

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Zoning Map Amendment 20-16  
(City of High Point)

**From:** Lee Burnette, Planning & Development  
Director

**Meeting Date:** September 21, 2020

**Public Hearing:** Yes

**Advertising Date:** September 9, 2020, and  
September 16, 2020

**Attachments:** A. Staff Report  
B. Zoning Ordinance

**Advertised By:** Planning & Development

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### PURPOSE:

A request by the High Point City Council to rezone 389 properties, totaling approximately 124 acres, as part of the Comprehensive Zoning Map Amendment project. The properties are located within the Hartley Square Condominium development (Ingleside Drive), a portion of the Hartley Ridge Apartment complex (Ingleside Drive), 2701 Ingleside Drive, Franklin Ridge Apartment complex (W. Hartley Drive), the Brookdale Assisted Living Facility (201 W. Hartley Drive), Fox Hollow Apartment complex (W. Hartley Drive), 4111 Greenvalley Drive, Westchester Keys Apartment complex (Westchester Drive), Copper Mill Village Apartment complex (Hickwood Road), Castle Pines Townhome subdivision (Woodpark Drive), Eagle Glen Townhome subdivision (Penny Road) and the Greenside Townhome subdivision (Penny Road).

### BACKGROUND:

The Planning and Zoning Commission reviewed this request at their August 25, 2020 regular meeting and took final action when the meeting was reconvened on August 27, 2020. On the date of final action, all members of the Commission were present except for Ms. Joan Swift.

Prior to the staff presentation Mr. Herbert Shannon, Senior Planner, noted that lands associated with Map #4 are being withdrawn from ZA-20-16. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

### Speaking on the request:

The following members of the public provided comments:

- Mr. Tom Terrell (regarding Map #4), representing Springfield Friend's Meeting, 555 E. Springfield Road. Mr. Terrell was concerned that removal of the CU would eliminate conditions they negotiated with the developers, when the current zoning was approved, to maintain 250-foot building setbacks and 250-foot vegetative buffers along E. Springfield Road and Bellemeade Street.

Mr. Shannon noted to the Commission that lands associated with Map #4 have been withdrawn from ZA-20-16.

- Mr. Keith Clark (regarding Map #2), 213 Westridge Drive. Mr. Clark had concerns that rezoning of property at 4111 Greenvalley Drive would introduce multifamily development into their single family neighborhood.

Mr. Shannon provided an update to the Commission based on a telephone conversation he had with Mr. Clark on August 27, 2020. He noted to Mr. Clark that the property at 4111 Greenvalley Drive is proposed to be rezoned to the Residential Single Family – 3 (R-3) District, which is the same zoning governing his neighborhood. Furthermore, he stated to Mr. Clark that multifamily dwellings are not a permitted use in the R-3 District. In conclusion, Mr. Shannon stated that Mr. Clark thanked him for the call and that his concerns had been addressed.

**BUDGET IMPACT:**

There is no budget impact.

**RECOMMENDATION / ACTION REQUESTED:**

A. Staff Recommendation

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

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended *approval* of this request, as recommended by staff, by a vote of 7-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 7-0 to approve the following statement:

That Zoning Map Amendment 20-16 is consistent with the City's adopted policy guidance because the proposed zoning map amendments are supported by the various land use designations for these areas as contained in the adopted Land Use Plan. Furthermore, the request is reasonable and in the public interest because the amendments are needed to remove unneeded restrictions on the properties and to remove the conditional use zoning designation, which can no longer be used.

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

**STAFF REPORT  
ZONING MAP AMENDMENT ZA-16**

**September 4, 2020  
(Revised)**

**Request**

A request by the High Point City Council to rezone 389 properties, totaling approximately 124 acres, as part of the Comprehensive Zoning Map Amendment Project. This request focuses on evaluating various townhome and multifamily developments in the city.

**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 is 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 Comprehensive Zoning Map Amendment project was initiated in 2017. The City Council initiated this round of zoning evaluations associated with the project on October 7, 2019. The areas under consideration in this Zoning Map Amendment are part of a larger group of areas initiated by City Council to be evaluated.

**Details of Proposal**

The following is a summary of affected developments, along with an attached analysis of each area being considered under this Zoning Map Amendment.

Map	From	To	Development/Use	Location
1	CU RM-16	RM-16	<u>Hartley Square Condominiums</u> Multifamily development	Lying north of the intersection of W. Hartley Drive and Ingleside Drive.
		RM-26	<u>Portion of the Hartley Ridge apartment complex</u> Open common area	
		R-5	<u>2701 Ingleside Drive</u> Single family dwelling	
2	CU RM-16	RM-16	<u>Fox Hollow Apartments</u> Multifamily development	Located along the south side of W. Hartley Drive, approximately 850 feet west of N. Main Street.
		RM-16	<u>Brookdale Assisted Living</u>	
		RM-16	<u>Franklin Ridge Apartments</u> Multifamily development	
		R-3	<u>4111 Greenvalley Drive</u> Single family dwelling	Located west of the intersection of Greenvalley Drive and Westridge Drive.

Map	From	To	Development/Use	Location
3	CU RM-26	RM-26	<u>Westchester Keys Apartments</u> Multifamily development	Located west of Westchester Drive and north of W. Lexington Avenue.
4	Map #4 has been withdrawn			
5	CU RM-16 CU RM-5	RM-16	<u>Copper Mill Village Apartments</u> Multifamily development	Located along Hickwood Road (south of Eastchester Drive).
		RM-5	<u>Castle Pines subdivision</u> Townhome development	Located along Penny Road (south of W. Wendover Avenue).
		RM-5	<u>Eagle Glen subdivision</u> Townhome development	
		RM-5	<u>Greenside subdivision</u> Townhome development	

### Analysis

The requested rezoning of these various residential developments is intended to remove outdated and obsolete zoning conditions. These developments were granted their current City of High Point zoning between 1991 to 2004 under the former Development Ordinance, which was replaced by the current Development Ordinance in 2017. The various zoning conditions, adopted as a part of conditional use zoning (CU), were established to address land use policies, road improvements and to ensure compatibility with adjacent property. These residential projects have been completed and the various zoning conditions met upon completion of the developments.

The requested rezoning of these various residential developments removes outdated and obsolete zoning conditions, while maintaining the development's base zoning district. See attachments for details.

### **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 supported by the various land use designations for these areas as contained in the adopted 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 unneeded restrictions on the properties and to remove the conditional use zoning designation, which can no longer be used.**

### Recommendations

Staff recommends approval of the following zoning map amendments:

Map #1 Rezone the Hartley Square Condominiums from a CU RM-16 District to the RM-16 District.

Rezone an approximate 5,864 sq. ft. portion of the Hartley Ridge development from the CU RM-16 District to a RM-26 District.

Rezone 2701 Ingleside Drive from a CU RM-16 District to the R-5 District.

Map #2 Rezone the Fox Hollow apartments, the Brookdale assisted living facility and the Franklin Ridge apartments from a CU RM-16 District to the RM-16 District.

Rezone 4111 Greenvalley Drive from a CU R-5 District to the R-3 District.

Map #3 Rezone the Westchester Keys Apartments from a CU RM-26 District to the RM-26 District.

Map #5 Rezone the Copper Mill Village apartment complex and the Castle Pines townhome subdivision from their CU RM-16 districts to the RM-16 District.

Rezone the Eagle Glen and Greenside townhome subdivision from their CU RM-5 districts to the RM-5 District.

### 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.

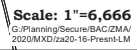
#### City Council:

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.

