

CITY OF HIGH POINT

AGENDA ITEM



Title: **Zoning Map Amendment 19-24**
 (Premier Stores, Inc.)

From: Lee Burnette, Planning & Development
 Director

Meeting Date: January 21, 2020

Public Hearing: Yes

Advertising Date: January 8, 2020, and
 January 15, 2020

Attachments: A. Staff Report
 B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by Premier Stores, Inc. to rezone approximately 4 acres from a Conditional Zoning Limited Business (CZ-LB) District to a Conditional Zoning General Business (CZ-GB) District. The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their December 10, 2019 public hearing. All members of the Commission were present except for Ms. Marie Stone and Ms. Joan Swift. Mr. Herbert Shannon, Senior Planner, presented the case and recommended denial as the requested increase in commercial zoning intensity to the CZ-GB District would be contrary to adopted land use policies.

Speaking on the request:

Ms. Judy Stalder provided an overview of the proposal to rezone this site in order to develop a restaurant with a drive-through. She noted that the conditions offered by the applicant limit development to only uses allowed within the current LB district, with the only allowable GB District use being a restaurant with a drive-through. Ms. Stalder also noted that the West Wendover/Guilford College Road Plan is a 25-year-old plan that does not reflect changes to the area that would seem more compatible for the development of a commercial node to serve the residents in this area.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

Staff recommended ***denial*** of this request as outlined in the attached staff report.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended ***denial*** of this request, as recommended by staff, by a vote of 4-3. Commission members Kirkman, Walsh and Wheatley voting against the motion.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 4-3 to approve the following statement:

That Zoning Map Amendment 19-24 is not consistent with the City's adopted policy guidance because the policies of both the adopted Land Use Plan and W. Wendover Avenue/Guilford College Road Corridor Plan do not support higher intensity commercial development at this location, as allowed in the GB District.

Furthermore, the request is not reasonable and in the public interest because there have been no approvals for a GB District or for a district allowing higher intensity commercial uses for properties adjacent to this intersection since the adoption of the corridor plan.

3. **A Zoning Map Amendment application receiving a recommendation for denial from the Planning and Zoning Commission shall only be approved by the City Council with a two-third (2/3) majority vote of the City Council members present and voting.**

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-19-24
December 10, 2019**

Request	
Applicant: Premier Stores, Inc.	Owner: Premier Stores, Inc.
Zoning Proposal: To rezone an approximate 4-acre parcel	From: CZ-LB Conditional Zoning Limited Business District
	To: CZ-GB Conditional Zoning General Business District

Site Information	
Location:	The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.
Tax Parcel Number:	Guilford County Tax Parcel 208799
Site Acreage:	Approximately 4 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The property has been graded and development has commenced for construction of a 17,500 square foot commercial development.
Water and Sewer Proximity:	There are 12-inch and 16-inch City water lines adjacent to the site along Piedmont Parkway and W. Wendover Avenue, respectively. An 8-inch City sewer line lies adjacent to the site along W. Wendover Avenue.
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 stormwater treatment measures are required for development with a total impervious surface area greater than 24% of the site.
Overlay Districts:	City Lake General Watershed (GWA) Area.

Adjacent Property Zoning and Current Land Use			
North:	AG	Agricultural District (<i>Guilford County</i>)	Quarry (<i>north of Piedmont Pkwy/ Hickory Grove Rd intersection</i>)
South:	PDL	Planned Unit Development - Limited	Retail sales and pharmacy business
	PDR	Planned Unit Development - Residential	Multifamily development (<i>across W. Wendover Ave.</i>)
East:	OI	Office & Institutional	Undeveloped parcel
	PI	Public & Institutional (<i>Guilford County</i>)	Religious institution (church) (<i>across Piedmont Pkwy</i>)
West:	OI	Office & Institutional District	Religious institution (church) (<i>across Hickory Grove Rd.</i>)

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	This request is neither consistent or inconsistent with the goals and objectives of the Community Growth Vision Statement.

Land Use Plan Map Classification:	The site has a Local/Convenience Commercial land use designation. This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.
Land Use Plan Goals, Objectives & Policies:	The following objectives of the Land Use Plan are relevant to this request: Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses; Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
Relevant Area Plan:	<u>West Wendover Avenue/Guilford College Road Corridor Plan</u> The plan recommends maintaining W. Wendover Avenue as a major traffic carrier, meaning that access should be limited, and where possible, access should be taken from other streets. The objective of the plan, to avoid strip development along W. Wendover Avenue.
Zoning History:	<u>Zoning Map Amendment 98-17:</u> This 1998 application consisted of a 3-acre portion of the current 4-acre parcel. A Conditional Use General Office-High Intensity (CU GO-H) District, of the former Development Ordinance, was granted that limited the site to office uses and prohibited access to W. Wendover Avenue. Staff and the Planning & Zoning Commission recommended denial, based on policies of the W. Wendover Avenue/Guilford College Road Corridor Plan. City Council approved this request. <u>Zoning Map Amendment 08-15:</u> This 2008 application rezoned this 4-acre site to a CU GO-H District and limited the property to a 150-bed nursing facility use. As recommended by staff, the Planning and Zoning Commission, and the City Council approved this request. No development occurred. <u>Zoning Map Amendment 18-08:</u> This 2018 application rezoned the current 4-acre parcel from a Conditional Use Office Institutional District (CU-OI) to a Conditional Use Limited Business (CZ-LB) District. Staff recommended approval with amendments to address transportation related impacts. The Planning and Zoning Commission and the City Council approved this application, without the transportation related amendments recommended by staff. A commercial development is currently being developed on the site.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	W. Wendover Ave	Major Thoroughfare	630 feet
	Piedmont Parkway	Major Thoroughfare	560 feet
	Hickory Grove Road	Local	635 feet
Vehicular Access:	Access is proposed from W. Wendover Avenue and Hickory Grove Road.		
Traffic Counts: (Average Daily Trips)	W. Wendover Ave.	42,000 ADT (NCDOT 2017 traffic count)	
	Piedmont Parkway	13,000 ADT (NCDOT 2017 traffic count)	
	Hickory Grove Road	N/A	
Estimated Trip Generation:	An approximately 17,500-square foot commercial development is proposed for the site which will include several retail uses, a convenience store with		

	16-gas pumps and an eating establishment with a drive-through window. It is estimated that the proposed development will generate about 11,984 vehicle trips during a 24-hour time period. During peak usage hours approximately 197 morning peak hour trips (7am to 9am) and approximately 270 evening peak hour trips (4pm to 6pm) are anticipated to be generated.		
Traffic Impact Analysis:	Required		TIA Comments
	<u>Yes</u> X	<u>No</u>	See attached TIA executive summary
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.		
Conditions:	<p>If approved, the Transportation Department recommend the following conditions be added to the Conditional Zoning Ordinance.</p> <p><u>Right-of-Way Dedication:</u> Prior to issuance of the land development permit the property owner shall dedicate (10) feet of right-of-way, as measured from behind the new curb line or edge of pavement of new turn lanes, along W. Wendover Avenue and Hickory Grove Road.</p> <p><u>Improvements:</u></p> <ol style="list-style-type: none"> 1. A westbound right turn lane with 100 feet of storage and 150 foot taper shall be constructed on W. Wendover Avenue at Hickory Grove Road. 2. A northbound right turn lane shall be constructed on Hickory Grove Road at site access #1 as described in the TIA. 3. A westbound right turn lane with 100 feet of storage and 150 foot taper shall be constructed on W. Wendover Avenue at site access #3 as described in the TIA. 		

