

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 September 24, 2019 and before the City Council of the City of High Point on October 7, 2019 regarding **Zoning Map Amendment Case 19-18 (ZA-19-18)** 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 September 15, 2019, for the Planning and Zoning Commission public hearing and on September 25, 2019 and October 2, 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 October 7, 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 General Business (CZ-GB) District**. The property is approximately 8.14 acres, lying along the south side of Eastchester Drive, between Futrelle Drive and Cook Street (500 & 524 Eastchester Drive and 1703 Cook Street). The property is also known as Guilford County Tax Parcels Guilford County Tax Parcels 179938, 179944 and 179950.

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:** Only a Major Vehicle Establishment Use Type (Vehicle Establishment Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance, subject to the development and dimensional requirements of the General Business (GB) District, and the specific conditions listed in this ordinance.

Part II. **CONDITIONS:**

A. **Development and Dimensional Requirements**

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

2. Eastchester Gateway Corridor Overlay (GCO): The rezoning site shall be subject to the requirements of the Eastchester Gateway Corridor Overlay (GCO) of Section 3.8.7 the Development Ordinance.

B. Landscaping, Buffers and Screening

1. Landscaping: In addition to the landscaping requirements of Section 5.5 of the Development Ordinance, the following shall be provided:

- a. Southern Property Boundary:

- 1). A minimum 40-foot wide Type A Planting Yard, with a minimum six (6) foot high opaque fence shall be provided along the southern property boundary of the zoning site. Landscaping shall consist of a mixture of deciduous and evergreen plant species.
- 2). Within this planting yard, the existing bamboo grove, and existing canopy trees greater than 8 inches calipers dbh, and existing understory trees greater than 4 inches calipers dbh shall be preserved within with first 30 feet of the planting yard from the property boundary and may be used to meet the Type A planting requirements. Additional plantings shall be provided where necessary to meet the Type A planting standards. A protection plan, which includes the limits of disturbance, shall be required to be submitted for approval with the site grading plan that details the measure to be used to protect this area from disturbance during construction.

- b. Cook Street Streetyard: A minimum twenty (20) foot wide street yard, planted at a Type B Rate, with a minimum six (6) foot high opaque fence shall be provided along the Cook Street frontage of the site. The opaque fence shall be installed internally within this street yard, a minimum of 20 feet from the Cook Street right-of-way. Landscaping shall be installed between the street right-of-way and the opaque fence. Planting materials shall consist of a mixture of deciduous and evergreen plant species. Minimum size of trees installed shall be 2½ inches for canopy trees and 1½ inch for understory trees. This condition shall only apply where residential zoning lies along the opposite side of Cook Street.

- c. Eastchester Drive frontage: A minimum 20-foot wide street yard shall be established along Eastchester Drive frontage, except that it may be reduced to a minimum of fifteen (15) feet adjoining the deceleration and stacking area for the right turn lane.

- C. Noise from Public Address Systems and Outside Speakers: An outdoor public address system and outdoor speakers shall be prohibited upon the zoning site.

D. Transportation Conditions.

1. Access

- a) One point of driveway access shall be permitted to Eastchester Drive (NC Hwy. 68), located approximately midway between the intersections of Futrelle Drive and Cook Street.
- b) One point of driveway access shall be permitted to Futrelle Drive, located opposite the existing driveway access on the west side of Futrelle Drive.
- c) One point of driveway access shall be permitted to Cook Street. Additional driveways access points along Cook Street shall be removed prior to any new development, new construction, building expansion building demolition or the installation of vehicle display areas.
- d) All large truck traffic shall be directed to utilize the Futrelle Drive access.

2. Other Transportation Conditions: The Director of Transportation and the North Carolina Department of Transportation (NC DOT) 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.

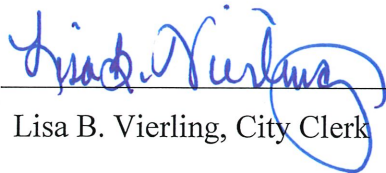
This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 7th day of October, 2019

By: _____


Jay W. Wagner, Mayor

ATTEST:


Lisa B. Vierling, City Clerk

