

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Zoning Map Amendment 18-22  
(Parkway Associates, LLC)

**From:** Lee Burnette, Planning & Development  
Director

**Meeting Date:** February 4, 2019

**Public Hearing:** Yes

**Advertising Date:** January 23, 2019 and  
January 30, 2019

**Advertised By:** Planning & Development

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

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### PURPOSE:

A request by Parkway Associates, LLC to rezone approximately 15.7 acres from a Conditional Use Light Industrial (CU-LI) District to a Conditional Zoning General Business (CZ-GB) District. The site is lying along the east side of Piedmont Parkway, opposite Morris Farm Drive, and approximately 800 feet southeast of Tarrant Road.

### 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 22, 2019, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 18-22. The Planning & Zoning Commission recommended *approval* of this request, as outlined in the staff report and recommended by staff, by a vote of 6-0.

## PLANNING AND ZONING COMMISSION RECOMMENDATION

### Parkway Associates, LLC

### Zoning Map Amendment 18-22

At its January 22, 2019 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximate 15.7-acre parcel to a Conditional Zoning General Business (CZ-GB) District. All members of the Commission were present except for Mr. Ozzie Hough and Ms. Angela McGill. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

### Speaking on the request:

Mr. Barry Siegal, 3929 Tinsley Drive, High Point, applicant, spoke in favor of the request. Mr. Siegal provided a historical overview of the property since it was annexed in the late 1990s and how the dedication of approximately five acres of land, for the Piedmont Parkway extension, significantly impacted the configuration of this property. He closed by providing an overview of the proposed development on the site.

### Planning & Zoning Commission Action

#### Consistency & Reasonableness Statements

The Commission stated that as conditioned, the proposed zoning allows for office, personal service and limited retail uses on a constrained site while maintaining City policy to keep more intensive commercial uses to the south on W. Wendover Avenue. Furthermore, due to the manner a major thoroughfare extension and site constraints have impacted this property, it is reasonable to allow other uses on the site that do not impact the area.

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

### Zoning Map Amendment

The Commission recommended *approval* of Zoning Map Amendment 18-22, as recommended by staff, by a vote of 6-0.

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

**STAFF REPORT  
ZONING MAP AMENDMENT 18-22  
December 11, 2018**

<b>Request</b>	
<b>Applicant:</b> Parkway Associates, LLC	<b>Owner:</b> Parkway Associates, LLC
<b>Zoning Proposal:</b> To rezone approximately 15.7 acres.	<b>From: CU-LI</b> Conditional Use Light Industrial District
	<b>To: CZ-GB</b> Conditional Zoning General Business District

<b>Site Information</b>	
<b>Location:</b>	The site is lying along the east side of Piedmont Parkway, opposite Morris Farm Drive and approximately 800 feet south of Tarrant Road.
<b>Tax Parcel Number:</b>	Guilford County Tax Parcel 0154708
<b>Site Acreage:</b>	Approximately 15.7 acres
<b>Current Land Use:</b>	Undeveloped
<b>Physical Characteristics:</b>	The site has been graded to support development of a 7-lot subdivision. A perennial stream runs across the northern portion of the site and a 50-foot wide Colonial Pipeline (natural gas) easement run across the southern portion of the site. Additionally, a stormwater control device is being developed at the southeastern boundary of the property.
<b>Water and Sewer Proximity:</b>	A 12-inch City water line lie adjacent to the site along Piedmont Parkway. An 8-inch public sewer line lies in Platinum Drive opposite the site.
<b>General Drainage and Watershed:</b>	The site drains in a general easterly and southeasterly direction and development is subject to the City Lake General Watershed (GWA) requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24%.
<b>Overlay District:</b>	City Lake General Watershed (GWA)

<b>Adjacent Property Zoning and Current Land Use</b>			
<b>North:</b>	LI	Light Industrial District (Guilford County)	Industrial uses
<b>South:</b>	PDL	Planned Development Limited District	Single family detached dwellings (across Piedmont Parkway)
<b>East:</b>	AG HI	Agricultural District Heavy Industrial District (both within Guilford County)	Undeveloped parcels, industrial use and a quarry
<b>West:</b>	PDL CU RM-16	Planned Development Limited District Conditional Use Residential Multifamily-16 District	Multifamily and single family detached subdivision (across Piedmont Parkway)

Relevant Land Use Policies and Related Zoning History	
<b>Community Growth Vision Statement</b>	This request is neither consistent or inconsistent with the goals and objectives of the Community Growth Vision Statement.
<b>Land Use Plan Map Classification:</b>	The site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research & development, distribution, and light manufacturing or assembly uses on larger sites in unified developments.
<b>Land Use Plan Goals, Objectives &amp; Policies:</b>	The following goals of the Land Use Plan are relevant to this request: Goal #1: Ensure that development respects the natural environment; Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the City and its planning area.
<b>Relevant Area Plan:</b>	None
<b>Zoning History:</b>	<u>Zoning Map Amendment 98-24</u> : In 1998, an 88.5-acre land area, which includes this current zoning site, was annexed and granted a combination of multifamily and industrial zoning. This current zoning request was part of a larger 29.5-acre tract zoned CU-LI under Conditional Use Permit 98-24