School District Comment

Not applicable to this zoning case.

Details of Proposal

This is a request to amend a previously approved 2018 zoning map amendment to increase the zoning intensity on the site from the CZ-LB District to the CZ-GB District. Under the current CZ-LB District, the applicant has obtained site plan approval and commenced construction of a 17,500 square foot commercial project with multiple buildings, including a convenience store with fuel sales. The applicant submitted this zoning map amendment request for CZ-GB District to allow a major eating establishment use type (drive-through restaurant) to be added to the commercial development that is currently under construction. The applicant has offered zoning conditions requiring the property to:

- Be developed to Gateway Corridor Overlay District standards that have been applied to nonresidential uses along the corridor;
- Include locational standards for accessory structures and equipment such as fuel pumps and canopies, screening mechanical equipment and loading areas;
- Dedicate right-of-way for road improvements and restrict the number, location and types of access points;
- Limit uses to LB District uses and one GB District use consisting of a major eating establishment use type (drive-through restaurant); and
- Restrict development of the site to the layout noted in the attached Conditional Zoning Plan.

The applicant did not hold a Citizens Information Meeting as required by Section 2.3.3 of the Development Ordinance. Because adjacent properties consist of non-residential land uses, the applicant mailed a letter of explanation and site plan of the proposed development to property owners within 300 feet of the site. This letter included a phone number and email address of the applicant's representative in case there were questions from adjacent property owners.

Staff Analysis

Currently, W. Wendover Avenue has major commercial nodes at its western end, at the intersection of Eastchester Drive (NC 68) and Penny Road, and on the eastern end at Bridford Parkway and I-40 in Greensboro. The zoning site is located at an intersection situated at the mid-point of this corridor. Adjacent lands at this intersection are denoted on the land use plan as Local/Convenience Commercial and Office. The 2018 zoning approval, that granted the CZ-LB District on the site, was intended to allow for some limited intensity, neighborhood-serving commercial uses because of the site's unique configuration of being completely surrounded by public streets. It was noted in that 2018 staff report that zoning approval should not be interpreted as support to the expansion of commercial uses along this corridor.

The requested increase in commercial zoning intensity to the CZ-GB District would be contrary to the following adopted land use policies:

1. Land Use Plan and W. Wendover Avenue/Guilford College Road Corridor Plan

The Local/Convenience Commercial and Office Land Use Map classifications governing this area are intended for moderate-intensity convenience retail or service uses that serve small or local neighborhoods, and professional, personal and business service uses. The 1995 corridor plan speaks to avoiding strip development along Guilford College Road and W. Wendover Avenue and also supports moderate-intensity neighborhood-serving office and commercial land uses for this area. The allowance of higher-intensity commercial zoning is contrary to the land use plan and is also in opposition to the corridor plan's intent that the roadway serves primarily as a travel corridor.

2. Surrounding zoning pattern

- a) The 2018 zoning approval to the CZ-LB District was intended to allow some limited intensity neighborhood-serving commercial uses because of the site's unique configuration. It was not intended to be used to support the increase of the intensity of commercial uses on the site or the expansion of commercial lands along this corridor.
- b) The surrounding zoning pattern consists of PDL, OI and LB Districts. The PDL District to the east of Piedmont Parkway was approved in 1993 and allows Retail Center District uses, but the district was approved prior to the adoption of the corridor plan in 1995. Since then there have been no higher intensity commercial zoning district approved, such as the GB District. The PDL District on the west side of Piedmont Parkway was approved in 2002 and allows only OI uses and one retail use. Approval of this request could set a policy precedent to promote higher intensity commercial development along this portion of the W. Wendover Avenue corridor.

Section 2.4.6.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 policies of both the adopted Land Use Plan and W. Wendover Avenue/Guilford College Road Corridor Plan do not support higher intensity commercial development at this location, as allowed in the GB District.

Reasonableness/Public Interest:

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

There have been no approvals for a GB District or for a district allowing higher intensity commercial uses for properties adjacent to this intersection since the adoption of the corridor plan.

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.

The requested GB District is intended to accommodate a wide range of general retail, business, and service uses. No GB District has been established in this area. The PDL District east of Piedmont Parkway, which allows Retail Center District uses, was approved in 1993 prior to the adoption of the corridor plan. Since adoption of the corridor plan, the City has not approved any higher intensity commercial zoning district for properties in the immediate area.

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	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. ❖ The abutting 4-lane thoroughfares and Hickory Gove Road separates the site from abutting lands. ❖ Transportation conditions offered by the applicant prohibit vehicular access from Piedmont Parkway, restrict access from W. Wendover Avenue to a right-in access only and only allows full movement access from the side street, Hickory Grove Road.
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Mitigation #2	Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees and protects habitat.
	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.
Mitigation #3	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.
	<ul style="list-style-type: none"> ❖ The site is within an area currently served by City of High Point utilities, municipal services are adequate to handle the proposed development. ❖ The prior zoning approval prohibited access to Piedmont Parkway, limited the site to a right-in only access from W. Wendover Avenue, allows for two points of access from Hickory Grove Road and the installation of turn lanes at these access points. The applicant has carried forward these access and road improvement conditions from the previous zoning approval so as to continue to mitigate impacts to adjacent streets.
Mitigation #4	Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands.
	<ul style="list-style-type: none"> ❖ This is a uniquely situated site as it does not abut any other parcels and is completely surrounded by public street rights-of way. ❖ Development of the site is restricted to the layout depicted on the Conditional Zoning Plan. This plan shows the proposed GB District use, drive-through restaurant, being situated in a multi-tenant building at the rear of the site where the sites topography and building locations mostly restrict view of this facility from Piedmont Parkway and W. Wendover Avenue.

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.

Except for the 2018 plan amendment and zoning map amendment to allow the CZ-LB District zoning on this site, there have been no changes in the type or nature of development, or changes in land use policy to support the establishment of GB District zoning in this area.

Promotes a Preferred Development Pattern

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

The request to rezone this site to the GB District is contrary to the established zoning pattern in this area and could set a policy precedent that would encourage similar requests on adjacent lands along this portion of the W. Wendover Avenue corridor.

Recommendation

Staff Recommends Denial:

Staff recommends denial as this request conflicts with adopted policy guidance documents and the surrounding zoning pattern in this area.

