

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 19-16
(City of High Point)

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 the City of High Point to rezone 18 properties, totaling approximately 9.6 acres, to the General Business (GB) District as part of the Comprehensive Zoning Map Amendment project. The properties are located west of N. Main Street, south of W. Parris Avenue, east of Idol Street and along both sides of Westchester Drive between N. Main Street and Idol 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 19-16. 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

City of High Point

Zoning Map Amendment 19-16

At its August 27, 2019 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 9.6 acres to the General Business (GB) District. All members of the Commission were present, except for Mr. Ray Wheatley.

Prior to commencement of this agenda item Mr. Walsh requested to be recused due to a conflict of interest. The Commission accepted his recusal and Mr. Walsh exited the dais. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

No one spoke on behalf or in opposition of the request.

Planning & Zoning Commission Action

Zoning Map Amendment

The Commission recommended *approval* of Zoning Map Amendment 19-16, as recommended by staff, by a vote of 5-0.

Consistency & Reasonableness Statements

The Commission voted 5-0 to approve the following statement: That the Zoning Map Amendment is consistent with the City's adopted policy guidance because, the proposed zoning map amendments are consistent with the Community/Regional Commercial designation of the Land Use Plan. Furthermore, the request is reasonable and in the public interest because the amendments are needed to remove unintended barriers to development and to more accurately represent the current use of land.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-19-16
August 27, 2019**

Request

A request by the High Point City Council to rezone 18 properties, totaling approximately 9.6 acres, as part of the Comprehensive Zoning Map Amendment project. The properties are located in a block bounded by N. Main Street, W. Parris Avenue, Idol Street and Westchester Drive; and south of Westchester Drive.

Background

The purpose of the Comprehensive Zoning Map Amendment project is to review and evaluate the zoning of land throughout the City, identify areas where the zoning is out of sync with the existing use of land or inconsistent with current land use policy, and propose appropriate changes in zoning for those areas. A primary goal of the project is to remove improper or obsolete zoning districts that may be acting as a barrier to development. The City Council initiated this amendment as part of a larger set of map changes on May 20, 2019.

Details of Proposal

The land area encompassing these blocks were historically a residential neighborhood lying at the edge of the N. Main Street/Westchester Drive intersection and west of the N. Main Street commercial corridor. Beginning in the 1980s, zoning map amendment requests began to be submitted and approved for properties along Westchester Drive and within the middle of these blocks to allow commercial and office uses. As the area was mostly residential, adopted conditional use permits prohibited certain uses and included development standards to ensure compatibility with abutting residential dwellings.

As the area was mostly residential in the 1980s, development conditions at that time were more stringent than later zoning approvals granted in the late 1990s and early 2000s when this neighborhood had changed to a mostly non-residentially developed area. This created an inconsistent patchwork of development standards in this two-block area that now conflicts with current land use policies.

Analysis

The zoning changes are needed to remove outdated and obsolete zoning that could be unintended barriers to development. Staff recommends the area be rezoned to the General Business (GB) District as it more accurately reflects the manner this area has developed, and to promotes greater consistency in zoning standards among abutting commercial parcels.

The remaining group of residential dwellings, three along W. Parris Avenue and four along Scott Avenue, are to maintain their residential zoning. They are not proposed to be rezoned to keep the dwellings from becoming nonconforming uses and to address policy guidance from Council that remaining clusters of residential parcels in this area be rezoned together to ensure sufficient land area to meet requirements of the Development Ordinance.

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 proposed zoning map amendments are consistent with the Community/Regional Commercial 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 amendments are needed to remove unintended barriers to development and to more accurately represent the current use of land.

Recommendations

Staff recommends approval of the zoning map amendments.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the statement(s) as written in this report or with any additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan and other plans as may be applicable. This may be done by adopting the statement(s) as written in this report, or with any additions or changes as agreed upon by the Council, or, if the Council is in disagreement with the consistency statement(s) in this report, by adoption of 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.

