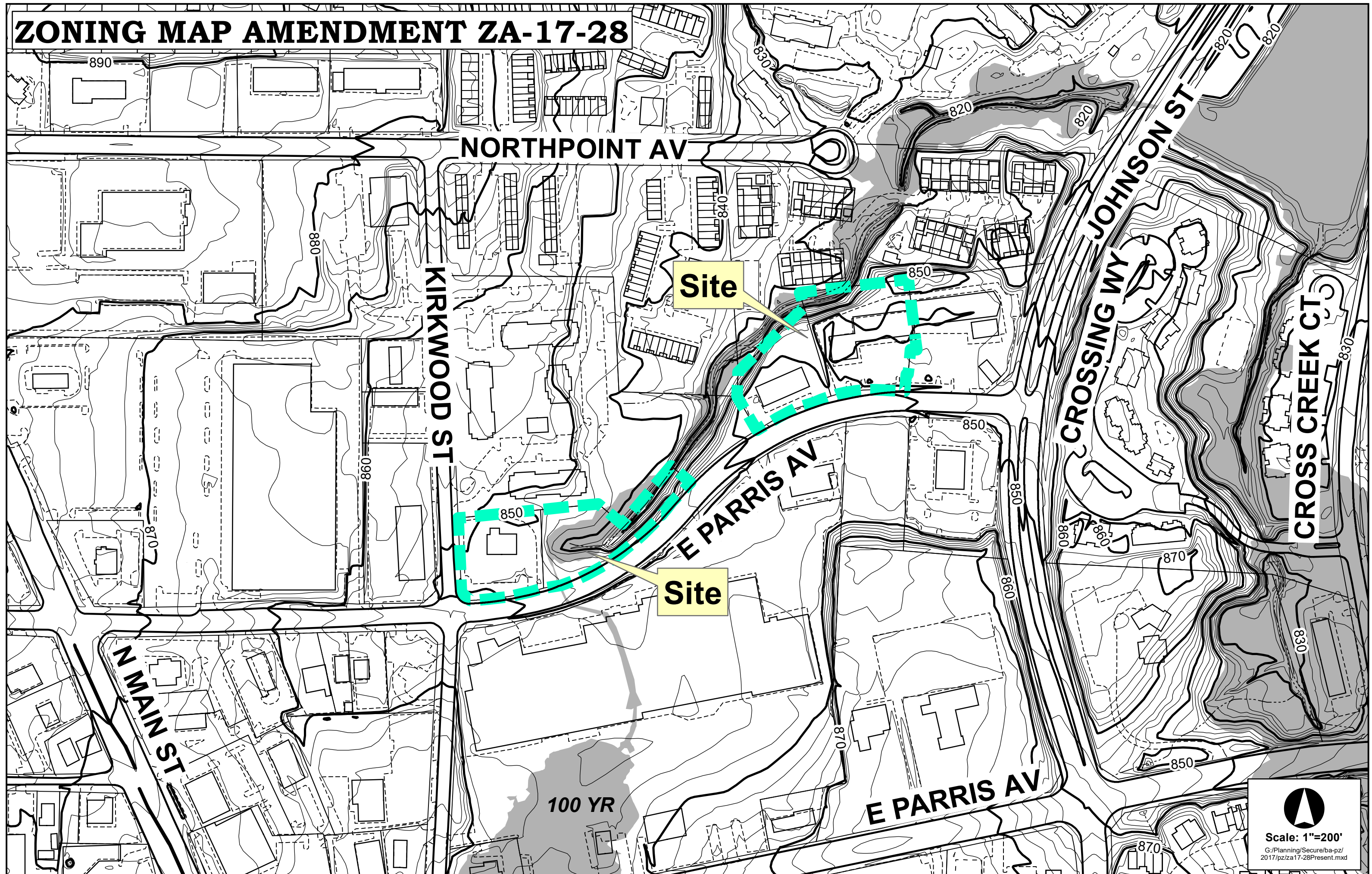
E PARRIS AV

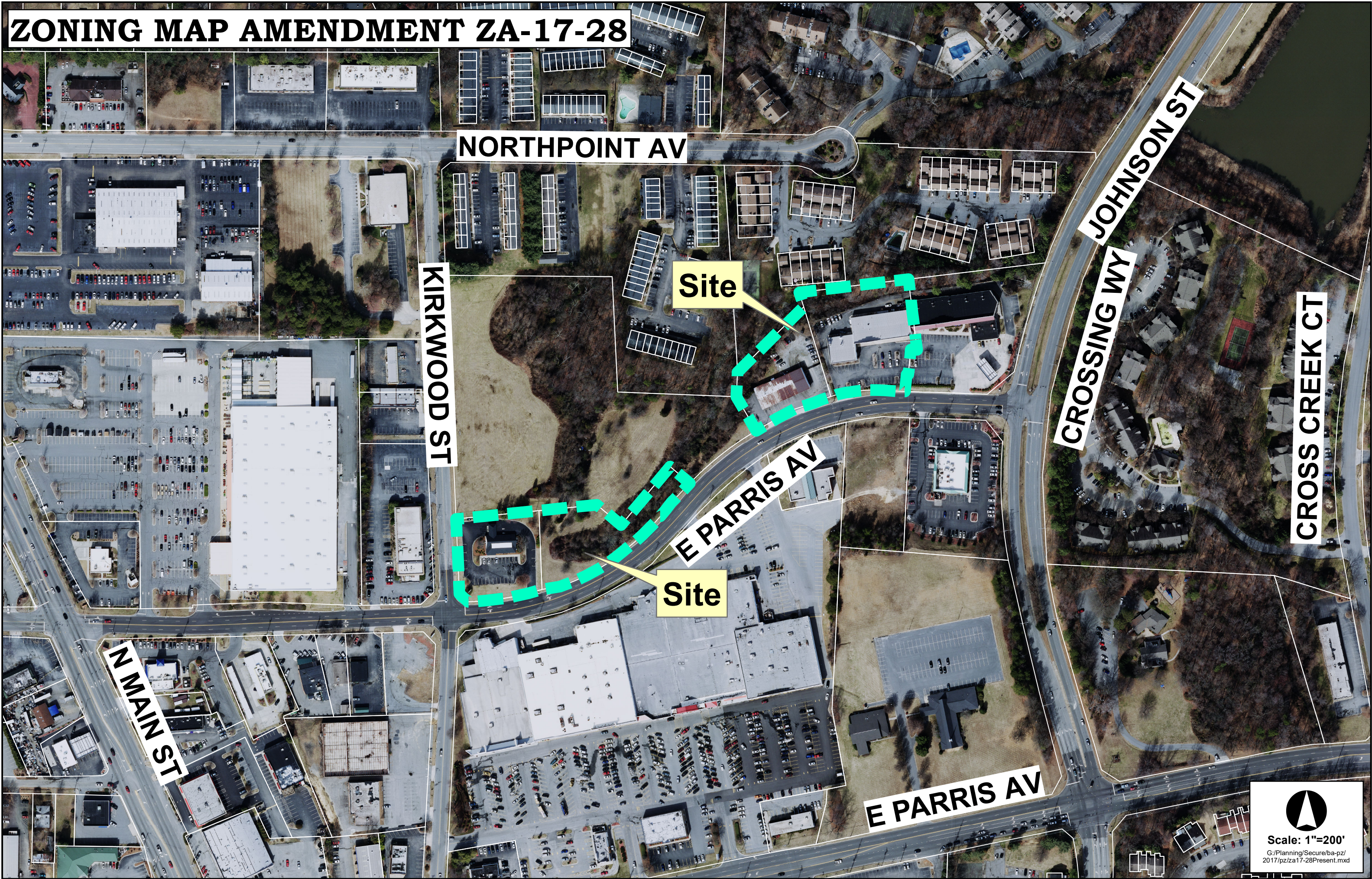
E PARRIS AV

Community/Regional Commercial

N MAIN ST

ZONING MAP AMENDMENT ZA-17-28





ZONING MAP AMENDMENT ZA-17-28

NORTHPOINT AV

KIRKWOOD ST

Site

E PARRIS AV

Site

JOHNSON ST
CROSSING WY

CROSS CREEK CT

E PARRIS AV

N MAIN ST



Scale: 1"=200'
G:\Planning\Secure\ba-pz/
2017\pz\za17-28\Present.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 January 23, 2018 and before the City Council of the City of High Point on February 19, 2018 regarding **Zoning Map Amendment Case 17-28 (ZA-17-28)** 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 January 14, 2018, for the Planning and Zoning Commission public hearing and on February 7, 2018 and February 14, 2018, 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 **February 19, 2018**.

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 site is approximately 4.1 acres and lying along the north side of E. Parris Avenue, between Johnson Street and Kirkwood Street. The property is also known as Guilford County Tax Parcels 0199860, 0199864, 0199866 and 0199867.

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.
19th day of February, 2018.

Lisa B. Vierling, City Clerk