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

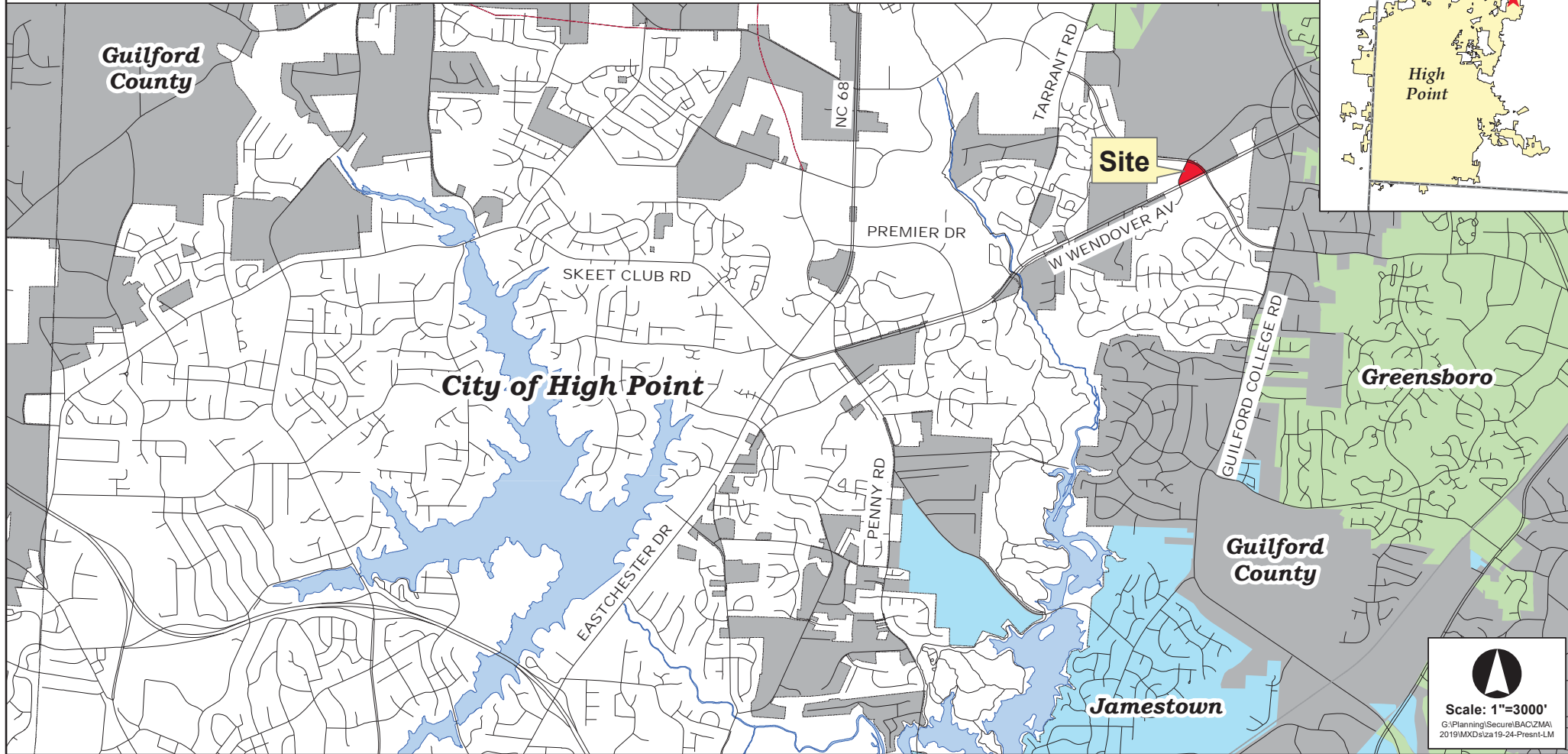
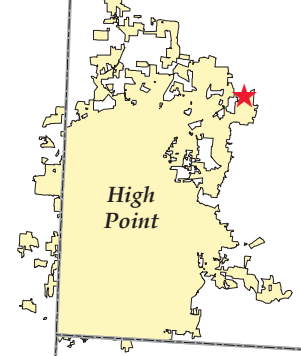
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator and Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-19-24

Applicant: Premier Stores, Inc.

Vicinity Map



Scale: 1"=3000'

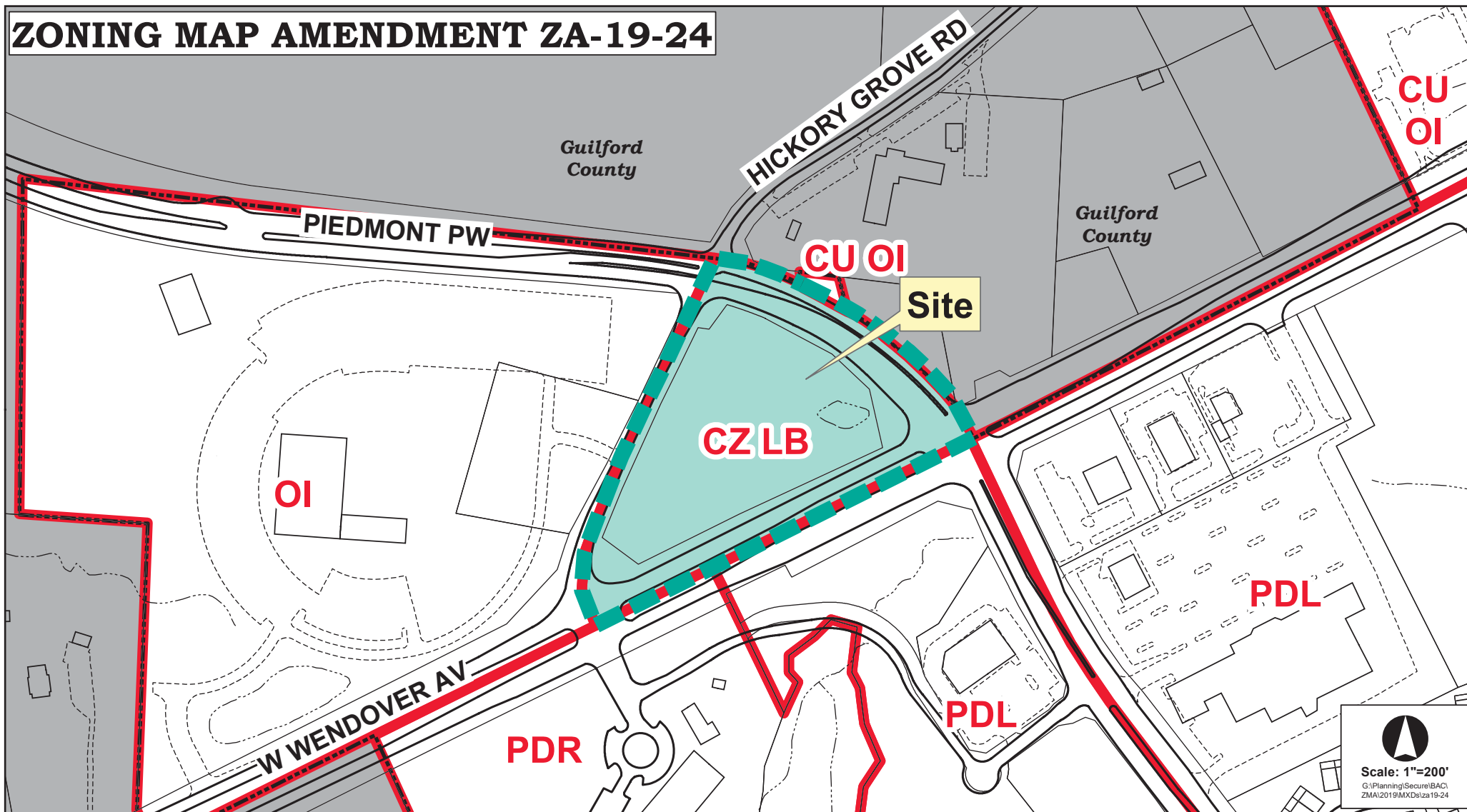
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ZONING MAP AMENDMENT ZA-19-24

The map displays the proposed site location, highlighted in yellow and labeled "Site". The site is situated within the CZ LB zoning district, which is outlined in red. Surrounding the site are various other zoning districts, including CU RM-16, PDL, CU RM-16, PDR, CU RM-16, R-3, CU R-3, CU R-5, CU LB, CU OI, and CZ GB. The map also shows major roads such as HICKORY GROVE RD, W WENDOVER AV, GUILFORD COLLEGE RD, STRICKLAND CT, RUFFIN RD, DEVONCOURT PL, WOODPOINT ST, HIGHBRIDGE CT, SOUTHAMPTON DR, PENINSULA DR, CROWN LAKE CT, JOY DR, DUNROBIN DR, and ROCKYBROOK CT. The map is labeled "Guilford County" in several locations. A scale bar indicates a scale of 1"=500'.

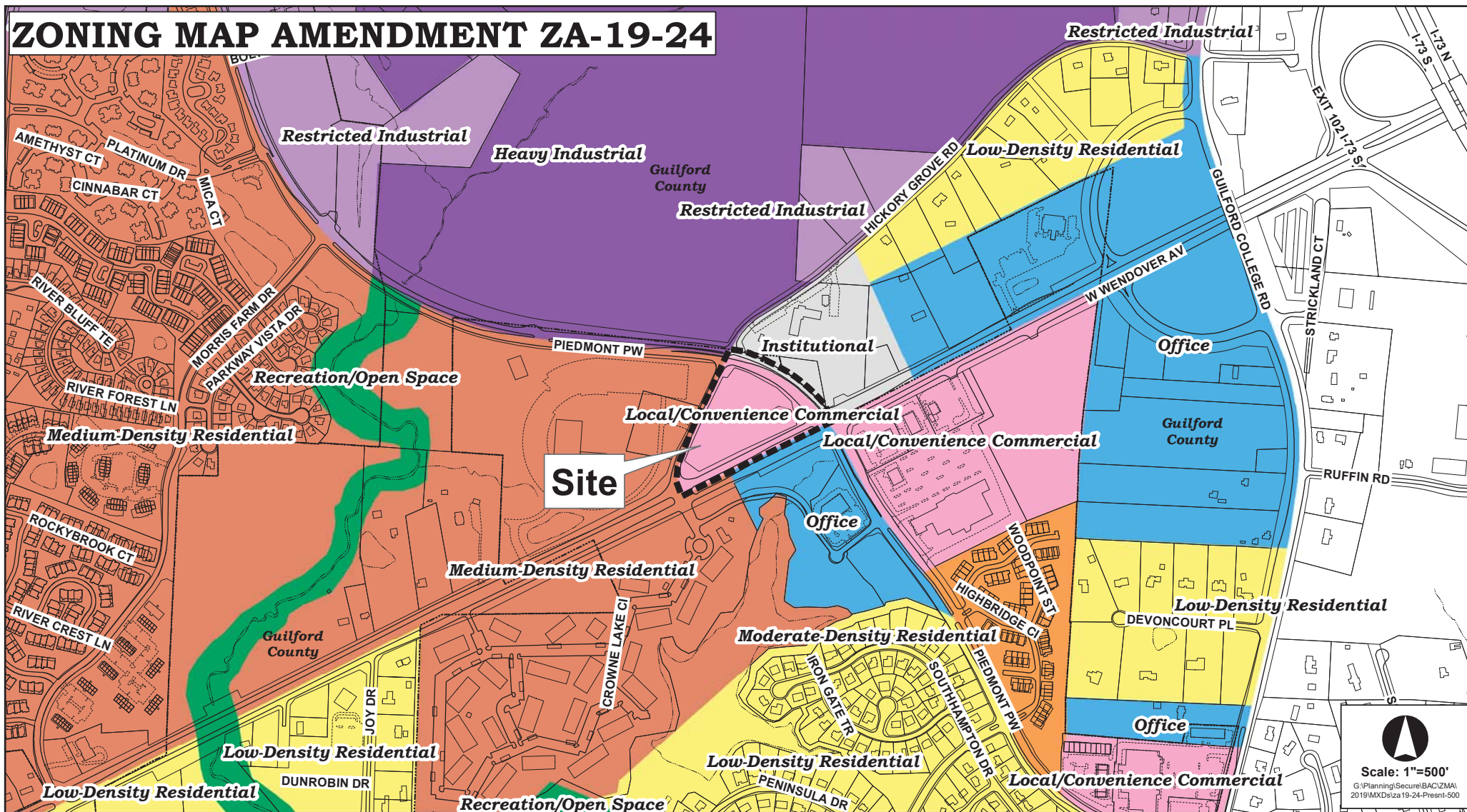

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ZONING MAP AMENDMENT ZA-19-24

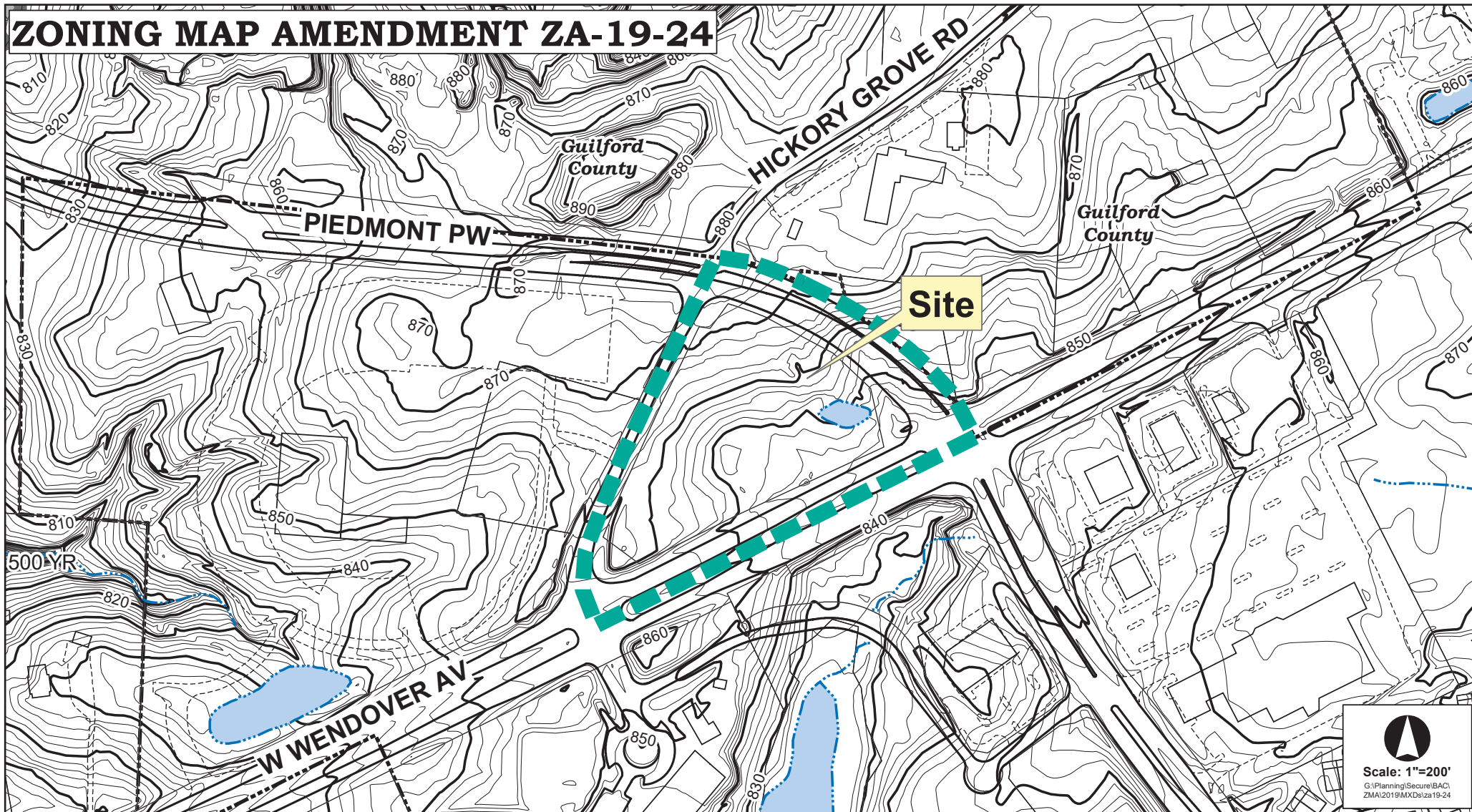


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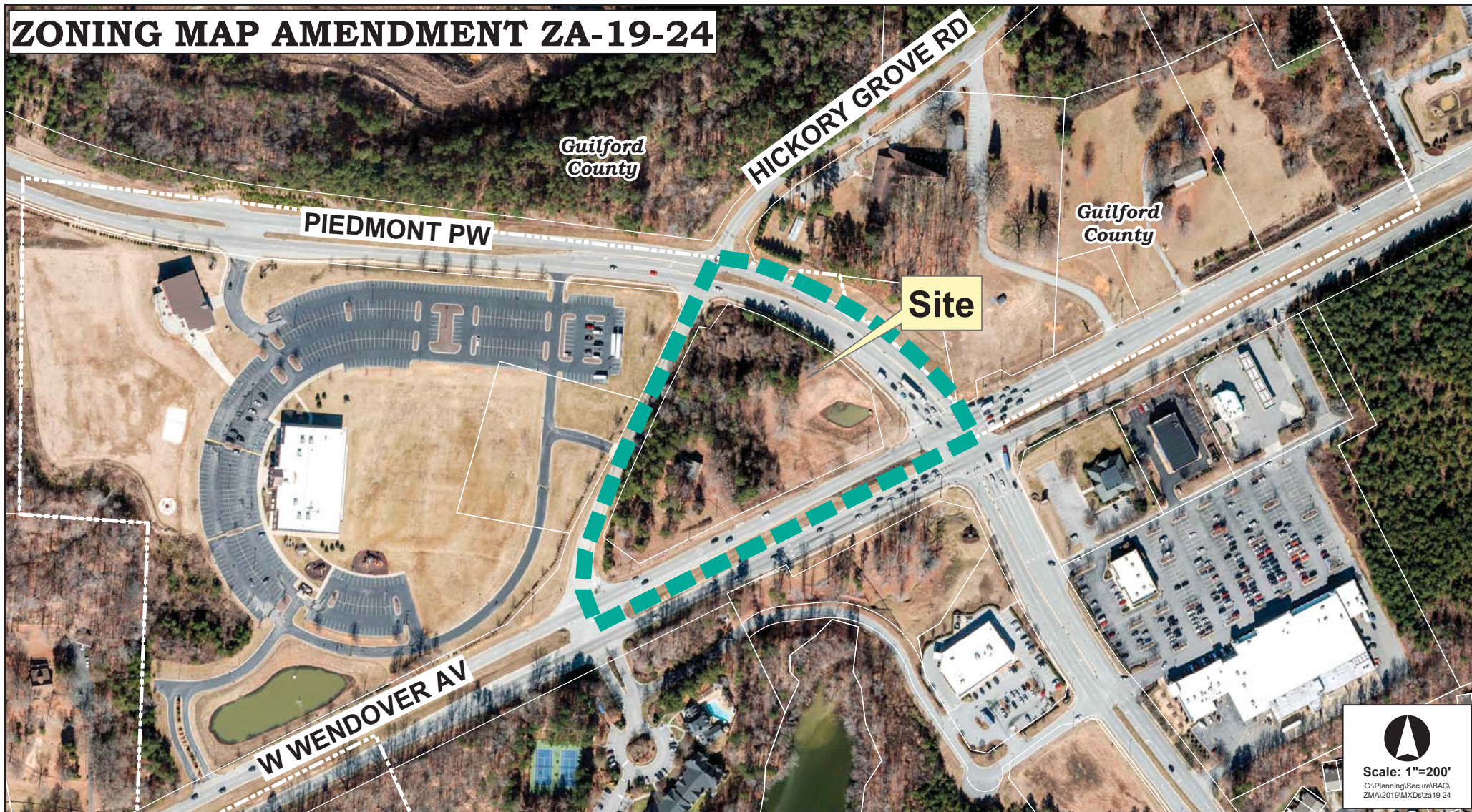


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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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 December 10, 2019 and before the City Council of the City of High Point on January 21, 2020 regarding **Zoning Map Amendment Case ZA-19-24 (ZA-19-24)** 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 1, 2019, for the Planning and Zoning Commission public hearing and on January 8, 2020 and January 15, 2020, 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 **January 21, 2020**.

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 4 acres and bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road. The property is also known as Guilford County Tax Parcel 0208799.

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. Permitted Uses:

1. Any principal use of the Limited Business (LB) District, as listed in the Principal Use Table 4.1.9 of the Development Ordinance, that is also a permitted use in the General Business (GB) District (use must be permitted in both districts). Development shall be subject to standards of the GB District and the specific conditions listed in this ordinance.
2. Major Eating establishment (Commercial Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance. Development shall be subject to standards of the GB District and the specific conditions listed in this ordinance.

B. Prohibited and Restricted Uses

1. Only one (1) Major Eating Establishment use type shall be permitted on the zoning site.
2. A Major Eating Establishment use type shall only be permitted within a multitenant building.

Part II. CONDITIONS

A. Conditional Zoning Plan:

Development of the zoning site shall be generally consistent with the layout depicted on the Conditional Zoning Plan (See Exhibit A).

B. Development & Dimensional Standards and Architectural Design Standards:

The following development standards shall apply to any development upon the zoning site:

1. Site Standards:

- a. Fuel Pumps and Canopies: Any use with gasoline pumps shall be designed so that the canopy and the gasoline pumps are not located in front of any building facade facing W. Wendover Avenue or Piedmont Parkway.
- b. Ground-based Mechanical Equipment Screening: Ground-based mechanical equipment shall be located to the rear of the principal building(s), and shall be screened in accordance with Section 5.6 (Screening).
- c. Off-Street Loading: Off-street loading areas shall be located to the side or rear of the principal building and shall not face W. Wendover Avenue or Piedmont Parkway.
- d. Automobile service bays shall not face Wendover Avenue or Piedmont Parkway. Air hoses, vacuum pedestals and other outdoor automobile service equipment shall not be located between the principle building and the Wendover Avenue right of way or the Piedmont Parkway right-of-way.

2. Eastchester Gateway Corridor Overlay (Section 3.8.7.F):

The zoning site shall be subject to following standards of the Eastchester Gateway Corridor Overlay, as applied from Johnson Street north to Penny Road. Where Section 3.8.7.F notes a standard applying to Eastchester Drive, it shall be interpreted to apply to the W. Wendover Avenue and Piedmont Parkway frontage of the site.

3. Minimum Building Setback (W. Wendover Avenue and Piedmont Parkway):

The W. Wendover Avenue and Piedmont Parkway fontanges of the property is

subject to the Minimum Building Setback Requirements of the Eastchester Gateway Corridor Overlay (Section 3.8.7.F.3).

4. Landscaping Requirements: The property is subject to the Landscaping Requirements of the Eastchester Gateway Corridor Overlay (Section 3.8.7.F.5).
5. Signage Requirements: The property is subject to the Signage Requirements of the Eastchester Gateway Corridor Overlay (Section 3.8.7.F.6)
6. Building Requirements: The property is subject to the Building Standards of the Eastchester Gateway Corridor Overlay (Section 3.8.7.F.7)

C. Transportation:

1. Right-of-Way Dedication: Prior to issuance of any Land Development Permit the property owner shall dedicate ten (10) feet of right-of-way, as measured from behind the new curb line or new edge of pavement of new turn lanes, along W. Wendover Avenue and Hickory Grove Road.
2. Access:
 - a) W. Wendover Avenue: Only one point of access shall be permitted from W. Wendover Avenue. This access point shall be designed to permit a right-in only access from W. Wendover Avenue and also designed to allow no exiting from the site onto W. Wendover Avenue.
 - b) Hickory Grove Road: Two points of access shall be allowed from Hickory Grove Road.
3. Improvements:
 - a) A westbound right turn lane of one hundred (100) feet of storage and one-hundred and fifty (150) feet taper shall be constructed on W. Wendover Avenue at site access. This improvement shall be installed concurrent with all site driveway construction.
4. The City of High Point Transportation Director and the North Carolina Department of Transportation (NCDOT) shall approve the exact location and 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.

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

The applicant's traffic engineer submitted the following Executive Summary from their Traffic Impact Analysis (TIA).

In addition to this summary, the complete TIA has been submitted to the City of High Point Transportation Department for review.

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Transportation Impact Analysis

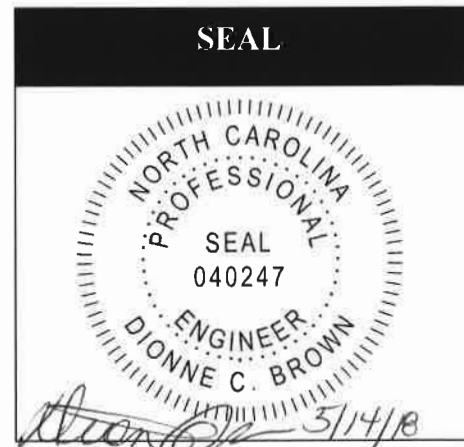
Wendover Commercial Property High Point, NC

Prepared for Premier Stores Inc.
Original: March 12, 2018
Revised: May 14, 2018

Analysis by: Dionne C. Brown, P.E.
Philip Peek, E.I.

Drafting/Graphics by: Dionne C. Brown, P.E.
Philip Peek, E.I.

Reviewed by: Frank Amenia, P.E., PTOE
Jeff Ingram, P.E.



Sealed by: Dionne C. Brown, P.E.



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**Wendover Commercial Property – Transportation Impact Analysis
Prepared for Premier Stores Inc.**

High Point, NC

Original: March 12, 2018

Revised: May 14, 2018

Executive Summary

The proposed Wendover Commercial Property development is to be located at the northeast corner of the intersection of Wendover Avenue and Hickory Grove Road in High Point, North Carolina. The proposed commercial development is planned to consist of 15,600 square feet of retail, 1,440 square feet of restaurant, and a convenience store with 16 gasoline pumps. The development will utilize three (3) access points, with two (2) being a full access on Hickory Grove Road and one (1) being a right-in only on Wendover Avenue.

Since the submittal of the Transportation Impact Analysis (TIA) in March 2018, there have been discussions with City of High Point and NCDOT to determine the most feasible improvements to the roadway network in response to the proposed development. In the revised TIA, it will detail that the recommended improvements are at the discretion of City of High Point and NCDOT to be implemented.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- Wendover Avenue at Hickory Grove Road
- Piedmont Parkway at Hickory Grove Road
- Piedmont Parkway at Wendover Avenue
- Hickory Grove Road at Site Access 1
- Hickory Grove Road at Site Access 2
- Wendover Avenue at Site Access 3 (right-in only)

The above-mentioned intersections were analyzed for the following scenarios:

- 2018 Existing Conditions
- 2023 Future No Build Conditions
- 2023 Future Build Conditions
- 2023 Future Build with Improvements (as necessary)

Though the development is expected to be in place by 2019, City of High Point uses a 5-year build out for analyses. The Weekday AM (7 am – 9 am) and PM (4 pm – 6 pm) peaks were studied.

The NCDOT and City of High Point were contacted to obtain background information and to ascertain the elements to be covered in this TIA. Information regarding the property was provided by Premier Stores Inc.



Level of Service Results

The results of the study are discussed by intersection below:

Wendover Avenue at Hickory Grove Road

This unsignalized intersection currently operates at LOS F in both the AM and PM peaks. This is due to the minor street movement trying to access Wendover Avenue which is a high volume roadway. It is typical for stop-controlled intersections to experience a LOS F due to lack of gaps for the minor street movements. Regardless of the proposed development being constructed, improvements to this intersection will be needed. In 2023 future no build conditions and build conditions, it is expected to remain unchanged. It is recommended to construct this intersection as a directional crossover. This will prevent left turn and through movements from the side street to provide a safe movement along Wendover Avenue. It is also recommended to provide a westbound right turn lane of 100 feet and 150 feet taper. With these recommendations in place, this intersection is expected to operate at LOS C in both the AM and PM peak hours.

Piedmont Parkway at Hickory Grove Road

This unsignalized intersection currently operates at LOS C in the AM peak and LOS B in the PM peak. In 2023 future no build conditions, it is expected to remain unchanged. In 2023 future build conditions, the intersection is expected to operate at LOS C in both the AM and PM peak hours. No improvements are recommended.

Piedmont Parkway at Wendover Avenue

This signalized intersection currently operates at LOS D in the AM peak and LOS E in the PM peak. In 2023 future no build conditions, it is expected to remain unchanged. In the 2023 future build conditions, it is expected to operate at LOS D in the AM peak and LOS F in the PM peak. To accommodate the site traffic and account for the crossover intersection at Hickory Grove Road, it is recommended to extend the eastbound left turn lane to full storage length back to Hickory Grove Road. It is also recommended to optimize the signal timing. With these recommendations in place, this intersection is expected to operate at LOS D in the AM peak and LOS F in the PM peak.

Hickory Grove Road at Site Access 1

In 2023 future build conditions, this intersection is expected to operate at LOS B in both the AM and PM peaks. It is recommended to provide a northbound right turn lane of full storage length back to Wendover Avenue.

Hickory Grove Road at Site Access 2

In 2023 future build conditions, this intersection is expected to operate at LOS A in the AM peak and LOS B in the PM peak.

Wendover Avenue at Site Access 3

In 2023 future build conditions, this intersection is expected to operate at LOS A in both the AM and PM peak hours. It is recommended to provide a westbound right turn lane of 100 feet of storage and 150 feet taper.

Table A - Level of Service Summary

AM Peak	2018 Existing	2023 No Build	2023 Build	2023 Build with Improvements
Wendover Avenue at Hickory Grove Road	F (Err) SB Approach	F (Err) SB Approach	F (85) NB Approach	C (21.6) NB Approach
Piedmont Parkway at Hickory Grove Road	C (15.4) SB Approach	C (17.5) SB Approach	C (17.9) SB Approach	C (17.9) SB Approach
Wendover Avenue at Piedmont Parkway	D (42.4)	D (51.6)	D (54)	D (53.4)
Hickory Grove Road at Site Access 1			B (10.2) WB Approach	A (9.6) WB Approach
Hickory Grove Road at Site Access 2			A (9.3) WB Approach	A (9.2) WB Approach
Wendover Avenue at Site Access 3			(0) EB Approach	(0) EB Approach
PM Peak	2018 Existing	2023 No Build	2023 Build	2023 Build with Improvements
Wendover Avenue at Hickory Grove Road	F (78) SB Approach	F (116) SB Approach	F (242.2) SB Approach	C (18.8) NB Approach
Piedmont Parkway at Hickory Grove Road	B (12.6) NB Approach	B (13.3) NB Approach	C (15.9) NB Approach	C (20.2) NB Approach
Wendover Avenue at Piedmont Parkway	E (60.7)	E (75.8)	F (83.4)	F (90.6)
Hickory Grove Road at Site Access 1			B (10.6) WB Approach	A (9.6) WB Approach
Hickory Grove Road at Site Access 2			A (9.8) WB Approach	A (9.7) WB Approach
Wendover Avenue at Site Access 3			(0) EB Approach	(0) EB Approach

LOS (delay in seconds)

Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay

Summary and Conclusion

The proposed Wendover Commercial Property development is to be located at the northeast corner of the intersection of Wendover Avenue and Hickory Grove Road in High Point, North Carolina. The proposed commercial development is planned to consist of 15,600 square feet of retail, 1,440 square feet of restaurant, and a convenience store with 16 gasoline pumps. The development will utilize three (3) access points, with two (2) being a full access on Hickory Grove Road and one (1) being a right-in only on Wendover Avenue.

The trip generation indicates that the proposed development is expected to generate 227 trips in the Weekday AM peak hour and 285 trips in the PM peak hour.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic.

Based on the analysis of this development, improvements are needed to certain intersections to make safe turning movements in the roadway network. Regardless of the proposed development, improvements at the intersection of Wendover Avenue and Hickory Grove Road are needed. A summary of the recommended improvements can be found in Table 6.1. **The recommended improvements are at the discretion of City of High Point and NCDOT to be implemented.** The rerouted volumes due to the proposed directional crossover can be found in the Appendix.

In conclusion, this study has reviewed the impacts of both background traffic and proposed development traffic, and has provided recommendations to accommodate future traffic. Please note the proposed site accesses should be designed according to NCDOT standards.

Table B – Recommended Improvement Summary	
Wendover Avenue at Hickory Grove Road	<ul style="list-style-type: none"> Construct a directional crossover Provide a westbound right turn lane of 100 feet storage and 150 feet taper
Piedmont Parkway at Hickory Grove Road	No improvements are recommended
Wendover Avenue at Piedmont Parkway	<ul style="list-style-type: none"> Extend eastbound left turn lane to full storage length Optimize signal
Hickory Grove Road at Site Access 1	Provide a northbound right turn lane of full storage length
Hickory Grove Road at Site Access 2	No improvements recommended
Wendover Avenue at Site Access 3	Provide a westbound right turn lane of 100 feet storage and 150 feet taper



FIGURE 1 SITE PLAN





4.2 Trip Generation

The proposed development is planned to consist of 15,600 square feet of retail, 1,440 square feet of restaurant, and a convenience store with 16 gasoline pumps. The projected trip generation potential of the current land use was computed using TripGen 10 software, based on the 9th Edition of the ITE Trip Generation Manual. Table 4.2 contains the results.

Table 4.2 - ITE Trip Generation									
Wendover Commercial Property									
Average Weekday Driveway Volumes					24 Hour	AM Peak Hour		PM Peak Hour	
					Two-Way				
<u>Land Use</u>	<u>ITE Land Code</u>	<u>Size</u>		<u>Data Source</u>	<u>Volume</u>	<u>Enter</u>	<u>Exit</u>	<u>Enter</u>	<u>Exit</u>
Convenience Mart with Gasoline Pumps	853	16	VFP	Rate - Adjacent	8,682	133	132	153	152
Shopping Center	820	7.8	GFA Th. Sq. Ft	Equation - Adjacent	1,294	20	13	52	56
Shopping Center	820	7.8	GFA Th. Sq. Ft	Equation - Adjacent	1,294	20	13	52	56
Fast-Food Restaurant without Drive-Thru*	933	1.44	GFA Th. Sq. Ft	Rate - Adjacent	1,031	38	25	19	19
Total Unadjusted Trips					12,301	211	183	276	283
Convenience Mart with Gasoline Pumps Pass-By Reduction (63% AM, 66% PM)					--	-84	-83	-101	-100
Shopping Center Pass-By Reduction (34% PM)					--	0	0	-35	-38
Total Pass-By Reduction						-84	-83	-136	-138
Total Adjusted Trips					12,301	127	100	140	145
*Little Caesars is open from 11am - 11pm; however, worst case scenario was analyzed.									

Citizens Information Meeting Report

Zoning Map Amendment 19-24

Submitted by: Ms. Judy Stalder (Zoning Consultant)
on behalf of Premier Stores, Inc.

Premier Stores Inc. Citizen Information Report

Letter: A letter of explanation of the request was sent by US Mail to those names provided by the Department of Planning and Development. A copy of our approved site plan with the location of the proposed drive thru indicated and the City's Citizen Meeting Information statement were included in the letter.

Because all nearby property owners are non-residential, we did not arrange a formal meeting. Instead we invited each recipient to contact us for more information. We remain open to meetings with any neighbors.

Email: Because nearby owners communicated by email during the last rezoning, an email was sent to those property owners as well as the letter.

The Stalder Group LLC

PO Box 5581
High Point NC 27262
336.688.2204
jstalder@northstate.net

November 14, 2019

Re: Rezoning at 4826 West Wendover Avenue, High Point, NC 27265

Dear Neighbor:

I am writing to you about an additional zoning request at 4826 West Wendover Avenue. This property is bordered by West Wendover Avenue, Piedmont Parkway and Hickory Grove Church Road. Premier Stores Inc recently received approval to build a convenience store with gas pumps, a restaurant and associated retail shops. Premier is now adding a request to allow a restaurant drive thru window for the restaurant. The remainder of this letter explains the request. Please feel free to contact me with any comments, concerns, and questions you may have.

Zoning: The current zoning is Conditional Zoning Limited Business which allows restaurants without a drive thru window. The new request is for Conditional Zoning General Business. The conditions of this request limit the uses to those uses permitted in the Limited Business zoning district with the addition of a drive thru window for a restaurant. The location of the drive-thru will be at the rear of the property near Hickory Grove Church Road. Elevations and landscaping will effectively screen the drive thru and menu board from adjacent street rights-of-way. Please review the attached site plan.

Landscaping: As in the original request, landscaping will be provided along the entire perimeter of the property as well as within the site.

Transportation: As in the original request, access is limited to a right in only access on Wendover Avenue with a deceleration lane and two points of access to Hickory Grove Church Road. The original Traffic Impact Analysis submitted to the High Point Department of Transportation incorporated a restaurant drive thru window in the design parameters and is still valid.

Should you have any concerns or if you would like to simply discuss the project, please contact me at 336-688-2204 and/or jstalder@northstate.net. I look forward to your comments.

Sincerely,

Judy Stalder
Zoning Consultant

LAYOUT NOTES:

1. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR THE EXACT LOCATION OF UTILITY ENTRENCHES, BUILDING DIMENSIONS, ROOF LEADERS, DOORS, EXIT RAMPS AND PORCHES.
2. ALL DIMENSIONS ARE TO BUILDING FACE, FACE OF CURB, OR EDGE OF SB UNLESS OTHERWISE NOTED.
3. CONTRACTOR SHALL PROVIDE ALL LABOR AND MATERIALS FOR THE INST. OF TRAFFIC SIGNAGE AND PAVEMENT MARKINGS AS SHOWN ON THE CONST. PLANS.
4. ALL NON-LANDSCAPED ISLANDS SHALL BE PAINTED WHITE WITH STRIPES AT 45° AND 2 FEET O.C.
5. ALL STRIPING SHALL BE PAINTED WHITE 4" WIDE UNLESS OTHERWISE NOTED.
6. CONTRACTOR SHALL REFER TO OTHER PLANS WITHIN THIS CONSTRUCTION DOCUMENT FOR ADDITIONAL INFORMATION.

Footnote

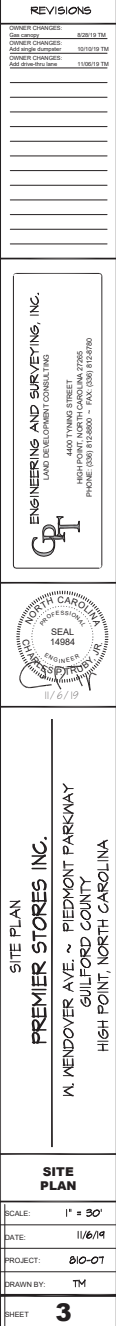
All new or redeveloped non-residential off-street parking areas shall be designed so that no parking space is more than 80 feet from the trunk of a canopy tree.

DIMENSION OF PLANTING AREAS:

Each planting area containing trees, including those located in parking lots, and each parking area containing trees, including those located in parking lots, shall have a minimum inside dimension of seven feet (7') and shall have a minimum area of at least two hundred (200) square feet.

 = PARKING LOT TREE (CANOPY)
@ TREES PROVIDED

All new or redeveloped non-residential off-street parking areas shall be designed so that no parking space is more than eight (80) feet from the trunk of a canopy tree. Where understorey trees are substituted for canopy trees, the canopy trees shall be provided in the same ratio.



COX, JOSEPH D;COX, JANE T
312 CASCADE DR
HIGH POINT NC 27265

CROWNE LAKE ASSOCIATES
PO BOX 3128
JASPER AL 35502

DEPARTMENT OF TRANSPORTATION
PO BOX 14996
GREENSBORO NC 27415

HICKORY GROVE MENTODIST CH
5005 HILLTOP RD
GREENSBORO NC 27407

HUNTER HILLS BAPTIST CHURCH
1806 MERRITT DR
GREENSBORO NC 27407

JAMES LANDING PROPERTY OWNERS
ASSOCIATION
PO BOX 3288
GREENSBORO NC 27402

MARTIN MARIETTA MATERIALS INC
PO BOX 30013
RALEIGH NC 27622

MARY OAK PLAZA LC
P O BOX 9537
GREENSBORO NC 27429

MDC NC1 LP
11995 EL CAMINO REAL
SAN DIEGO CA 92130

MILLIREN INVESTMENTS LLC
6862 COLONIAL CLUB DR
THOMASVILLE NC 27360

PREMIER STORES INC
7609 BUSINESS PARK DR
GREENSBORO NC 27409

TUCKER, M WILLARD;SIEGAL, BARRY S
PO BOX 16168
HIGH POINT NC 27261

WENDOVER VIEW LOT 2 LLC
3411-D W WENDOVER AVE
GREENSBORO NC 27407

City of High Point
Citizen Information Meetings



Persons filing certain development applications with the City of High Point are required to hold a citizen information meeting. This requirement applies to applications for a Conditional Zoning District, Planned Development District, Special Use and a Zoning Map Amendment that proposes to establish a more intense zoning district.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person filing an application, otherwise known as the applicant, the opportunity to inform citizens about their development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a description of the development proposal and are encouraged to share any other available information that would help citizens to better understand it.

After the application is filed with the City's Planning & Development Department, the applicant submits to the City a written summary of the citizen information meeting(s). At a minimum, this report records:

- The date, time, and location of the meeting;
- The method and date of notification about the meeting;
- A list of landowners notified about the meeting;
- A list of meeting attendees;
- If the meeting was conducted as a series of telephone calls;
- The description of the development proposal presented to the attendees; and
- A summary of attendee comments, ideas, and suggestions from citizens to be incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300-feet of the site. This notice provides a brief summary of the application; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the site.

Development conditions can be adopted by the City Council for a Conditional Zoning District, Planned Development District, or Special Use. However, no condition can be included that:

- Specifies the ownership status, race, religion, or other characteristics of the development's occupants;
- Establishes a minimum size of a dwelling unit;
- Establishes a minimum value of buildings or improvements;
- Excludes residents based upon race, religion, or income; or
- Obligates the City to perform in any manner relative to the approval of or development of the land.

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the website below for additional information on the City's zoning process, and for information about specific development proposals.

Contact:

Planning & Development Department 336-883-3328

www.buildhighpoint.com