SUMMARY FACT SHEET

Location: 111, 112, 115, 119, 120, 123, 127, 130 and 144 Westchester Drive
506 Idol Street
105, 110, 124, 127, 129 Scott Avenue
117, 119, 131, 145 W. Parris Avenue

Current Uses: Retail sales, vehicular establishments, restaurants, offices, commercial parking lots and vacant commercial building.

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Conditional Use General Business Conditional Zoning General Business Office Institutional Residential Single Family – 5 (R-5)	General Business (GB) District
<i>Purpose & Intent:</i>	The GB district is established to accommodate a wide range of general retail, business, and service uses that serve groups of neighborhoods. GB districts are generally located at major street intersections and along major thoroughfares. Residential uses are encouraged as stand-alone uses and on the upper floors of retail and office buildings as a part of mixed-use development. Uses in the district are subject to standards intended to ensure development is compatible with adjacent residential neighborhoods, particularly within the Core City area.	Same
<i>Current Uses:</i>	Permitted	Same
<i>Conditions</i>	Prohibits some commercial uses, vehicular access, ROW dedication, signage, exterior lighting, landscaping and lot combination.	N/A

	Adjacent Zoning	Adjacent Land Use
North:	General Business (GB) District	Restaurant, retail sales and U.S. Armory facility
South:	Conditional Zoning Retail Center (CZ-RC) District	Major Retail Center (Shopping Center)
East:	General Business (GB) District	Retail sales, restaurants, vehicle establishment and convenience store with fuel sales uses
West:	General Business (GB) District	Single family dwellings, vehicular establishment and personal service uses

Land Use Plan Map Classification

The area is designated as follows:

Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

Property Listing

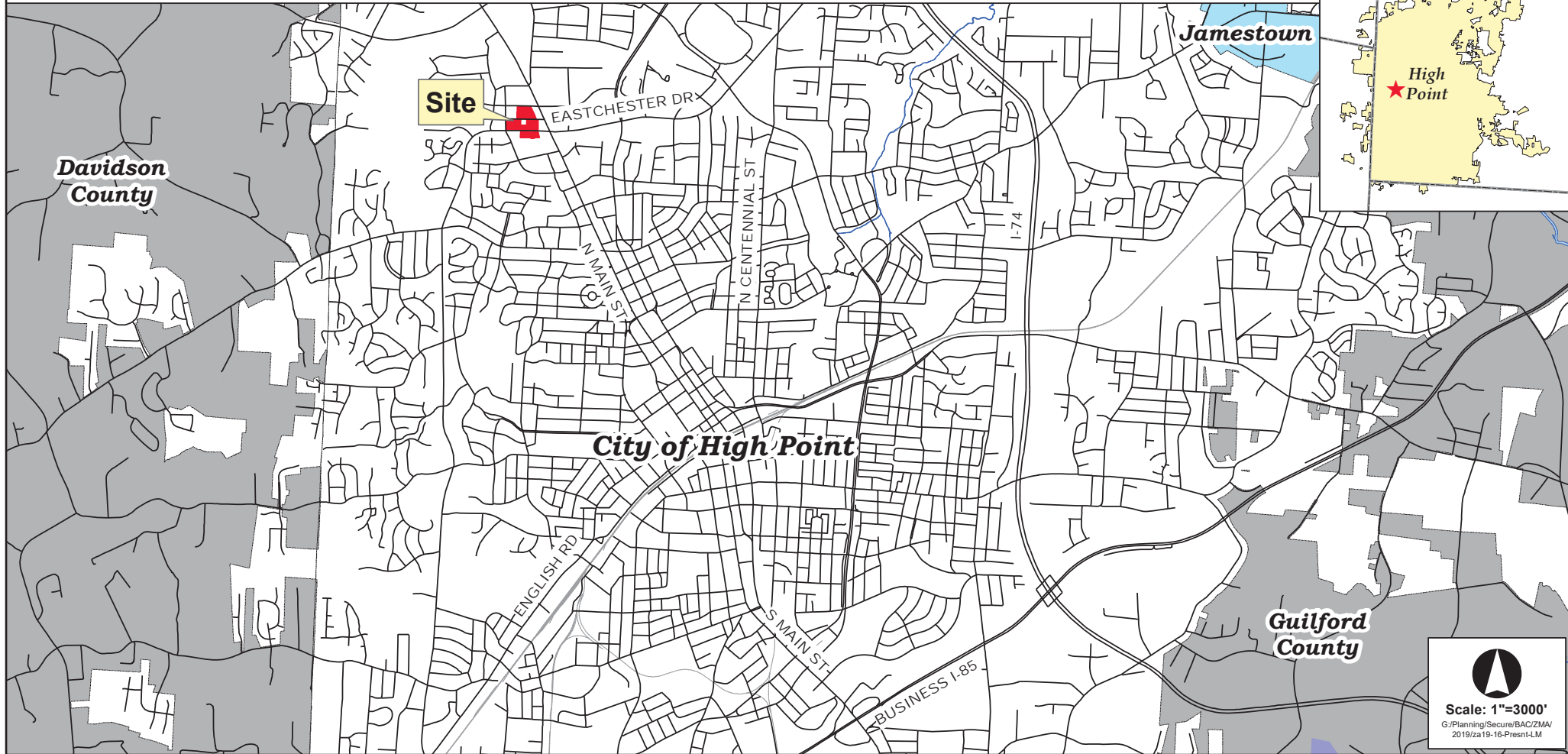
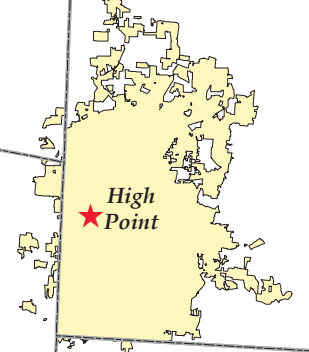
Acres	From	To	Use	Location	Owner	Parcel Numbers
0.40	CU-GB (CU 00-21)	GB	Major Vehicle Establishment	111 Westchester Dr	FPB Investments of NC LLC	188707
0.36	CZ-GB (CZ 11-08)	GB	Minor Restaurant	115 Westchester Dr	WH Capital LLC	188706
0.20	CZ-GB (CZ 11-08)	GB	Parking	119 Westchester Dr	Wand & Chu LLC	188705
0.52	CZ-GB (CZ 11-08)	GB	Major Restaurant	123 Westchester Dr	Wang & Chu LLC	188704
0.34	CU-GB (CU 90-10)	GB	Major Retail	127 Westchester Dr	Sherwin-Williams Dev. Corp.	188703
0.71	CU-GB (CU 90-32)	GB	Major Vehicle Establishment	112 Westchester Dr	Y&Z Investments LLC	188686
0.96	CU-GB (CU-99-26)	GB	Major Vehicle Establishment	120 Westchester Dr	Robbins Properties LLC	188696
1.28	CU-GB (CU 90-38)	GB	Vacant Commercial Bldg.	130 Westchester Dr	Richard & Samantha Price	188687
0.78	CU-GB (CU 83-07)	GB	Major Retail	144 Westchester Dr	JNS Properties LLC	188688
0.40	CU-GB (CU 88-28)	GB	Major Retail	129 Scott Ave	J&M Investment of High Point N	188689
0.29	CU-GB (CU 88-28)	GB	Vacant	127 Scott Ave	Varsity Drive in INC	188690 188691
0.20	R-5	GB	Vacant	105 Scott Ave	Ruthiebelle & Michael Young	188697
0.60	CU-GB (CU 88-30)	GB	Office	110 Scott Ave	Vicki Dallas Family Trust	194674
1.26	CU-GB (CU 95-26)	GB	Office	131 W. Parris Ave	Century Income Inc	194662
0.51	CU-GB (CU 88-35)	GB	Office	124 Scott Ave	Charles & Sandra Odom	194669
0.12	CU-GB (CU00-06)	GB	Minor Retail	145 W. Parris Ave	Raies International	194678
0.65	OI	GB	Office	117 W. Parris Ave	Ernest & Norman Mansour	194673

