

CITY OF HIGH POINT

AGENDA ITEM



Title: **Zoning Map Amendment 20-15**
(*Lindsay Commercial Properties*)

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

PURPOSE:

A request by Lindsay Commercial Properties to rezone approximately 1.1 acres from the Conditional Use General Business (CU-GB) District to a Light Industrial (LI) District. The site is located along the east side of King Street, approximately 175 feet south of West Market Center Drive (1709 King Street).

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. 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 applicant, Mr. Mark Lindsay, representing Lindsay Commercial Properties, 1912 Eastchester Drive – Suite 200, High Point, was in attendance remotely. Mr. Lindsay spoke in favor of the request.

There were no public comments received in regard to the request.

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 20-15 is consistent with the City's adopted policy guidance because the zoning site is within a transitional area of the Core City, west of commercial development along S. Main Street and east of the railroad and more significant industrial development, which is supported by Objective 9 in the adopted Land Use Plan. Furthermore, the requested LI District is the same district applied to the abutting property to the south on King Street.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-20-15
August 25, 2020**

Request	
Applicant: Lindsay Commercial Properties	Owner: 1 Contract Source LLC
Zoning Proposal: To rezone approximately 1.1 acres	From: CU-GB Conditional Use General Business District
	To: LI Light Industrial District

Site Information	
Location:	The site is located along the east side of King Street, approximately 175 feet south of West Market Center Drive (1709 King Street).
Tax Parcel Number:	Guilford County Tax Parcels 173928, 173922 and 173923
Site Acreage:	Approximately 1.1 acres
Current Land Use:	The site is developed with an approximate 15,000 square-foot structure.
Physical Characteristics:	The site has no noteworthy features.
Water and Sewer Proximity:	A 6-inch City water line and an 8-inch City sewer line lies adjacent to the site along both King Street and Branch Street.
General Drainage and Watershed:	The site is relatively flat and generally drains in an easterly direction. Development is subject to the Randleman Lake General Watershed Area requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 12% or more of the site.
Overlay District:	Randleman Lake General Watershed Area - Credit Area

Adjacent Property Zoning and Current Land Use			
North:	GB	General Business District	Retail/wholesale commercial use
South:	LI	Light Industrial District	Undeveloped parcel
East:	MS-D	Main Street District – Sub Area D	Major retail use (multi-tenant commercial use fronting S. Main St.)
West:	CU-GB	Conditional Use General Business District	Vacant commercial and warehouse buildings

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is neither consistent nor 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 is intended to accommodate moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.

Land Use Plan Goals, Objectives & Policies:	Obj. 9: Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.
Relevant Area Plan:	<u>Core City Plan:</u> The site is located within the South Main Mixed-Use Corridor identified by the Core City Plan adopted in 2007, although unlike most of the properties in this corridor district it does not front on South Main Street. The recommendations for the district primarily focus on building a marketing concept based on the Latino-oriented businesses across from the GTCC campus in the hopes of establishing a defined identity and improving the appearance of this gateway into downtown High Point. In the meantime, the plan states that efforts should be placed on physical enhancements and economic stabilization, and it encourages alternative uses throughout the corridor. The site is also near the plan's identified Industrial District located to the west.
Zoning History:	The zoning pattern in this area has historically consisted of a mixture of the LI District and GB District. In 2001, the zoning site, and adjacent property along the opposite side of King Street, were rezoned from LI District a CU-GB District to support market showroom uses.

Transportation Information			
Adjacent Streets:	Name		Classification
	King Street		Local Street
	Branch Street		Local Street
Vehicular Access:	Via existing driveway access point from King Street.		
Traffic Counts: (Average Daily Trips)	W. Market Center Dr.		2,400 AADT (NCDOT 2017 Traffic Count)
	College Dr.		2,700 AADT (NCDOT 2017 Traffic Count)
	Branch St.		None
	King St.		None
Estimated Trip Generation:	Not applicable		
Traffic Impact Analysis (TIA):	Required		TIA Comments
	<u>Yes</u>	<u>No</u> X	A TIA is not required.

School District Comment
Not applicable to this zoning case.

