

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 19-12
(Soulin and Som Put Pasit)

From: Lee Burnette, Planning & Development
Director

Meeting Date: August 19, 2019

Public Hearing: Yes

Advertising Date: August 7, 2019, and
August 14, 2019

Advertised By: Planning & Development

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

PURPOSE:

A request by Soulin Pasit and Som Put Pasit to rezone an approximate 1.6-acre parcel from the Residential Single Family-40 (RS-40) District, within Guilford County's jurisdiction, to the Residential Single Family-3 (R-3) District. The site is east of Penny Road, approximately 650 feet south of Eagle Glen Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

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 July 23, 2019, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 19-12. The Planning & Zoning Commission recommended *approval* of this request, as outlined in the staff report and recommended by staff, by a vote of 5-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Soulin and Som Put Pasit

Zoning Map Amendment 19-12

At its July 23, 2019 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximate 1.6-acre parcel to the Residential Single Family-3 (R-3) District. All members of the Commission were present except for 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:

The applicant, Mr. Soulin Pasit, 211 Avondale Street, High Point, made himself available for questions.

No one spoke in opposition to this request.

Planning & Zoning Commission Action

Zoning Map Amendment

The Commission recommended *approval* of Zoning Map Amendment 19-12, as recommended by staff, by a vote of 5-0.

Consistency & Reasonableness Statements

The Commission vote 5-0 to approve the following statement: That the Zoning Map Amendment is consistent with the City's adopted policy guidance because the R-3 District is consistent with Low-Density Residential designation of the Land Use Plan. Furthermore, the request is reasonable and in the public interest because the other properties in the City on the east side of this segment of Penny Road are also zoned R-3.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-19-12
July 23, 2019**

Request	
Applicant: Soulin and Som Put Pasit	Owners: Soulin and Som Put Pasit
Zoning Proposal: To annex and apply initial City zoning	From: AG Agricultural District
	To: R-3 Residential Single Family - 3 District

Site Information	
Location:	The site is east of Penny Road, approximately 650 feet south of Eagle Glen Road.
Tax Parcel Number:	Guilford County Tax Parcel 227820
Site Acreage:	Approximately 1.6 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The site is relatively flat and has no noteworthy physical features.
Water and Sewer Proximity:	A 12-inch City water line and a 24-inch City sewer line lie adjacent to the site along Penny Road.
General Drainage and Watershed:	The site drains in a general southerly direction and development is subject to the City Lake Critical Watershed Area requirements. Engineered stormwater treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more.
Overlay District:	City Lake Critical Watershed Area (WCA) – Tier 4

Adjacent Property Zoning and Current Land Use			
North:	R-3	Residential Single Family – 3 District	Single family detached dwelling
South:	R-3	Residential Single Family – 3 District	Single family detached dwelling
East:	PNR	Parks and Recreation District (<i>Town of Jamestown</i>)	Public park
West:	CU R-3	Conditional Use Residential Single Family – 3 District	Single family detached dwellings

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 Low-Density Residential land use designation. This classification is primarily intended for single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.

Land Use Plan Goals, Objectives & Policies:	This request is neither in conflict with the Land Use Plan's goals and objectives, nor does it promote those goals and objectives.
Relevant Area Plan:	Not applicable
Zoning History:	The abutting property to the north was annexed and granted R-3 District zoning in 2018. The residential subdivisions along the west side of Penny Road, and parcels to the south were annexed and granted residential zoning (CU-RM-5, CU R-3 and R-3 Districts) in the mid-1990s.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Penny Road		Major Thoroughfare	216 ft.
Vehicular Access:	Driveway access from Penny Road.			
Traffic Counts: <i>(Average Daily Trips)</i>	Penny Road		11,000 ADT (2015 NCDOT Counts)	
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	Not applicable	

School District Comment				
Guilford County School District				
Local Schools:	Projected Enrollment: (2018 - 2019)	Maximum Design/ Built Capacity: (2019 – 2020):	Mobile Classrooms:	Projected Additional Students:
Florence Elementary	671	972	11	0 – 3
Welborn Middle School	436	690	0	0 – 2
Southwest Middle School (choice zone)	1,252	1,223	10	0
Andrews High School	711	1,254	0	0 - 2
Southwest High School (choice zone)	1,595	1,506	11	0
School District Remarks: With the implementation of General Statute 115C-301 mandating reduced K-3 class sizes, elementary schools will experience annual reductions in capacity through 2021-22. Built capacity assumes 30 students per core academic classroom and is not inclusive of capacity reduction from programmatic utilization.				