LOCATION MAP

ZONING MAP AMENDMENT ZA-19-16

Applicant: City of High Point

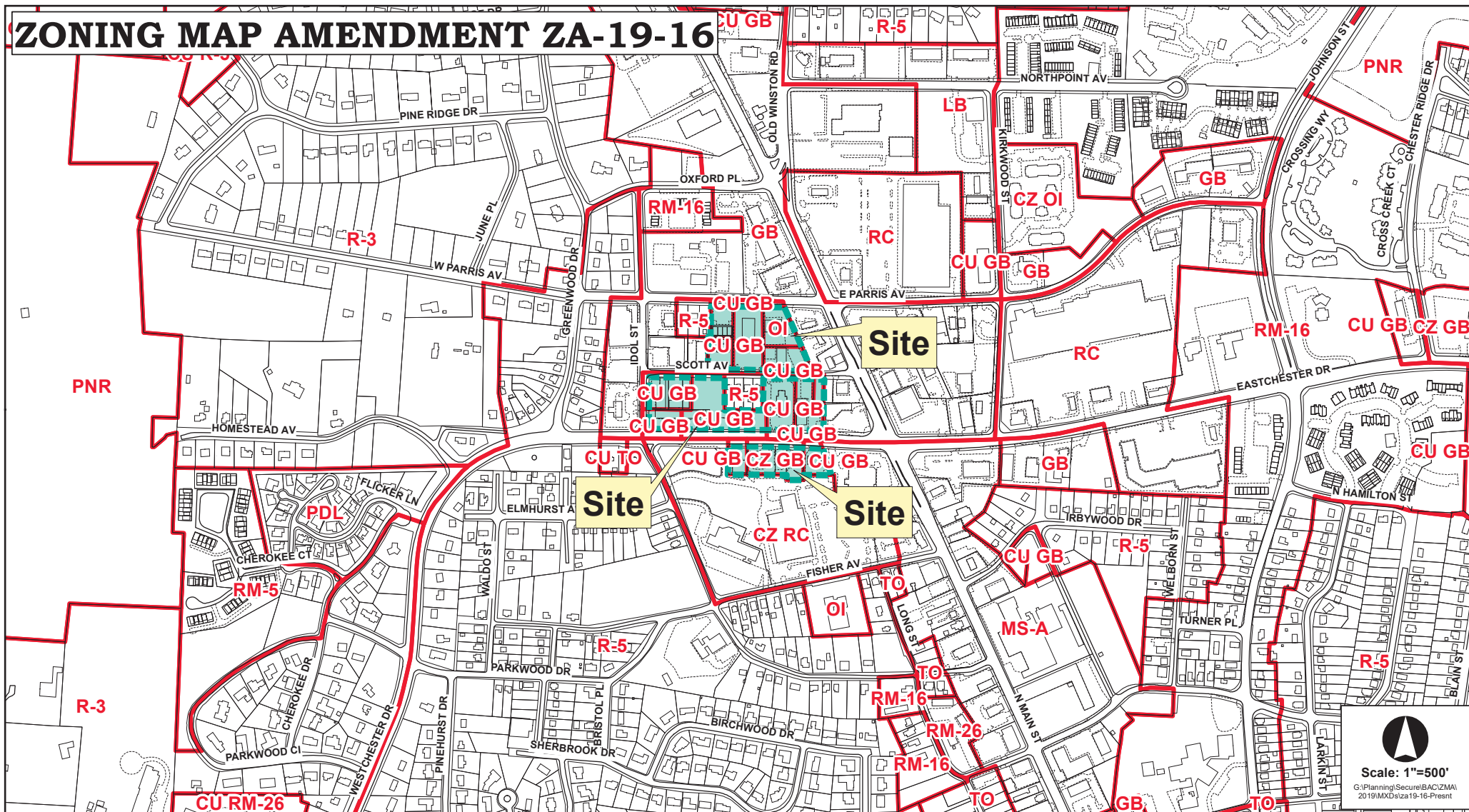
Vicinity Map



