

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 17-29
(Sunland Properties, Inc)

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 Sunland Properties, Inc. to rezone approximately 3.5 acres from the Limited Business (LB) District and a Conditional Use General Business (CU-GB) District to the General Business (GB) District. The site is lying west of Kirkwood Street and south of 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 January 23, 2018, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-29. 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

Sunland Properties, Inc

Zoning Map Amendment 17-29

At its January 23, 2018⁷ public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 3.5 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:

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 provided an overview of the request and made himself available to address questions from the Commission.

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 and surrounding area are designated by the Land Use Plan Map as Community/Regional Commercial and the requested 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 it is consistent with the surrounding GB zoning and it will allow the zoning site to develop with similar uses under the same development standards afforded the surrounding property.

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

Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 17-29, as recommended by staff, by a vote of 8-0.

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

**STAFF REPORT
ZONING MAP AMENDMENT 17-29
January 23, 2018**

| Request | | |
|---|---|---|
| Applicant: Sunland Properties, Inc. | Owners: Sunland Properties, Inc Ronald Crowder, Sharon Crowder, Gerald Crowder and Melanie Crowder | |
| Zoning Proposal: To rezone approximately 3.5 acres at the southwest corner of Kirkwood Street and E. Farris Avenue. | From: | LB Limited Business District CU-GB Conditional Use General Business District |
| | To: | GB General Business District |

| Site Information | |
|--|---|
| Location: | The site is lying west of Kirkwood Street and south of E. Parris Avenue |
| Tax Parcel Numbers: | Guilford County Tax Parcels 0199839, 0199844, 0199845, 0199846 and 0199847 |
| Site Acreage: | Approximately 3.5 acres |
| Current Land Use: | A mixture of commercial uses consisting of retail, restaurants, office and undeveloped parcels. |
| Physical Characteristics: | The property has a relatively flat to gently sloping terrain and has no noteworthy physical features. |
| Water and Sewer Proximity: | An 8-inch City water line and an 8-inch City sewer line lie adjacent to the site along both Kirkwood Street and E. Parris Avenue. In addition, a 12-inch City sewer line cuts across the northern portion of the zoning site, running southwest to northeast. |
| 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: | Oak Hollow Lake General Watershed Area (GWA) |

| Adjacent Property Zoning and Current Land Use | | | |
|--|-------------|---|---|
| North: | RC CU-GB | Retail Center District Conditional Use General Business District | Large Retail sales establishment (over 50,000 sq. ft.) and restaurant |
| South: | GB | General Business District | Restaurant and vehicle establishment use |
| East: | RC | Retail Center District | Large Retail sales establishment (over 50,000 sq. ft.) |
| West: | GB | General Business District | Multi-structure retail sales establishment |

| 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 map 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: | The following goal of the Land Use Plan are relevant to this request: Obj. #8. Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations. |
| Relevant Area Plan: | Not applicable. |
| Zoning History: | In December 2017, Zoning Map Amendment 17-24 was approved. This case established a GB District on approximately 1.74 acres at the northwestern corner of E. Parris Avenue and Johnson Street. In December 2017, City Council initiated Zoning Map Amendment 17-28 to rezone four parcels, along the north side of E. Parris Avenue, to the GB District. One of these parcels lies opposite of this zoning application, on the northeast corner of E. Parris Avenue and Kirkwood Street. |

| Transportation Information | | | | |
|---|--|----|----------------------------------|------------------|
| Adjacent Streets: | Name | | Classification | Approx. Frontage |
| | Kirkwood Street | | Local | 275 feet |
| | E. Parris Avenue | | Local | 130 feet |
| Vehicular Access: | Via driveway access from Kirkwood Street and E. Parris Avenue. | | | |
| Traffic Counts: <i>(Average Daily Trips)</i> | Kirkwood Street | | 5,000 (HPDOT 2015 12 hour count) | |
| | E Parris Ave | | 6,800 (HPDOT 2015 12 hour count) | |
| Estimated Trip Generation: | Not applicable | | | |
| Traffic Impact Analysis: | Required | | Comment | |
| | Yes | No | | |
| | | X | | |

| School District Comment |
|-------------------------------------|
| Not applicable to this zoning case. |

Details of Proposal

This is an application to rezone five parcels, totaling about 3.5 acres, lying at the southwest corner of Kirkwood Street and E. Parris Avenue. The applicant owns two of these parcels, totaling 2.4 acres, with street frontage on both Kirkwood and E. Parris, and is proposing to develop a multi-structure commercial development. However, these two parcels are governed by three separate zoning districts, consisting of the LB District and two separate CU-GB Districts, that were adopted in the 1990s. The applicant is requesting rezoning, to the GB District, to allow the two parcels to develop under the standards of a single zoning district.