**ZONING MAP AMENDMENT: ZA-20-16**  
**Applicant: City of High Point**



## MAP #1

**Location:**     **Hartley Square Condominiums**

(Located at the northeast corner of Ingleside Drive and W. Hartley Drive)

**An approximate 5,864 sq. ft. portion of the Hartley Ridge Development**

(Located along the west side of Ingleside Drive, approximately 200 feet north of W. Hartley Drive)

**2701 Ingleside Drive**

(Located along the west side of Ingleside Drive, approximately 400 feet north of W. Hartley Drive)

**Current Uses:** Hartley Square Condominiums - Multifamily development

Portion of the Hartley Ridge apartment complex – An approximate 5,864 square foot portion (undeveloped common area) of a multifamily development

2701 Ingleside Drive - Single family dwelling.

### **Comparison of Current and Proposed Zoning**

	<b>Current Zoning</b>	<b>Proposed Zoning</b>
	Conditional Use Residential Multifamily – 16 (CU RM-16) District	Residential Multifamily – 16 (RM-16) District  Residential Multifamily – 26 (RM-26) District  Residential Single Family 5 (R-5) District
<i>Purpose &amp; Intent:</i>	<u>RM-16 District</u> The RM-16 district is established to accommodate a mix of residential development at around 16 units an acre, that is served by public water and sewer. District regulations encourage the development of functioning neighborhoods that include a mix of housing types and a variety of institutional uses. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed.	<u>RM-16 District:</u> Same  <u>RM-26 District</u> The RM-26 district is established to accommodate a mix of residential and institutional uses intended to help establish functioning neighborhoods. The district accommodates residential uses at densities of up to 26 units an acre. Complimentary uses such as open space, schools, utilities, and recreation facilities are also allowed.  <u>R-5 District</u> The R-5 district is established to accommodate principally single-family detached dwellings developed at a density of 5 units an acre that is served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed. District regulations discourage uses that interfere with the development of residential development or that is detrimental to the residential nature of the district.

<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	<u>Zoning Approval 1995(CU 95-25)</u> <ul style="list-style-type: none"> <li>• Vehicular access and right-of-way dedication for W. Hartley Drive and Ingleside Drive extensions</li> <li>• Landscaping</li> <li>• Development density</li> </ul>	None

	Adjacent Zoning	Adjacent Land Use
<b>North:</b>	Residential Single Family – 5 (R-5) District Parks and Natural Resources (PNR) District	Single family dwelling Major Assembly use (undeveloped lands associated with the YMCA)
<b>South:</b>	Conditional Zoning Residential Multifamily – 16 (CZ RM-16) District	Undeveloped parcel
<b>East:</b>	Parks and Natural Resources (PNR) District	Major Assembly use (undeveloped lands associated with the YMCA)
<b>West:</b>	Conditional Zoning Residential Multifamily – 26 (CZ RM-26) District	Multifamily development

Land Use Plan Classification
<p>The area is designated as follows:</p> <ul style="list-style-type: none"> <li>• <b>Medium-Density Residential:</b> This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwellings units per gross acre.</li> <li>• <b>Low Density Residential:</b> These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.</li> </ul>

### Analysis/Recommendation

Map #1 depicts lands to be rezoned at the northern intersection of W. Hartley Drive and Ingleside Drive. Parcels at this intersection consist of the Hartley Square Condominium development at the northeastern corner and a single-family home and portion of the Hartley Ridge apartment complex at the northwestern corner. This 7.5 acre area was part of a 1995 zoning request to develop multifamily uses at this intersection. The extension of Ingleside Drive occurred in such a manner that a 0.5 acre portion of land was separated from the primary parcel by this road extension. Lands to the east of Ingleside Drive developed as the Hartley Square Condominium development. The 0.5 acre area to the west of Ingleside Drive developed with a single family home and a remaining 5,864 square foot sliver of land was incorporated into the adjacent Hartley Ridge apartment complex.

Lands at the northern corners of this intersection have been fully developed. Furthermore, the extensions/improvements associated with W. Hartley Drive and Ingleside Drive have been completed. This rezoning proposes to remove the conditional use (CU) designation as conditions from the zoning approval have been met. Staff is recommending rezoning in a manner that matches the existing zoning pattern of abutting uses.

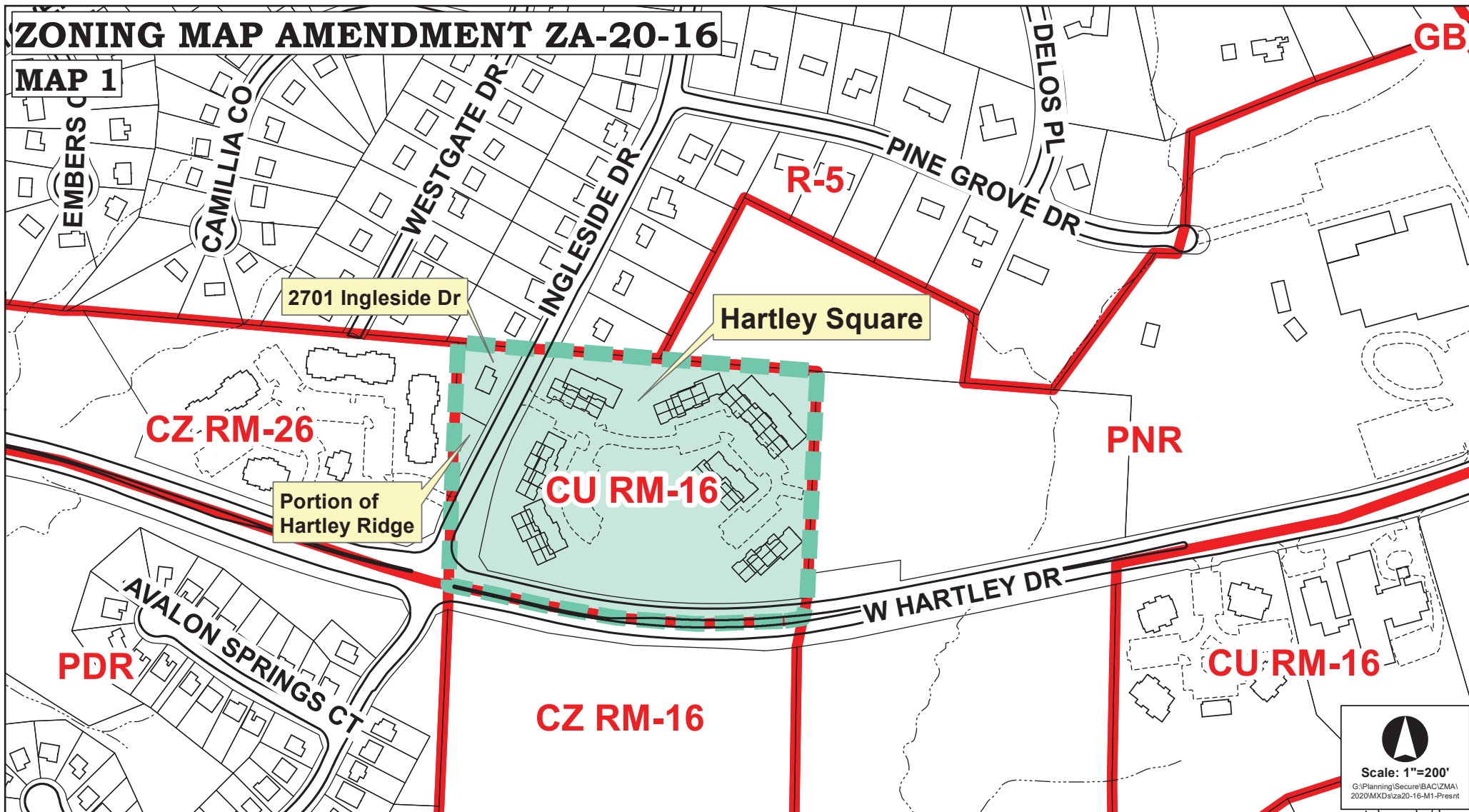


Staff recommends the following:

1. Rezone lands associated with the Hartley Square Condominium from a CU RM-16 District to the RM-16 District.
2. Rezone 2701 Ingleside Drive from a CU RM-16 District to the R-5 District. Since 2000, the property has been developed with a single family dwelling and the proposed R-5 District matches the manner in which the abutting residential subdivision is zoned.
3. Rezone the approximate 5,864 square foot sliver of land south of 2701 Ingleside Drive from a CU RM-16 District to the RM-26 District. This area has been incorporated into the abutting Hartley Ridge Apartment complex as open common area. The proposed RM-26 District matches the manner in which this this apartment complex has been zoned.

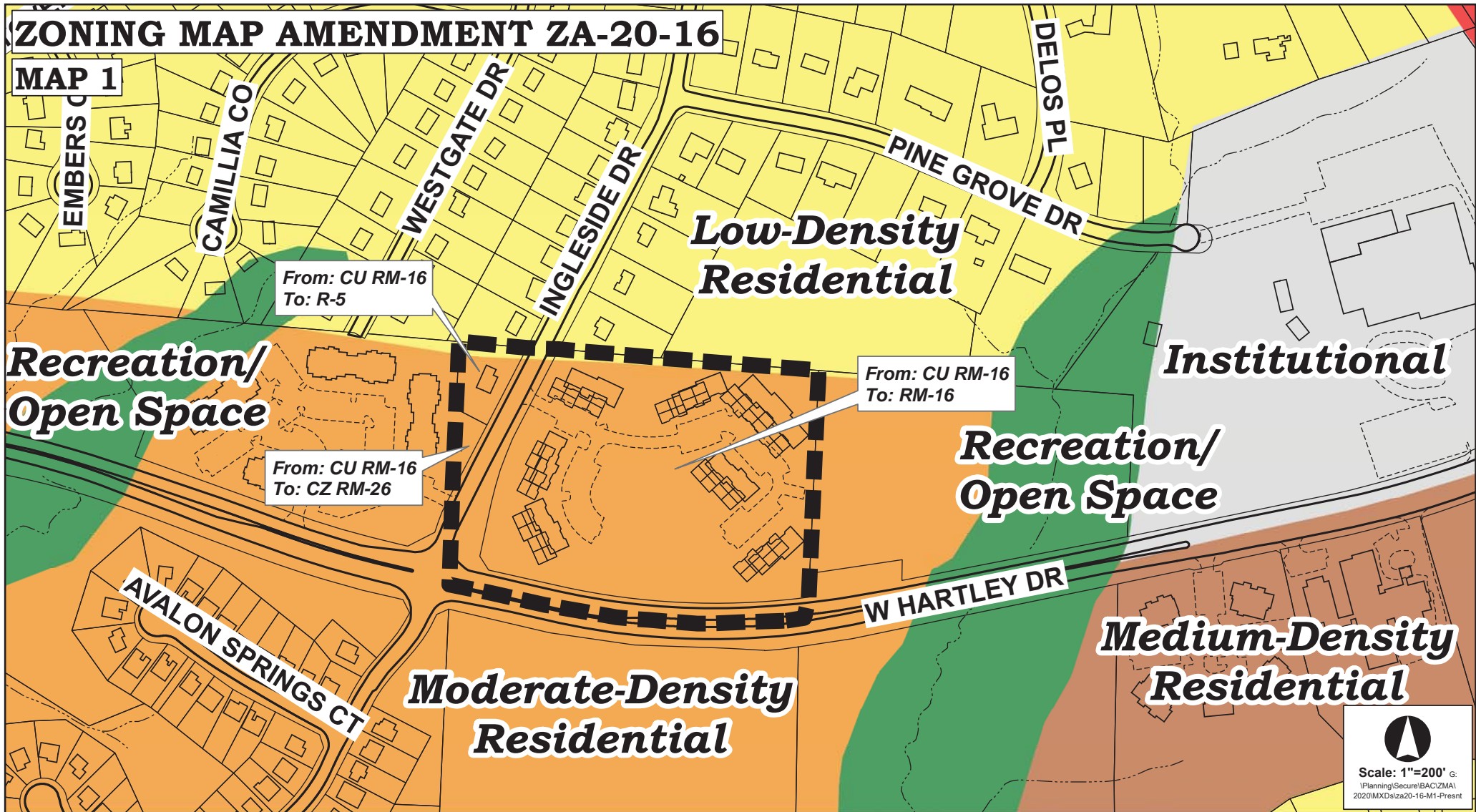
# ZONING MAP AMENDMENT ZA-20-16

MAP 1



# ZONING MAP AMENDMENT ZA-20-16

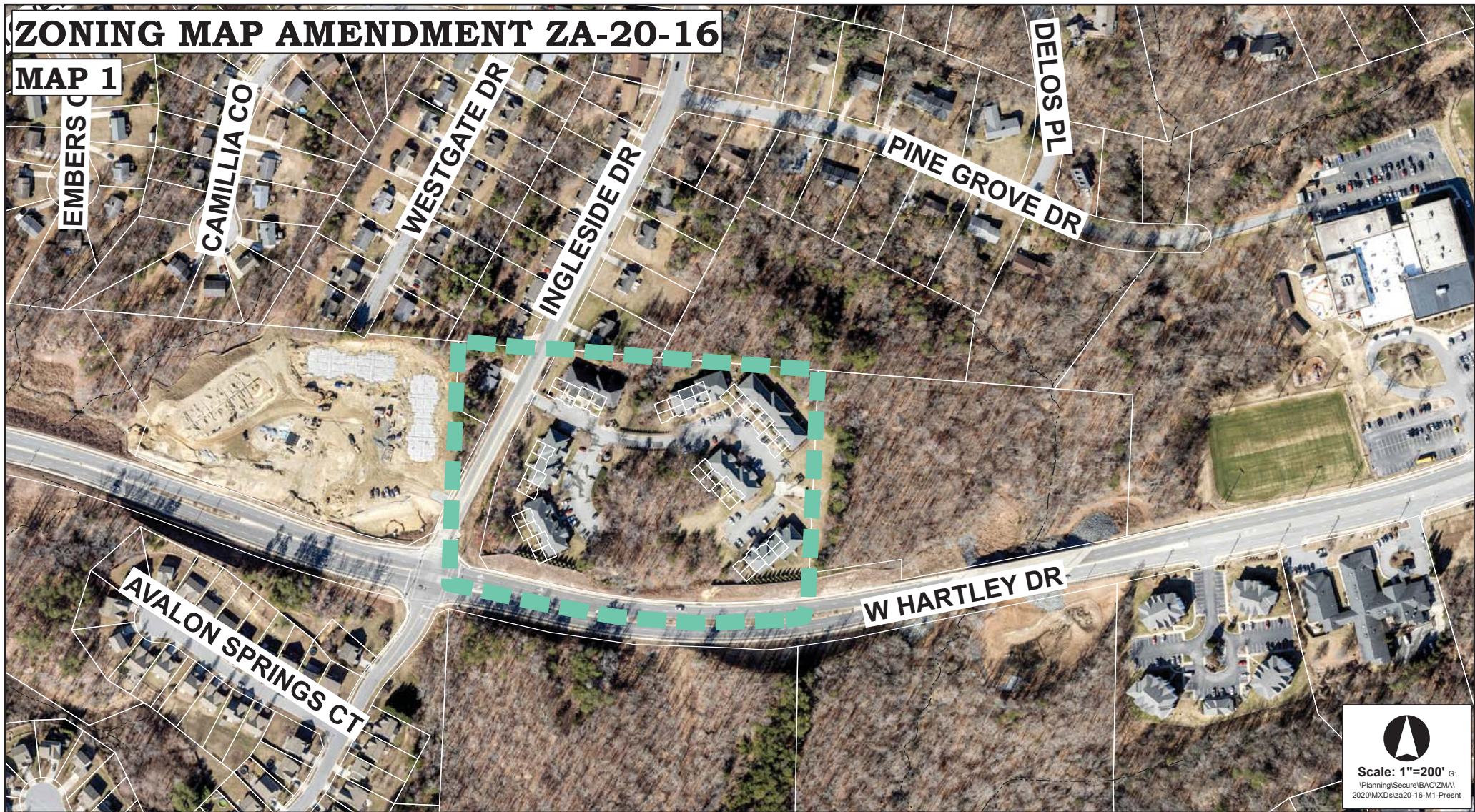
MAP 1





# ZONING MAP AMENDMENT ZA-20-16

MAP 1





## MAP #2

**Location:**     **Fox Hollow Apartments**

(Located along the south side of Hartley Drive, approximately 850 feet west of N. Main Street)

