

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 18-05
(Anthony Pennisi)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May, 7, 2018

Public Hearing: Yes

Advertising Date: April 25, 2018, and
May 2, 2018

Advertised By: Planning & Development

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

PURPOSE:

A request by Anthony Pennisi to rezone approximately 1.7 acres from the General Business (GB) District to the Light Industrial (LI) District. The site is lying west of East Market Center drive, between Tate Street and Park 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 April 24, 2018, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 18-05. 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

Anthony Pennisi

Zoning Map Amendment 18-05 (ZA-18-05)

At its April 24, 2018 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximate 1.7 acres to the Light Industrial (LI) District. All members of the Commission were present except Mr. Andrew Putnam. Mr. Robert Robbins, Development Services 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 was the applicant, Mr. Anthony Pennisi, 6476 Allendale Drive Archdale, NC; President of Domenick's Furniture Manufacturer. Mr. Pennisi provided an overview of this request for the Commission and made himself 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 zoning site and surrounding area are designated by the Land Use Plan Map as Light Industrial, and the requested Light Industrial zoning district is consistent with that designation.

Reasonableness Statement

The Commission stated that the proposed LI district is consistent with the surrounding zoning pattern and will allow the property to develop with similar uses and under the same development standards as the surrounding properties.

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

Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 18-05, as recommended by staff, by a vote of 8-0.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-18-05
April 24, 2018**

Request	
Applicant: Anthony Pennisi	Owner: J. Phil Kennett and Gloria K. Kennett
Zoning Proposal: To rezone approximately 1.7 acres	From: GB General Business District
	To: LI Light Industrial District

Site Information	
Location:	The site is lying west of East Market Center Drive, between Tate Street and Park Street.
Tax Parcel Numbers:	Guilford County Tax Parcels 0174453, 0174458, 0174459, 0174460(portion), 0174461(portion), 0174462, 0174463 and 0174464
Site Acreage:	Approximately 1.7 acres
Current Land Use:	Existing 20,400-square-foot commercial/warehouse structure and undeveloped parcels.
Physical Characteristics:	The site has no noteworthy features.
Water and Sewer Proximity:	A 6-inch City water line and an 8-inch City sewer line lies adjacent to the site along Tate Street and along Park Street.
General Drainage and Watershed:	The site is relatively flat and drains in a general northerly direction, and development is subject to the Randleman Lake General Watershed Area (GWA) requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 12% or more of the site.
Overlay District:	Randleman Lake General Watershed Area - Credit Area.

Adjacent Property Zoning and Current Land Use			
North:	LI	Light Industrial District	Undeveloped parcel and a major vehicle establishment (<i>automotive repair and body shop</i>)
South:	LI	Light Industrial District	Minor manufacturing use (<i>Rowland Woodworking, Inc.</i>)
East:	LI	Light Industrial District	Vacant industrial building
West:	LI	Light Industrial District	Minor manufacturing use (<i>Marsh Furniture Company</i>)

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 Light Industrial land use designation. This classification includes general manufacturing, wholesaling, warehousing, and research and development uses.
Land Use Plan Goals, Objectives & Policies:	This request is neither in conflict with the goals and objectives of the Land Use Plan, nor does it promote those goals and objectives.
Relevant Area Plan:	Not Applicable
Zoning History:	There has been no recent rezoning activity in this area. The last rezoning included the establishment of the Main Street (MS) District, along the S. Main Street corridor, in 2008.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	E. Market Center Drive		Major Thoroughfare	172 ft.
	Tate Street		Local	198 ft.
	Park Street		Local	167 ft.
	Wheeler Avenue		Local	140 ft.
Vehicular Access:	Via drive way from Tate Street or Park Street.			
Traffic Counts: (Average Daily Trips)	E. Market Center Drive	3,100 AADT (NCDOT 2015 traffic count)		
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis:	Required		TIA Comment	
	<u>Yes</u>	<u>No</u> X	Not applicable	

School District Comment
Not applicable to this zoning case.