Details of Proposal
The applicant has requested to annex and establish initial City zoning for this 1.6-acre parcel in order to have access to City utilities, and thereby facilitate the development of a single family home.

Staff Analysis
The Land Use Map designates this portion of the City's Planning Area for Low Density Residential uses. The requested R-3 District is consistent with Land Use Map designation and is compatible with City zoning that has been established in this area.

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.

The R-3 District is consistent with the Low Density Residential designation of the Land Use Plan.

Reasonableness/Public Interest:

Why a decision to approve, or to deny, the proposed conditional zoning would be reasonable and in the public interest.

The other properties in the City on the east side of this segment of Penny Road are also zoned R-3.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval to establish R-3 District zoning on this 1.6-acre parcel. The requested R-3 District 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

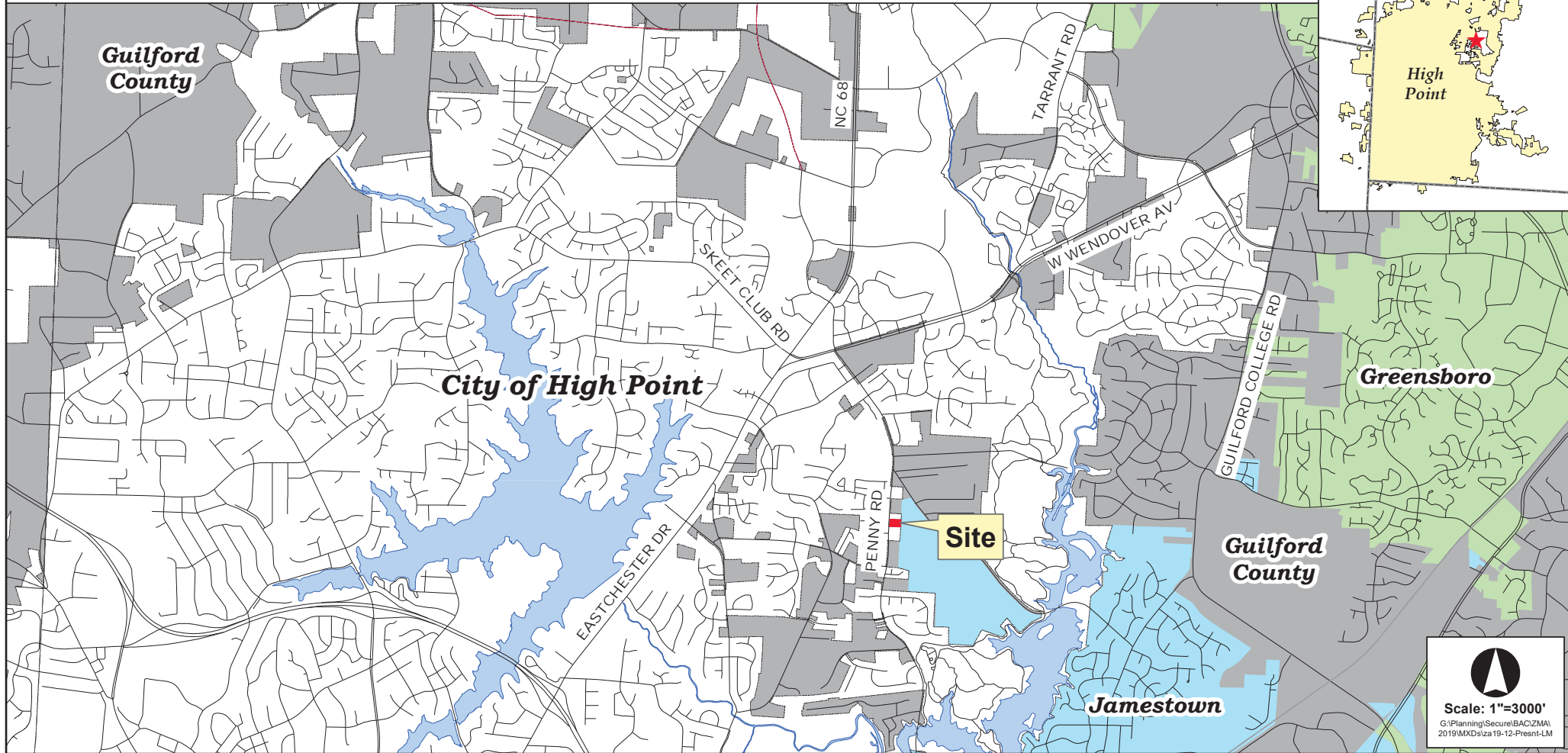
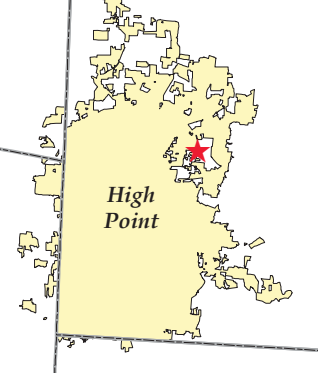
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator and Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-19-12

Applicant: Soulin Pasit & Som Put Pasit

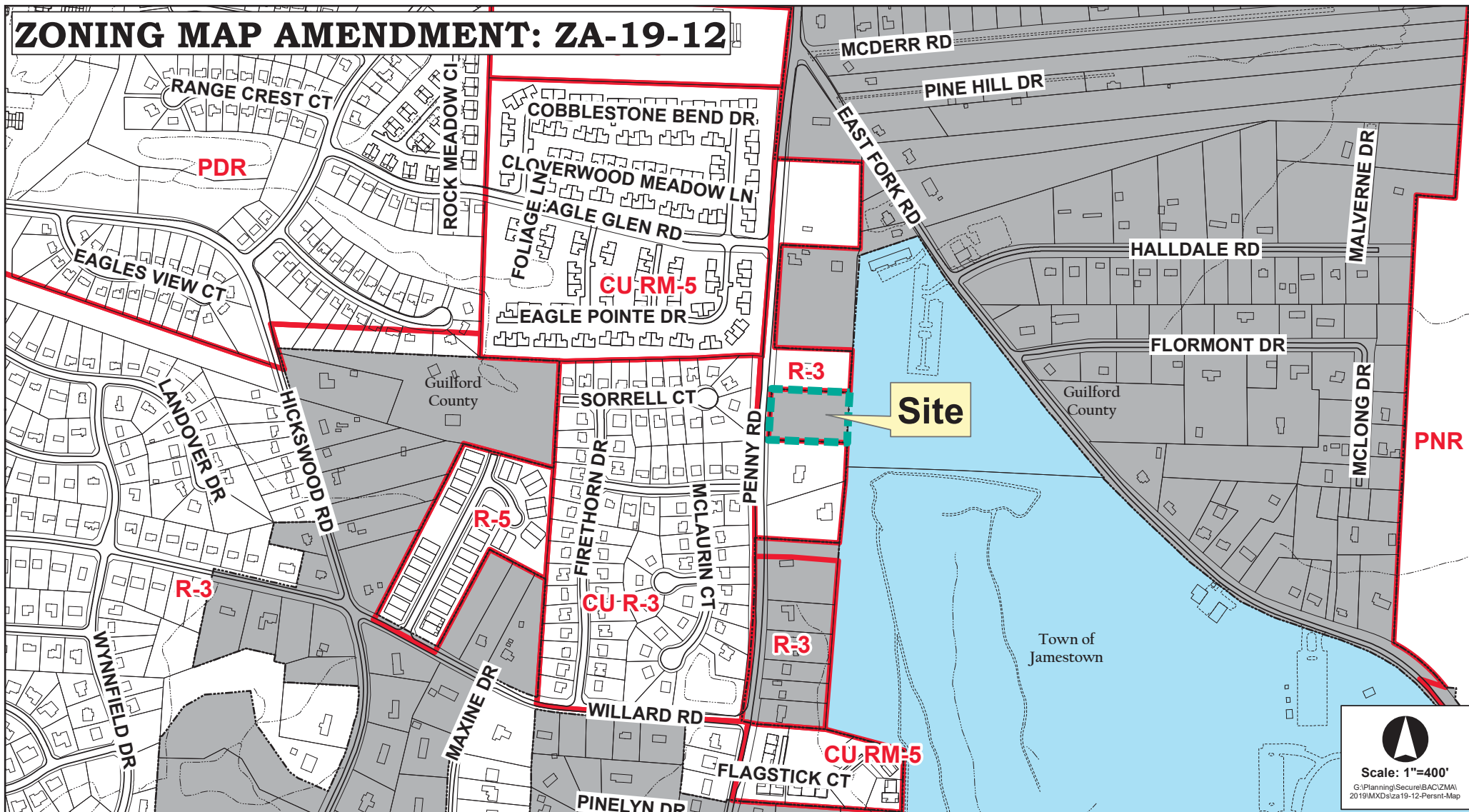
Vicinity Map



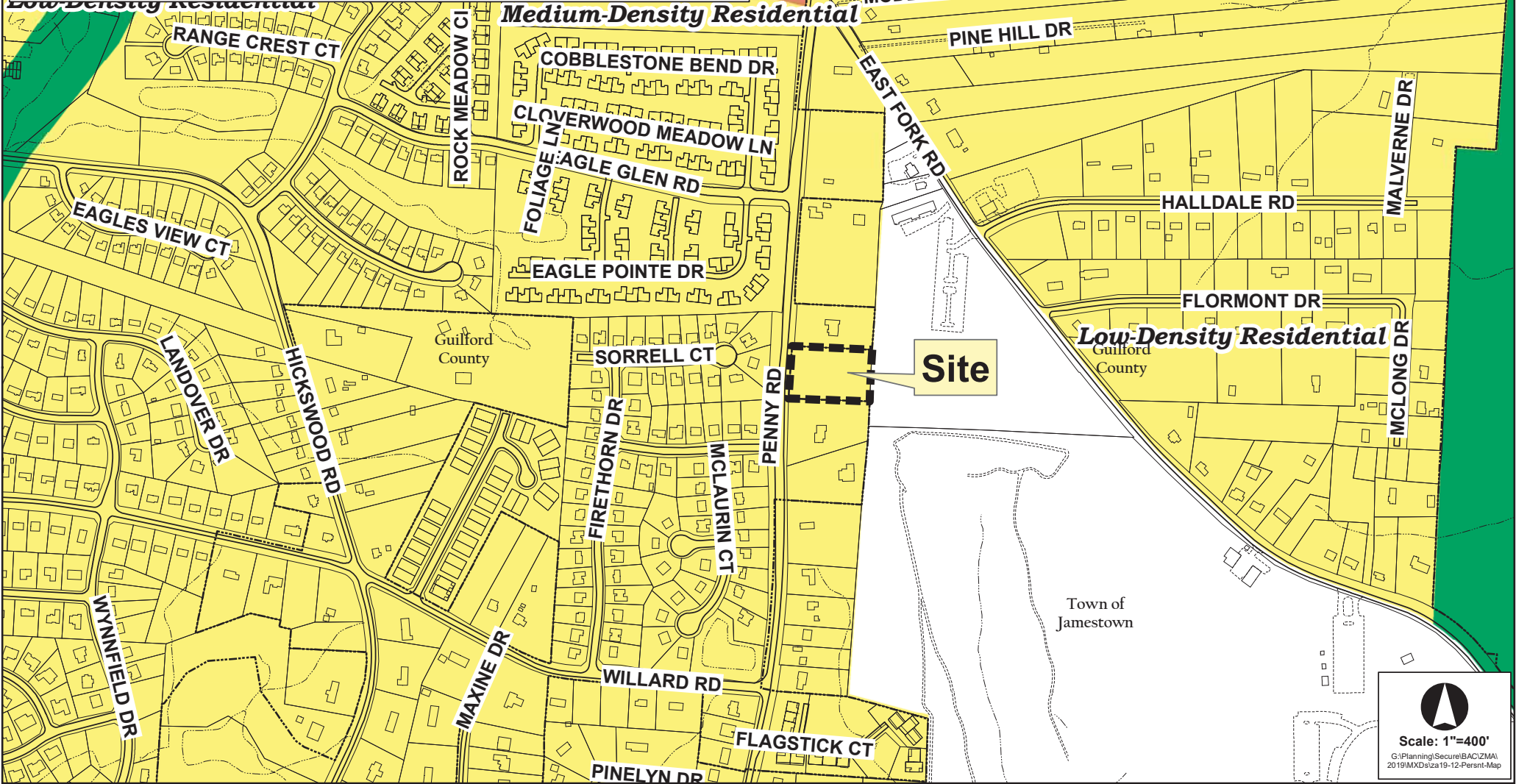
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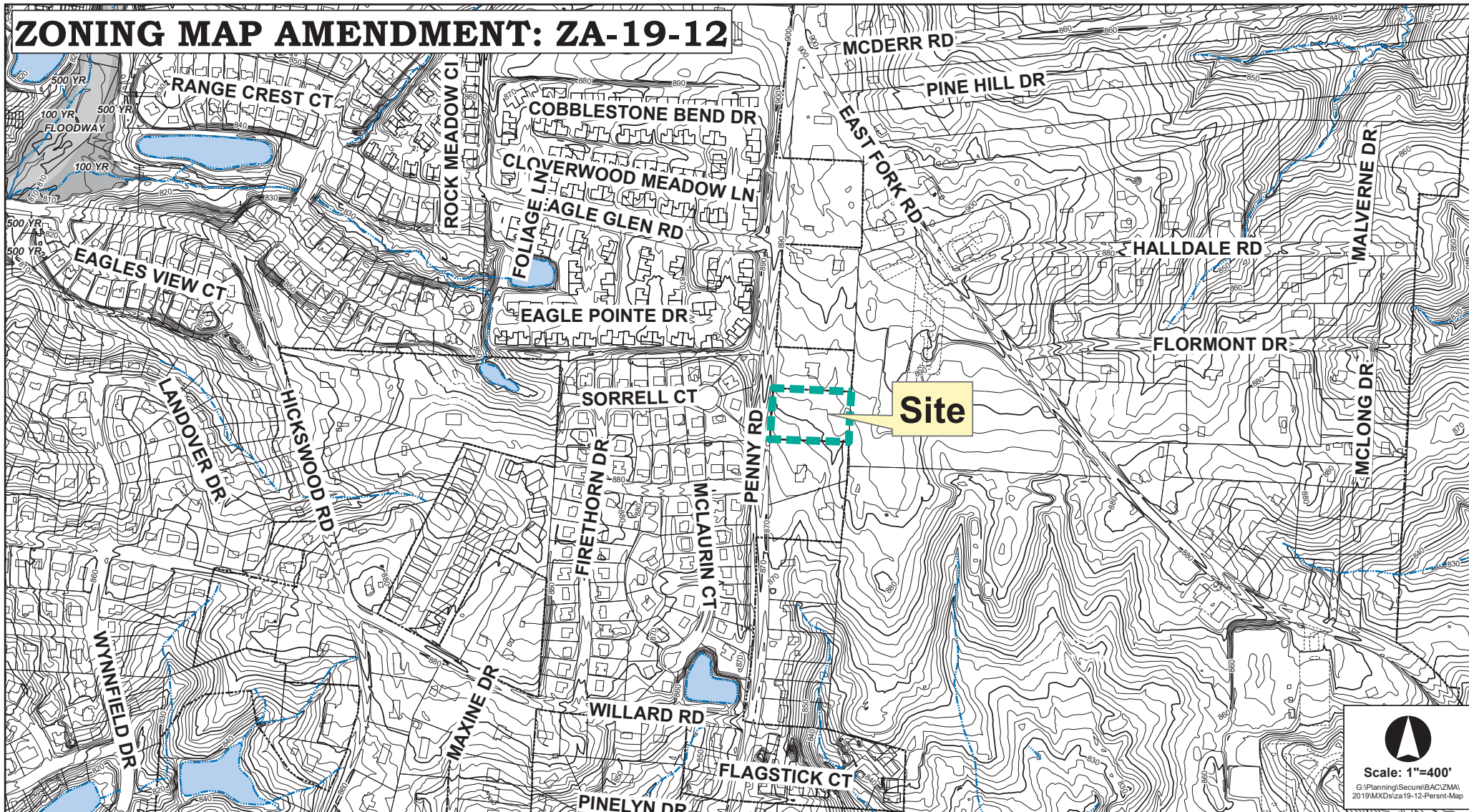
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Citizens Information Report

Zoning Map Amendment ZA-18-11

Submitted by Soulin Pasit

1626 penny road

SUMMARY OF NEIGHBORHOOD COMMUNICATION

- . In lieu of a neighborhood meeting the attached letter was sent on June 19, 2019 to all Property owners on the attached mailing list provided by the planning Department.
- . The letter informed of the annexation and re-zoning to a residential Single Family and Invited the recipient to contact the applicant with any questions
- . As of today (July 8, 2019) I have not been contacted by any of the neighbors who were sent the attached letter.

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 July 23, 2019 and before the City Council of the City of High Point on August 19, 2019 regarding **Zoning Map Amendment Case 19-12 (ZA-19-12)** 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 July 14, 2019, for the Planning and Zoning Commission public hearing and on August 7, 2019 and August 14, 2019, 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 **August 19, 2019**.

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: **Residential Single Family - 3 District**. The parcel is approximately 1.6 acres and lies along the east side of Penny Road, approximately 650 feet south of Eagle Glen Road. The property is also known as Guilford County Tax Parcel 227820.

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.

Adopted by the City Council
City of High Point, North Carolina

The xxxth day of xxxxxxxxxxxxxx, 2019

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk