

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 19-15
(High Point University)

From: Lee Burnette, Planning & Development
Director

Meeting Date: September 16, 2019

Public Hearing: Yes

Advertising Date: September 5, 2019, and
September 11, 2019

Advertised By: Planning & Development

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

PURPOSE:

A request by High Point University to rezone approximately 9.8 acres from the Residential Single Family-5 (R-5) District and the Institutional (I) District to a Conditional Zoning Institutional (CZ-I) District. The site is located north of E. Lexington Avenue, between N. University Parkway and Guyer Street (1300 N. University Parkway, 1513 E. Lexington Avenue and 1307, 1501 & 1505 Guyer Street).

BACKGROUND:

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

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended *approval* of this request as outlined in the attached staff report.
- B. On August 27, 2019, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 19-15. 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

High Point University

Zoning Map Amendment 19-15

At its August 27, 2019 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 9.8 acres to a Conditional Zoning Institutional (CZ-I) District. All members of the Commission were present, except for Mr. Ray Wheatley. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking on behalf of the request was Mr. Barry Kitley, 4115 Ponce De Leon Drive, High Point, Director of Special Projects Facilities & Auxiliary Operations at High Point University. Mr. Kitley provided an overview of the request. He stated that the community meeting, held on July 21, 2019, had no opposition.

The Commission asked if the church would remain open. Mr. Kitley stated that the church would be relocating by the end of 2019, and the church daycare facility will remain open until June 2020.

No one spoke in opposition.

Planning & Zoning Commission Action

Zoning Map Amendment

The Commission recommended *approval* of Zoning Map Amendment 19-15, as recommended by staff, by a vote of 6-0.

Consistency & Reasonableness Statements

The Commission voted 6-0 to approve the following statement: That the Zoning Map Amendment is consistent with the City's adopted policy guidance because, the Land Use Plan classifies the property for Institutional use, which includes colleges and universities. Furthermore, the request is reasonable because, the High Point University campus and the Institutional District already abuts the site to the north and west, and the proposed district is consistent with that zoning pattern.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-19-15
August 27, 2019**

Request	
Applicant: High Point University	Owner: High Point University
Zoning Proposal: To rezone approximately 9.8 acres	From: R-5 Residential Single Family-5 District Institutional District
	To: CZ I Conditional Zoning Institutional District.

Site Information	
Location:	The site is located north of E. Lexington Avenue, between N. University Parkway and Guyer Street (1300 N. University Parkway, 1513 E. Lexington Avenue and 1307, 1401 & 1405 Guyer Street).
Tax Parcel Number:	Guilford County Tax Parcels 18537, 182471, 182472, 182505, 182506 and 182480 (portion)
Site Acreage:	Approximately 9.8 acres
Current Land Use:	Religious institution (Christ United Methodist Church) and single family detached dwellings
Physical Characteristics:	The site has a gentle to moderately sloping terrain and developed with an approximate 48,000 square-foot church and four single family dwellings.
Water and Sewer Proximity:	Variously sized City water lines lie adjacent to the site along N. University Parkway, E. Lexington Avenue and Guyer Street. An 8-inch City sewer line lie adjacent to the site along E. Lexington Avenue and Guyer Street.
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, and for single family developments with a gross density of 2 units per acre or more.
Overlay Districts:	City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use			
North:	CU-I	Conditional Use Institutional District	High Point University Campus (dormitory)
South:	R-5	Residential Single Family - 5 District	Single family detached dwelling and undeveloped parcels
East:	R-5	Residential Single Family - 5 District	Single family detached dwellings
West:	CU-I	Conditional Use Institutional District	High Point University Campus (undeveloped parcel)