The other three parcels associated with this application front on E. Parris Avenue and have Limited Business (LB) and Conditional Use General Business (CU-GB) district zoning that was also established in the 1990s. Two recent zoning map amendment applications either have or are slated to change the zoning on property along E. Parris Avenue to the General Business (GB) district (ZA-17-24 and ZA-17-28). In keeping with those changes, staff requested the applicant seek approval from the other three property owners to include their properties in this application to the GB district, and they have agreed to be co-applicants.

Staff Analysis

The zoning site is lying at the northeast corner of a block bounded by N. Main Street, Eastchester Drive, Kirkwood Street and E. Parris Avenue. The GB District has long been established along the N. Main Street and Eastchester Drive frontages of this block. Additionally, the GB District partially extends along portions of the E. Parris Avenue and Kirkwood Drive frontages of this block. Therefore, the allowance of GB District zoning at the northeast corner of this block is consistent with the manner adjacent parcels were zoned.

Furthermore, property to the north (Home Depot) and east (High Point Mall) was developed with a large retail use (a structure over 50,000 sq. ft.) with RC District zoning. Since the zoning site is generally surrounded by higher intensity commercial uses and zoning, the approval of the requested GB District is compatible with the surrounding area.

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 and surrounding area are designated by the Land Use Plan Map as Community/Regional Commercial and the requested General Business (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 requested GB District is consistent with the surrounding GB zoning and it will allow the zoning site to develop with similar uses under the same development standards afforded the surrounding property.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone 3.5 acres to the GB District. The requested GB District will be compatible with the surrounding area and in conformance with adopted plans.

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.

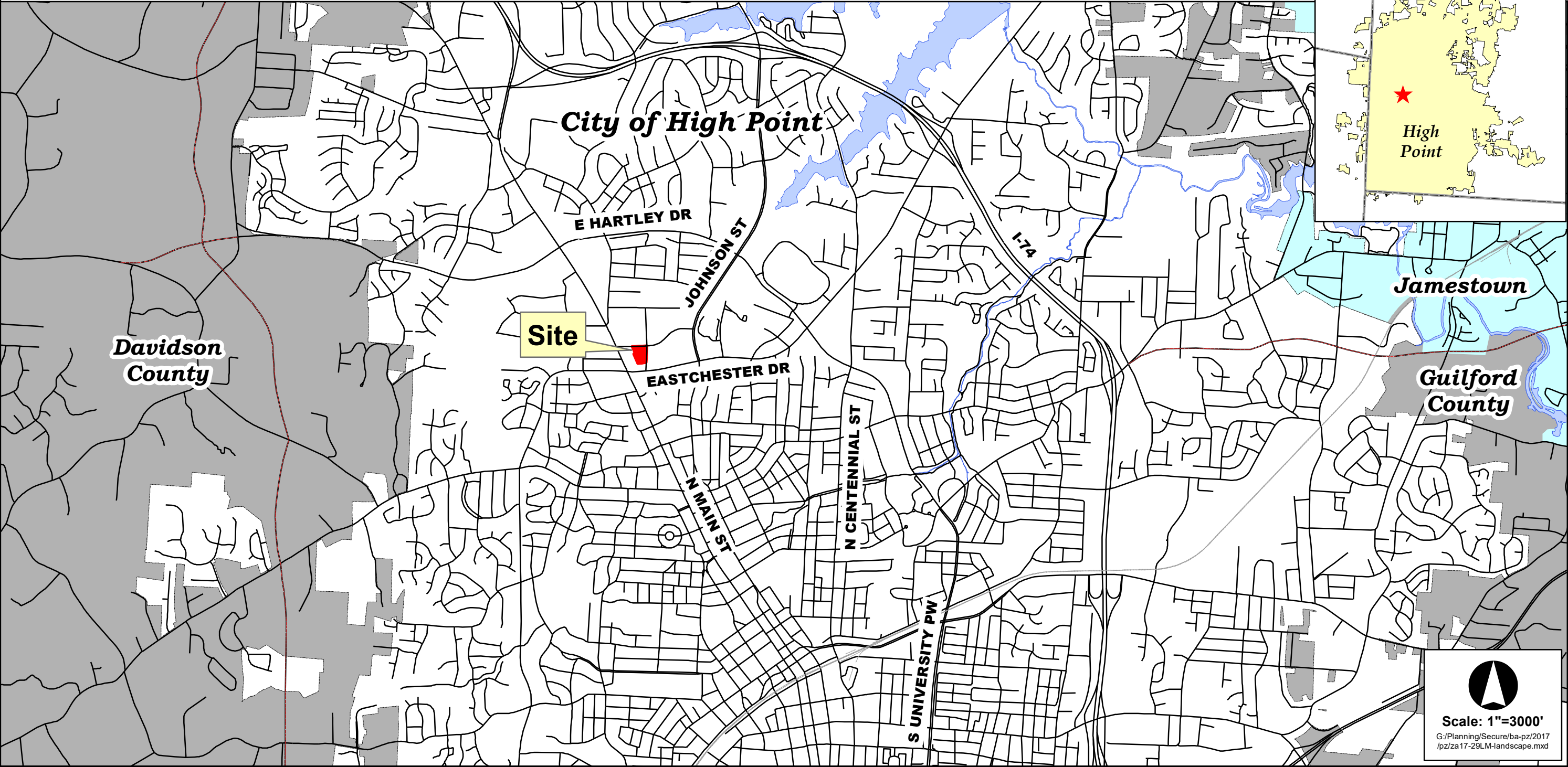
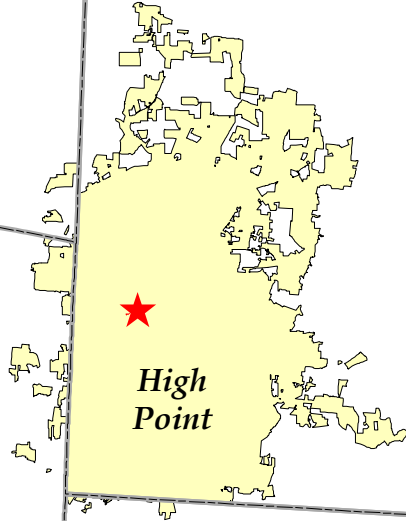
Report Preparation