Details of Proposal
The applicant is requesting to rezone this parcel to an LI District to permit an assembly and warehousing use within the existing 15,000 square foot structure occupying the site. The site is situated in a transitional area between the S. Main Street commercial corridor, and the W. Market Center/College Drive industrial corridor. Historically, parcels lying along King Street have been used for a variety of service commercial, wholesale trade and industrial uses based on the manner in which the real estate market demands have shifted.

Staff Analysis

The zoning site is located within the southern portion of the Core City Area. It is situated in a transitional area bounded by commercial uses to the east, lying along the S. Main Street corridor, and industrial uses to the west, along the W. Market Center Drive/College Drive corridor. The zoning site was zoned Light Industrial until 2001 when it was rezoned to enable a market showroom use of the property.

With the adoption of the current Development Ordinance in 2017, additional flexibility was provided for lands within the Core City Area, which includes allowing some retail commercial uses within the LI District. The requested LI District addresses the property owner's current need to allow industrial uses and may support some future market demands for commercial uses.

Although the site is classified by the adopted Land Use Plan as Community/Regional Commercial, the requested LI District is the same district applied to the abutting property to the south on King Street. The site's location, within a transitional area west of the existing commercial properties along S. Main Street and east of the railroad and more significant industrial development, is supported by Objective 9 of the Land Use Plan.

Section 2.4.20.C. of the Development Ordinance states that the advisability of a zoning map amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed zoning map amendment, the City Council shall weigh the relevance of and consider the following:

Consistency with Adopted Policy Guidance

Whether and the extent to which the proposed zoning map amendment is appropriate for its proposed location, and is consistent with the City's adopted policy guidance.

The zoning site is within a transitional area of the Core City, west of commercial development along S. Main Street and east of the railroad and more significant industrial development, which is supported by Objective 9 in the adopted Land Use Plan.

Reasonableness/Public Interest:

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

The requested LI District is the same district applied to the abutting property to the south on King Street.

Recommendation

Staff Recommends Approval:

The Planning and Development Department recommends approval of the request to rezone this 1.1 acre site to the LI District.

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

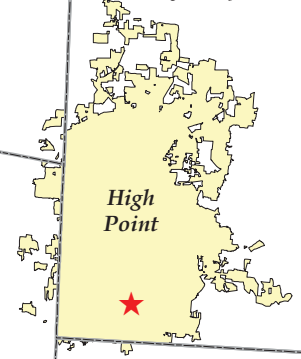
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator and Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-20-15