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Piedmont Parkway		Major Thoroughfare	2,050 ft
Vehicular Access:	Via existing driveways from Piedmont Parkway			
Traffic Counts: (Average Daily Trips)	Piedmont Parkway		9,500 (NCDOT 2017 traffic count)	
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	None	
Conditions:	Access: Only three points of access shall be allowed to Piedmont Parkway: a. One right-in / right-out access at the northern end of the property; b. One full movement access point at the center of the property; and c. One full movement access point at the Morris Farm Drive intersection  Improvements a. When more than two structures are constructed the internal street network shall connect to Piedmont Parkway at the Morris Farm Drive intersection and at the full movement access point at the center of the property. b. The developer shall update the signal plans for the signal for the Morris Farm Drive intersection and construct the fourth leg of the intersection.			
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.			

School District Comment
Not applicable to this zoning case.

## Details of Proposal

### Overview of Applicant's Zoning Request

The applicant is requesting to rezone this parcel from its current Conditional Use Light Industrial (CU-LI) District to a Conditional Zoning General Business (CZ-GB) District. The applicant submitted a proposed conditional zoning ordinance with this application that prohibits residential uses, prohibits higher intensity commercial uses, limits the number of access points and improves the existing traffic signal at the intersection of Piedmont Parkway and Morris Farm Drive.

### Changes in the area

The zoning site was part of a larger 29.5-acre tract that was annexed and granted CU-LI District zoning in 1998. However, the character and physical features of this industrial tract has changed during the past 20 years as follows:

- Piedmont Parkway previously terminated 800 feet north of the zoning site, at the intersection of Tarrant Road. It was extended approximately one-mile in a southeasterly direction from Tarrant Road, through the industrial tract, to W. Wendover Avenue. In December 2006, this 4-lane major thoroughfare extension was opened to the public and changed the traffic patterns in this area. In addition to offering a direct travel corridor between Eastchester Drive and W. Wendover Avenue, it provided a western entrance/exit to the Piedmont Centre Industrial Park and serves as a physical boundary separating residential developments to the west from the industrial uses to the east.
- This 124-foot-wide road extension not only reduced the land area of the industrial zoned tract, it also divided it creating a 15.7-acre parcel (current zoning site) and a 6.7-acre parcel on opposite sides of the Piedmont Parkway extension. In 2008, the 6.7-acre portion of this industrial tract, on the west side of Piedmont Parkway, was rezoned to permit residential uses.

The culmination of the road extension and rezoning reduced the initial 29.5-acre industrial tract to the current 15.7-acre zoning site. Development of this tract is limited by its long narrow configuration (2,000± foot long by 400± foot deep), a perennial stream with a 200-foot-wide stream buffer across its northern boundary, and a 50-foot wide gas easement and stormwater control device impacting its southern boundary. These site constraints leave just over 11 acres suitable for development which restricts the potential for multiple lot industrial development.

### Proposed Development

The applicant has obtained subdivision approval and has commenced grading and site work to develop a 7-lot subdivision under its current CU-LI District zoning. The applicant is requesting a CZ-GB District zoning to permit some flexibility in the allowance of a wider range of personal service uses, entertainment/amusement uses, and smaller scale retail uses that will serve this development, employees of the adjacent Piedmont Centre office/industrial park and the adjacent residential neighborhoods.

Except for the allowance of major personal service uses (one that exceeds 4,000 square feet in area), entertainment/amusement uses, and smaller size retail uses (up to 7,000 square feet per establishment) this zoning proposal will be restricted to those GB District uses currently permitted in the existing CU-LI District. Higher intensity commercial uses such as restaurants with drive thru windows, amusement parks, bulky item sales, convenience stores with fuel sales, large retail sales (over 50,000 sq. ft) and vehicle establishments are prohibited.

### Staff Analysis

The zoning site is the last parcel of any significant size to be developed on this segment of Piedmont Parkway between Tarrant Road and W. Wendover Avenue. Since 1992, the adopted Land Use Map has classified the zoning site and adjacent lands along the east side of Piedmont Parkway for Restricted Industrial and Heavy Industrial land uses. The primary policy issue pertaining to this request is the introduction of business zoning in an area designated by the Land Use Map for Restricted Industrial land uses. This site is situated on the edge of the city limits and is constrained by its relatively shallow depth, a stream and a major utility easement. Furthermore, the proximity of an adjacent quarry restricts the ability to assemble land for development to the southeast of the site. The LI and GB District permit many of the same use types. The requested CZ-GB District proposed by the applicant permits personal service uses and allows some limited commercial opportunities without allowing the full array of commercial uses within this area classified on the City's Land Use Plan for Restricted Industrial uses.