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	The following objective of the Community Growth Vision Statement is relevant to this request: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Map Classification:	The site has an Institutional land use designation. This classification is intended to accommodate public, quasi-public and institutional uses on large tracts are included in this classification.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan: <i>Core City Plan</i>	<u>Neighborhood Planning Principles – Discernible Boundaries:</u> Do not allow neighborhoods to get chipped away at their edges by incompatible uses and development forms. Employ design measures to accentuate their boundaries through features such as gateway treatments and street tree plantings.
Zoning History:	In 2007, Zoning Map Amendment 07-25 was approved which expanded the High Point University campus by 18 acres to the north and west of this current zoning request. Since 2007 there have been no zoning activity in this area.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	N. University Parkway		Minor Thoroughfare	650 ft.
	E. Lexington Avenue		Minor Thoroughfare	320 ft.
	Guyer Street		Local	950 ft.
Vehicular Access:	Via driveway access from N. University Parkway and Guyer Street.			
Traffic Counts: (Average Daily Trips)	N. University Parkway E. Lexington Avenue Guyer Street		9,200 ADT (NCDOT 2017 trip count) 10,000 ADT (NCDOT 2017 trip count) 8,500 ADT (intersection of Guyer St. and E. Lexington Ave. - 2014 trip count)	
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	Not applicable	
Conditions:	Vehicular Access: <ul style="list-style-type: none">• No access to Lexington Avenue.• One point of access to Guyer Street.• One point of access to N. University Drive.			
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

High Point University has submitted this Zoning Map Amendment request to expand the boundary of their main campus to include this 9.8-acre area. The campus currently abuts this site to the north, west and to the southwest. If approved, this will complete the campus expansion in this block. Included with this application is a conditional zoning ordinance in which the University has offered conditions to restrict access and to provide higher screening and landscaping standards along the Guyer Street frontage of the site.

Staff Analysis

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. In determining whether to approve or deny a conditional zoning, the City Council shall weigh the relevance of and consider the following issues outlined below.

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.

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 Land Use Plan classifies the property for Institutional use, which includes colleges and universities.

Reasonableness/Public Interest:

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

The High Point University campus and the Institutional District already abuts the site to the north and west, and the proposed district is consistent with that zoning pattern.

Compatibility with Surrounding Areas

- Whether the proposed conditional zoning district will result in a development that is compatible with the character of surrounding existing or proposed development and land uses.
 - Where there are issues of compatibility, the proposed conditional zoning district shall provide for appropriate transition areas that address incompatibility through increased buffering, landscaping, fencing, building height, mass and scale or other means designed to promote a complimentary character of development.
 - Determination of complimentary character may be based on densities/intensities, use types, lot sizes and dimensions, building height, mass and scale, exterior lighting, siting of service areas, or other aspects that may be identified by the City Council.
- ❖ Except for the four single family dwellings, the site has been developed and operating as an institutional use (church) since the 1970s.
 - ❖ Future University development of the zoning site will trigger requirements to install additional screening and perimeter landscaping yards.
 - ❖ The site is separated from adjacent residential neighborhoods by the Guyer Street and E. Lexington Avenue rights-of-way.

Mitigation of Impacts

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

Mitigation #1	<p>Minimize or effectively mitigate any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.</p> <p>Any new construction or building expansion on the site will trigger standards of the Development Ordinance pertaining to exterior lighting, screening of mechanical equipment/dumpsters and parking lot landscaping. To further reduce impacts to the adjacent neighborhood, the Guyer Street access is to be gated.</p>
Mitigation #2	<p>Minimize or effectively mitigate 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>
Mitigation #3	<p>Minimize or effectively mitigate any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire.</p> <ul style="list-style-type: none"> ❖ The site is within an area adequately served by City of High Point utilities and municipal services. ❖ The applicant has offered conditions to prohibit access to E. Lexington Avenue, and to limit the site to one point of access to N. University Parkway and one point of access to Guyer Street.
Mitigation #4	<p>Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands.</p> <p>To mitigate impact and filter views from the adjacent residential neighborhood, the applicant has offered conditions to impose higher landscaping standards along the Guyer Street frontage of the site. Instead of the standards street yard planting rate of 2 trees and 17 shrubs every 100 linear feet, the applicant has offered to install a Type C planting rate which will provide 7 trees and 20 shrubs every 100 linear feet. The combination of the higher planting rate, separation provided by the road right-of-way and condition that Guyer Street landscaping consist of 50% evergreen materials will mitigate impacts to adjacent lands from any new construction or expansion.</p>

Supportive Changes in the Area

Whether and the extent to which there have been changes in the type or nature of development in the area of the proposed conditional zoning district that support the application.

The site has been used as an institutional use for several decades and the Land Use Plan designates this area for Institutional use.

Promotes a Preferred Development Pattern

Whether and the extent to which the proposed conditional zoning district will results in development that promotes a logical, preferred, and orderly development pattern.