Applicant: Lindsay Commercial Properties

Vicinity Map



High Point

City of High Point

Davidson County

Guilford County

Archdale

Thomasville

Site

ENGLISH RD

N MAIN ST

N CENTENNIAL ST

PAUL

S MAIN ST

BUSINESS I-85

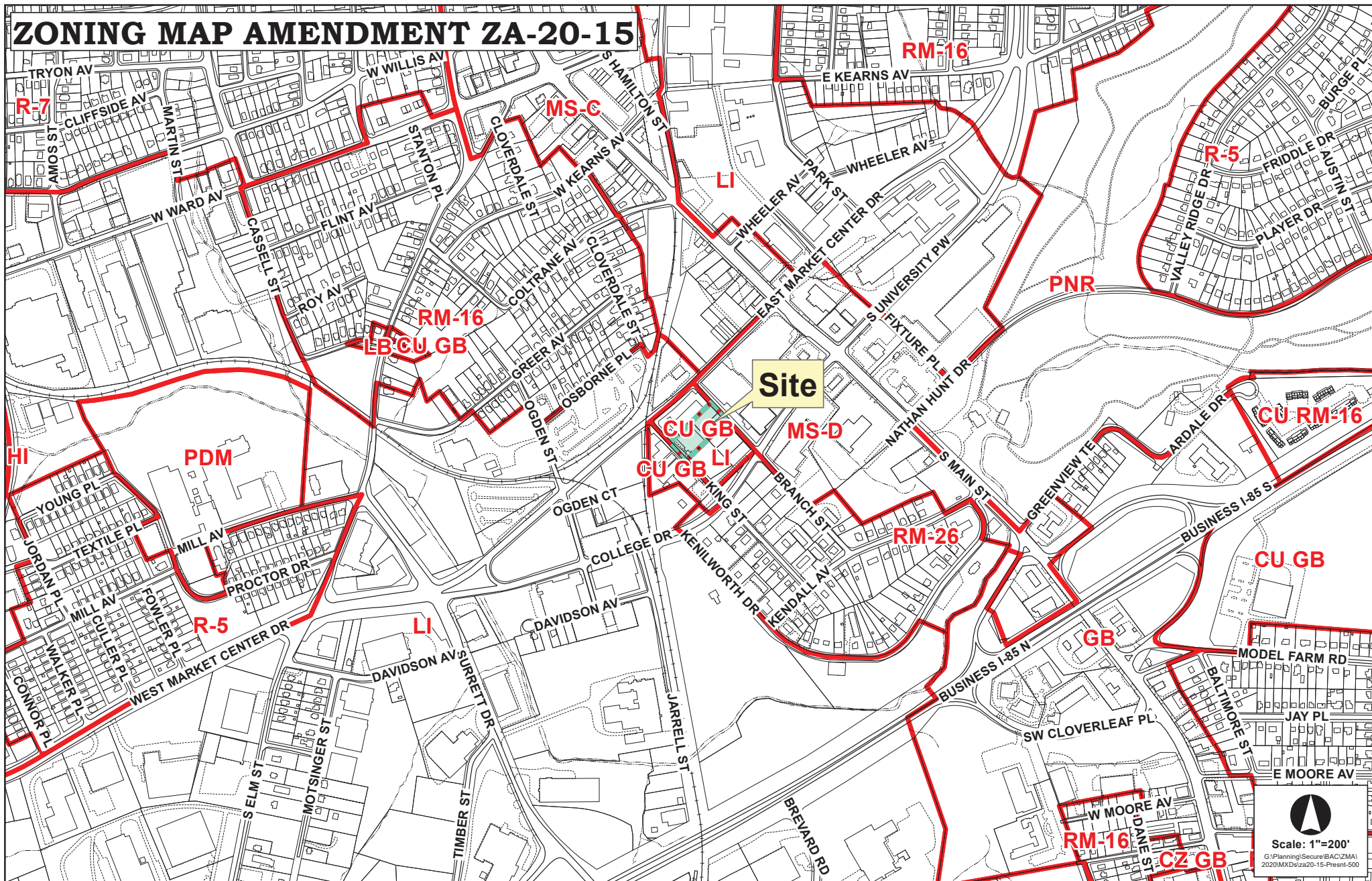
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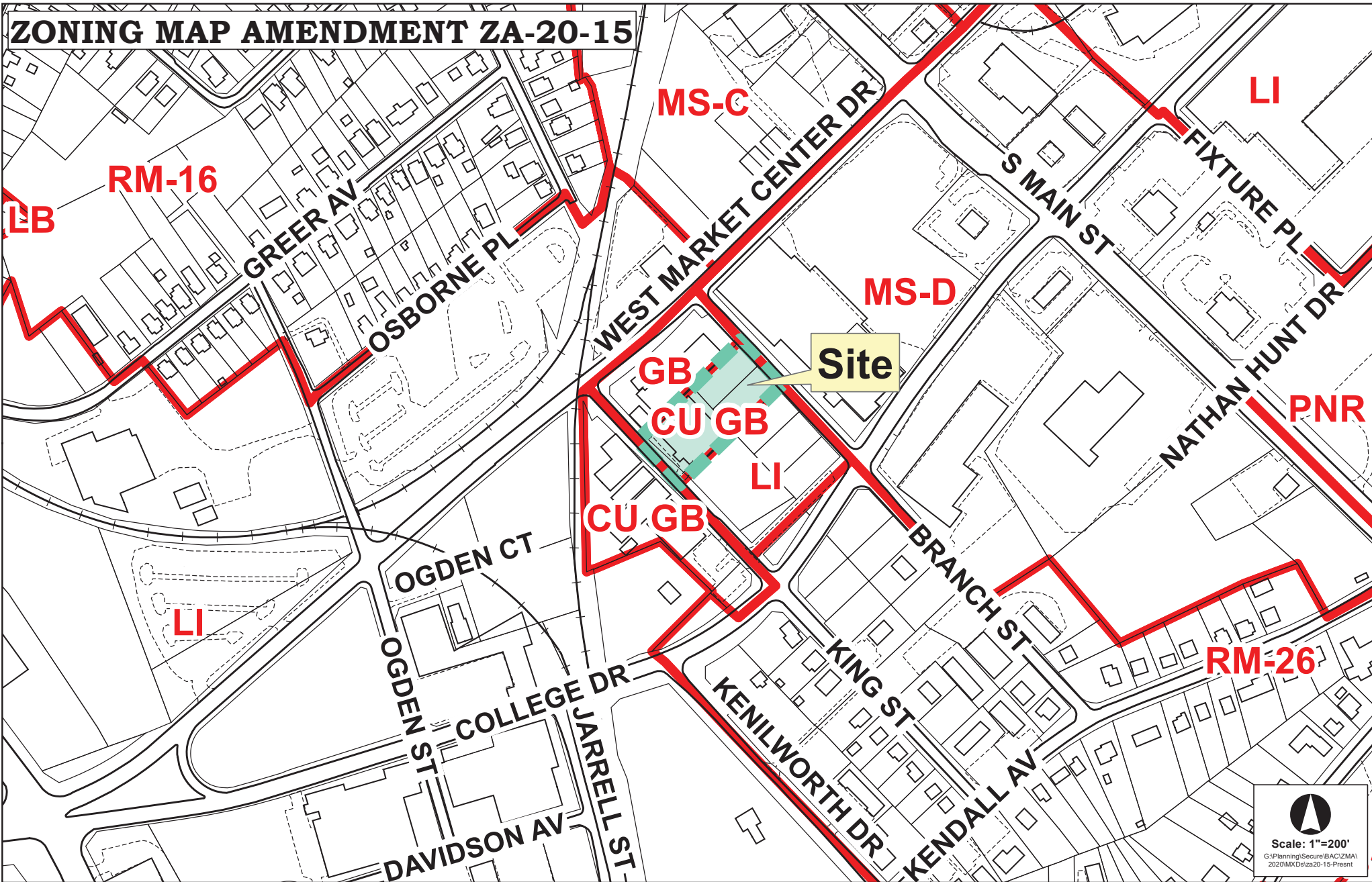