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:

<b><u>Factor #1</u></b>	<b>Result in a development that is compatible with surrounding development character and land uses;</b>
	The site abuts various industrial uses to the north and east, and an active quarry at its southeastern boundary. There is also a perennial stream to the north and east, forcing industrial structures on adjacent parcels to be position further east of the zoning site.
<b><u>Factor #2</u></b>	<b>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.;</b>
	<ul style="list-style-type: none"><li>❖ Transportation conditions offered by the applicant to limit the number of access points and to upgrade the signalized intersection at the southern boundary of the site will mitigate traffic impacts on Piedmont Parkway.</li><li>❖ In conjunction with Piedmont Parkway providing a physical separation, the exterior lighting and screening standards of the Development Ordinance will mitigate adverse impacts to residential developments to the west.</li></ul>
<b><u>Factor #3</u></b>	<b>Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;</b>
	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. Furthermore, where impacted by a perennial stream, environmental standards of the Development Ordinance are required to be met.

<b><u>Factor #4</u></b>	<b>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;</b> The site is within an area currently served by City of High Point with adequate utilities and municipal services to serve the development.
<b><u>Factor #5</u></b>	<b>Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent lands.</b> The subject site abuts industrially zoned lands to the north, east and south. The 124-foot wide Piedmont Parkway right-of-way separates it from residential developments to the west.

**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.**

As described in this report, there have been significant changes in this area during the past 20 years that restrict the feasibility of large industrial uses on this property.

**Development Patterns:**

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

With large industrial use limited by the site's constraints, the allowance of a small business subdivision with office, personal service and limited retail uses provides an orderly infill development option along the east side of this segment of Piedmont Parkway. This maintains the preferred development pattern of keeping higher intensity commercial uses at established commercial node on the W. Wendover Avenue corridor to the south.

**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;**

**As conditioned, the proposed zoning allows for office, personal service and limited retail uses on a constrained site while maintaining City policy to keep more intensive commercial uses to the south on W. Wendover Avenue.**

**Reasonableness/Public Interest:**

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

**Due to the manner a major thoroughfare extension and site constraints have impacted this property, it is reasonable to allow other uses on the site that do not impact the area.**

**Recommendation**

**Staff Recommends Approval:**

The Planning & Development Department recommends approval of the request to rezone this 15.7-acre parcel to the CZ-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**

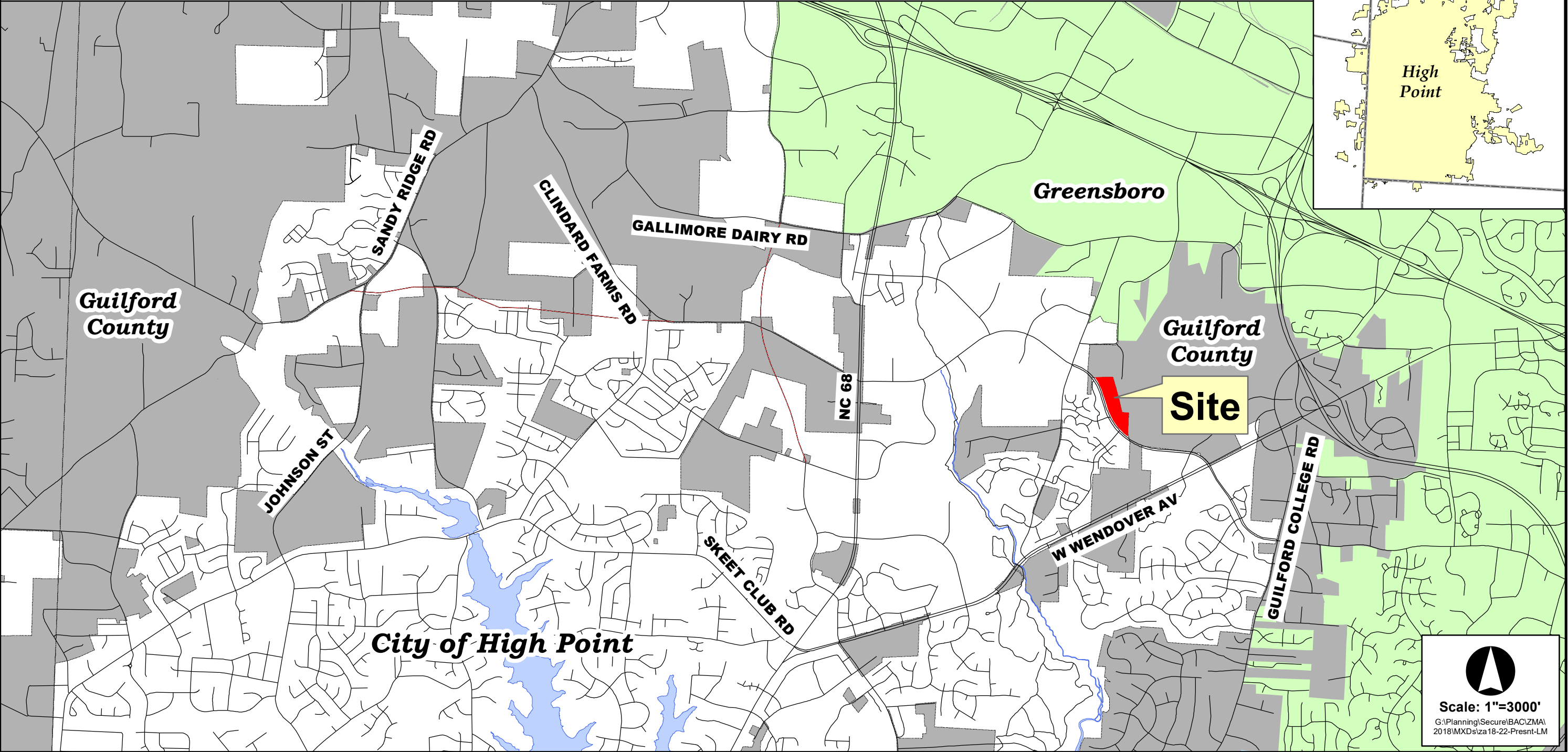
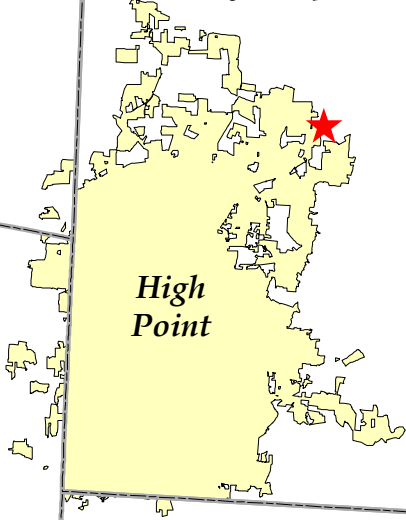
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.