Details of Proposal

The applicant is requesting rezoning to permit a manufacturing use at this location. Based on review of historic information, it appears that the current GB District zoning is a holdover from the 1980s when this area was transitioning from a mixture uses to an industrial area. The use and redevelopment of the property is difficult as the current zoning (GB and LI Districts) runs through the middle of parcels and through existing structures, creating a situation where the property is subject to two different use and land development standards.

The current GB District zoning is an oddly shaped enclave surrounded by LI zoning and uses. In order to support the applicant's proposed use and to allow the property to be governed by one set of development standards, the applicant has requested that the GB zoned portion of the property be rezoned to the LI District.

Staff Analysis

The adopted Land Use Map has classified this area for Light Industrial uses since the mid-1980s; furthermore, the GB District zoning is surrounded by LI District zoning and uses. Therefore, the requested LI District is consistent with the Land Use Map and with the surrounding zoning and development pattern.

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 Light Industrial, and the requested Light Industrial (LI) zoning district is consistent with that designation.

Reasonableness/Public Interest:

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

The proposed LI District is consistent with the surrounding zoning pattern and will allow the property to develop with similar uses and under the same development standards as the surrounding properties.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone 1.7 acres to the LI District. The request is 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

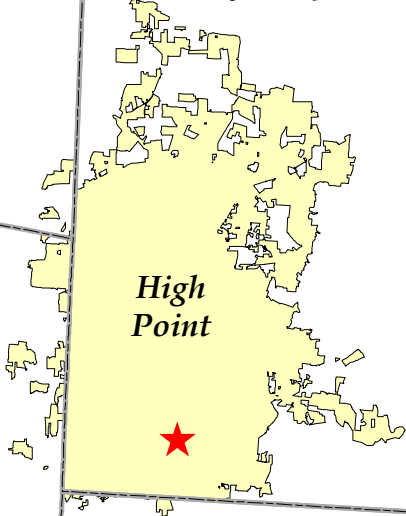
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