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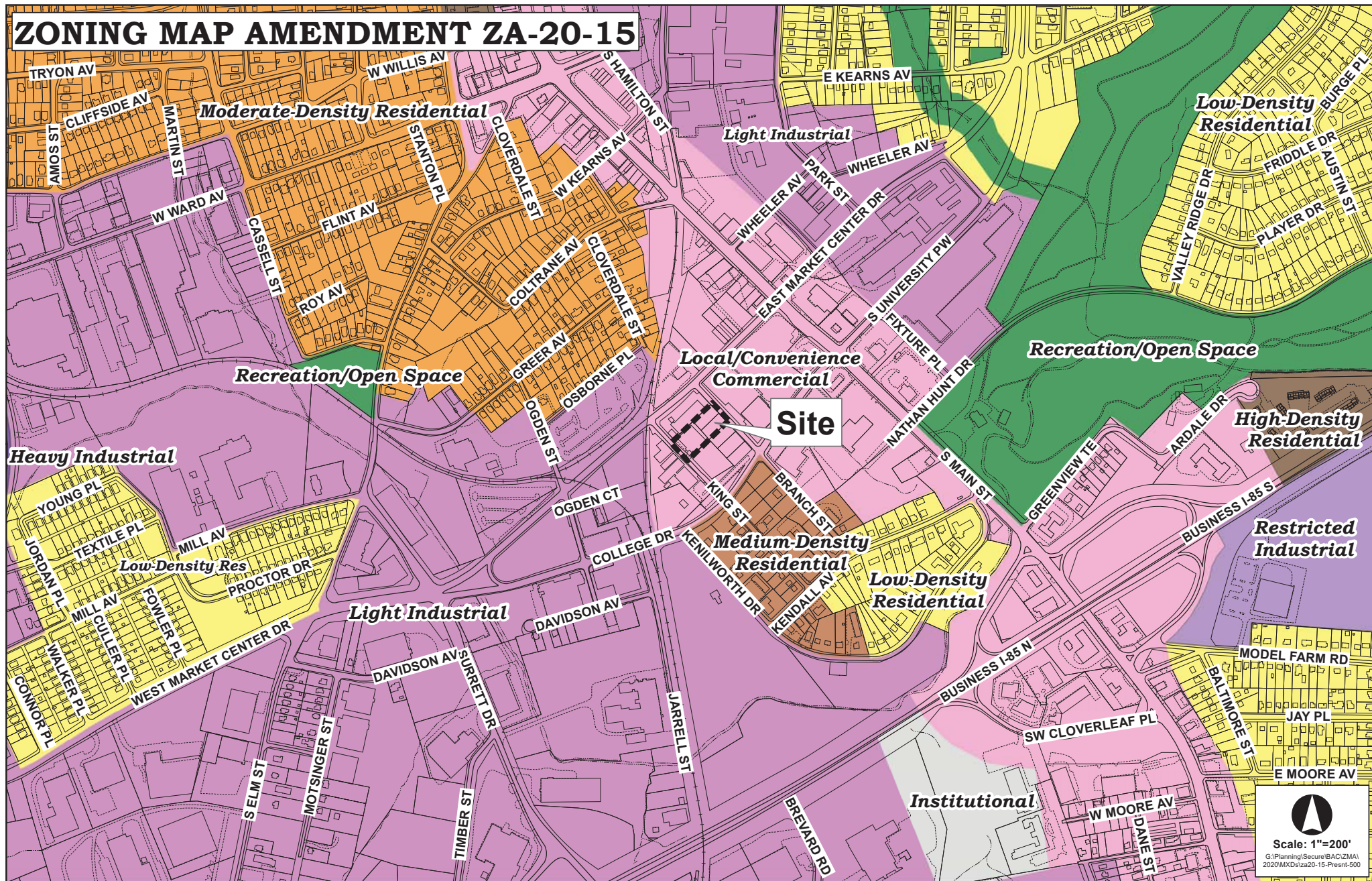
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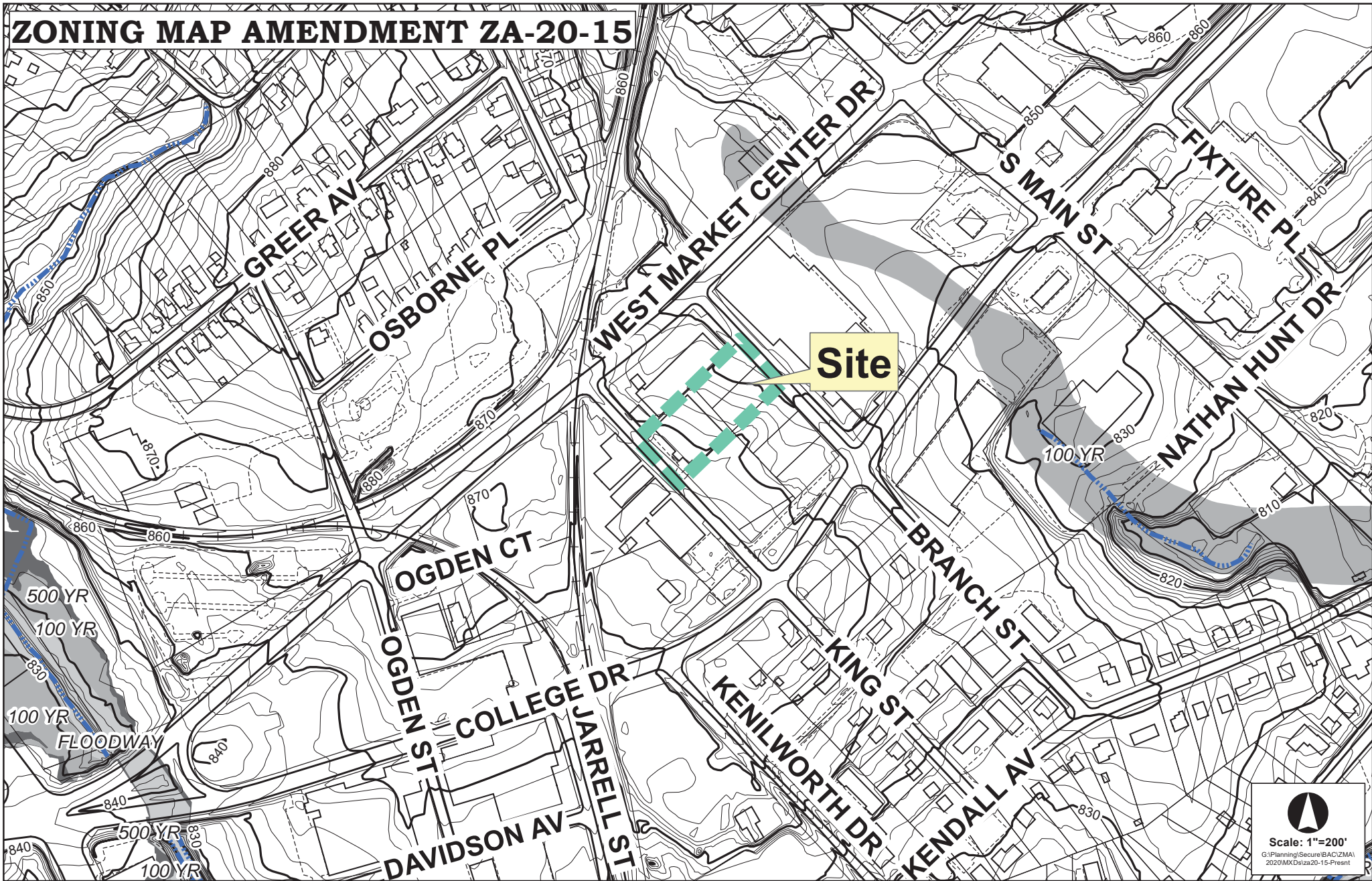