**Brookdale Assisted Living Facility (201 W. Hartley Drive)**

(Located along the south side of W. Hartley Drive, approximately 1,500 feet west of N. Main Street)

**Franklin Ridge Apartments**

(Located along the south side of W. Hartley Drive, approximately 1,800 feet west of N. Main Street)

**4111 Greenvalley Drive**

(Located west of the intersection of Greenvalley Drive and Westridge Drive)

**Current Uses:** Fox Hollow Apartments - Multifamily development  
Brookdale Assisted Living Facility - Assisted Living Facility  
Franklin Ridge Apartments - Multifamily development  
4111 Greenvalley Drive - Single family dwelling

### **Comparison of Current and Proposed Zoning**

	<b>Current Zoning</b>	<b>Proposed Zoning</b>
	Conditional Use Residential Multifamily – 16 (CU RM-16) District  Conditional Use Residential Single Family 5 (CU R-5) District	Residential Multifamily – 16 (RM-16) District  Residential Single Family 3 (R-3) District
<i>Purpose &amp; Intent:</i>	<u>RM-16 District</u> The RM-16 district is established to accommodate a mix of residential development at around 16 units an acre, that is served by public water and sewer. District regulations encourage the development of functioning neighborhoods that include a mix of housing types and a variety of institutional uses. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed.	<u>RM-16 District:</u> Same  <u>R-3 District</u> The R-3 district is established to accommodate principally single-family detached dwellings developed at a density of 3 units an acre, in developments served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed. District regulations discourage any use that interferes with the development of single-family detached dwellings or that is detrimental to the residential nature of the district.
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	<u>Zoning Approvals in 1984 and 1988 (CU 84-11 and CU 988-11)</u> <ul style="list-style-type: none"><li>• Restricting access from Greenvalley Drive to Hartley Drive.</li><li>• Right-of-way dedication</li><li>• Buffer areas</li></ul>	None

	Adjacent Zoning	Adjacent Land Use
<b>North:</b>	Parks and Natural Resources (PNR) District	Major Assembly use (YMCA)
<b>South:</b>	Residential Single Family – 5 (R-5) District	Single family dwellings
<b>East:</b>	General Business (GB) District Conditional Use Transitional Office (CU-TO) District	Major retail establishments, external access self-storage facility.
<b>West:</b>	Parks and Natural Resources (PNR) District	Major Assembly use (undeveloped lands associated with the YMCA)

Land Use Plan Classification
<p>The area is designated as follows:</p> <ul style="list-style-type: none"> <li>• <b>Medium-Density Residential:</b> This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwellings units per gross acre.</li> <li>• <b>Low Density Residential:</b> These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.</li> </ul>

### Analysis/Recommendation

Lands proposed for rezoning as depicted on Map #2 were once under single ownership and rezoned in 1984 to support office, institutional or multifamily development. The zoning was amended in 1988 to establish a single family zoning district at 4111 Greenvalley Drive and to require future installation of a cul-de-sac to prevent an extension of Greenvalley Drive to W. Hartley Drive.

Over the preceding years this larger parcel was subdivided and developed with a mixture of multifamily and life care land uses along W. Hartley Drive and a single family home on Greenvalley Drive. With lands along W. Hartley Drive fully developed and based on environmental constraints from a perennial stream running, a public street extension of Greenvalley Drive is unlikely. The primary purpose of this rezoning is to remove the conditional use (CU) designation as conditions from their zoning approvals were met upon the completion of these developments or are no longer required.

Staff recommends rezoning the following:

1. Rezone lands associated with the Fox Hollow apartments, Brookdale Assisted Living Facility and Franklin Ridge apartments from the CU RM-16 District to a RM-16 District.
2. Rezone 4111 Greenvalley Drive from the CU R-5 District to a R-3 District. The R-3 District matches the manner in which the abutting residential subdivision along Greenvalley Drive and Westridge Drive is zoned.

# ZONING MAP AMENDMENT ZA-20-16

MAP 2

CU RM-16

PNR W HARTLEY DR

CZ RM-16

1114 Greenvally Dr

CU R-5

R-3

CU RM-16

Brookdale

Franklin Ridge

Fox Hollow

RC

GB

RC

RC

N MAIN ST

LB

CU TO

GREENWOOD DR

WESTRIDGE DR

GREENVALLEY DR

PINE RIDGE DR



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# ZONING MAP AMENDMENT ZA-20-16