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

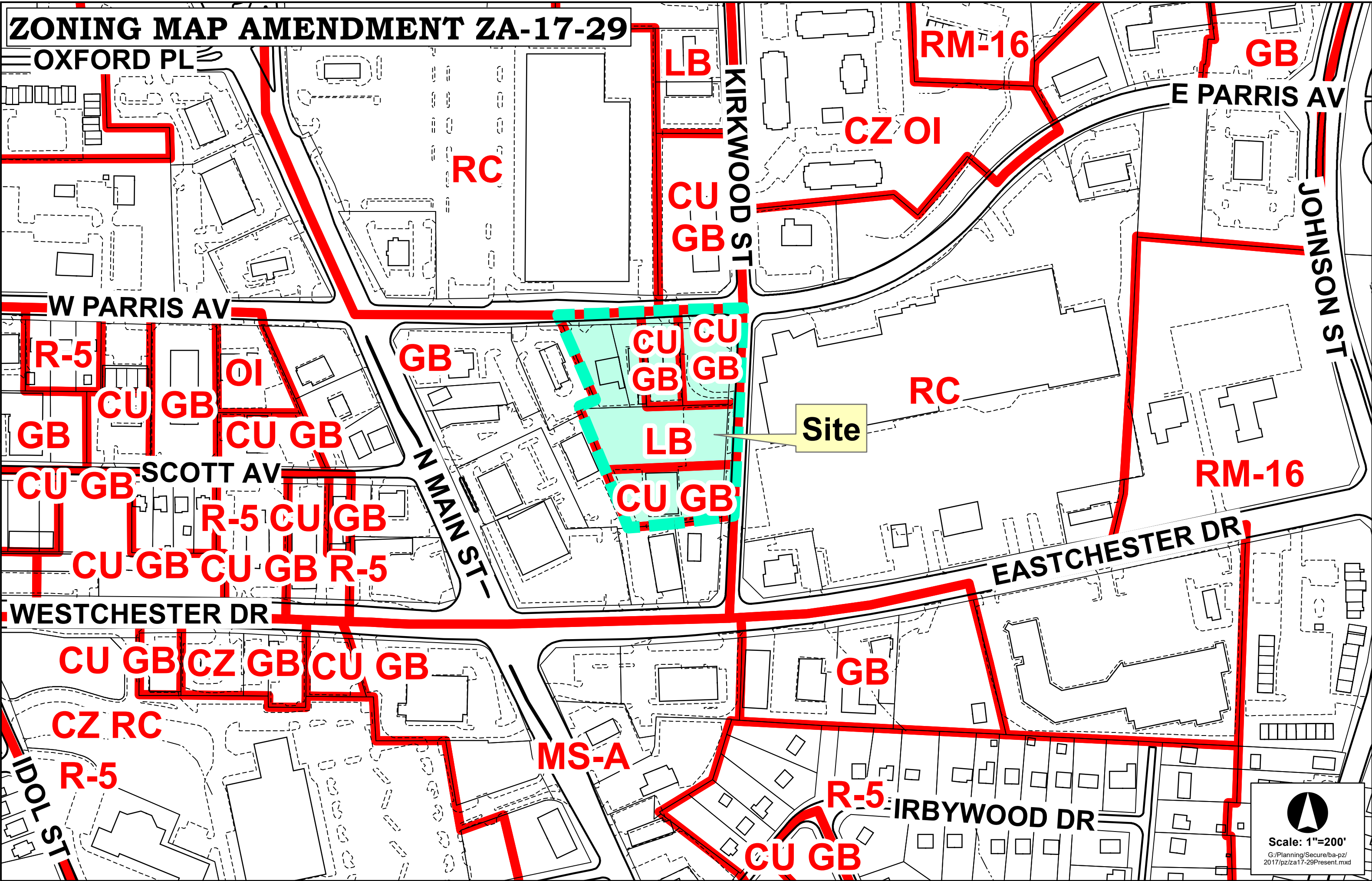
ZONING MAP AMENDMENT: ZA-17-29
Applicant: Sunland Properties, Inc.

Vicinity Map



Scale: 1"=3000'

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ZONING MAP AMENDMENT ZA-17-29

OXFORD PL

KIRKWOOD ST

E PARRIS AV

JOHNSON ST

Office

Institutional

W PARRIS AV

Site

SCOTT AV

N MAIN ST

*Community/Regional
Commercial*

EASTCHESTER DR

*Medium-Density
Residential*

WESTCHESTER DR

Low-Density Residential

IRBYWOOD DR

IDOL ST



Scale: 1"=200'

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ZONING MAP AMENDMENT ZA-17-29

OXFORD PL

KIRKWOOD ST

E PARRIS AV

JOHNSON ST

W PARRIS AV

SCOTT AV

N MAIN ST

WESTCHESTER DR

EASTCHESTER DR

IRBYWOOD DR



Site

100 YR

100 YR

100 YR



Scale: 1"=200'

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ZONING MAP AMENDMENT ZA-17-29

OXFORD PL

KIRKWOOD ST

E PARRIS AV

JOHNSON ST

W PARRIS AV

SCOTT AV

N MAIN ST

Site

EASTCHESTER DR

WESTCHESTER DR

IDOL ST

IRBYWOOD DR



Scale: 1"=200'
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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 17-29 (ZA-17-29)** 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 3.5 acres and lying along west of Kirkwood Street and south of E. Parris Avenue. The property is also known as Guilford County Tax Parcels 0199839, 0199844, 0199845, 0199846 and 0199847.

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

Citizens Information Meeting Report Zoning Map Amendment 17-29

Submitted by: Alex Field

HERBERT SHANNON JR

From: Alex Field <alex.field@me.com>
Sent: Thursday, January 11, 2018 1:19 PM
To: HERBERT SHANNON JR
Subject: Re: Info from Herb Shannon on Neighborhood Information Meeting for Kirkwood Rezoning application

Herb,

My letter went out on the 4th. I did receive two phone calls from two property owners (actually it's the same property, they are brothers... the Gilstraps) to discuss what was going on. The conversation went well and I provided them your number if they had any further questions.

Please let me know if you need anything else from me and also please let confirm that the P&Z meeting is January 23rd and the city council meeting is February 19th?

Kind Regards,

Alex Field
Commercial Real Estate Broker
Price Commercial Properties
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