# LOCATION MAP

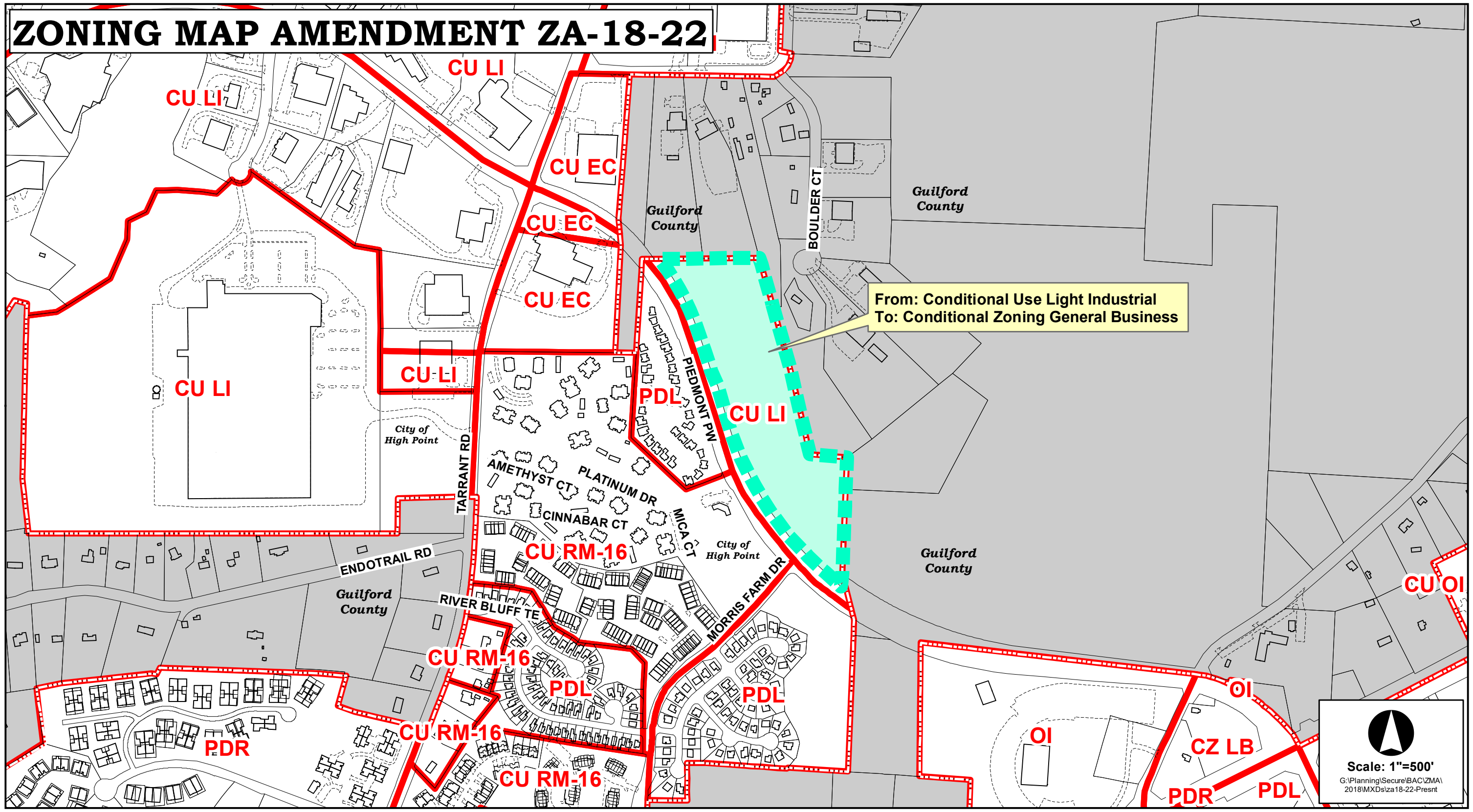
ZONING MAP AMENDMENT ZA-18-22  
Applicant: PARKWAY ASSOCIATES LLC