Established policy guidance for University-related expansion is that lands should about the existing campus, should consist of an entire block being rezoned and incorporated into the campus at the same

time, and should avoid piecemeal intrusion into residential neighborhoods. This zoning map amendment is consistent with these policies

Recommendation

Staff Recommends Approval :

The Planning & Development Department recommends approval of the request to rezone this 9.8-acre area to the CZ-I District. As conditioned, the request will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

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

LOCATION MAP

ZONING MAP AMENDMENT: ZA-19-15

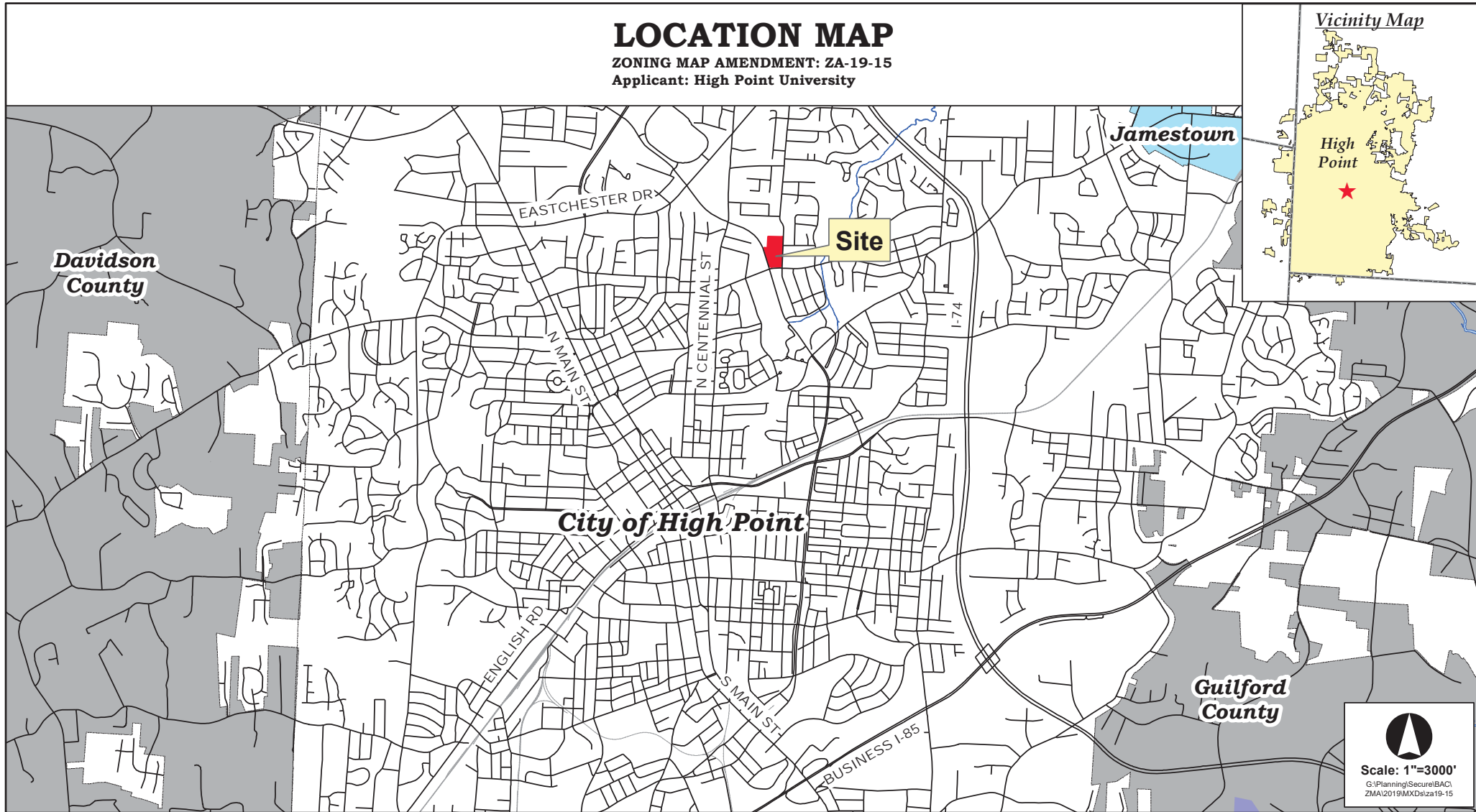
Applicant: High Point University

Vicinity Map

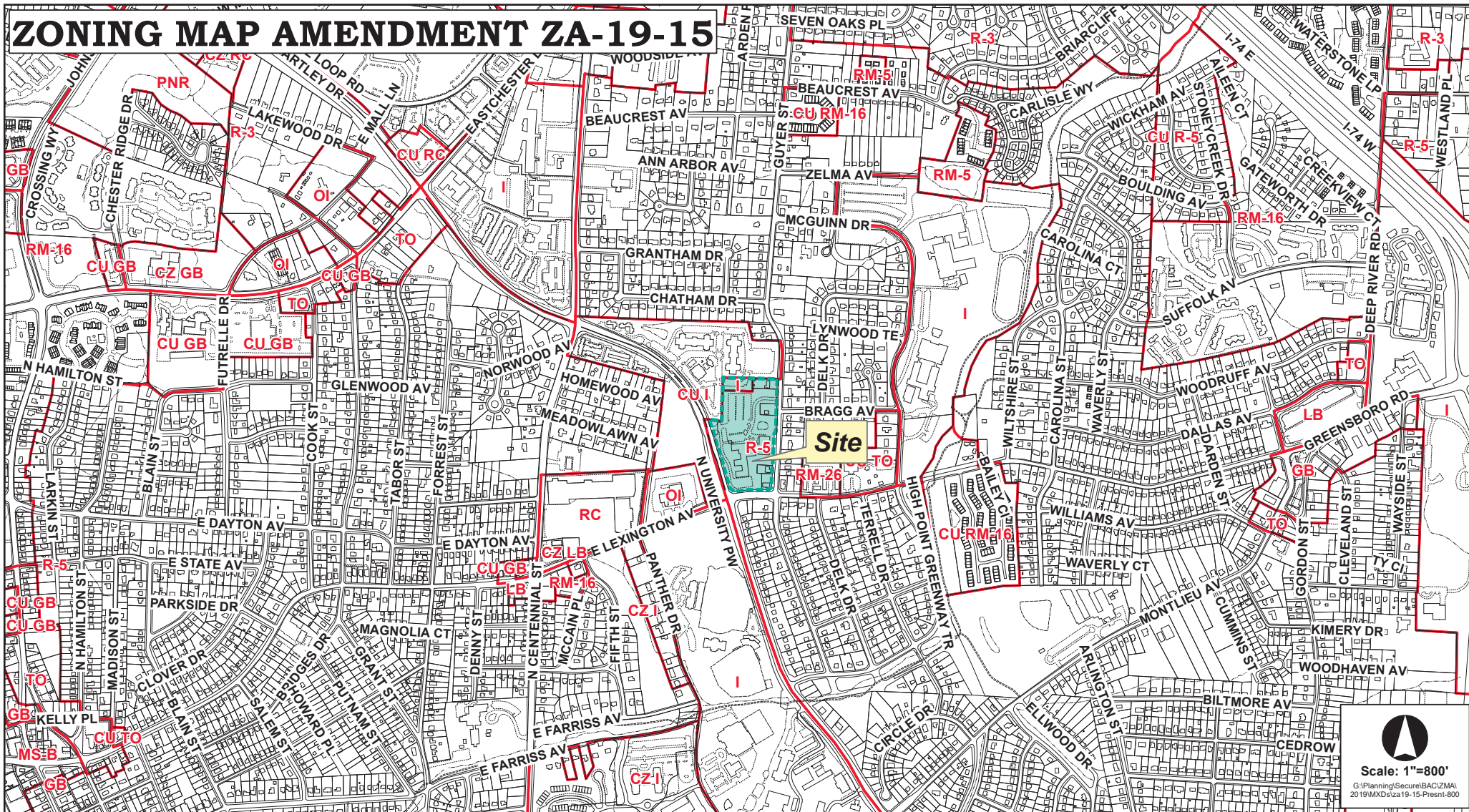
High Point

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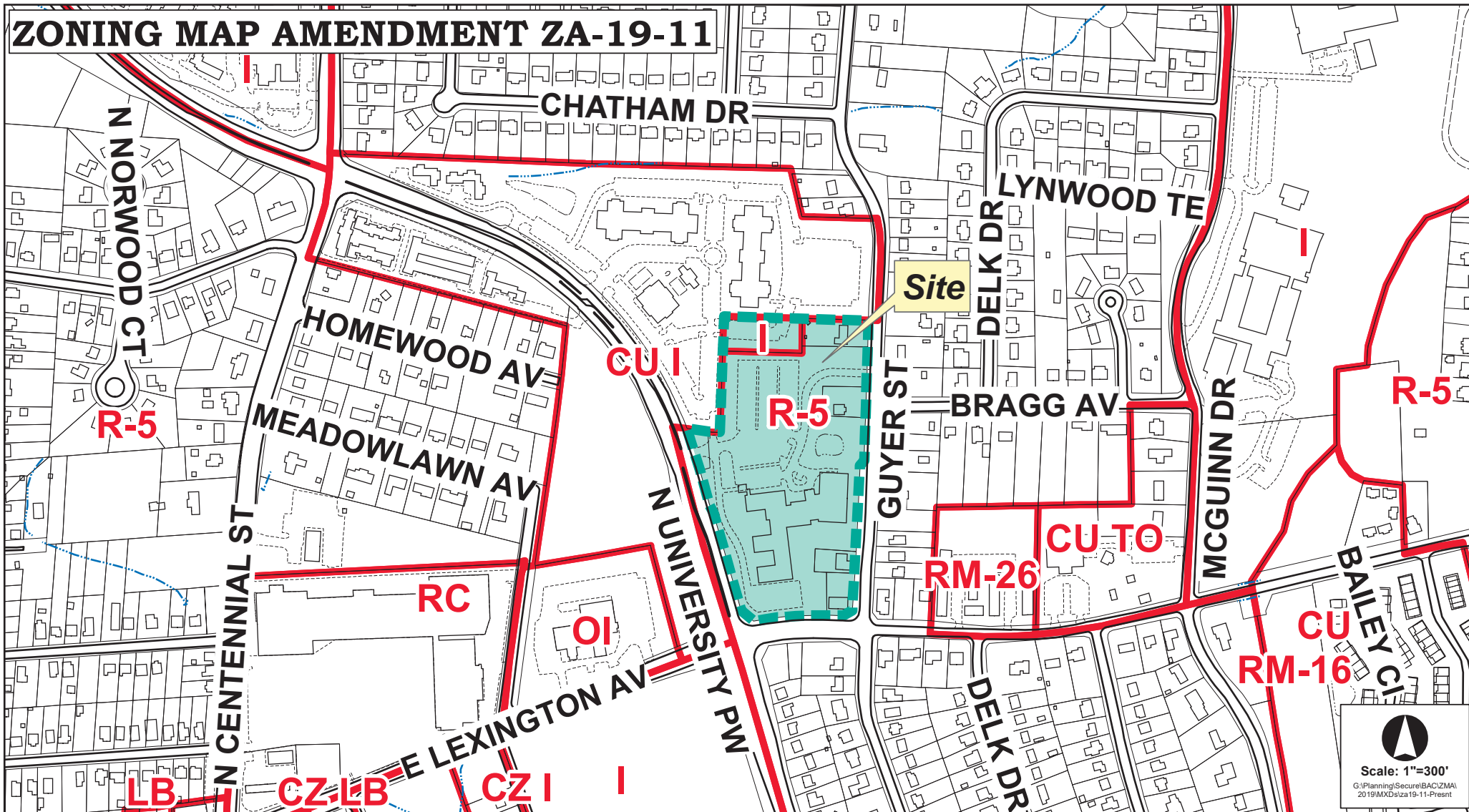
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ZONING MAP AMENDMENT ZA-19-15