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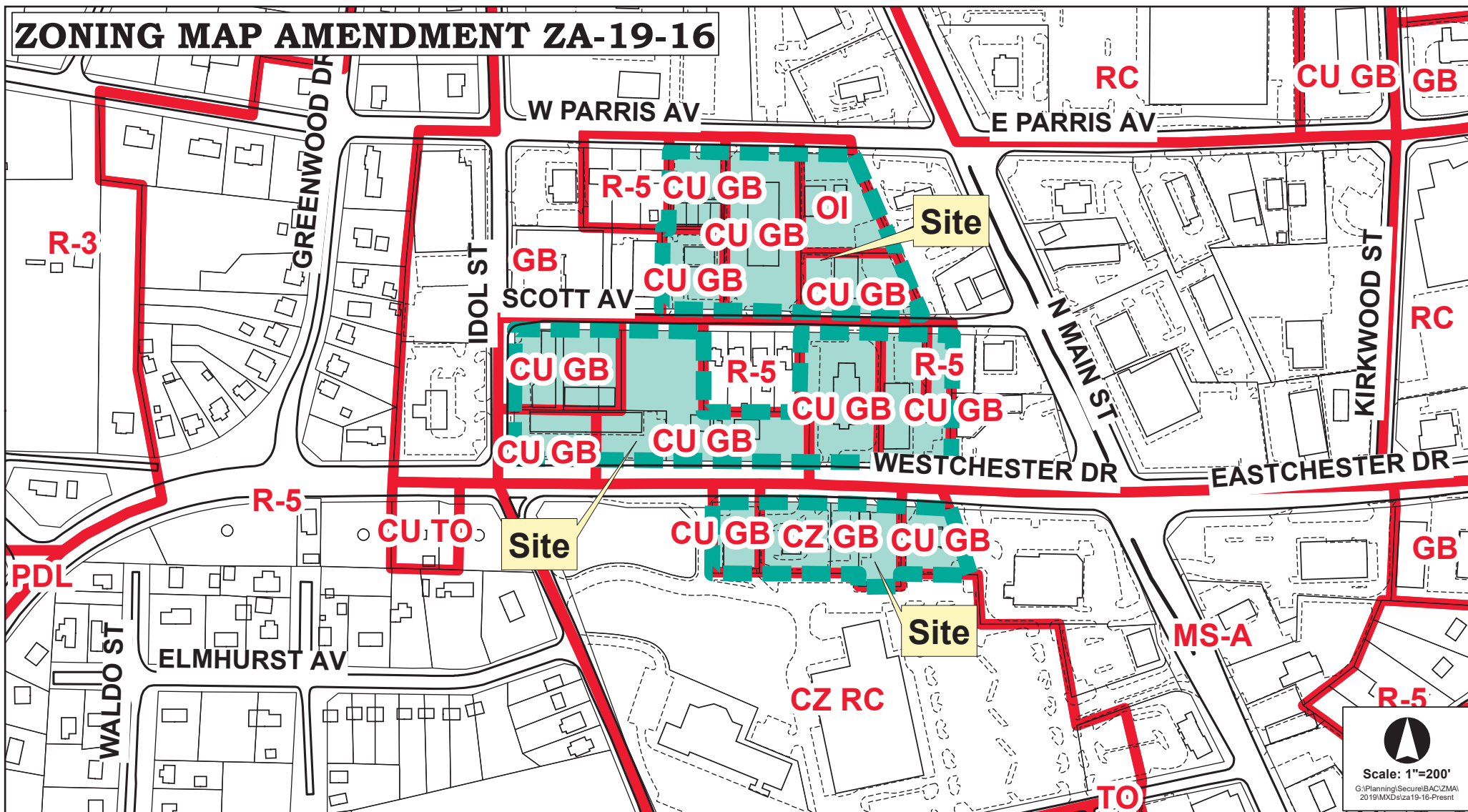
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ZONING MAP AMENDMENT ZA-19-16



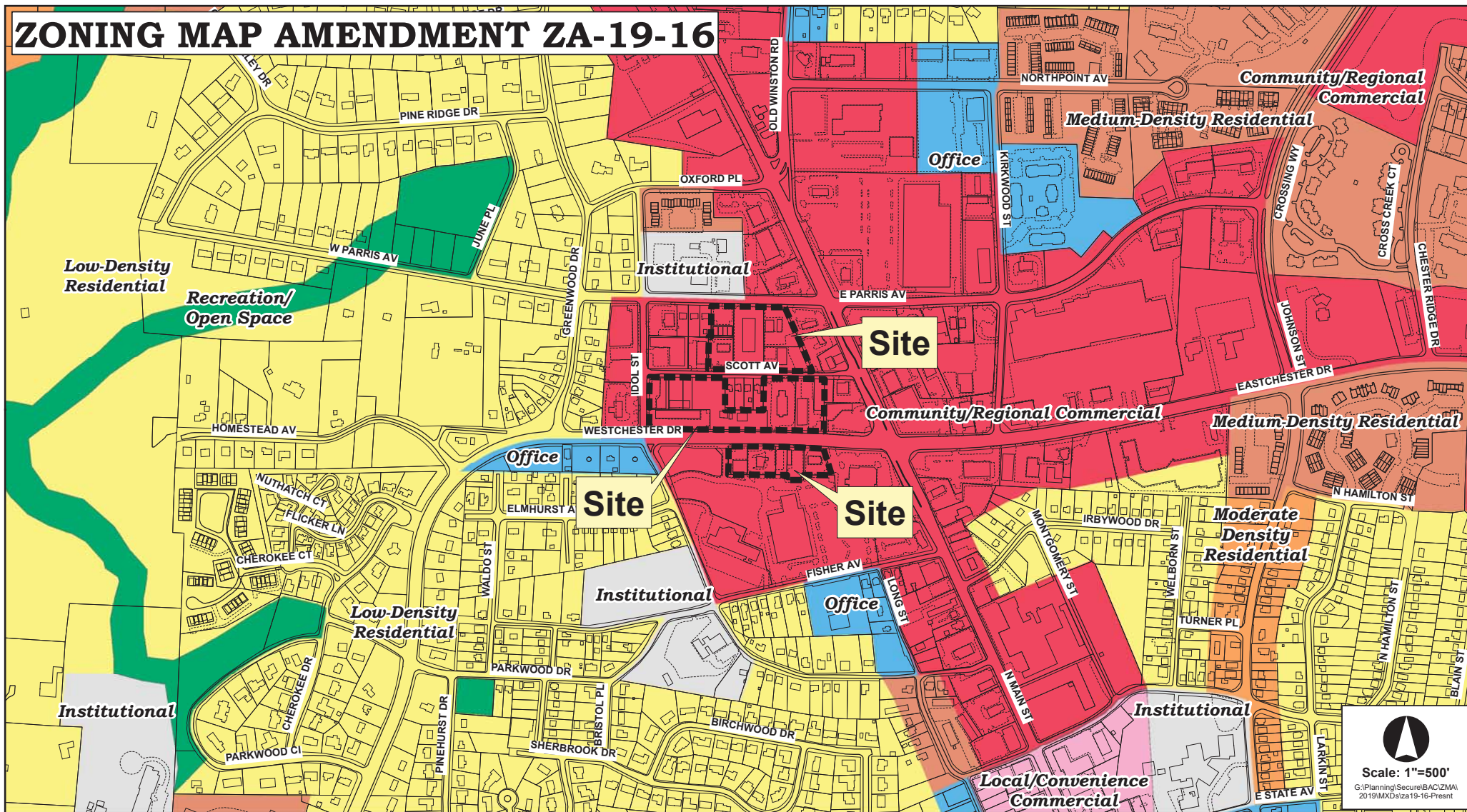
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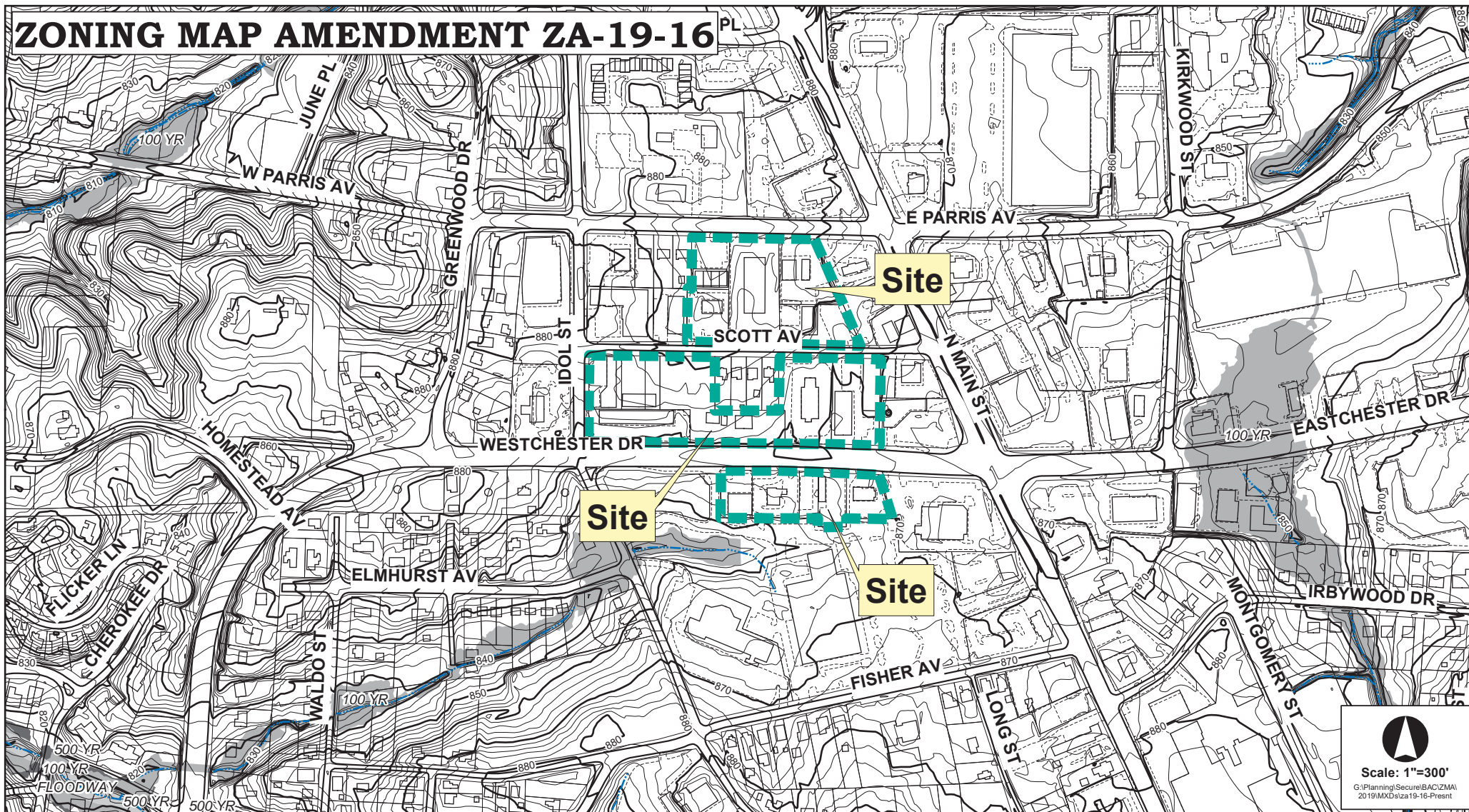
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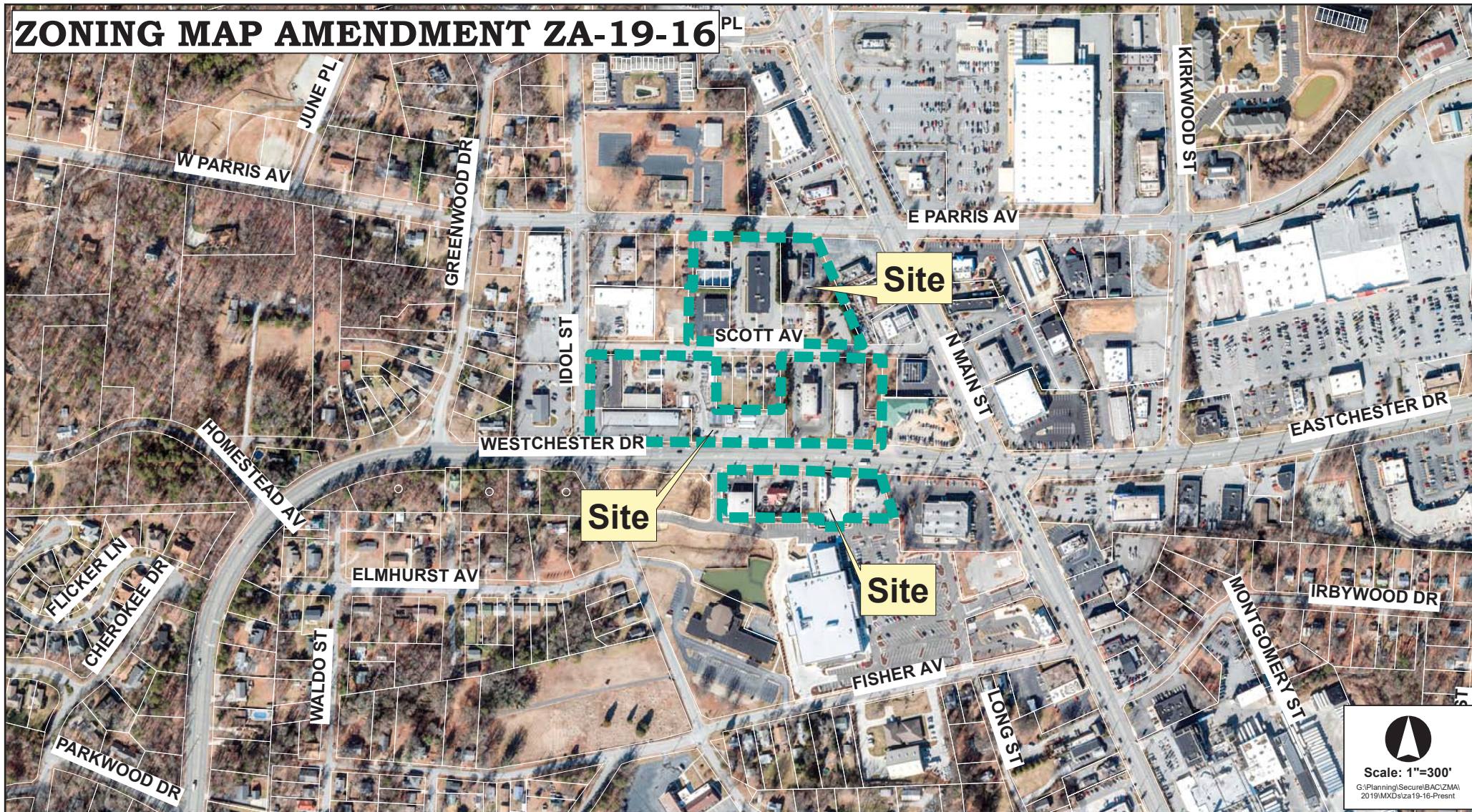
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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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 July 23, 2019 and before the City Council of the City of High Point on August 19, 2019 regarding **Zoning Map Amendment Case 19-16 (ZA-19-16)** 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 5, 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 areas as: **General Business (GB) District**.

Acres	Location	Guilford County Tax Parcel Numbers
0.40	111 Westchester Drive	188707
0.36	115 Westchester Drive	188706
0.20	119 Westchester Drive	188705
0.52	123 Westchester Drive	188704
0.34	127 Westchester Drive	188703
0.71	112 Westchester Drive	188686
0.96	120 Westchester Drive	188696
1.28	130 Westchester Drive	188687
0.78	144 Westchester Drive	188688
0.40	129 Scott Avenue	188689
0.29	127 Scott Avenue	188690 and 0188691
0.20	105 Scott Avenue	188697
0.60	110 Scott Avenue	194674
1.26	131 W. Parris Avenue	194662
0.51	124 Scott Avenue	194669
0.12	145 W. Parris Avenue	194678
0.65	117 W. Parris	194673

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 **16th** day of **September, 2019**

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk