

CITY OF HIGH POINT

AGENDA ITEM



Title: Plan Amendment 18-03
Zoning Map Amendment 18-08
(Premier Stores, Inc.)

From: Lee Burnette, Planning & Development
Director

Meeting Date: July 16, 2018

Public Hearing: Yes

Advertising Date: July 4, 2018, and July 11, 2018

Advertised By: Planning & Development

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

PURPOSE:

- 1) Plan Amendment 18-03: A request by Premier Stores, Inc. to change the Land Use Map classification for approximately 4 acres from the Office classification to the Local/Convenience Commercial classification. The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.
- 2) Zoning Map Amendment 18-08: A request by Premier Stores, Inc. to rezone approximately 4 acres from a Conditional Use Office & Institutional (CU-OI) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

On June 26, 2018, a public hearing was held before the Planning and Zoning Commission regarding Plan Amendment 18-03 and Zoning Map Amendment 18-08. Recommendations were as follows:

1) Plan Amendment 18-03:

Staff Recommendation: Staff recommended *approval* as outlined in the attached staff report.

Planning & Zoning Commission Recommendation: The Commission recommended *approval*, by a vote of 6-0, as recommended by staff.

2) Zoning Map Amendment 18-08:

Staff Recommendation: Staff recommended *approval with amendments* (inclusion of Transportation Department recommended traffic mitigation conditions) as outlined in the attached staff report.

Planning & Zoning Commission Recommendation: The Commission recommended *approval as submitted by the applicant*, by a vote of 6-0 (without amendments recommended by Transportation Department).

PLANNING AND ZONING COMMISSION RECOMMENDATION

Premier Stores, Inc.

Plan Amendment 18-03 **Zoning Map Amendment 18-08**

At its June 26, 2018 public hearing, the Planning and Zoning Commission reviewed these requests to change the Land Use Map classification and to rezone approximately four acres to permit limited to moderate intensity commercial uses. All members of the Commission were present except for Ms. Marie Stone, Ms. Angela McGill and Mr. John McKenzie. Ms. Heidi Galanti, Planning Services Administrator, presented PA-18-03 and recommended approval. Mr. Herbert Shannon, Senior Planner, presented ZA-18-08 and recommended approval, with amendments to address transportation related impacts, as outlined in the staff report.

Also speaking was Mr. Greg Venable, Transportation Planning Administrator, who addressed the additional transportation related conditions recommended by the Transportation Department. Mr. Venable stated these additional conditions are included in the applicant's Traffic Impact Analysis (TIA) that was completed by their traffic engineer. Although the proposed improvements will be considered by the North Carolina Department of Transportation (NCDOT), there is no guarantee the NCDOT will require these improvements. The only way to ensure the improvements will be installed is to include them in the Conditional Zoning Ordinance. Therefore, regardless of who develops the property or the type of commercial uses built, the traffic impacts will be mitigated.

Speaking in favor of the request:

Speaking in favor of the request was the applicant's representatives, Ms. Judy Stalder, Planning Consultant, 665 N. Main Street, High Point and Mr. Chuck Truby, President of CPT Engineering and Surveying, Inc., 4400 Tynning Street. These speakers provided an overview of the proposal to develop the site for a convenience store with gas pumps and other retail uses. The applicant's representative did not support the inclusion of additional transportation conditions. They stated that the NCDOT will address these requirements as part of their future request for a State driveway permit. In conclusion, Ms. Stalder argued that some of the requested traffic improvements related to existing off-site problems and it's the NCDOT burden to address those issues.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Once the public hearing was closed, the Commission deliberated on this proposal. They were concerned about the existing traffic issues and discussed who was responsible for addressing.

Planning & Zoning Commission Action

Plan Amendment 18-03

The Commission recommended *approval*, by a vote of 6-0.

Zoning Map Amendment 18-08

Consistency Statement

The Commission stated that upon approval of Plan Amendment 18-03 and with the transportation conditions, the request is consistent with the Land Use Plan and policy guidance of the W. Wendover Avenue/Guilford College Road Corridor Plan.

Reasonableness Statement

The Commission stated that the request is reasonable and in the public interest as this 4-acre site sits at a major intersection, bordered on all sides by public streets and adjacent to a commercial property with similar zoning standards.

The Planning & Zoning Commission adopted these statements by a vote of 6-0.

Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 18-08, as requested by the applicant, by a vote of 6-0.

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

**STAFF REPORT
PLAN AMENDMENT CASE PA-18-03 AND ZONING MAP AMENDMENT ZA-18-08
June 26, 2018**

Requests		
Applicant: Premier Stores, Inc.	Owner: Wesley H. Johnson, John D. Martin, Denise S. Martin and Cynthia G. Johnson	
Plan Amendment Proposal: To change the future land use designation for approximately 4 acres to Local/Convenience Commercial land use designation.	From:	Office
	To:	Local/Convenience Commercial
Zoning Map Amendment Proposal: To rezone approximately 4 acres	From:	CU-OI Conditional Use Office & Institutional District
	To:	CZ-LB Conditional Zoning Limited Business District

Site Information		
Location:	The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Guilford County Tax Parcels 0208799, 0208800 and 0208801	Same
Site Acreage:	Plan Amendment	Zoning Request
	4 acres	Same
Current Land Use:	Plan Amendment	Zoning Request
	Two single family dwellings	Same
Physical Characteristics:	The site has a moderately sloping terrain. A stormwater control device is located at the southeast corner of the site to treat stormwater runoff from the abutting roadways.	
Water and Sewer Proximity:	A 12-inch and 16-inch City water line lies adjacent to the site along Piedmont Parkway and W. Wendover Avenue, respectively. An 8-inch City sewer line lies adjacent to the site along W. Wendover Avenue.	
General Drainage and Watershed:	The site drains in a general southeasterly direction and development is subject to the City 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:	City Lake General Watershed (GWA) Area	

Adjacent Property Zoning and Current Land Use		
North:	AG Agricultural District (<i>Guilford County</i>)	Buffer area for quarry (<i>across Piedmont Pkwy</i>)
South:	PDL Planned Unit Development - Limited PDR Planned Unit Development - Residential	Drugstore and multifamily development (<i>across W. Wendover Ave.</i>)
East:	CU-OI Conditional Use Office & Institutional OI Office & Institutional (<i>Guilford County</i>) PI Public & Institutional (<i>Guilford County</i>)	Undeveloped parcel and a church (<i>across Piedmont Pkwy</i>)
West:	OI Office & Institutional District	Church (<i>across Hickory Grove Rd</i>)

'Adjacent Land Use Plan Designations	
North:	Heavy Industrial
South:	Office and Medium Density Residential
East:	Institutional
West:	Office

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	Office: This classification includes professional, personal and business service uses.
Proposed Designation:	Local/Convenience Commercial: This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	This request is neither consistent or inconsistent with the goals and objectives of the Community Growth Vision Statement.
Land Use Plan Map Classification:	The site has an Office land use designation. This classification includes professional, personal and business service uses.
Land Use Plan Goals, Objectives & Policies:	The following objective of the Land Use Plan are relevant to this request: Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses; Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
Relevant Area Plan:	<u>West Wendover Avenue/Guilford College Road Corridor Plan</u> The plan recommends maintaining Wendover Avenue as a major traffic carrier, meaning that access should be limited, and where possible access should be taken from other streets. The objective of the plan, to avoid strip development along W. Wendover Avenue, also supports this recommendation.
Zoning History:	<u>Zoning Map Amendment 98-17:</u> This 1998 application consisted of a 3-acre portion of the 4 acres under consideration in this new application. A Conditional Use General Office-High Intensity (CU-GO-H) District was granted that limited the site to office uses and prohibited access to W.