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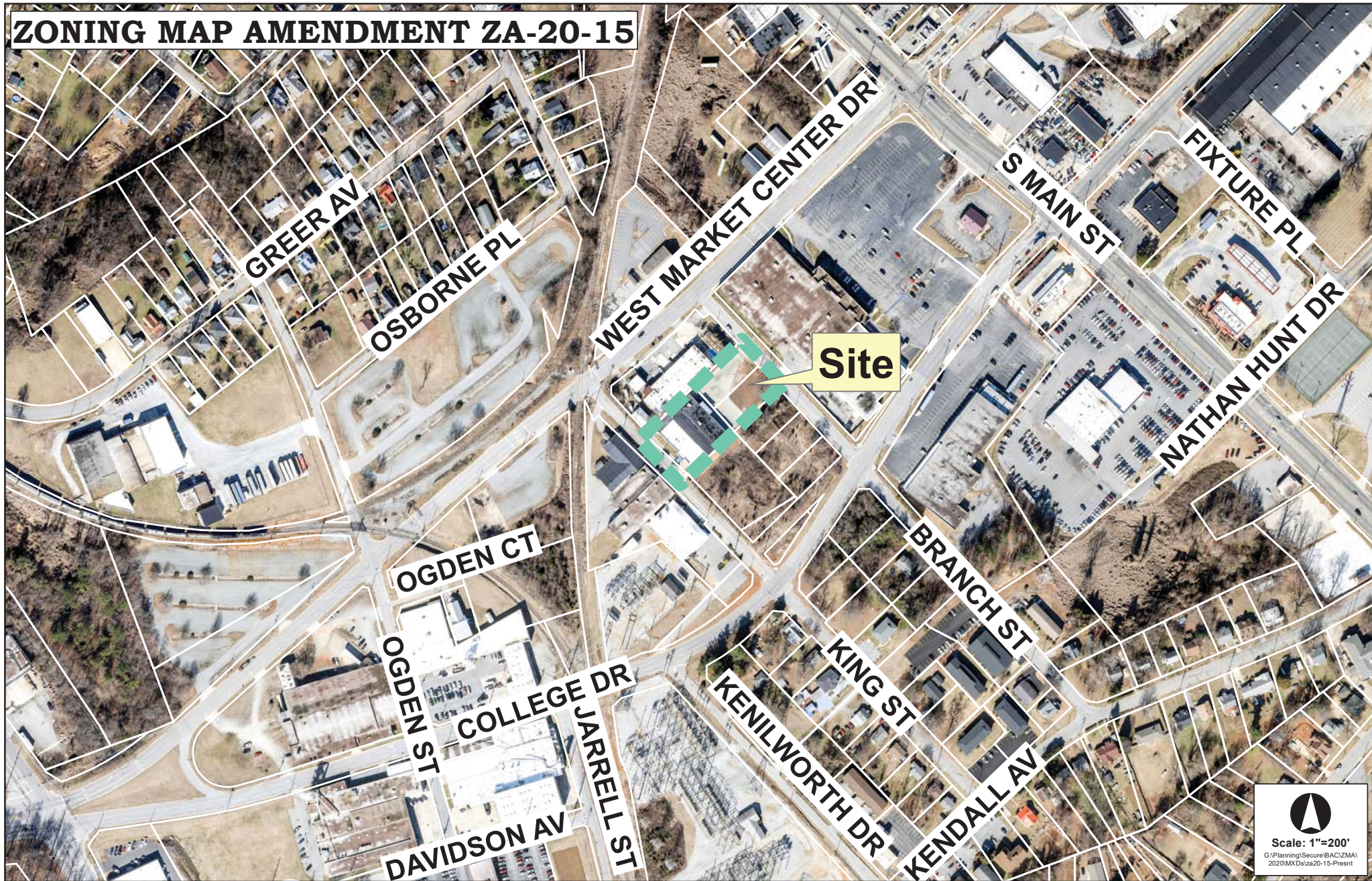
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ZONING MAP AMENDMENT ZA-20-15