*Vicinity Map*




Scale: 1"=3000'

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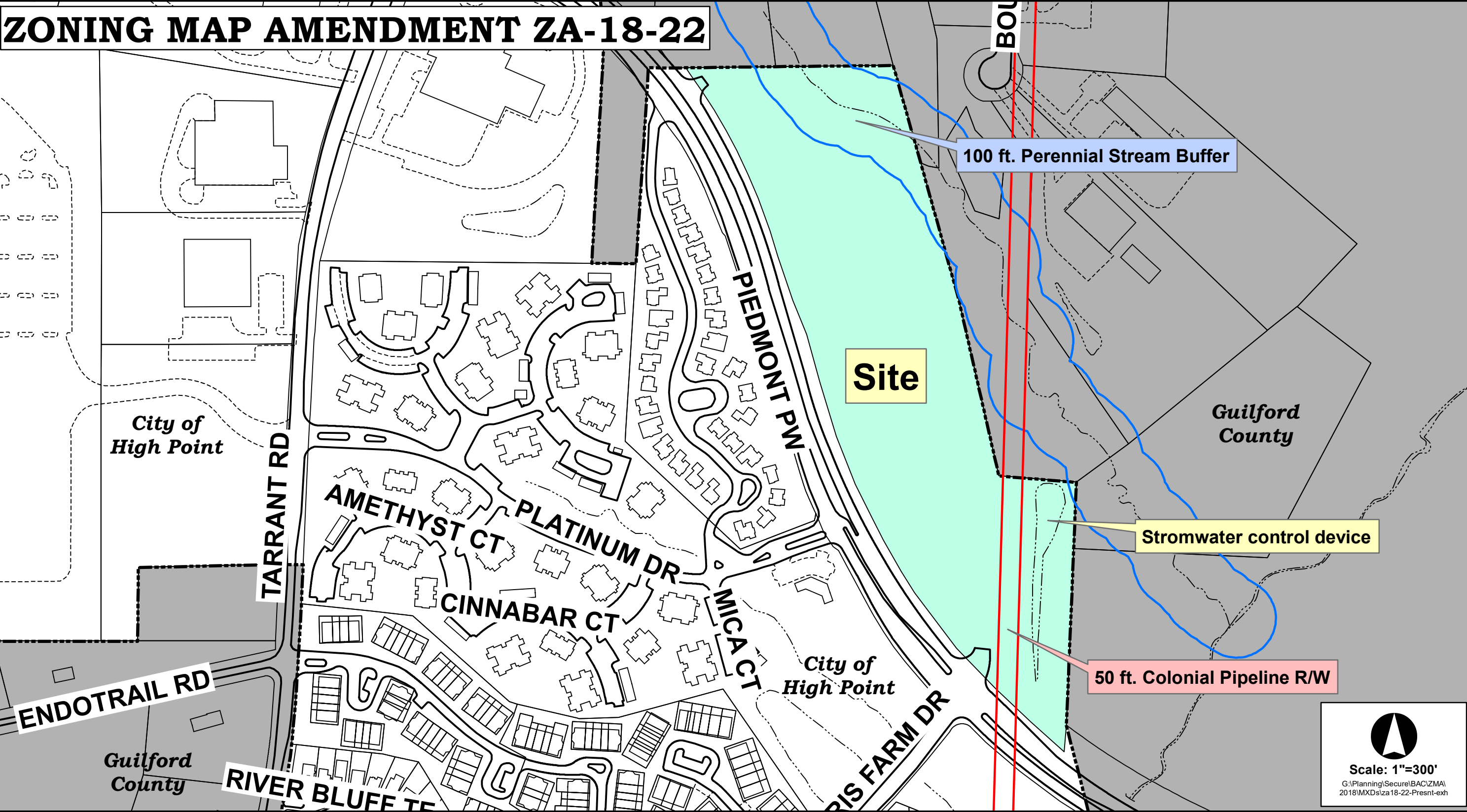
# ZONING MAP AMENDMENT ZA-18-22