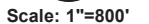
ZONING MAP AMENDMENT ZA-19-11



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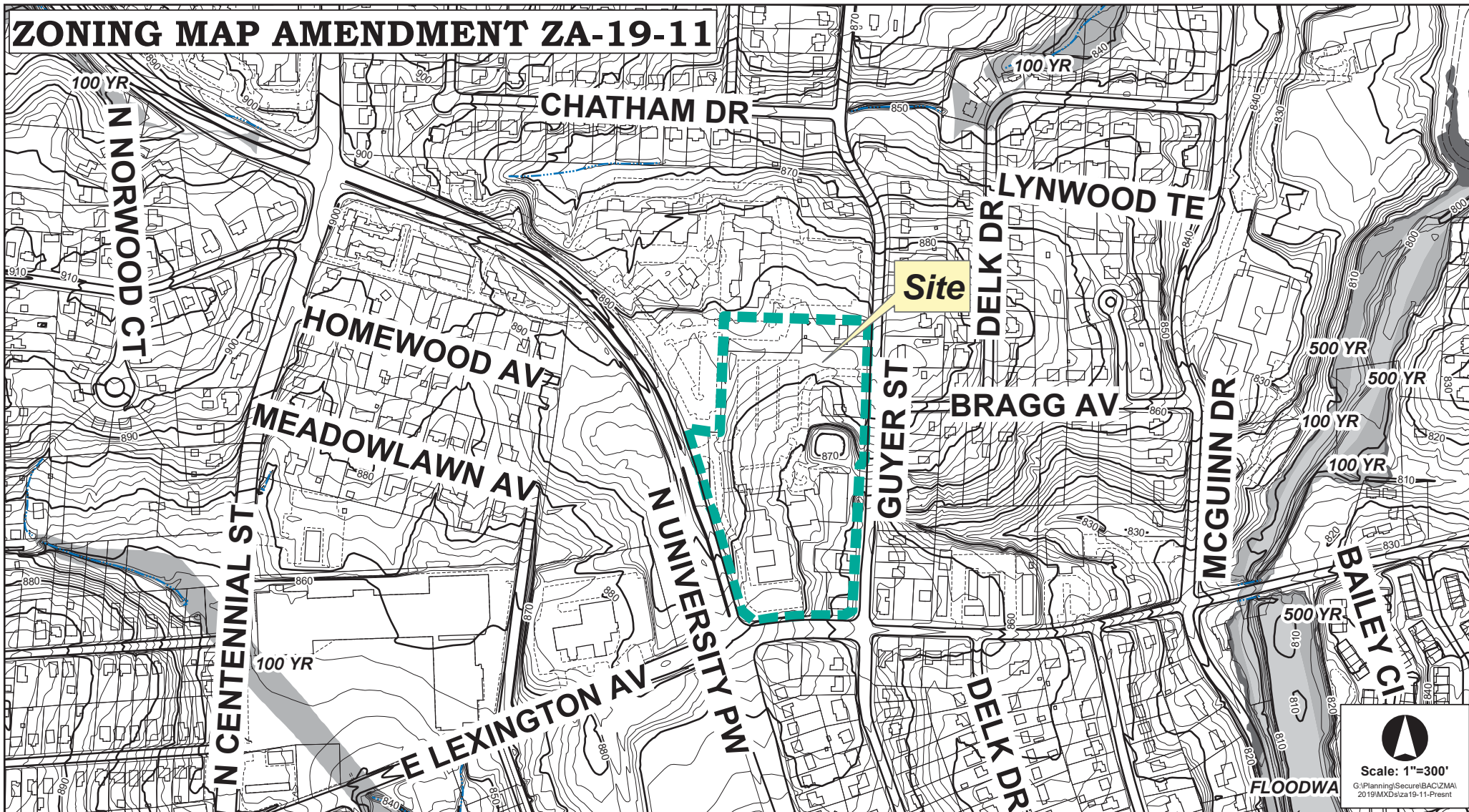
ZONING MAP AMENDMENT ZA-19-15

The map displays various zoning districts including Medium Density Residential, Community/Regional Commercial, Institutional, Office, Low-Density Residential, Local/Convenience Commercial, Office, Recreation/Open Space, and Medium-Density Residential. A specific area is highlighted and labeled "Site". The map also shows major roads such as I-74, I-74 W, and various local streets like N Hamilton St, E Dayton Av, and E Farriss Av. A legend in the bottom right corner indicates the scale is 1"=800'.