LOCATION MAP

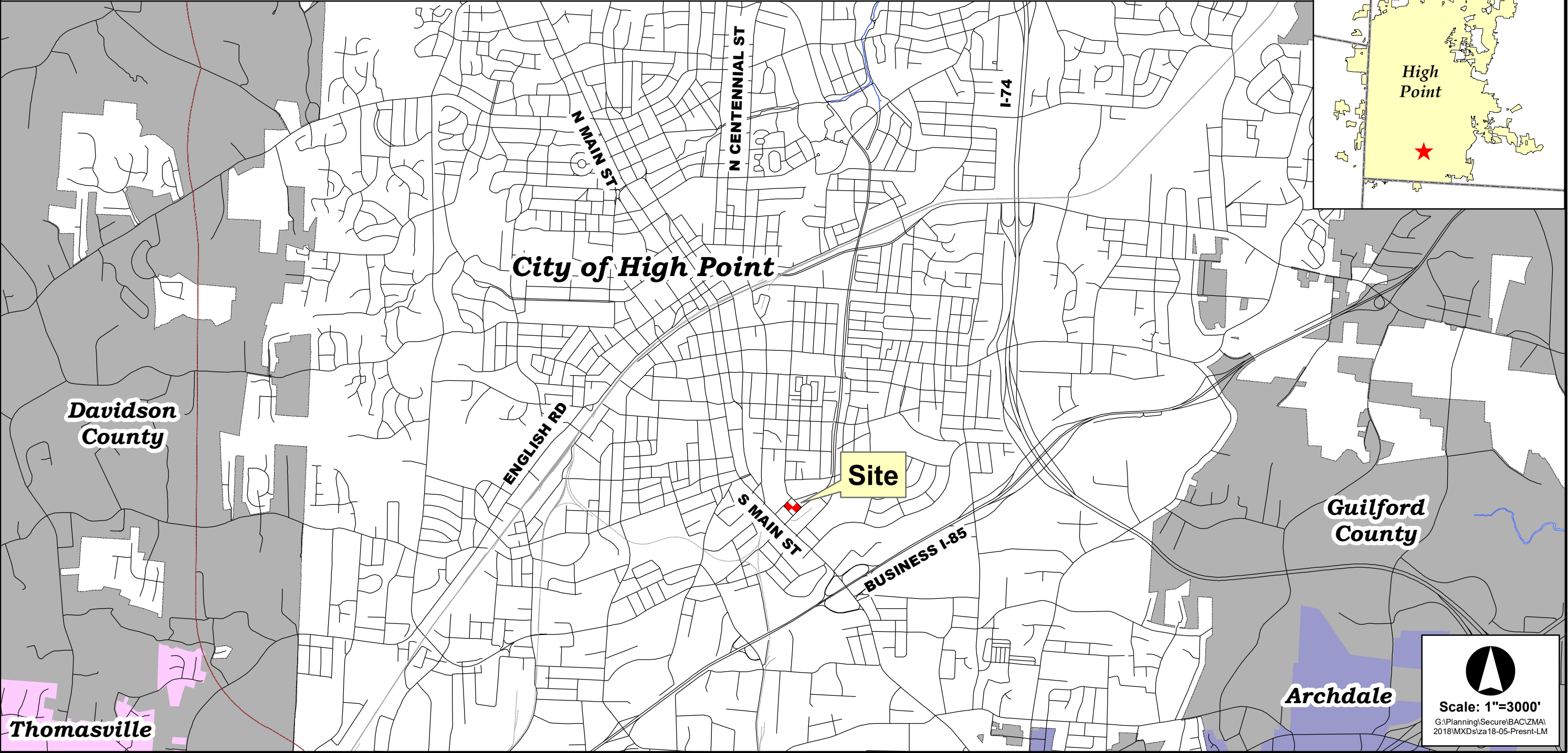
ZONING MAP AMENDMENT ZA-18-05

Applicant: Anthony Pennisi

Vicinity Map



High Point



City of High Point

Davidson County

Guilford County

Archdale

Thomasville

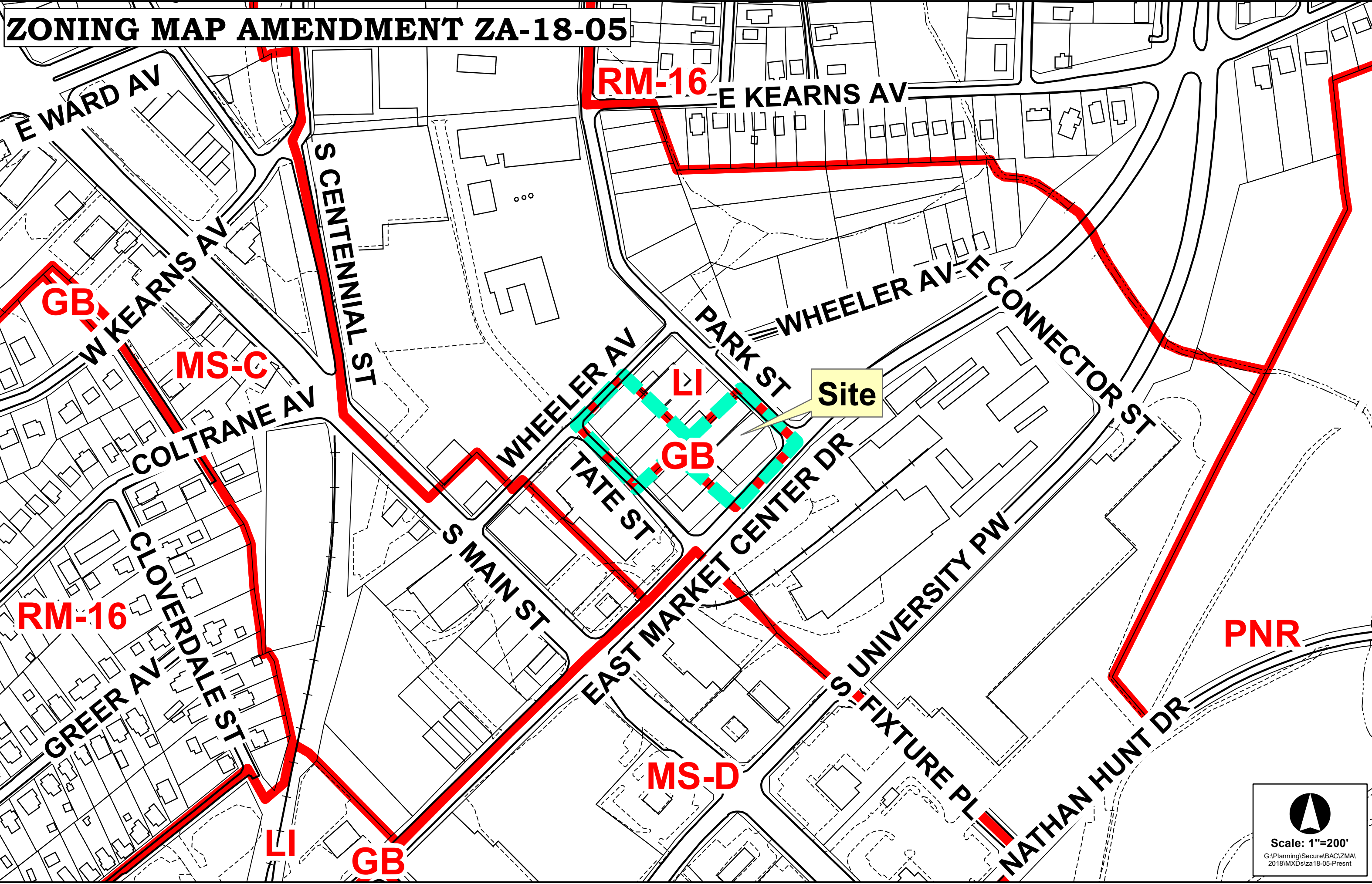
Site



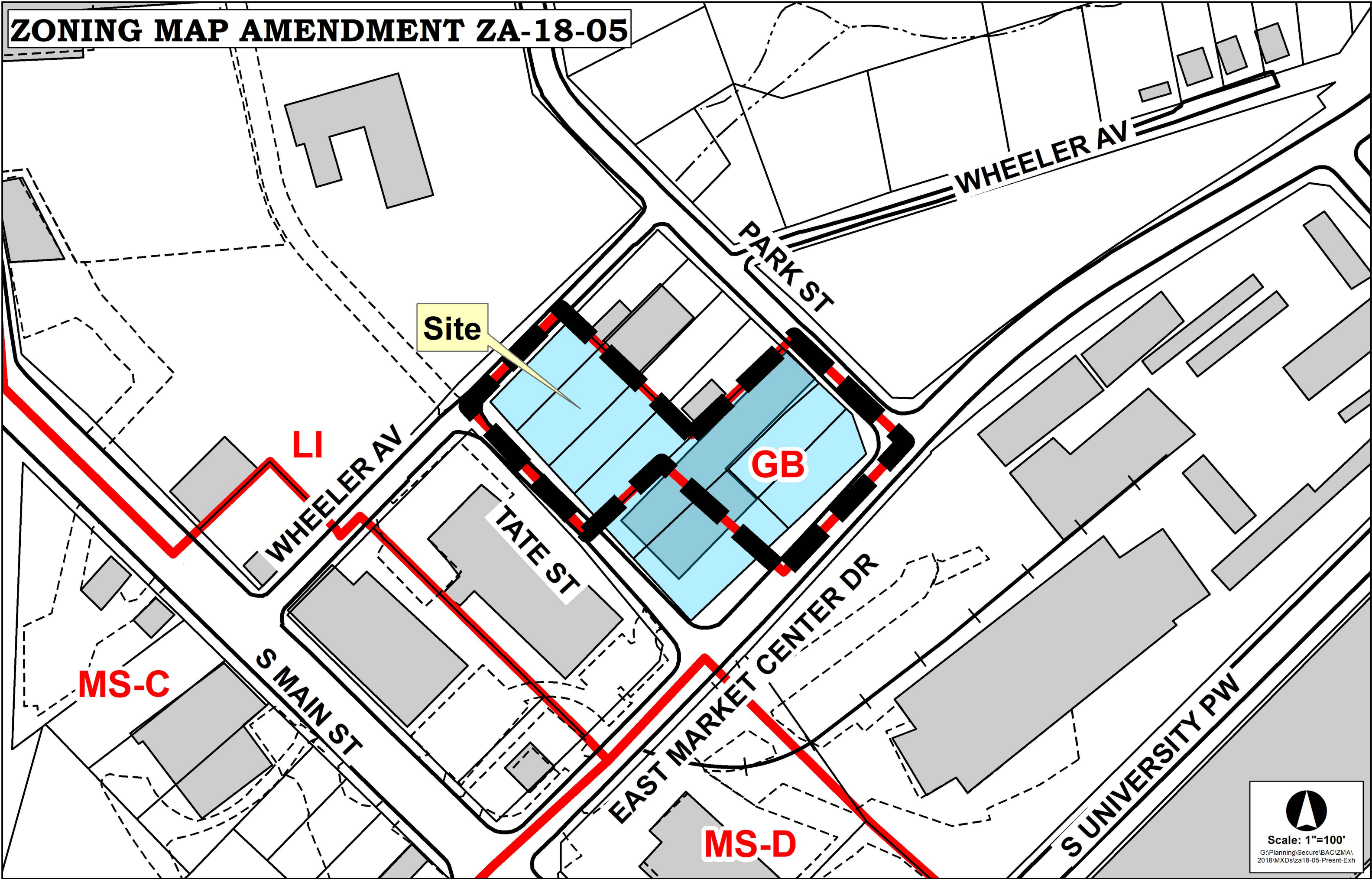
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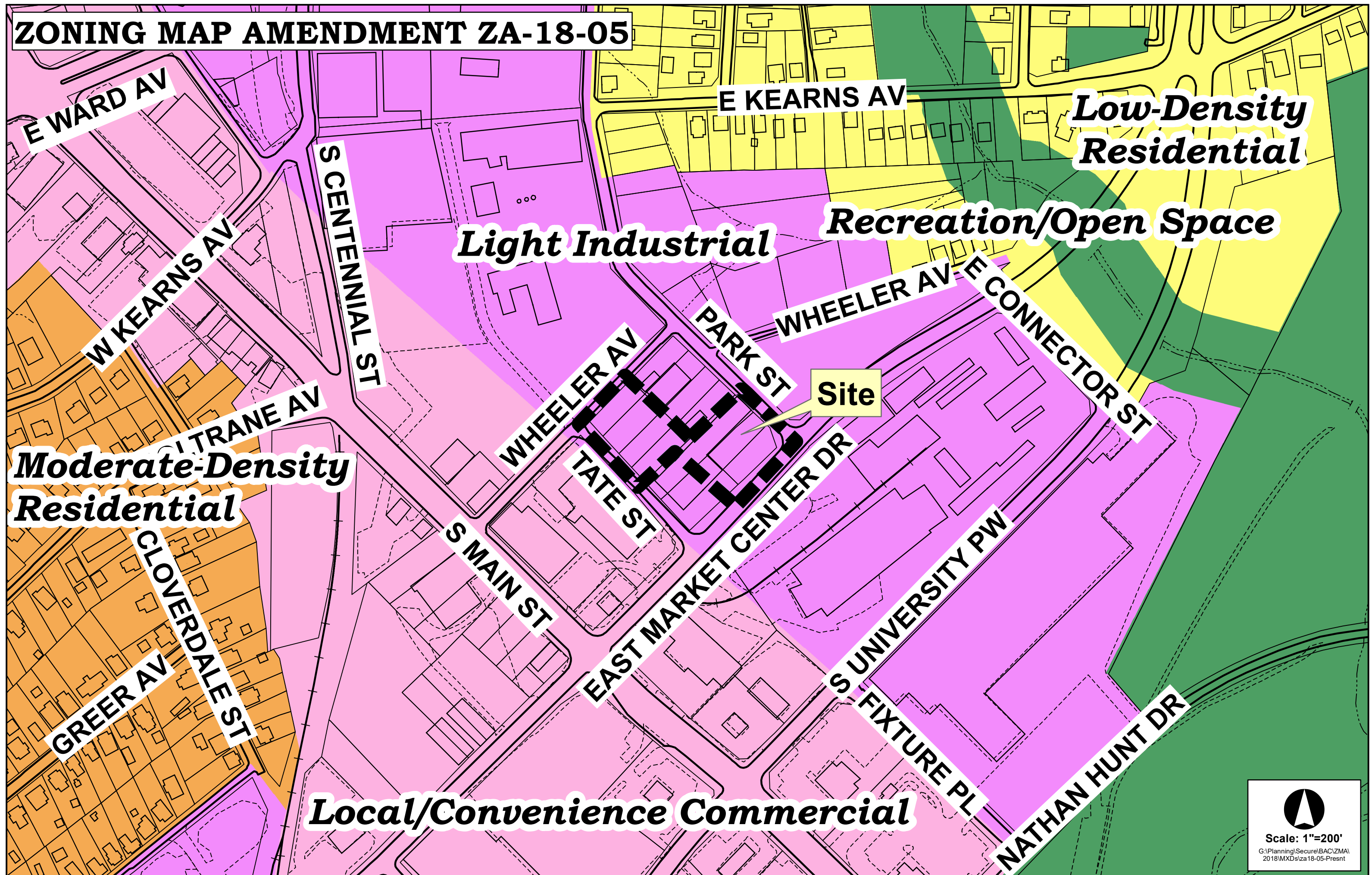
ZONING MAP AMENDMENT ZA-18-05