From: Conditional Use Light Industrial  
To: Conditional Zoning General Business



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# ZONING MAP AMENDMENT ZA-18-22

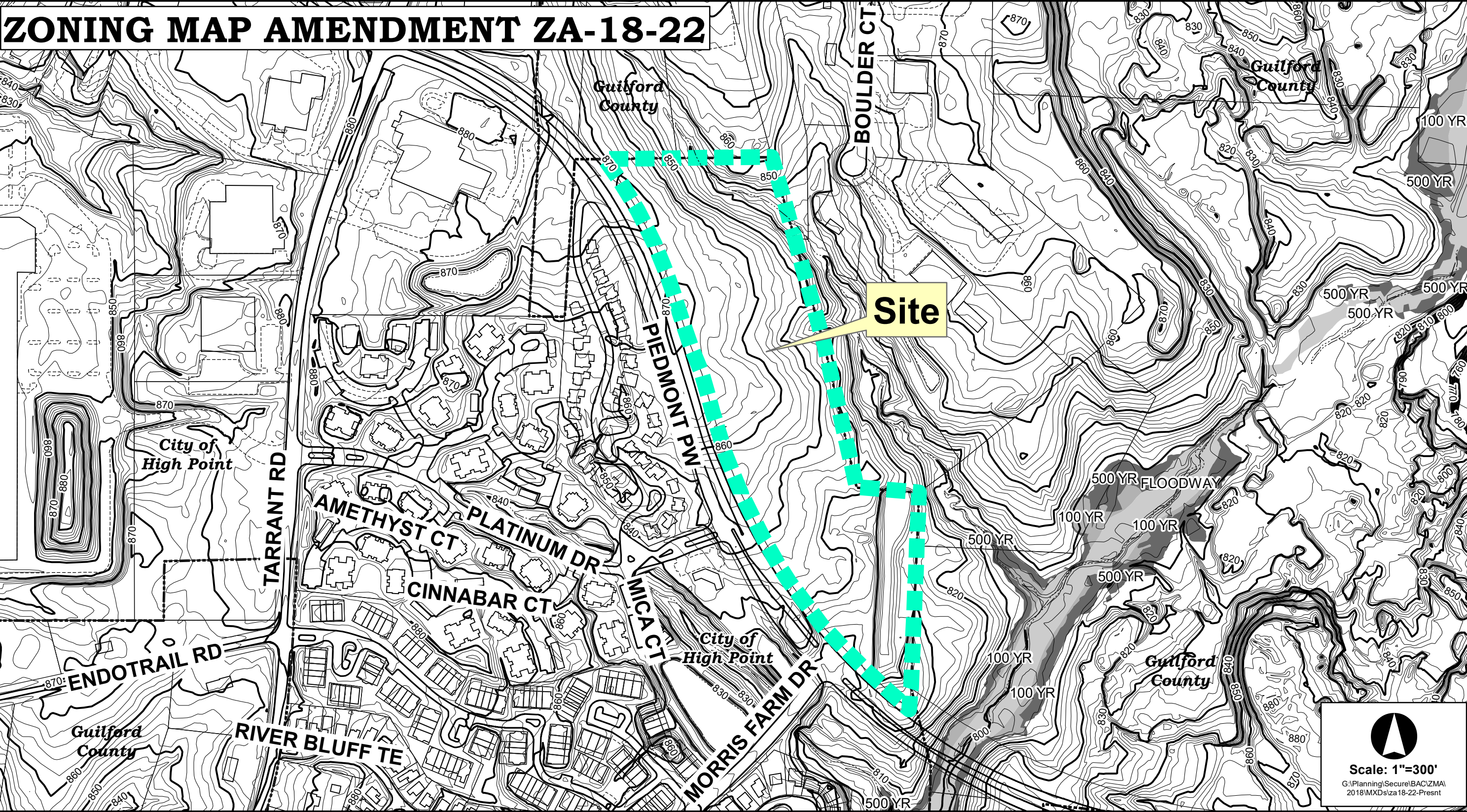


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# ZONING MAP AMENDMENT ZA-18-22