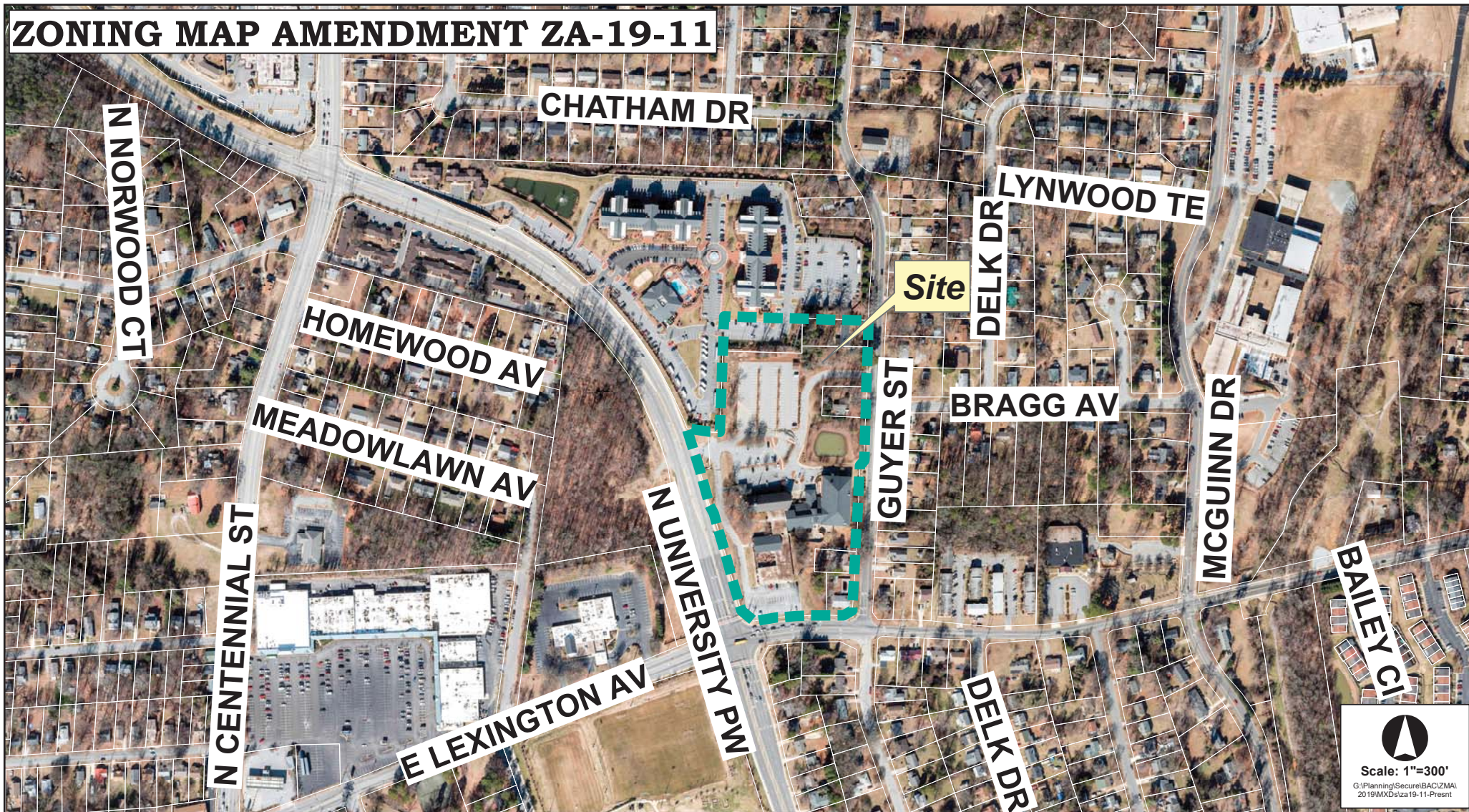


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ZONING MAP AMENDMENT ZA-19-11



ZONING MAP AMENDMENT ZA-19-11



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 August 27, 2019 and before the City Council of the City of High Point on September 16, 2019 regarding **Zoning Map Amendment Case 19-15 (ZA-19-15)** 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 August 18, 2019, for the Planning and Zoning Commission public hearing and on September 4, 2019 and September 11, 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 **September 16, 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: **Conditional Zoning Institutional (CZ-I) District**. The property is approximately 10 acres and is lying north of E. Lexington Avenue, between N. University Parkway and Guyer Street. The property is also known as Guilford County Tax Parcels 18537, 182471, 182472, 182505, 182506 and 182480 (portion).

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:** The College or University Use Type (Education Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance, subject to the development and dimensional requirements of the Institutional (I) and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.