	<p>Wendover Avenue. Staff and the Planning & Zoning Commission recommended denial, based on policies of the W. Wendover Avenue/Guilford College Road Corridor Plan and safety concerns with allowing access from W. Wendover Avenue. City Council approved this application. No development occurred.</p> <p><u>Zoning Map Amendment 08-15:</u> This 2008 application proposed to rezone the entire 4-acre block to a Conditional Use General Office-High Intensity (CU-GO-H) District. This application limited the property to a single use consisting of 150-bed nursing facility. Due to the limited number of trips estimated for this use type, approximately 253 trips a day, a right-in only access point was permitted to W. Wendover Avenue. No development occurred.</p>
LUPA History:	<u>Plan Amendment 02-04:</u> The area on the southwest corner of the West Wendover and Piedmont Parkway intersection was amended from Medium Density Residential to Office on October 17, 2002.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	W. Wendover Ave		630 feet
	Piedmont Parkway		560 feet
	Hickory Grove Road		635 feet
Vehicular Access:	Drive access is proposed to be taken from W. Wendover Avenue and Hickory Grove Road		
Traffic Counts: (Average Daily Trips)	W. Wendover Ave.	42,000 ADT (NCDOT 2015 traffic count)	
	Piedmont Parkway	15,000 ADT (NCDOT 2015 traffic count)	
	Hickory Grove Road	N/A	
Estimated Trip Generation:	Using the development data provided by the applicant, an approximately 20,400-square foot commercial development is proposed for the site including a convenience store with 8 gas pumps. It is estimated that the development will generate about 12,301 vehicle trips a day.		
Traffic Impact Analysis:	Required		TIA Comments
	<u>Yes</u> X	<u>No</u>	See attached TIA executive summary
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.		
Conditions:	<p><u>Right-of-Way Dedication:</u> Ten feet behind curb line or edge of pavement of new turn lane along W. Wendover Avenue and Hickory Grove Road.</p> <p><u>Access:</u> Right in only from W. Wendover Ave. Two points of access shall be allowed from Hickory Grove Road.</p> <p><u>Improvements:</u></p> <ol style="list-style-type: none"> 1. A directional crossover shall be constructed, concurrent with driveway construction, on W. Wendover Avenue at Hickory Grove Road, to be required by the NCDOT Driveway Permit. 2. A westbound right turn lane of 100 feet of storage and 150-foot taper shall be constructed on W. Wendover Avenue at Hickory Grove Road. 		

	<ol style="list-style-type: none">3. The eastbound left turn lane on W. Wendover Avenue at Piedmont Parkway shall be extended to full storage length and optimize the signal timing.4. A northbound right turn lane shall be constructed on Hickory Grove Road at site access #1.5. A westbound right turn lane of 100 feet of storage and 150-foot taper shall be constructed on W. Wendover Avenue at site access #3.
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

School District Comment

Not applicable to this zoning case.

Details of Proposal

1. General Overview:

Premier Stores, Inc. has submitted applications for a Plan Amendment and a Zoning Map Amendment, both of which pertain to a 4-acre triangular tract of land at the northwest corner of W. Wendover Avenue and Piedmont Parkway. The primary intent of these applications is to change the City's Land Use policy to support the development of limited intensity commercial uses on this 4-acre site.

2. Summary of Land Use Plan Amendment Request:

The existing Land Use Plan Map classifies this 4-acre triangular area as Office, which is intended for professional, personal and business service uses, and is not appropriate for commercial development. The applicant has requested the Land Use Plan Map be changed to classify this area as Local/Convenience Commercial, which is intended to support moderate-intensity retail or service uses, generally serving small, local neighborhoods.

In addition to the Land Use Plan, the West Wendover Avenue/Guilford College Road Corridor plan also directs land use policies for development along the W. Wendover Avenue corridor. Key objectives of this corridor plan are to:

- 1) Avoid strip development along W. Wendover Avenue,
- 2) To maintain W. Wendover Avenue as a major traffic carrier by limiting access points, and
- 3) To concentrate higher intensity community/regional commercial uses at each end of the corridor, specifically at the I-40/Wendover and NC 68/Wendover intersections, and to focus residential, low intensity neighborhood commercial, and office/institutional uses near the intersection of Guilford College Road, W. Wendover Avenue and Greensboro's Western Loop.

3. Summary of Zoning Request:

This property is currently zoned Conditional Use Office & Institutional (CU-OI) District. The OI district is established to primarily accommodate a wide variety of office, institutional, and residential uses. The current zoning approval limits use of the site to an assisted care facility, which never came to fruition.

The applicant is requesting rezoning to a Conditional Zoning Limited Business (CZ-LB) District to allow moderate intensity retail commercial uses. The applicant desires to develop the site with approximately 20,000 square feet of commercial uses, including a convenience store with gas pumps, and has offered zoning conditions requiring the property to:

- Be developed to gateway corridor standards that have been applied to nonresidential uses along the corridor,

- Include locational standards for accessory structures and equipment such as fuel pumps and canopies, screening mechanical equipment and loading area, and
- Dedicate right-of-way for road improvements and restrict access.

Staff Analysis

Currently, W. Wendover Avenue has major commercial nodes at the western end at NC 68 and Penny Road and on the eastern end at Bridford Parkway and I-40 in Greensboro. The area in between these two major commercial nodes is a mixture of residential, office, and local serving commercial uses.

This site is unique in that it is situated at the signalized intersection of two major thoroughfares and it is completely surrounded by public streets. It is constrained because access is prohibited to Piedmont Parkway and access is restricted to W. Wendover Avenue. Due to the site's location, configuration, and limited access, the allowance of some limited intensity neighborhood serving commercial uses similar to those across the intersection, will not conflict with the overall objectives of the corridor plan. However, such a policy change is specifically intended for this uniquely situated and constrained land area. It shall not be interpreted to support expansion of commercial uses to the east or west of the site into the office and residentially designed areas along this corridor, as it would promote strip commercial development and the need for additional access points which would conflict with objectives of the corridor plan.

Section 2.4.5.(C) of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. 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 ordinance considerations.

Review Factors:

Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:

<u>Factor #1</u>	<p>Result in a development that is compatible with surrounding development character and land uses;</p> <p>Current neighborhood commercial uses at the southern corners of this intersection were permitted under a Planned Development (PUD) District that required development to meet the General Office and Limited Business District standards of the former Development Ordinance, and restricted uses to limited intensity commercial uses. Based on conditions offered by the applicant, the proposed CZ-LB District, would be consistent with the zoning standards contained in the zoning approvals granted at the other corners of this intersection.</p>
<u>Factor #2</u>	<p>Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;</p> <p>The Wendover Avenue/Guilford College Road Corridor Plan recommends maintaining W. Wendover Avenue as a major traffic carrier. In order to do this, access should be limited and taken from alternate adjacent roads, when available. The applicant has proposed a right-in only access be permitted to the site from W. Wendover Avenue. As this site is a corner lot, the corridor plan encourages access be from the side street (Hickory Grove Road).</p>

	<p>A Traffic Impact Analysis (TIA) has been submitted by the applicant's engineer and reviewed by the Transportation Department. Based on their review of the TIA and to mitigate adverse impact from allowable LB District uses, the Transportation Department recommends the following conditions be added to the proposed Conditional Zoning Ordinance be amended to:</p> <ol style="list-style-type: none"> 1. Prohibit vehicular access from Piedmont Parkway. 2. Install a directional crossover in the median opening on W. Wendover Avenue at Hickory Grove Road. 3. Install a westbound right turn lane on W. Wendover Avenue at Hickory Grove Road. 4. Install extension of the eastbound left turn lane on W. Wendover Avenue at Piedmont Parkway to optimize the signal timing. 6. Install a northbound right turn lane on Hickory Grove Road at site access.
<u>Factor #3</u>	<p>Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;</p> <p>The site is within the City Lake General Watershed Area, and as such, development is required to meet the watershed standards of the Development Ordinance.</p>
<u>Factor #4</u>	<p>Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;</p> <p>The site is within an area currently served by City of High Point utilities, municipal services are adequate to handle the proposed development.</p>
<u>Factor #5</u>	<p>Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent lands.</p> <p>This is a uniquely situated parcel as it does not abut any other parcels and is completely surrounding by public street right-of way. Thus, the allowance of some limited intensity commercial uses would not have a direct physical impact on adjacent lands. However, the requested CZ-LB District and its allowable uses would create traffic impacts that must be mitigated so as to not adversely impact adjacent lands and the general motoring public and maintain W. Wendover Avenue as a major traffic carrier. Those traffic improvements recommended by the Transportation Department would effectively mitigate impacts from the requested CZ-LB District.</p>

Changes in the Area:

There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.

There have been no recent significant changes in the area.

Development Patterns:

The proposed Conditional Zoning District results in development that promotes a logical, preferred and orderly development pattern.

Due to its location at the intersection of two major thoroughfares and being completely surrounded by public streets with restricted access, this parcel warrants consideration for some limited local-serving commercial uses similar to those provided at the southern corner of W. Wendover and

Piedmont Parkway. However, the intensity of development should be restricted to LB District uses and subject to corridor standards that are consistent with the standards imposed on other commercial developments in this area. Furthermore, the allowance of limited intensity commercial uses at this distinctively configured site, in no way supports the expansion of additional commercial zoning further east or west of this location, as such an extension would be in direct conflict with the objectives of the corridor plan.

Consistency with Adopted Policy Guidance:

Whether and the extent to which the proposed conditional zoning district is appropriate for its proposed location, and is consistent with the City's adopted policy guidance;

Upon approval of the plan amendment and inclusion of the transportation conditions, the request is consistent with the Land Use Plan designation and the policy guidance of the West Wendover/Guilford College Road Corridor Plan.

Reasonableness/Public Interest:

Whether an approval of the Conditional Zoning District is reasonable and in the public interest.

The 4-acre property is at a major intersection, bordered on all sides by public streets and adjacent to commercial property with similar zoning standards.

Recommendation

A. Plan Amendment 18-03:

Staff Recommends Approval:

Staff recommends approval of the request to change the land use designation for approximately 4 acres to the Local/Convenience Commercial designation. The request meets the goals and objectives of the Land Use Plan and West Wendover Avenue/Guilford College Road Corridor Plan by allowing neighborhood commercial on this unique and constrained site.

B. Zoning Map Amendment 18-08:

Staff Recommends Approval with Revisions:

Subject to approval of Plan Amendment 18-03 and inclusion of the recommended transportation conditions, the Planning & Development Department recommends approval of this request to establish a CZ-LB District on this 4-acre site.

Part II.

C. Transportation:

1. **Right-of-Way Dedication:** Prior to issuance of any Land Development Permit the property owner shall dedicate ten (10) feet of right-of-way, as measured from behind the new curb line or new edge of pavement of new turn lanes, along W. Wendover Avenue and Hickory Grove Road.
2. **Access:**
 - a) **W. Wendover Avenue:** Only one point of access shall be permitted from W. Wendover Avenue. This access point shall be designed to permit a right-in only access from W. Wendover Avenue and also designed to allow no exiting from the site onto W. Wendover Avenue.

- a) Hickory Grove Road: Two points of access shall be allowed from Hickory Grove Road.
 - b) **Piedmont Parkway: No access shall be permitted from Piedmont Parkway.**
3. Improvements:
- a) **A directional crossover in the median opening on W. Wendover Avenue at Hickory Grove Road shall be installed concurrent with all site driveway construction.**
 - b) **A westbound right turn lane of one hundred (100) feet of storage and one-hundred and fifty (150) feet taper shall be constructed on W. Wendover Avenue at Hickory Grove Road. This improvement shall be installed concurrent with all site driveway construction.**
 - c) **The eastbound left turn lane on W. Wendover Avenue at Piedmont Parkway shall be extended to full storage length and optimize the signal timing. This improvement shall be installed concurrent with all site driveway construction.**
 - d) **A northbound right turn lane shall be constructed on Hickory Grove Road at site access #1 as described in the Traffic Impact Analysis (See Note #1 below). This improvement shall be installed concurrent with all site driveway construction.**
 - e) A westbound right turn lane of one hundred (100) feet of storage and one-hundred and fifty (150) feet taper shall be constructed on W. Wendover Avenue at site access **#3 as described in the Traffic Impact Analysis (See Note #1 below).** This improvement shall be installed concurrent with all site driveway construction.
- (Note #1: Traffic Impact Analysis prepared by Davenport (John Davenport Engineering, Inc.) entitled “Wendover Commercial Property High Point, NC” for Premier Stores; Revised May 14, 2018)**
4. 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.

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

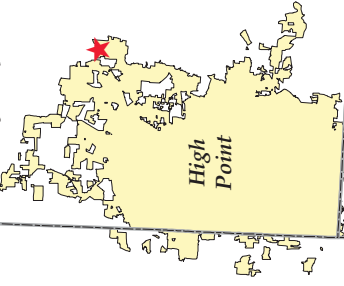
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-18-08

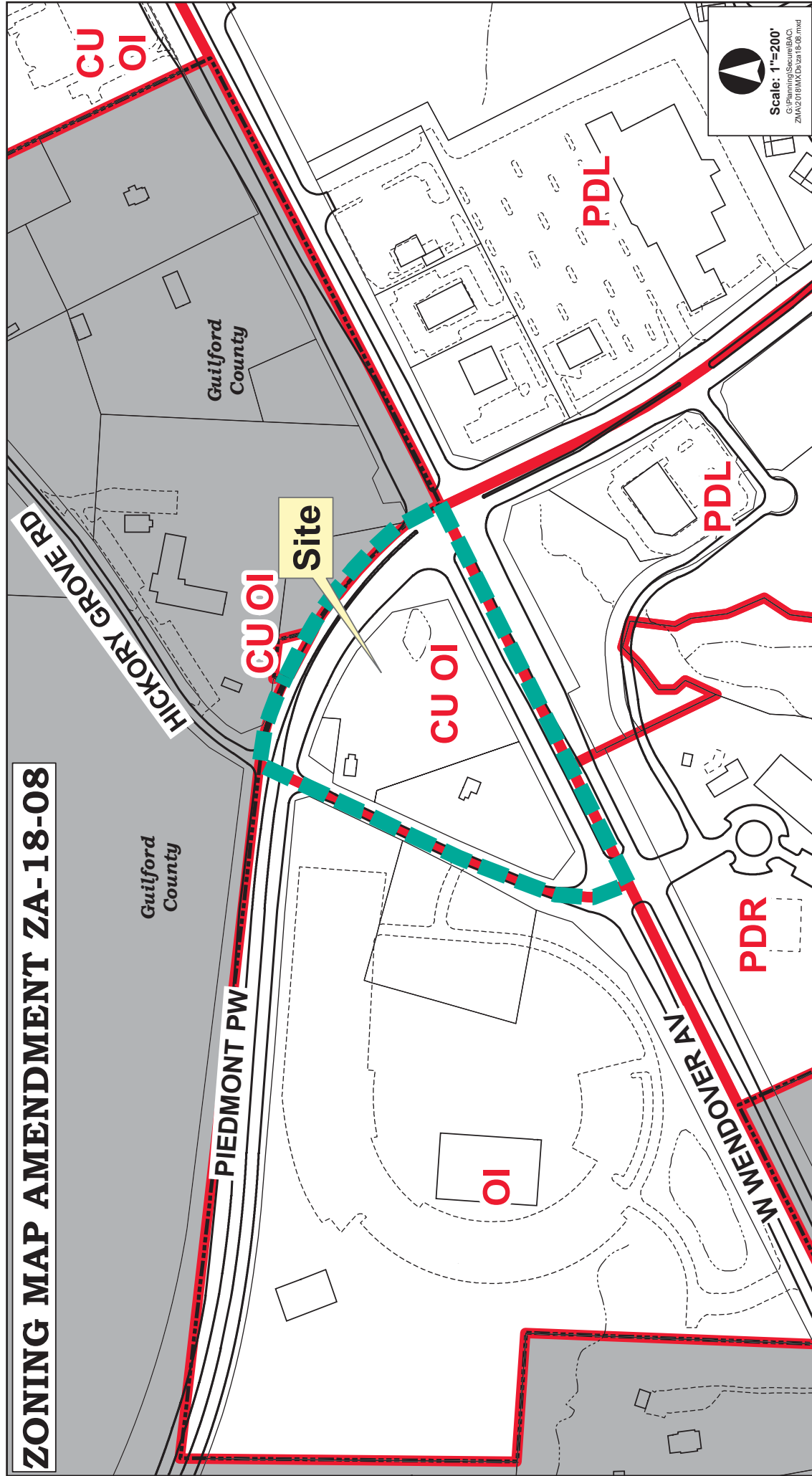
Applicant: Premier Stores, Inc.