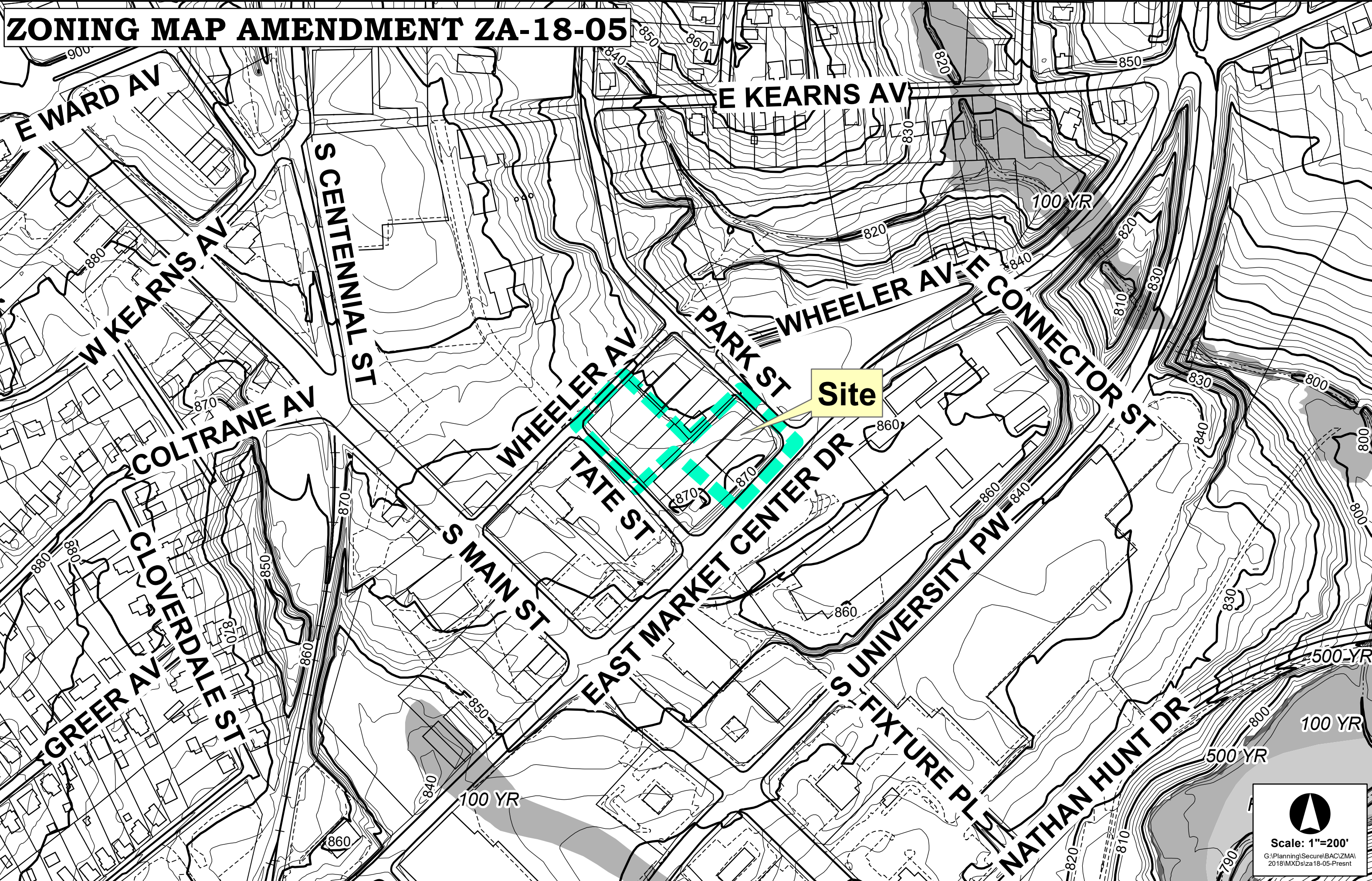


ZONING MAP AMENDMENT ZA-18-05



ZONING MAP AMENDMENT ZA-18-05





ZONING MAP AMENDMENT ZA-18-05

E KEARNS AV

E WARD AV

W KEARNS AV

S CENTENNIAL ST

COLTRANE AV

GREER AV
CLOVERDALE ST

WHEELER AV

PARK ST

S MAIN ST

EAST MARKET CENTER DR

S UNIVERSITY PKWY

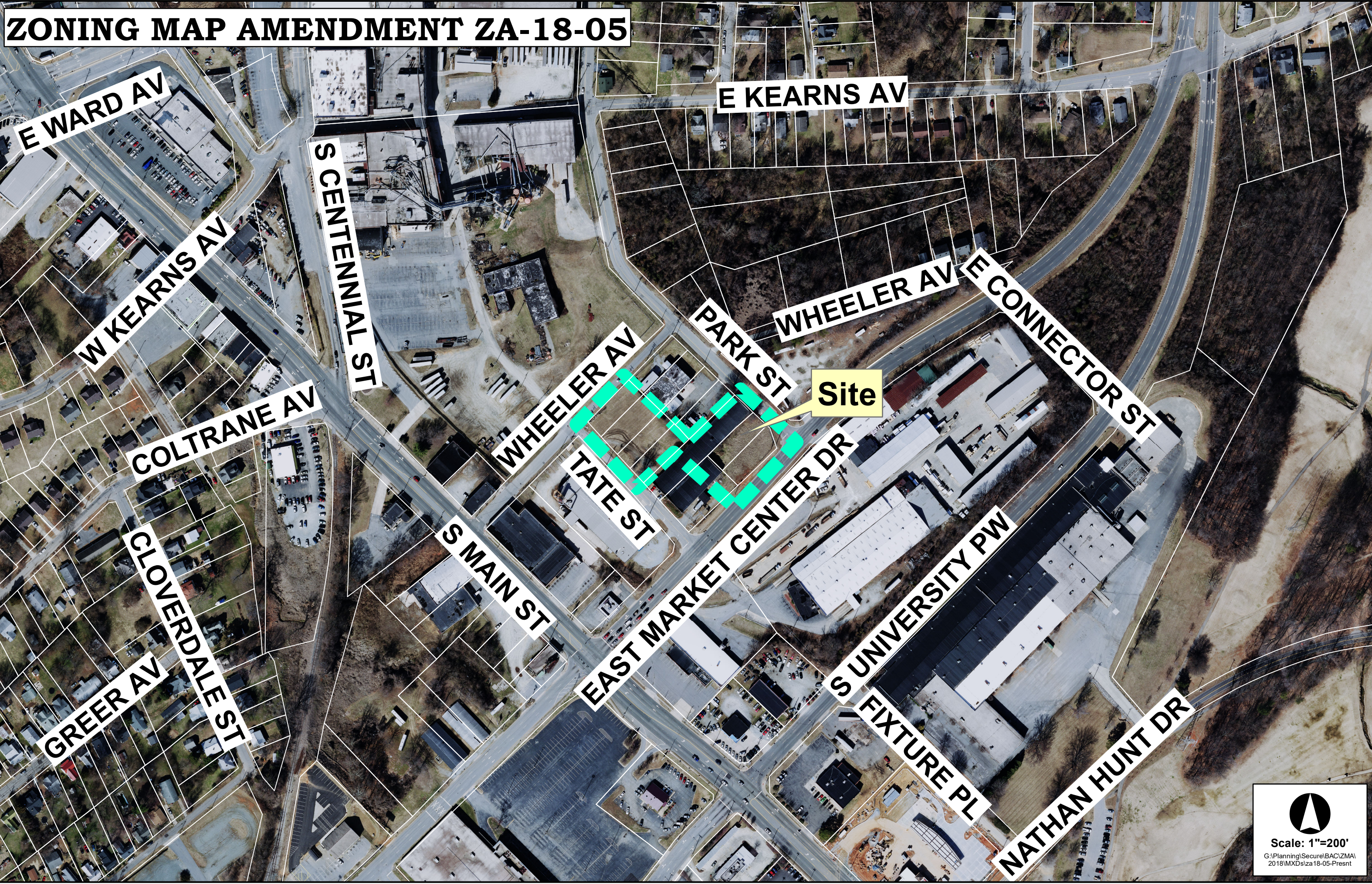
NATHAN HUNT DR

Site

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ZONING MAP AMENDMENT ZA-18-05



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 April 24, 2018 and before the City Council of the City of High Point on May 7, 2018 regarding **Zoning Map Amendment Case 18-05 (ZA-18-05)** 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 April 15, 2018, for the Planning and Zoning Commission public hearing and on April 25, 2018 and May 2, 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 **May 7, 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: **Light Industrial (LI) District.** The property is approximately 1.7 acres and lying west of East Market Center drive, between Tate Street and Park Street. The property is also known as Guilford County Tax Parcels 0174453, 0174458, 0174459, 0174460, 0174461, 0174462, 0174463 and 0174464.

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.

7th day of **May, 2018.**

Lisa B. Vierling, City Clerk

DOMENICK'S Furniture Manufacturer, LLC.

"Meeting your deadlines with quality."

2400 College Drive, High Point, NC 27260

www.domenicksfurniture.com

April 16, 2018

TO: Owners of property near 1107 Tate Street, High Point, NC 27260

FROM: Anthony Pennisi, Domenick's Furniture Manufacturer

RE: Zoning Map Amendment Citizen Information Letter – No Response

Domenick's Furniture Manufacturer, submitted a Zoning Map Amendment (Rezoning) Application to the City of High Point Planning and Development department for the property located at **1107 Tate Street, High Point, NC 27260**. The application requests that the Zoning District designation for this property to be changed from its current designation of *General Business* (GB) to *Light Industrial* (LI), the previous tenant was operating a cabinet manufacturer business, so there is no change of business. All of the businesses surrounding the property are already zoned as Light Industrial. We would also like to combine all 8 parcels to 1 tract, so there is only 1 deed.

As requested by the rezoning process, all surrounding owners within 300 feet of the proposed zoning site were notified by the Domenick's Furniture. We asked to write, email, or call Domenick's Furniture Manufacturer by April 16, 2018 with any comments, questions or concerns regarding this rezoning request. However, **no one reached out to us with any questions.**

Best Regards,

Anthony Pennisi

Anthony Pennisi

Domenick's Furniture Manufacturer

Cell: 336.442.3348 or Office: 336.884.3422

Email: domenicksdesign@gmail.com

ENC: City of High Point Citizen Information Meetings Letter – No response