## MAP 2

**Moderate-Density Residential**

**Institutional**

From: CU RM-16  
To: RM-16

**Community/  
Regional Commercial**

**N MAIN ST**

**W HARTLEY DR**

**Recreation/  
Open Space**

**Medium-Density Residential**

From: CU R-5  
To: R-5

**GREENVALLEY DR**

**Low-Density Residential**

**WESTRIDGE DR**

**GREENWOOD DR**

**PINE RIDGE DR**

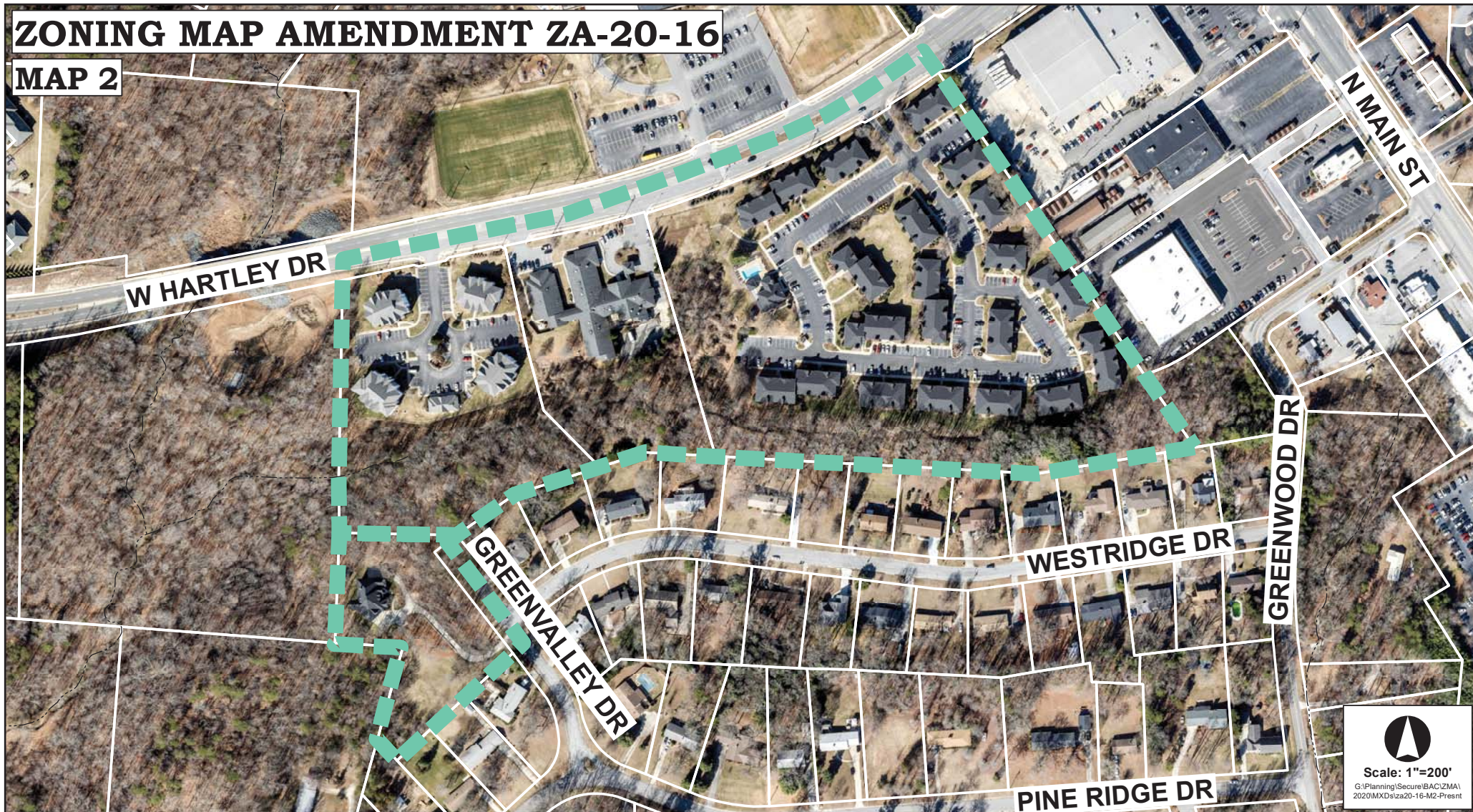


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# ZONING MAP AMENDMENT ZA-20-16

MAP 2



  
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### MAP #3

**Location:**     **Westchester Key Apartment Complex**

(Located west of Westchester Drive and north of W. Lexington Avenue)

**Current Uses:** Multifamily development

**Comparison of Current and Proposed Zoning**

	<b>Current Zoning</b>	<b>Proposed Zoning</b>
	Conditional Use Residential Multifamily – 26 (CU RM-26) District	Residential Multifamily – 26 (RM-26) District
<i>Purpose &amp; Intent:</i>	<u>RM-26 District</u> The RM-26 district is established to accommodate a mix of residential and institutional uses intended to help establish functioning neighborhoods. The district accommodates residential uses at densities of up to 26 units an acre. Complimentary uses such as open space, schools, utilities, and recreation facilities are also allowed.	<u>RM-26 District:</u> Same
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	<u>Zoning Approval 1991(CU 91-05)</u> <ul style="list-style-type: none"><li>• Density</li><li>• Vehicular access</li></ul>	None

	<b>Adjacent Zoning</b>	<b>Adjacent Land Use</b>
<b>North:</b>	Residential Single Family – 3 (R-3) District	Single family dwellings
<b>South:</b>	Conditional Use General Business (CU-GB) District Conditional Use Limited Business (CU-LB) District Transitional Office (TO) District	Major vehicular establishment (automotive repair establishment)  Minor animal care use (veterinary services establishment)
<b>East:</b>	Transitional Office (TO) District	Offices
<b>West:</b>	Residential Single Family – 3 (R-3) District	Minor school (Northwood Elementary School)

### **Land Use Plan Classification**

The area is designated as follows:

- **Medium-Density Residential:** This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwellings units per gross acre.

### **Analysis/Recommendation**

The Westchester Keys Apartment complex was developed in 1972 and initially included lands to the south, fronting along W. Lexington Avenue. The 1991 zoning petition maintained land for an access drive from W. Lexington Avenue, but separated a portion of the road frontage of this development to

establish the CU-TO and CU-LB Districts along W. Lexington Avenue for commercial development. This rezoning proposes to remove the conditional use (CU) designation as conditions governing the apartment complex have been met.

Staff recommends rezoning lands associated with the Westchester Keys apartment from a CU RM-26 District to the RM-26 District.

# ZONING MAP AMENDMENT ZA-20-16

MAP 3

R-3

Westchester Key

CU RM-26

TO

R-5

CU TO TO

CU TO CU LB

CU GB

CZ LB

LB

CU TO

TO

R-5

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# ZONING MAP AMENDMENT ZA-20-16

MAP 3

*Low-Density Residential*

*Institutional*

*Medium-Density Residential*

*Office*

*Local/Convenience Commercial*

*Office*

*Office*

*Low-Density Residential*

From: CU RM-26  
To: RM-26

PARKWOOD CI

WESTCHESTER DR

PINEHURST DR

OVERBROOK DR

ROCKSPRING RD

HILLCREST DR

W LEXINGTON AV

FLORIDA ST

SEDGEWICK LN

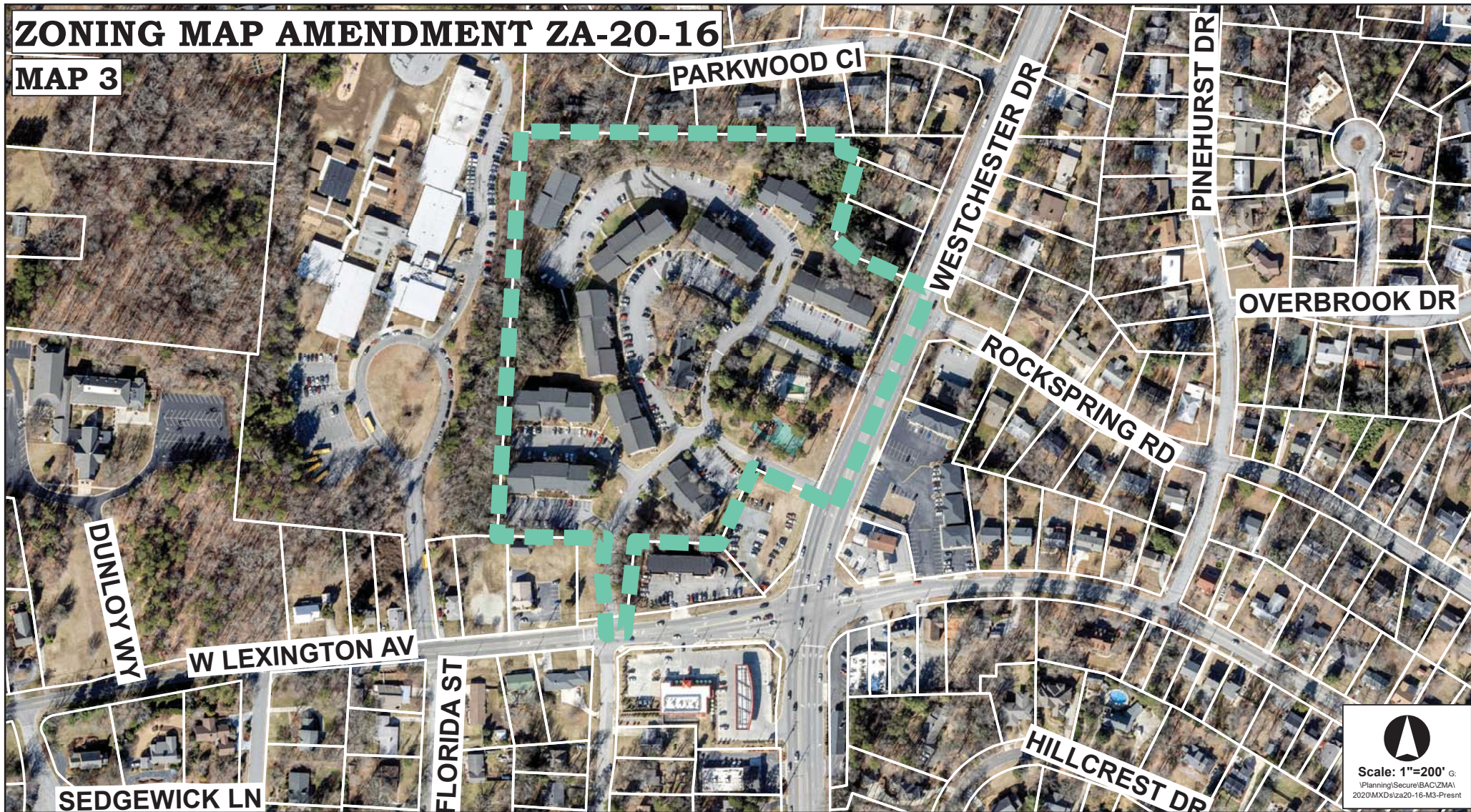
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# ZONING MAP AMENDMENT ZA-20-16