# ZONING MAP AMENDMENT ZA-18-22

Restricted Industrial

Recreation/Open Space

Restricted Industrial

Guilford County

Guilford County

Heavy Industrial

Site

City of High Point

TARRANT RD

AMETHYST CT

PLATINUM DR

CINNABAR CT

MICA CT

City of High Point

Medium-Density Residential

Medium-Density Residential

Guilford County

Restricted Industrial

Restricted Industrial

Low-Density Res

Low-Density Residential

Office Office

Institutional

Institutional

Heavy Industrial

Medium-Density Residential

Local/Convenience Com

Office

Office

Medium-Density

Recreation/Open Space

Moderate-Density Residential

Low-Density Residential

Guilford County

Guilford County

Guilford County

Guilford County

Guilford County

Guilford County

Guilford County

Guilford County

Guilford County

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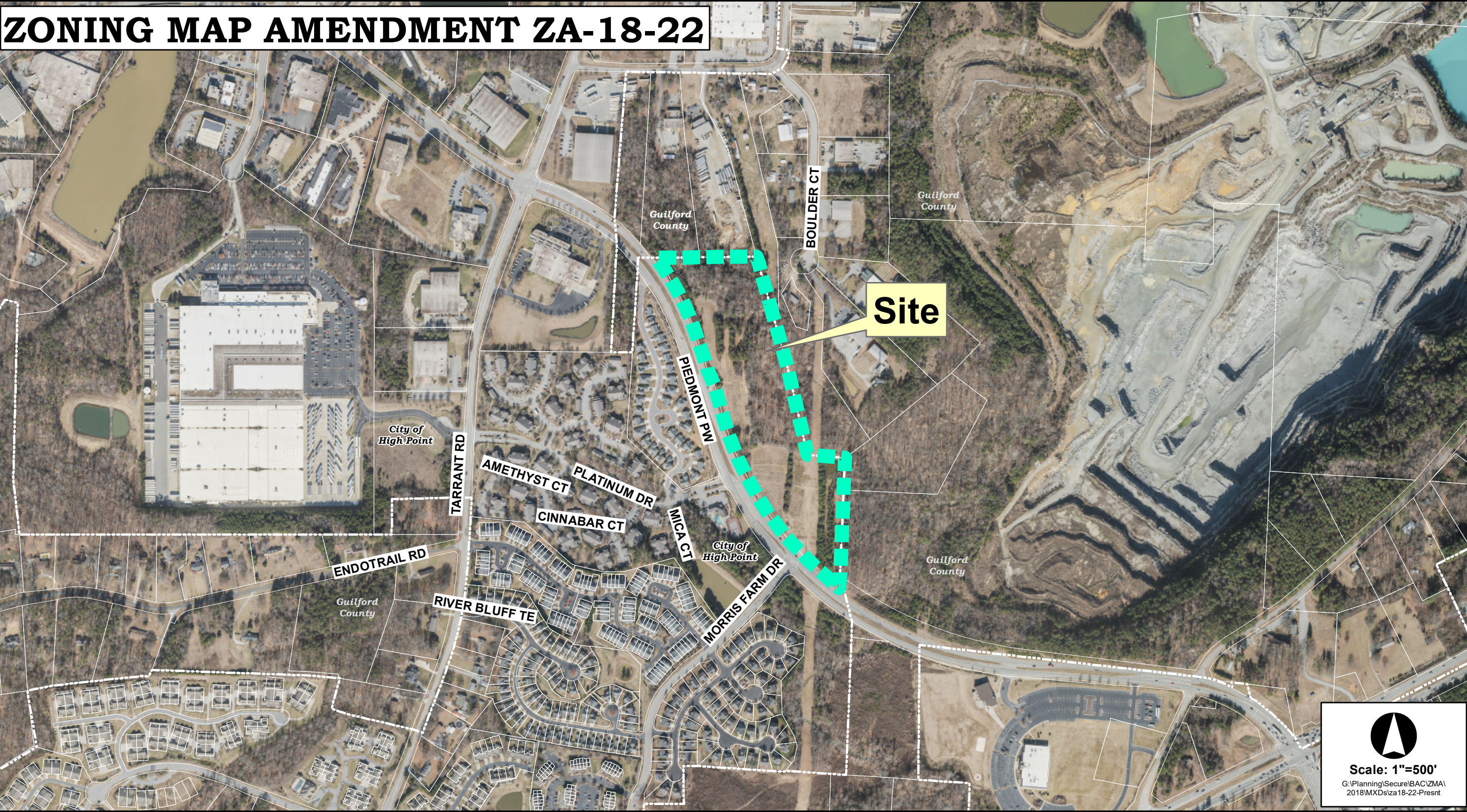


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# ZONING MAP AMENDMENT ZA-18-22



Site



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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 December 11, 2018 and before the City Council of the City of High Point on January 7, 2019 regarding **Zoning Map Amendment Case 18-22 (ZA-18-22)** 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 December 2, 2018, for the Planning and Zoning Commission public hearing and on December 26, 2018 and January 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 \_\_\_\_\_.

**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 General Business (CZ-GB) District**. The property is approximately 15.7 acres lying on the east side of Piedmont Parkway, across from Mica Court and across from Morris Farm Drive. The property is also known as Guilford County Tax Parcel 0210376).

#### 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:

A. Any uses allowed in the General Business (GB) District subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

##### B. Prohibited Uses

The following uses, as listed in Table 4.1.9 (Principal Use Table) of the Development Ordinance, shall be prohibited:

1. All uses within the Residential Use Classification
2. Institutional Use Classification
  - a) School, minor

3. Commercial Use Classification
  - a) Restaurant, major
  - b) Amusement parks
  - c) Bulky item sales
  - d) Convenience store with fuel sales
  - e) Retail sales, large
  - f) Vehicle establishment, major
  - g) Vehicle establishment, minor
  - h) Bed & Breakfast

C. Restricted Use: Each retail sales use type shall be restricted to 7,000 square feet.

Part II. CONDITIONS:

A. Transportation Conditions.

1. Access: Only three (3) points of access shall be allowed to Piedmont Parkway:
  - a) One right-in / right-out access at the northern end of the property;
  - b) One full movement access point at the center of the property; and
  - c) One full movement access point at the Morris Farm Drive intersection
2. Improvements
  - a) When more than two structures are constructed the internal street network shall connect to Piedmont Parkway at the Morris Farm Drive intersection and at the full movement access point at the center of the property.
  - b) The developer shall update the signal plans for the signal for the Morris Farm Drive intersection and construct the fourth leg of the intersection.
3. Other Transportation Conditions

The City of High Point Transportation Director shall approve the 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.

\_\_\_\_<sup>th</sup> day of XXXXXXXXXXXX xx, 20XX.

Lisa B. Vierling, City Clerk

# **Citizens Information Meeting Report**

## **Zoning Map Amendment 18-22**

Submitted by: Amanda Williams and Barry Siegal on  
behalf of Parkway Associates, LLC

# **Parkway Associates, LLC**

*P.O. Box 16168  
High Point, North Carolina 27261*

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*Phone: 336-292-9010  
Fax: 336-632-0207*

January 7, 2019

Neighbors of 4421 Piedmont Parkway

RE: Rezoning Application for 4421 Piedmont Parkway, PIN #7823382508

Dear Neighbors,

We are writing to inform you that we have filed for rezoning on a piece of property we own at 4421 Piedmont Parkway. The current zoning for the site is Conditional Use Limited Industrial. We are requesting a rezoning to General Business Conditional Zoning to provide some flexibility in the allowance of a wider range of personal service uses, entertainment/amusement uses, and smaller scale retail uses that will serve this development, employees of the adjacent Piedmont Centre office/industrial park and the adjacent residential neighborhoods. Except for the allowance of major personal service uses, entertainment/amusement uses, and small size retail uses (up to 7,000 square feet per establishment) this zoning proposal will be restricted to those General Business District uses currently permitted in the existing CU-LI District.

We invite all neighbors with questions to please reach out to us via phone at our office number (336) 292-9010. We will be happy to share with you any additional information we may have. We are scheduled to be at Planning and Zoning on January 22<sup>nd</sup> at 6 pm.

Sincerely,

Amanda Williams and Barry Siegal

AJT INVESTMENTS LLC  
1421 BOULDER CT  
GREENSBORO NC 27409

BURTON, ROGER D  
3872 PARKWAY VISTA DR  
GREENSBORO NC 27409

CANOVIA & ASSOCIATES INC  
5214 HEDRICK DR  
GREENSBORO NC 27410

CORNONELL, GRISKA E  
3638 PARKWAY VISTA RD  
GREENSBORO NC 27409

CRAWFORD, JIMMY L JR  
3869 PARKWAY VISTA DR  
GREENSBORO NC 27409

FGF LLC  
182 WATSON MILL RD  
PHILADELPHIA PA 19350

GRANITE RIDGE INVESTMENTS LLC  
PO BOX 16168  
HIGH POINT NC 27261

GRIFFIN, D H SR  
2022 SHIMER DRIVE  
JAMESTOWN NC 27282

HAIRSTON, E B ESTATE  
226 NICHOLSON RD  
WINSTON-SALEM NC 27107

HATZI, PETER J ; HATZI, CATHY  
8564 YOHR CT  
MANASSA VA 20110

LARE INC  
PO BOX 7667  
ROANOKE VA 24019

LONGONI, A M  
1427 BOULDER CT #A  
GREENSBORO NC 27409

MARTIN MARIETTA MATERIALS INC  
PO BOX 30013  
RALEIGH NC 27622

PARKWAY ASSOCIATES LLC  
PO BOX 16168  
HIGH POINT NC 27261

PARKWAY VILLAGE HOMEOWNERS ASSOCIATION  
INC  
C/O 2706 N CHURCH ST  
GREENSBORO NC 27405

RABADEY, RAJESHKUMAR Y ; RABADEY,  
JAYSHREE  
4309 HOLLY ORCHARD CT  
HIGH POINT NC 27265

SEAGER INVESTMENTS LLC  
8 ELM RIDGE LANE  
GREENSBORO NC 27408

VILLAS AT GRANITE RIDGE LLC  
PO BOX 16168  
HIGH POINT NC 27261

YOW, SARAH A ; SNYDER, LOUISE YOW ; YOW,  
JAMES MELVIN ; YOW, EDWARD ALLEN ; YOW,  
ELLIOTT  
4544 WALPOLE RD  
HIGH POINT NC 27265