

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.

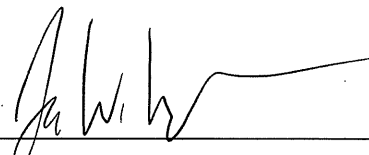
SECTION 5

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

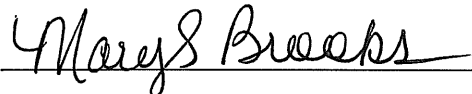
SECTION 6.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 21st day of January, 2020.

By: 
Jay W. Wagner, Mayor

ATTEST:


Mary S. Brooks, Deputy City Clerk