Vicinity Map



Scale: 1"=3000'
GIS Planning Source: BAC/2018
2018 MXD Data 18-08-PreFinal

ZONING MAP AMENDMENT ZA-18-08



ZONING MAP AMENDMENT ZA-18-08

Heavy Industrial

Guilford
County

PIEDMONT PW

Institutional

Guilford
County

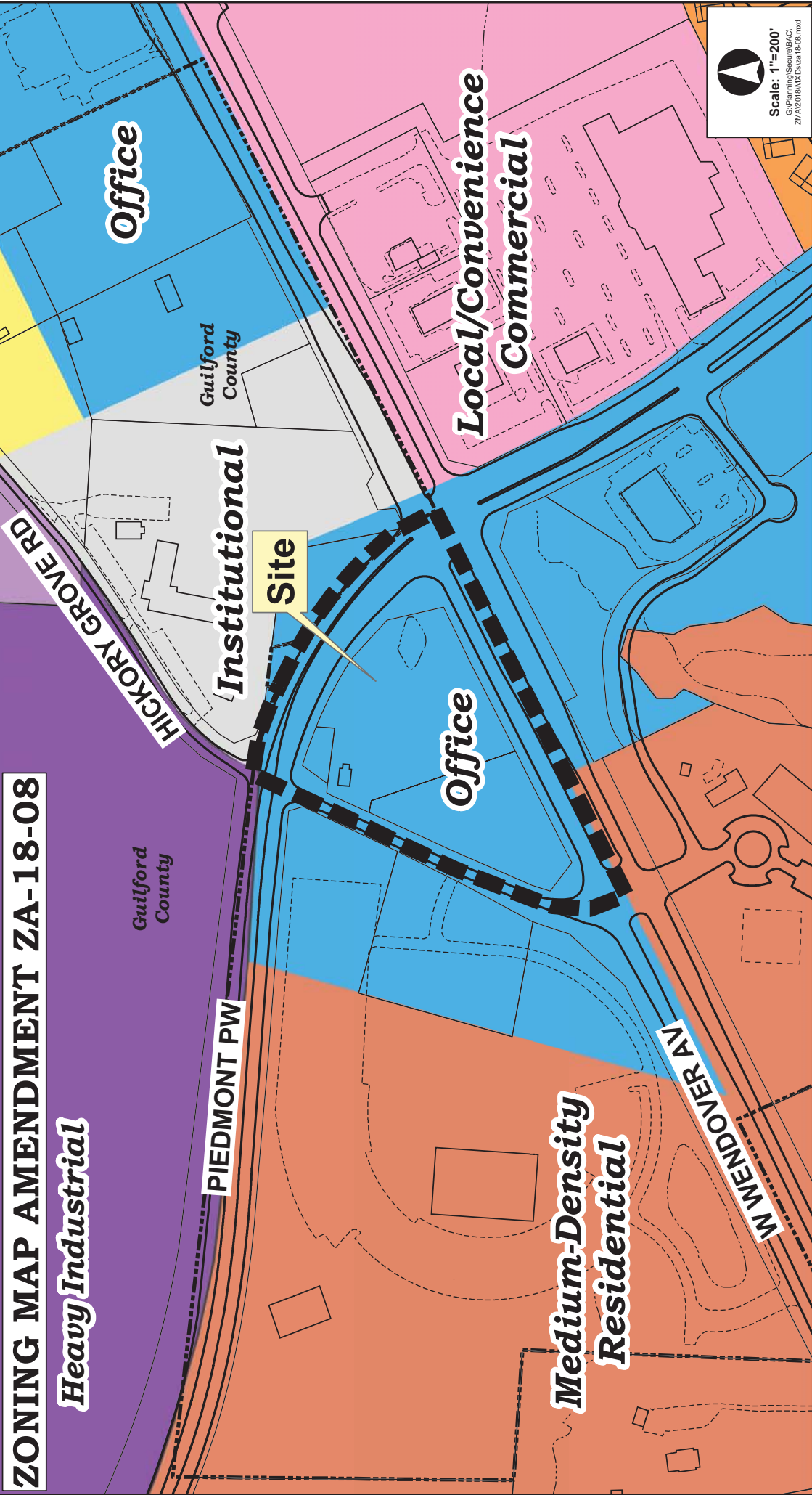
Site

Office

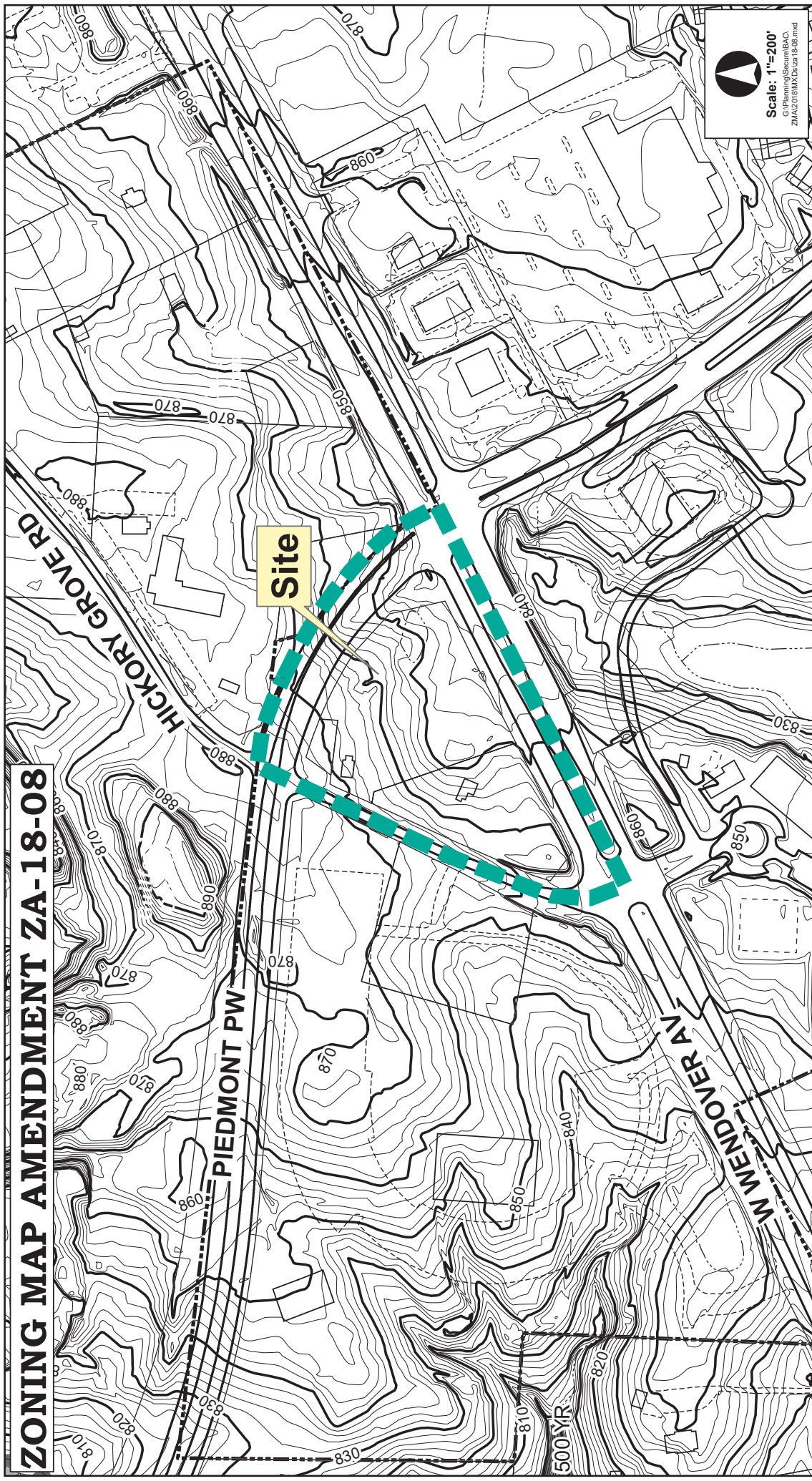
**Local/Convenience
Commercial**

**Medium-Density
Residential**

W WENDOVER AV

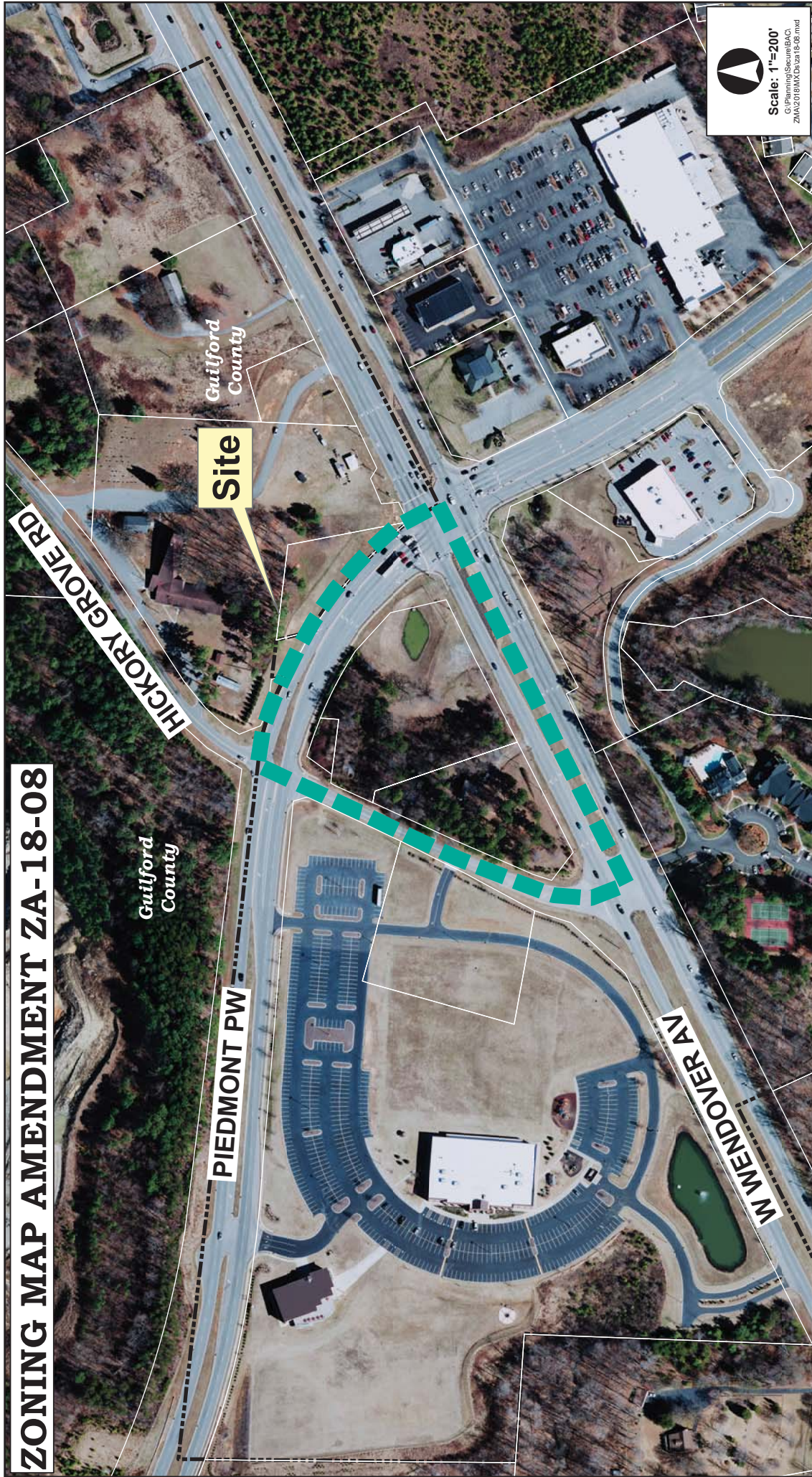


ZONING MAP AMENDMENT ZA-18-08




Scale: 1"=200'
G:\Planning\Secure\BAC
ZMA\2018\MX Data\18-08.mxd

ZONING MAP AMENDMENT ZA-18-08



Scale: 1"=200'
GIS Planning Section/BAC
ZMA/2018/MX Data 18-08.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 June 26, 2018 and before the City Council of the City of High Point on July 16, 2018 regarding **Zoning Map Amendment Case 18-08 (ZA-18-08)** 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 May 13, 2018, for the Planning and Zoning Commission public hearing and on June 6, 2018 and June 13, 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 xxxxxxx xx, 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: **Conditional Zoning Limited Business (CZ-LB) District.** The property is approximately 4 acres and bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road. The property is also known as Guilford County Tax Parcels 0208799, 0208800 and 0208801

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES: Any uses allowed in the Limited Business (LB) District subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. CONDITIONS

A. Lot Combination: All parcels within the rezoning site shall be combined into one (1) lot prior to any new development.

B. Development & Dimensional Standards and Architectural Design Standards:

The following development standards shall apply to any development upon the zoning site:

1. Site Standards:

- a) Fuel Pumps and Canopies: Any use with gasoline pumps shall be designed so that the canopy and the gasoline pumps are not located in front of any building facade facing W. Wendover Avenue or Piedmont Parkway.
- b) Ground-based Mechanical Equipment Screening: Ground-based mechanical equipment shall be located to the rear of the principal building(s), and shall be screened in accordance with Section 5.6 (Screening).
- c) Off-Street Loading: Off-street loading areas shall be located to the side or rear of the principal building and shall not face W. Wendover Avenue or Piedmont Parkway
- d) Automobile service bays shall not face Wendover Avenue or Piedmont Parkway. Air hoses, vacuum pedestals and other outdoor automobile service equipment shall not be located between the principle building and the Wendover Avenue right of way or the Piedmont Parkway right-of-way.

2. Eastchester Gateway Corridor Overlay (Section 3.8.7.F):

The zoning site shall be subject to following standards of the Eastchester Gateway Corridor Overlay, as applied from Johnson Street north to Penny Road. Where Section 3.8.7.F notes a standard applying to Eastchester Drive, it shall be interpreted to apply to the W. Wendover Avenue and Piedmont Parkway frontage of the site.

3. Minimum Building Setback (W. Wendover Avenue and Piedmont Parkway):

The W. Wendover Avenue and Piedmont Parkway fontanges of the property is subject to the Minimum Building Setback Requirements of the Eastchester Gateway Corridor Overlay (Section 3.8.7.F.3).

4. Landscaping Requirements: The property is subject to the Landscaping Requirements of the Eastchester Gateway Corridor Overlay (Section 3.8.7.F.5).

5. Signage Requirements: The property is subject to the Signage Requirements of the Eastchester Gateway Corridor Overlay (Section 3.8.7.F.6)

6. Building Requirements: The property is subject to the Building Standards of the Eastchester Gateway Corridor Overlay (Section 3.8.7.F.7)

C. Transportation:

1. Right-of-Way Dedication: Prior to issuance of any Land Development Permit the property owner shall dedicate ten (10) feet of right-of-way, as measured from behind the new curb line or new edge of pavement of new turn lanes, along W. Wendover Avenue and Hickory Grove Road.

2. Access:
 - a) W. Wendover Avenue: Only one point of access shall be permitted from W. Wendover Avenue. This access point shall be designed to permit a right-in only access from W. Wendover Avenue and also designed to allow no exiting from the site onto W. Wendover Avenue.
 - b) Hickory Grove Road: Two points of access shall be allowed from Hickory Grove Road.
3. Improvements:
 - a) A westbound right turn lane of one hundred (100) feet of storage and one-hundred and fifty (150) feet taper shall be constructed on W. Wendover Avenue at site access. This improvement shall be installed concurrent with all site driveway construction.
4. 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.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4

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 5

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

SECTION 6.

This ordinance shall become effective upon the date of adoption.

____th day of XXXXXXXXXX xx, 20XX.

Lisa B. Vierling, City Clerk



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

May 22, 2018

Mr. Mark McDonald
Director of Transportation
211 South Hamilton Street
PO Box 230
High Point, NC 27261

Re: Application for Re-Zoning of Property Located at the Intersection of Piedmont Parkway (SR 4187), Hickory Grove Road (SR 4188) and Wendover Avenue (SR 1541) – Guilford County

Dear Mark:

We are aware of the re-zoning application that is currently being submitted to modify the zoning status of the above referenced property ("Property").

We have reviewed the Traffic Impact Analysis (TIA) that has been performed which assessed the current and future traffic conditions, of the area with this proposed new development. The TIA revealed that the intersection of Hickory Grove Road and Wendover Avenue may require a revision from its current "full access" intersection to a more restrictive "left over" design.

As you are aware, this existing "full access" intersection at Hickory Grove Road and Wendover Avenue is too close to the signalized intersection of Piedmont Parkway and Wendover Avenue with the current traffic volumes in this area.

We are also aware that the applicant is requesting a right in only driveway off of westbound Wendover Avenue, and also a driveway connection from Hickory Grove Road, into this proposed development. All of these new driveway connections will require the submittal of a Driveway Permit for this proposed development.

This is to advise that we plan to address this new "left over" design with the applicant, and his development partner, once the Driveway Permit application has been submitted to Bobby Norris, District Engineer, for this proposed development.

If you have any questions, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Mills".

J. M. Mills, PE
Division Engineer

Cc: Bobby Norris
Ernie Wilson

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS – DIVISION 7
P. O. BOX 14996
GREENSBORO, NC 27415-4996

Telephone: (366) 487-0000
Fax: (336) 334-3637
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS – DIVISION 7
1584 YANCEYVILLE STREET
GREENSBORO, NC 27405

The applicant's traffic engineer submitted the following Executive Summary from their Traffic Impact Analysis (TIA).

In addition to this summary, the complete TIA has been submitted to the City of High Point Transportation Department for review.



Transportation Impact Analysis

Wendover Commercial Property High Point, NC

Prepared for Premier Stores Inc.

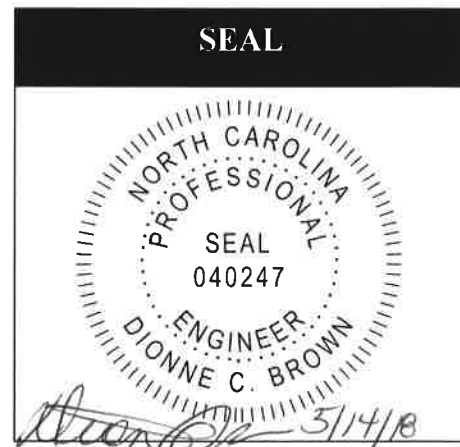
Original: March 12, 2018

Revised: May 14, 2018

Analysis by: Dionne C. Brown, P.E.
Philip Peek, E.I.

Drafting/Graphics by: Dionne C. Brown, P.E.
Philip Peek, E.I.

Reviewed by: Frank Amenya, P.E., PTOE
Jeff Ingram, P.E.



Sealed by: Dionne C. Brown, P.E.



This report is printed on recycled paper with 30% post-consumer content.
All paper is FSC Certified. The entire document, including binding, is
100% recyclable.



This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of, or improper reliance on, this document by others without written authorization and adaptation by DAVENPORT shall be without liability to DAVENPORT and shall be a violation of the agreement between DAVENPORT and the client.



**Wendover Commercial Property – Transportation Impact Analysis
Prepared for Premier Stores Inc.**

High Point, NC

Original: March 12, 2018

Revised: May 14, 2018

Executive Summary

The proposed Wendover Commercial Property development is to be located at the northeast corner of the intersection of Wendover Avenue and Hickory Grove Road in High Point, North Carolina. The proposed commercial development is planned to consist of 15,600 square feet of retail, 1,440 square feet of restaurant, and a convenience store with 16 gasoline pumps. The development will utilize three (3) access points, with two (2) being a full access on Hickory Grove Road and one (1) being a right-in only on Wendover Avenue.

Since the submittal of the Transportation Impact Analysis (TIA) in March 2018, there have been discussions with City of High Point and NCDOT to determine the most feasible improvements to the roadway network in response to the proposed development. In the revised TIA, it will detail that the recommended improvements are at the discretion of City of High Point and NCDOT to be implemented.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- Wendover Avenue at Hickory Grove Road
- Piedmont Parkway at Hickory Grove Road
- Piedmont Parkway at Wendover Avenue
- Hickory Grove Road at Site Access 1
- Hickory Grove Road at Site Access 2
- Wendover Avenue at Site Access 3 (right-in only)

The above-mentioned intersections were analyzed for the following scenarios:

- 2018 Existing Conditions
- 2023 Future No Build Conditions
- 2023 Future Build Conditions
- 2023 Future Build with Improvements (as necessary)

Though the development is expected to be in place by 2019, City of High Point uses a 5-year build out for analyses. The Weekday AM (7 am – 9 am) and PM (4 pm – 6 pm) peaks were studied.

The NCDOT and City of High Point were contacted to obtain background information and to ascertain the elements to be covered in this TIA. Information regarding the property was provided by Premier Stores Inc.



Level of Service Results

The results of the study are discussed by intersection below:

Wendover Avenue at Hickory Grove Road

This unsignalized intersection currently operates at LOS F in both the AM and PM peaks. This is due to the minor street movement trying to access Wendover Avenue which is a high volume roadway. It is typical for stop-controlled intersections to experience a LOS F due to lack of gaps for the minor street movements. Regardless of the proposed development being constructed, improvements to this intersection will be needed. In 2023 future no build conditions and build conditions, it is expected to remain unchanged. It is recommended to construct this intersection as a directional crossover. This will prevent left turn and through movements from the side street to provide a safe movement along Wendover Avenue. It is also recommended to provide a westbound right turn lane of 100 feet and 150 feet taper. With these recommendations in place, this intersection is expected to operate at LOS C in both the AM and PM peak hours.

Piedmont Parkway at Hickory Grove Road

This unsignalized intersection currently operates at LOS C in the AM peak and LOS B in the PM peak. In 2023 future no build conditions, it is expected to remain unchanged. In 2023 future build conditions, the intersection is expected to operate at LOS C in both the AM and PM peak hours. No improvements are recommended.

Piedmont Parkway at Wendover Avenue

This signalized intersection currently operates at LOS D in the AM peak and LOS E in the PM peak. In 2023 future no build conditions, it is expected to remain unchanged. In the 2023 future build conditions, it is expected to operate at LOS D in the AM peak and LOS F in the PM peak. To accommodate the site traffic and account for the crossover intersection at Hickory Grove Road, it is recommended to extend the eastbound left turn lane to full storage length back to Hickory Grove Road. It is also recommended to optimize the signal timing. With these recommendations in place, this intersection is expected to operate at LOS D in the AM peak and LOS F in the PM peak.

Hickory Grove Road at Site Access 1

In 2023 future build conditions, this intersection is expected to operate at LOS B in both the AM and PM peaks. It is recommended to provide a northbound right turn lane of full storage length back to Wendover Avenue.

Hickory Grove Road at Site Access 2

In 2023 future build conditions, this intersection is expected to operate at LOS A in the AM peak and LOS B in the PM peak.

Wendover Avenue at Site Access 3

In 2023 future build conditions, this intersection is expected to operate at LOS A in both the AM and PM peak hours. It is recommended to provide a westbound right turn lane of 100 feet of storage and 150 feet taper.

Table A - Level of Service Summary

AM Peak	2018 Existing	2023 No Build	2023 Build	2023 Build with Improvements
Wendover Avenue at Hickory Grove Road	F (Err) SB Approach	F (Err) SB Approach	F (85) NB Approach	C (21.6) NB Approach
Piedmont Parkway at Hickory Grove Road	C (15.4) SB Approach	C (17.5) SB Approach	C (17.9) SB Approach	C (17.9) SB Approach
Wendover Avenue at Piedmont Parkway	D (42.4)	D (51.6)	D (54)	D (53.4)
Hickory Grove Road at Site Access 1			B (10.2) WB Approach	A (9.6) WB Approach
Hickory Grove Road at Site Access 2			A (9.3) WB Approach	A (9.2) WB Approach
Wendover Avenue at Site Access 3			(0) EB Approach	(0) EB Approach
PM Peak	2018 Existing	2023 No Build	2023 Build	2023 Build with Improvements
Wendover Avenue at Hickory Grove Road	F (78) SB Approach	F (116) SB Approach	F (242.2) SB Approach	C (18.8) NB Approach
Piedmont Parkway at Hickory Grove Road	B (12.6) NB Approach	B (13.3) NB Approach	C (15.9) NB Approach	C (20.2) NB Approach
Wendover Avenue at Piedmont Parkway	E (60.7)	E (75.8)	F (83.4)	F (90.6)
Hickory Grove Road at Site Access 1			B (10.6) WB Approach	A (9.6) WB Approach
Hickory Grove Road at Site Access 2			A (9.8) WB Approach	A (9.7) WB Approach
Wendover Avenue at Site Access 3			(0) EB Approach	(0) EB Approach

LOS (delay in seconds)

Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay

Summary and Conclusion

The proposed Wendover Commercial Property development is to be located at the northeast corner of the intersection of Wendover Avenue and Hickory Grove Road in High Point, North Carolina. The proposed commercial development is planned to consist of 15,600 square feet of retail, 1,440 square feet of restaurant, and a convenience store with 16 gasoline pumps. The development will utilize three (3) access points, with two (2) being a full access on Hickory Grove Road and one (1) being a right-in only on Wendover Avenue.

The trip generation indicates that the proposed development is expected to generate 227 trips in the Weekday AM peak hour and 285 trips in the PM peak hour.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic.

Based on the analysis of this development, improvements are needed to certain intersections to make safe turning movements in the roadway network. Regardless of the proposed development, improvements at the intersection of Wendover Avenue and Hickory Grove Road are needed. A summary of the recommended improvements can be found in Table 6.1. **The recommended improvements are at the discretion of City of High Point and NCDOT to be implemented.** The rerouted volumes due to the proposed directional crossover can be found in the Appendix.

In conclusion, this study has reviewed the impacts of both background traffic and proposed development traffic, and has provided recommendations to accommodate future traffic. Please note the proposed site accesses should be designed according to NCDOT standards.

Table B – Recommended Improvement Summary	
Wendover Avenue at Hickory Grove Road	<ul style="list-style-type: none"> Construct a directional crossover Provide a westbound right turn lane of 100 feet storage and 150 feet taper
Piedmont Parkway at Hickory Grove Road	No improvements are recommended
Wendover Avenue at Piedmont Parkway	<ul style="list-style-type: none"> Extend eastbound left turn lane to full storage length Optimize signal
Hickory Grove Road at Site Access 1	Provide a northbound right turn lane of full storage length
Hickory Grove Road at Site Access 2	No improvements recommended
Wendover Avenue at Site Access 3	Provide a westbound right turn lane of 100 feet storage and 150 feet taper



FIGURE 1 SITE PLAN





4.2 Trip Generation

The proposed development is planned to consist of 15,600 square feet of retail, 1,440 square feet of restaurant, and a convenience store with 16 gasoline pumps. The projected trip generation potential of the current land use was computed using TripGen 10 software, based on the 9th Edition of the ITE Trip Generation Manual. Table 4.2 contains the results.

Table 4.2 - ITE Trip Generation									
Wendover Commercial Property									
Average Weekday Driveway Volumes					24 Hour	AM Peak Hour		PM Peak Hour	
					Two-Way				
<u>Land Use</u>	<u>ITE Land Code</u>	<u>Size</u>		<u>Data Source</u>	<u>Volume</u>	<u>Enter</u>	<u>Exit</u>	<u>Enter</u>	<u>Exit</u>
Convenience Mart with Gasoline Pumps	853	16	VFP	Rate - Adjacent	8,682	133	132	153	152
Shopping Center	820	7.8	GFA Th. Sq. Ft	Equation - Adjacent	1,294	20	13	52	56
Shopping Center	820	7.8	GFA Th. Sq. Ft	Equation - Adjacent	1,294	20	13	52	56
Fast-Food Restaurant without Drive-Thru*	933	1.44	GFA Th. Sq. Ft	Rate - Adjacent	1,031	38	25	19	19
Total Unadjusted Trips					12,301	211	183	276	283
Convenience Mart with Gasoline Pumps Pass-By Reduction (63% AM, 66% PM)					--	-84	-83	-101	-100
Shopping Center Pass-By Reduction (34% PM)					--	0	0	-35	-38
Total Pass-By Reduction						-84	-83	-136	-138
Total Adjusted Trips					12,301	127	100	140	145
*Little Caesars is open from 11am - 11pm; however, worst case scenario was analyzed.									

Citizens Information Meeting Report

Zoning Map Amendment 18-08

Submitted by: Ms. Judy Stalder (Zoning Consultant)
on behalf of Premier Stores, Inc.

Premier Stores Inc. Citizen Information Report

Letter: A letter of explanation of the request was sent by US Mail to those names provided by the Department of Planning and Development. The City's Citizen Meeting Information statement was included in the letter.

Because all nearby property owners are non-residential, we did not arrange a formal meeting. Instead we invited each recipient to contact us for more information. We remain open to meetings with any neighbors.

Telephone calls and emails: Efforts to contact Community Life Church included two phone calls and a nine-email exchange. Our contact is Senior Pastor Rob Emanuel. Pastor Emanuel seems interested but is unable to allow time to meet. We continue to be open to meeting with the church.

There was a 3-email exchange with nearby property owner, Willard Tucker. His comment: "That (a meeting) is not necessary, just wanted to see if this was for the whole site & access points. Convenience/Gas station/ retail shops don't bother us, better than storage. We have had inquires on our property at Guilford college & Wendover for convenience/gas but said no. Good luck with city."

The Stalder Group LLC

PO Box 5581
High Point NC 27262
336.688.2204
jstalder@northstate.net

March 29, 2018

Re: Rezoning at 4826 West Wendover Avenue, High Point, NC 27265

Dear Neighbor:

I am writing to you because you own property that is nearby or next to the property at 4826 West Wendover Avenue. This property is bordered by West Wendover Avenue, Piedmont Parkway and Hickory Grove Church Road. Premier Stores Inc. along with the owners of this property have filed a zoning request with the City of High Point. The purpose of the request is to allow for the development of a convenience store with gas pumps and associated retail shops. The remainder of this letter explains the request and the proposed development, while inviting you to contact me with any comments, concerns, and questions you may have.

Zoning: The request is for Conditional Zoning General Business. The conditions of the zoning limit the uses to those uses permitted in the Limited Business zoning district with the addition of a service window for a restaurant. This will not be a typical drive-through window. The purpose of the window is for customer convenience to pick up pre-ordered/pre-prepared meals.

Site Design: The development will be oriented to West Wendover Avenue and will meet the architectural design standards of the Eastchester Gateway corridor.

Landscaping: Landscaping will be provided along the entire perimeter of the property as well as the interior.

Transportation: Access will be limited to a right in only access on Wendover Avenue with a deceleration lane and two points of access to Hickory Grove Church Road. A Traffic Impact Analysis has been prepared and submitted to the High Point Department of Transportation. Any additional recommendations will be incorporated into the plan.

I am available to discuss the rezoning application. While the owners and applicant hope that you are excited about this change, we understand that you may have questions. Should you have any concerns or if you would like to simply discuss the project, please contact Judy Stalder at 336-688-2204 and/or jstalder@northstate.net. I look forward to working with you on this project.

Sincerely,

Judy Stalder
Zoning Consultant

CROWNE LAKE ASSOCIATES
PO BOX 3128
JASPER AL 35502

DEPARTMENT OF TRANSPORTATION
PO BOX 14996
GREENSBORO NC 27415

HICKORY GROVE METHODIST CH
5005 HILLTOP RD
GREENSBORO NC 27407

HUNTER HILLS BAPTIST CHURCH
1806 MERRITT DR
GREENSBORO NC 27407

JAMES LANDING PROPERTY OWNERS
ASSOCIATION
PO BOX 3288
GREENSBORO NC 27402

JOHNSON, WESLEY H ; MARTIN, JOHN D
7021 EQUESTRIAN TRAIL
SUMMERFIELD NC 27358

MARTIN MARIETTA MATERIALS INC
PO BOX 30013
RALEIGH NC 27622

MARTIN, JOHN D ; MARTIN, DENISE STARR ;
JOHNSON, WESLEY H ; JOHNSON, CYNTHIA G
7021 EQUESTRIAN TRAIL
SUMMERFIELD NC 27358

MARY OAK PLAZA LC
P O BOX 9537
GREENSBORO NC 27429

MILLIREN INVESTMENTS LLC
724 NATIONAL HIGHWAY
THOMASVILLE NC 27360

REALTY INCOME CORPORATION
11995 EL CAMINO REAL
SAN DIEGO CA 92130

TUCKER, M WILLARD ; SIEGAL, BARRY S
PO BOX 16168
HIGH POINT NC 27261

WENDOVER VIEW LOT 2 LLC
3411-D W WENDOVER AVE
GREENSBORO NC 27407