## MAP 3



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## MAP #5

**Location:**      **Copper Mill Village Apartments**  
 (Located approximately 850 feet southeast of intersection of Hickwood Road and Eastchester Drive)

**Castle Pines subdivision**  
 (Located approximately 850 feet west of the intersection of Penny Road and Woodpark Drive)

**Eagle Glen subdivision**  
 (Located west of the intersection of Penny Road and Eagle Glen Drive)

**Greenside subdivision**  
 (Located east of the intersection of Penny Road and Flagstick Court)

**Current Uses:** Copper Mill Village Apartments - Multifamily development  
Castle Pines subdivision - Townhome development  
Eagle Glen subdivision - Townhome development  
Greenside subdivision - Townhome development

### **Comparison of Current and Proposed Zoning**

	<b>Current Zoning</b>	<b>Proposed Zoning</b>
	Conditional Use Residential Multifamily–16 (CU RM-16) District	Residential Multifamily–16 (CU RM-16) District
	Conditional Use Residential Multifamily–5 (CU RM-5) District	Residential Multifamily–5 (RM-5) District
<i>Purpose &amp; Intent:</i>	<p><u>RM-16 District</u>            The RM-16 district is established to accommodate a mix of residential development at around 16 units an acre, that is served by public water and sewer. District regulations encourage the development of functioning neighborhoods that include a mix of housing types and a variety of institutional uses. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed.</p> <p><u>RM-5 District</u>            The RM-5 district is established to accommodate a mix of residential development at densities of 5 units an acre, that are served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions and recreational facilities are also allowed. District regulations discourage any use that interferes with the development of residential development or that is detrimental to the residential nature of the district.</p>	<p><u>RM-16 District:</u>    Same</p> <p><u>RM-5 District:</u>    Same</p>

<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	<p><u>Copper Mill Village Development</u> Zoning approval in 2002 (CU 02-14)</p> <ul style="list-style-type: none"> <li>• Annexation</li> <li>• Density and character of development</li> <li>• Right-of-way dedication and access</li> <li>• Landscaping and exterior lighting</li> </ul> <p><u>Castle Pines Subdivision</u> Zoning approval in 2002 (CU 02-16)</p> <ul style="list-style-type: none"> <li>• Right-of-way dedication</li> <li>• Greenway easement</li> <li>• Annexation</li> </ul> <p><u>Eagle Glen Subdivision</u> Zoning approval in 1996 (CU 96-08)</p> <ul style="list-style-type: none"> <li>• Annexation</li> <li>• Density and character of development</li> <li>• Right-of-way dedication and access</li> <li>• Landscaping and exterior lighting</li> </ul> <p><u>Greenside Subdivision</u> Zoning approval in 2001 (CU 01-07)</p> <ul style="list-style-type: none"> <li>• Allowable uses</li> <li>• Right-of-way dedication and access</li> <li>• Architectural design</li> <li>• Landscaping and exterior lighting</li> </ul>	None

	<b>Adjacent Zoning</b>	<b>Adjacent Land Use</b>
<b>North:</b>	General Business (GB) District Residential Single Family – 3 (R-3) District Conditional Use Agriculture (CU AGR) District	External access self-storage facility Single family dwellings Agricultural use
<b>South:</b>	Planned Development Residential (PDR) District Conditional Use Residential Single Family – 3 (CU R-3) District Residential Single Family – 3 (R-3) District	Single family dwellings
<b>East:</b>	Planned Development Residential (PDR) District Residential Single Family – 3 (R-3) District Parks and Recreation (PNR) District ( <i>Town of Jamestown</i> )	Multifamily dwellings Undeveloped parcel Utility substation Public park
<b>West:</b>	Residential Single Family – 3 (R-3) District Conditional Use Residential Multifamily – 26 (CU RM-26) District	Single family dwellings Multifamily dwellings



	Planned Development Residential (PDR) District	
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### Land Use Plan Classification

The area is designated as follows:

- **Medium-Density Residential:** This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwellings units per gross acre.
- **Low Density Residential:** These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.

### Analysis/Recommendation

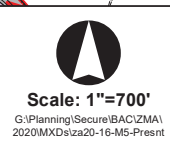
Map #5 pertains four developments located along Hickwood Road and Penny Road. These lands were granted their current zoning in the 1990s and early 2000s, and developed with a combination of multifamily and townhome developments.

Along Hickwood Road is the Copper Mill Village apartment complex. This development was granted a CU RM-16 District zoning in 2004 for a multifamily development. Along Penny Road are the Castle Pines townhome subdivision, which was granted CU RM-16 District zoning in 2002; the Eagle Glen townhome subdivision, which was granted CU RM-5 District zoning in 1996; and the Greenside townhome subdivision, which was granted CU RM-5 District zoning in 2001.

Except for the Greenside townhome development, which is approximately 60% developed, all of these projects have been completed and have addressed their respective zoning conditions. Based upon a telephone discussion with the Greenside Homeowners Association (HOA) president, they have no objection with the removal of zoning conditions as their HOA rules will ensure the remaining lots develop in a manner they desire. The primary purpose of this rezoning is to remove the conditional use (CU) designation as conditions from the various zoning approvals have been met.

Staff recommends rezoning the following:

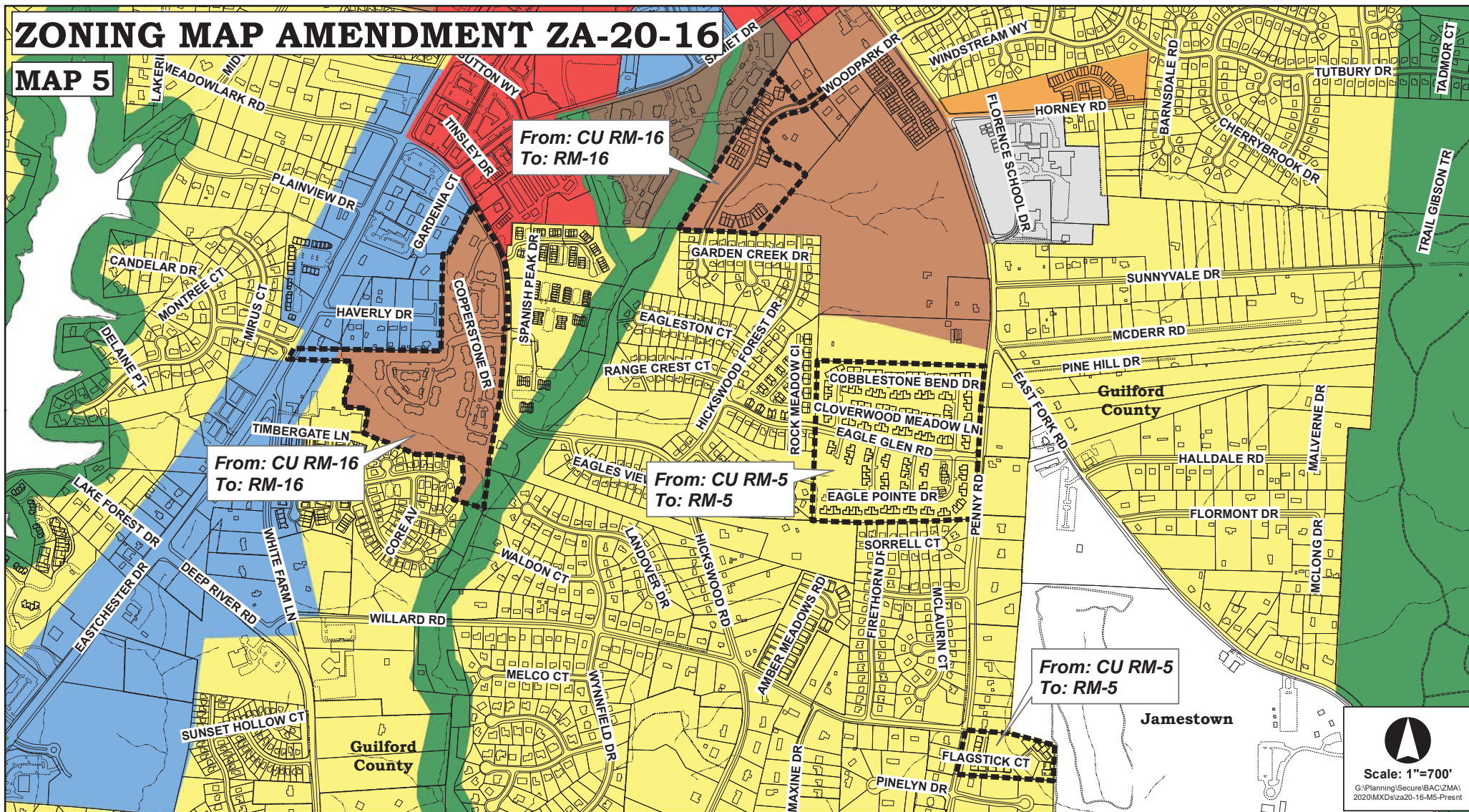
1. Rezone the Copper Mill apartment complex from a CU RM-16 District to the RM-16 District.
2. Rezone the Castle Pines townhome subdivision from a CU RM-16 District to the RM-16 District.
3. Rezone the Eagle Glen townhome subdivision from a CU RM-5 District to the RM-5 District.
4. Rezone the Greenside townhome subdivision from a CU RM-5 District to the RM-5 District.