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.20, 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-20-15 (ZA-20-15)** 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 9, 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

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Light Industrial (LI) District**. The property is approximately 1.1 acres, and located along the east side of King Street, approximately 175 feet south of West Market Center Drive. The site is addressed as 1709 King Street and 1704 & 1708 Branch Street, and also known as Guilford County Tax Parcels 173928, 173922 and 173923.

SECTION 2

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3

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

SECTION 4

This ordinance shall become effective upon the date of adoption.

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

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report Zoning Map Amendment 20-15

Submitted by: Mark Lindsay, on behalf of 1 Contract Source, LLC

Neighboring property owners contacted:

1706 King St

Hanzala Trading Company Inc
203 Brittain St
Asheboro, NC 27203

1712 & 1716 Branch St

Champ Ray Cooper & Patricia Ann Cooper
4813 Beason Farm Rd
Sophia, NC 27350

1628 S Main St

Savi Properties LLC
1904 Swannonoa Dr
Greensboro, NC 27410

201 W Market Center Dr

Ms. Verna Harris & Mr. William Byerly
201 W Market Center Dr
High Point, NC 27260



Commercial Properties • Residential Properties • Property Management

July 27, 2020

Mr. and Mrs. Cooper
4813 Beason Farm Rd
Sophia, NC 27350

RE: 1709 King St, 1704/1706 Branch St, 1708 Branch St

Dear Mr. & Mrs. Cooper

My name is Mark Lindsay with Lindsay Commercial Properties here in High Point, NC and I am currently working with Mr. Wooten, owner of the adjacent property at 1709 King St (he also owns 1704-1708 Branch St).

The property was originally zoned LI (light industrial) and then rezoned to CU-GB (General Business) to allow furniture showroom, which unfortunately is no longer permitted in that area of High Point.

Mr. Wooten has filed an application with the City of High Point to rezone his property back to LI (Light Industrial) to facilitate the ability to attract business and fully utilize the potential for which it was originally constructed.

We have worked with the High Point Planning Department and staff to ensure that this rezone is consistent with the City's vision and would be a benefit to the neighboring properties.

Please feel free contact our offices with any questions, comments or concerns. The High Point Planning and Zoning Commission will meet to consider our request on August 17th, 2020 via zoom conference call and can be reached at 336-883-3328.

Sincerely,

Mark Lindsay,
Lindsay Commercial Properties
336-692-5612



Commercial Properties • Residential Properties • Property Management

July 27, 2020

Hanzala Trading Company Inc
203 Brittain St
Asheboro, NC 27203

RE: 1709 King St, 1704/1706 Branch St, 1708 Branch St

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High Point, NC 27260

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