B. Landscaping, Buffers, and Screening:

1. Fencing: Fencing installed along the Guyer Street frontage of the zoning site shall be setback a minimum of five (5) feet from the right-of-way line.
2. Landscaping: Along the Guyer Street frontage of the site, the planting rate for the Street Yard Landscaping shall be increased to require installation of a C Yard Planting Rate. Fifty percent (50%) of trees and shrubs utilized shall consist of evergreen species of planting material.

C. Transportation

1. Vehicular Access:

- a. N. University Parkway: One (1) point of vehicular access shall be allowed to N. University Parkway.
- b. Guyer Street: One (1) point of access shall be allowed to Guyer Street. This access point shall be gated and not intended for general vehicle access; and shall be installed as approved by the High Point Department of Transportation.
- c. E. Lexington Avenue: No vehicle access shall be permitted to E. Lexington Avenue.
- d. Old residential dwelling driveways: Existing driveways in place as of September 16, 2019, that served former single family detached dwellings, may remain until that structure is removed or converted to a nonresidential use classification.

2. The City of High Point Director of Transportation shall approve the exact location and design of all access points. In addition, the Director of Transportation and the North Carolina Department of Transportation (NCDOT), if applicable, shall approve all construction 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.

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

Citizens Information Meeting Report Zoning Map Amendment 19-15

Submitted by: Barry Kitley, Director of Community
Relations, High Point University

Memorandum

Date: August 2, 2019

To: City of High Point, North Carolina
Planning and Development Department

From: Barry Kitley
Director of Community Relations

Subject: Rezoning Case ZA-19-15
Citizens Information Meeting, July 31, 2019, 6:00 P.M.

High Point University conducted a Citizens' Information Meeting in support of Rezoning Case ZA-19-15. The meeting was held at Christ United Methodist Church, 1300 N. University Parkway. Letters of invitation were mailed to 46 residents on July 19, 2019 (sample letter is attached). The application is for Rezoning Case ZA-19-15, which includes the rezoning from R5 to Conditional Zoning Institutional (I) District (CZ-I) of parcels within the area bounded by University Parkway, Lexington Avenue and Guyer Street. Barry Kitley, Director of Community Relations, and Dan Pritchett of Jamestown Engineering Group, Inc., represented the University.

Mr. Kitley informed the attendants that there are no immediate plans for new facilities at the site, and that it will be utilized for student activities and education. It was a very positive meeting with specific discussion focused on the following:

- Many of the attendants questioned the University's future expansion plans, and if the University was interested in purchasing additional property near the University's current boundaries.
- An attendant questioned if traffic on Guyer Street would be increased. It was explained that transportation conditions of the rezoning would maintain access points in the same general location as they exist now, and that the entrance on Guyer Street would be gated and not intended for general vehicle access.
- Attendants questioned the installation of landscaping and fencing along Guyer Street. It was explained that the University would install wrought iron fencing along Guyer Street. Conditions within the rezoning request stipulate the position of the fence, in conjunction with installation of street yard landscaping at a "C" yard planting rate, which is a higher rate than that required by the Development Ordinance.

A copy of the Sign-in Sheet for this case is also attached.

Sign-In Sheet

Citizens Information Meeting
July 31, 2019
High Point University
R-5 to CZ-I

Zoning Map Amendment ZA19-15

Name

Address

Phone No./E-Mail
Address

John & Betty Smith	1225 Delk Dr.	336-905-1249
Freddie / Betty Peguese	1407 Delk Dr.	(336) 883-2166
Rick Peguese	1407 Delk Dr.	847-8520
Lorey & Maxine Honeybeiger	1231 Guyer St	336-883-4037
Robert Winkler	1404 Brass Ave	336-885-6629
David Alan	1225 Delk Dr.	336-454-9277
Lavera Reid	1606 E. Lexington Ave	336 (491)-6331
Lindsey & Deidra Napoleon	1312 Guyer St.	336-687-5310
Derek + Misty Little	1236 Guyer St.	336 558 7271
Maurice D. McCallum	1404 Delk Dr.	tpip090295@gmail.com
Maurice D. McCallum	1404 Delk Dr.	336-881-0997

Phone calls:

- Salvador Guerrero, 1409 Delk Drive on 7/24/19