**MAP 5**



# ZONING MAP AMENDMENT ZA-20-16

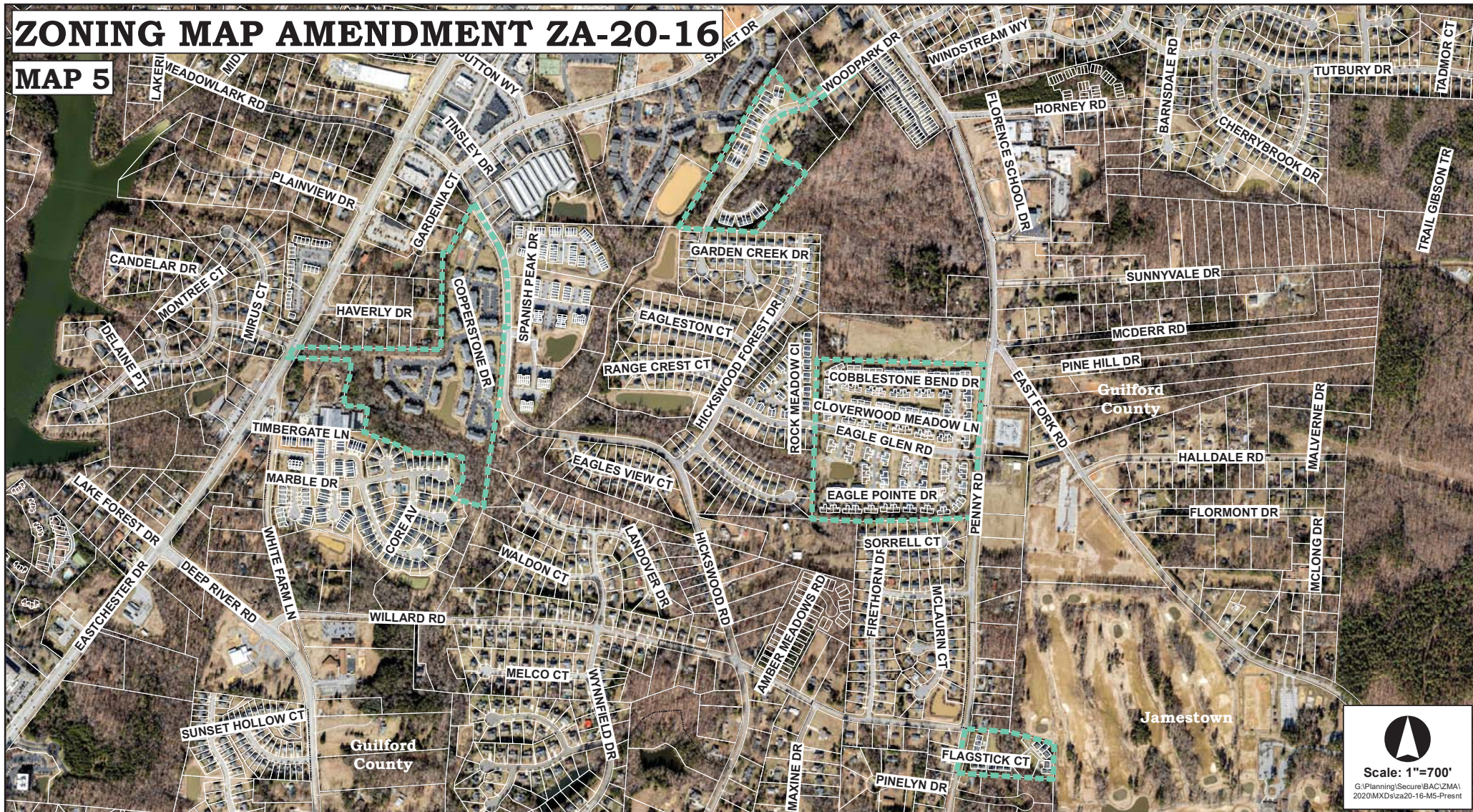
MAP 5





# ZONING MAP AMENDMENT ZA-20-16

MAP 5



Scale: 1"=700'  
G:\Planning\Secure\BAC\ZMA\2020\MXD\za20-16-M5-Present



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 25, 2020 and before the City Council of the City of High Point on September 21, 2020 regarding **Zoning Map Amendment Case ZA-20-16 (ZA-20-16)** 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 16, 2020, for the Planning and Zoning Commission public hearing and on September 11, 2020 and September 16, 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 **September 23, 2020**.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:**

#### **SECTION 1**

##### **Hartley Square Condominium**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 1 as: **Residential Multifamily – 16 (RM-16)**. The land area of the Hartley Square Condominium totals approximately 7.4 acres and is located at the northeast corner of W. Hartley Drive and Ingleside Drive. A description of this development is recorded in PB 110 PG 105 – Lot D and a general description of the development is depicted in Condominium Book 6 PG 72, both of which are recorded in the Guilford County Register of Deeds Office. The development is also known as Guilford County Tax Parcels 197215, 197234, 210457, 210458, 210459, 210460, 210461, 210462, 210463, 210464, 210465, 210466, 210467, 210468, 210469, 210470, 210471, 210472, 210473, 210474, 210475, 210476, 210477, 210478, 210479, 210480, 210481, 210482, 210483, 210484, 210485, 210486, 210487, 210488, 210489, 210490, 210491, 210492, 210493, 210494, 210495, 210496, 210497, 210498, 210499, 210500, 210501, 210502, 210503, 210504, 210505, 210506, 210507, 210508, 210509, 210510, 210511, 210512, 210513, 210514, 210515, 210516, 210517.

#### **SECTION 2**

##### **2701 Ingleside Drive**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 1 as: **Residential Single Family - 5 (R-5) District**. This parcel as shown on Map 1 totals approximately 0.39 acres and located along the west side of Ingleside Drive, approximately 350 feet north of W. Hartley Drive. The parcel is also known as Guilford County Tax Parcels 197234.

### SECTION 3

#### **A 0.135 acre (5,864 sq. ft.) portion of the Hartley Ridge Development**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 1 as: **Residential Multifamily 26 (RM-26) District**. The portion of the parcel shown on Map 1, totaling approximately 5,864 square feet, is located along the west side of Ingleside Drive, approximately 200 feet north of W. Hartley Drive. This land area is depicted on Exclusion Plat for Hartley Ridge Apartments – Hartley Ridge LLC PB 198 PG 88-88 (5864 SF 0.135 AC. From Dale Britt DB 8019 PG 2415 Combine with this Tract) as recorded in the Guilford County Register of Deeds Office. This area is also known as a portion of Guilford County Tax Parcel 197215 and more specifically described as follows:

Beginning at an existing concrete monument, said monument being a control corner and being located in the northwest corner of that property now or formerly owned by R. Dale Britt (see Deed Book 5069, Page 1611) and depicted as "Lot-E" in Plat Book 110, Page 105; thence from said monument along the western boundary line of said Lot-E South 02 deg. 30' 27" West 121.96 feet to an existing iron rod; continuing thence with the western boundary line of said Lot-E South 02 deg. 33' 09" West 20.83 feet to an existing iron rod, said rod being the point of BEGINNING; thence from said beginning point along a new line South 62 deg. 35' 07" East 73.81 feet to a calculated point in the eastern boundary line of said Lot-E and the western line of the public right-of-way of Ingleside Drive; thence with the eastern boundary line of said Lot-E and the western line of Ingleside Drive South 27 deg. 24' 53" West 158.88 feet to a computed point, said computed point being the southernmost point of said Lot-E; thence along an old line (said old line being the western boundary line of said Lot-E) North 02 deg. 29' 48" East 175.19 feet to an existing iron rod, said rod being the POINT AND PLACE OF BEGINNING, and containing 0.135 acres more or less, according to that map entitled "Exclusion Plat for Hartley Ridge Apartments" dated August 27, 2018, prepared by Homer S. Wade, Registered Land Surveyor.

### SECTION 4

#### **Fox Hollow Apartments**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 2 as: **Residential Multifamily 16 (RM-16) District**. The parcel shown on Map 2 totals approximately 13.94 acres and located along the south side of Hartley Drive, approximately 850 feet west of N. Main Street. The parcel is depicted on Final Subdivision property of Fox Hollow Ltd PB 77 PG 133 as recorded in the Guilford County Register of Deeds Office and is also known as Guilford County Tax Parcel 197226.

### SECTION 5

#### **Brookdale Assisted Living Facility (201 W. Hartley Drive)**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 2 as: **Residential Multifamily 16 (RM-16) District**. The parcel shown on Map 2 totals approximately 3.5 acres and located along the south side of Hartley Drive, approximately 1,500 feet west of N. Main Street. The parcel is depicted on Exclusion Map for High Point Manor LP, as Lot B, PB 16 PG 46 as recorded in the Guilford County Register of Deeds Office) and also known as Guilford County Tax Parcel 197231.

## SECTION 6

### **Franklin Ridge Apartments**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 2 as: **Residential Multifamily 16 (RM-16) District**. The parcel shown on Map 2 totals approximately 5.3 acres and located along the south side of Hartley Drive, approximately 1,800 feet west of N. Main Street. The parcel is depicted on Exclusion Map for High Point Manor LP, as Lot A, PB 16 PG 46 as recorded in the Guilford County Register of Deeds Office) and also known as Guilford County Tax Parcel 197216.

## SECTION 7

### **4111 Greenvalley Drive**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 2 as: **Residential Single Family – 3 (R-3) District**. The parcel shown on Map 2 totals approximately 2.3 acres and located west of the intersection of Greenvalley Drive and Westridge Drive. The parcel is depicted on Final Map Property of Sorrell, Baker & Dotts, Inc., as Lot Y, PB 91 PG 88 as recorded in the Guilford County Register of Deeds Office and also known as Guilford County Tax Parcel 197229.

## SECTION 8

### **Westchester Key Apartment Complex**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 3 as: **Residential Multifamily 26 (RM-26) District**. The parcel shown on Map 2 totals approximately 14.76 acres and located west of Westchester Drive and north of W. Lexington Avenue . The parcel is also known as Guilford County Tax Parcel 197333.

## SECTION 9

### **Copper Mill Village Apartments**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 5 as: **Residential Multifamily 16 (RM-16) District**. The parcel shown on Map 5 totals approximately 29.41 acres and located along the west side of Hickwood Road, approximately 850 feet southeast of intersection of Hickwood Road and Eastchester Drive. The parcel is depicted as “New Lot A” in PB 167 PG 82 as recorded in the Guilford County Register of Deeds Office and is also known as Guilford County Tax Parcel 195507.

## SECTION 10

### **Castle Pines at Hickwood Forest subdivision**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 5 as: **Residential Multifamily 16 (RM-16) District**. The subdivision shown on Map 5 totals approximately 11.2 acres and located approximately 850 feet west of the intersection of Penny Road and Woodpark Drive. The development is depicted on Final Plat Castle Pines at Hickwood Forest, as recorded in PB 155 PG 104 of the Guilford County Register of Deeds Office and is also known as Guilford County Tax Parcels 1196622 and 196631 through 196658.

## SECTION 11

### **Eagle Glen subdivision**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 5 as: **Residential Multifamily 5 (RM-5) District**. The subdivision shown on Map 5 totals approximately 32.1 acres and located west of the intersection of Penny Road and Eagle Glen Drive. The parcels that are part of the **Eagle Glen** Townhome Subdivision and also known as Guilford County Parcels 211274, 211198, 211256, 211307, 211200, 211207, 211306, 211249, 211199, 211250, 211252, 211203, 211202, 211303, 211255, 211235, 211308, 211234, 211245, 211299, 211208, 211247, 211242, 211196, 211197, 211233, 211257, 211210, 211243, 211259, 211302, 211241, 211244, 211300, 211206, 211298, 211246, 211248, 211180, 211219, 211218, 211217, 211266, 211177, 211212, 211211, 211190, 211193, 211226, 211278, 211231, 211229, 211187, 211184, 211227, 211204, 211314, 211277, 211220, 211185, 211288, 211287, 211286, 211228, 211281, 211279, 211194, 211195, 211273, 211267, 211176, 211205, 211311, 211181, 211269, 211213, 211178, 211215, 211214, 211285, 211284, 211283, 211290, 211223, 211289, 211291, 211293, 211292, 211294, 211270, 211224, 211271, 211182, 211189, 211230, 211275, 211188, 211265, 211222, 211221, 211191, 211280, 211313, 211312, 211276, 211296, 211295, 211225, 211239, 211310, 211237, 211179, 211216, 211263, 211264, 211262, 211260, 211309, 211251, 211301, 211209, 211253, 211268, 211192, 211238, 211282, 211272, 211254, 211297, 211186, 211236, 211183, 211261, 211240, 211201, 211304, 211305, 211232, 211258, 211315.

## SECTION 12

### **Greenside Townhome subdivision**

That the Official Zoning Map of the City of High Point be amended to establish the following described area shown on Map 5 as: **Residential Multifamily 5 (RM-5) District**. The subdivision shown on Map 5 totals approximately 4.68 acres and located east of the intersection of Penny Road and Flagstick Court. The boundary of this development is depicted on Exclusion Plat for Greenside Development LLC, as recorded in PB 146 PG 78 of the Guilford County Register of Deeds Office and also known as Guilford County Tax Parcels 212579 through 212597.

## SECTION 13

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 14

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



SECTION 15.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council  
City of High Point, North Carolina  
The 23<sup>rd</sup> day of September, 2020

By: \_\_\_\_\_

Jay W. Wagner, Mayor

ATTEST:

\_\_\_\_\_  
Lisa B. Vierling, City Clerk