



**Memorandum**

**FROM:** Herbert Shannon Jr., Senior Planner

**TO:** High Point City Council

**SUBJECT:** Request for continuance of Shamrock Petey, LLC Planning Agenda Cases

A development proposal has been submitted for approximately 37 acres located at the southeast corner of W. Wendover Avenue and Penny Road. The representative for Shamrock Petey, LLC has requested postponement of his applications to the November 15, 2021 City Council public hearing.

Staff recommends the City Council continue the following applications to your November 15, 2021 public hearing:

- Plan Amendment 21-06
- Annexation Case 21-06
- Zoning Map Amendment 21-20

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Plan Amendment 21-06  
(Shamrock Petey, LLC)

**From:** Heidi H. Galanti, Planning Services  
Administrator

**Meeting Date:** November 1, 2021

**Public Hearing:** Yes

**Advertising Date:** October 20, 2021, and  
October 27, 2021

**Attachments:** A. Staff Report  
B. Land Use Plan Resolution

**Advertised By:** Planning & Development

### **PURPOSE:**

A request by Shamrock Petey, LLC. to change the Land Use Map designation for approximately 41 acres from the Office and Medium-Density Residential classifications to the Community/Regional Commercial classification. The site is located at the southeast corner of West Wendover Avenue and Penny Road.

### **BACKGROUND:**

The Planning and Zoning Commission reviewed this request at their September 28, 2021 public hearing. All members of the Commission were present except for Ms. Angela McGill, Mr. Ray Wheatley and Mr. Thad Juszcak. Ms. Heidi Galanti, Planning Services Administrator, presented the case and recommended approval of the request as outlined in the staff report.

### Speaking on the request:

The applicant's attorney, Mr. Tom Terrel, Fox Rothschild LLP, 529 W Parkway Ave., High Point, and applicant Mr. Dennis Bunker, 1140 Dilworth Crest Road, Charlotte, spoke in favor of the request.

All other speaker comments pertained to the zoning 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**

The Planning and Zoning Commission recommended **approval** of this request, as recommended by staff, by a vote of 6-0.

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

**STAFF REPORT  
PLAN AMENDMENT 21-06  
September 28, 2021**

<b>Requests</b>		
<b>Applicant:</b> Shamrock Petey, LLC	<b>Owner:</b> Maria T. Montoya-Couch, SV LIM Holdings, LLC, Steven Lim, Barbara M. Jordan, Darrin R. Jordan, North State Telephone LLC and KTK Partners	
<b>Plan Amendment Proposal:</b> To change the land use classification for approximately 41 acres to the Community/Regional Commercial land use classification.	<b>From:</b>	Office and Medium-Density Residential
	<b>To:</b>	Community/Regional Commercial

<b>Site Information</b>	
<b>Location:</b>	The site is located at the southeast corner of W. Wendover Avenue and Penny Road.
<b>Acreage:</b>	Approximately 41 acres
<b>Current Land Use:</b>	Single family dwellings, rural residential dwelling, utility building and undeveloped parcel.

<b>Adjacent Property Current Land Use</b>	
<b>North:</b>	Commercial development ( <i>Shoppes at Deep River shopping center and Palladium Shopping Center</i> )
<b>South:</b>	Single-family dwellings
<b>East:</b>	Common Area, primary stormwater control device and dedicated open space for the Nottingham subdivision
<b>West:</b>	Commercial

<b>Adjacent Land Use Plan Designations</b>	
<b>North:</b>	Community/Regional Commercial and Mixed-Use Development
<b>South:</b>	Medium Density Residential and Low-Density Residential
<b>East:</b>	Low-Density Residential
<b>West:</b>	Community/Regional Commercial

Purpose of Existing and Proposed Land Use Plan Designations	
<b>Existing Designation:</b>	<p><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.</p> <p><b>Office:</b> This classification includes professional, personal and business service uses.</p>

<b>Proposed Designation:</b>	<b>Community/Regional Commercial:</b> This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
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Relevant Land Use Policies and Plan Amendment History	
<b>Community Growth Vision Statement</b>	<p>The following goals and objectives of the Community Growth Vision Statement are relevant to this request:</p> <p><u>Obj. 5B:</u> Focus particular attention on the appearance of key gateways into High Point to convey to visitors a positive first and last impression of the community.</p> <p><u>Obj. 5H:</u> Limit extremely large-scaled stores - “big box retail” - to key street intersections to best accommodate their potentially high traffic volumes</p>
<b>Land Use Plan Goals, Objectives &amp; Policies:</b>	<p>The following goals and objectives of the Land Use Plan are relevant to this request:</p> <p>Goal #1: Ensure that development respects the natural environment.</p> <p>Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.</p> <p>Obj.#1. Encourage the preservation of existing trees along the City’s gateway corridors and within street rights-of-way and areas of forest cover.</p> <p>Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.</p> <p>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.</p>
<b>Relevant Area Plan(s):</b> <i>West Wendover Avenue/Guilford</i>	<p>Due to this being an important gateway into the city, the plan recommends maintaining the corridor’s visual quality through buffering and landscaping requirements, sign control, and development standards or design guidelines that address topics such as roof pitch, exterior building materials, color, awnings, and building height and</p>

<b><i>College Road Corridor Plan</i></b>	orientation. It also recommends protection of the historic Deep River Friends Meeting property.
<b>LUPA History:</b>	<p>This area was designated as Office and Medium Density Residential in 1992. There have been two plan amendments adjacent to this area, they are as follows:</p> <p><u>PA 01-04</u> On November 15, 2001, approximately 5 acres on the southwest corner of West Wendover Avenue and Penny Road were amended from Office to Community/Regional Commercial; and</p> <p><u>PA 03-03</u> On December 18, 2003, approximately 70 acres on the northeast corner of Samet Drive and West Wendover Avenue were amended from Office and Restricted Industrial to Community/Regional Commercial.</p>

### Details of Proposal

#### Summary of Land Use Plan Amendment Request:

The applicant is proposing a large retail commercial development on the southeast corner of the West Wendover Avenue and Penny Road intersection and is therefore requesting a Land Use Plan amendment from Office and Medium-Density Residential to Community/Regional Commercial. The Office classification supports professional, personal and business service uses and the Medium-Density Residential supports a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing at a density between eight and sixteen dwelling units per gross acre. The proposed Community/Regional Commercial classification supports a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

This proposed development site is approximately 41 acres and it is located at the intersection of two major thoroughfares. This site is adjacent to two shopping centers on opposing corners and the Deep River Friends Church.

### Staff Analysis

The proposed Land Use Plan amendment area has been designated as Office and Medium-Density Residential since 1992 and the Land Use Plan has been amended to Community/Regional Commercial for the Palladium Shopping Center across West Wendover Avenue and the Wendover Crossing shopping center across Penny Road. Land use policies support large retail at key street intersections and protecting gateway corridors. The conditions placed on the property and the required Development Ordinance standards for large retail uses, will ensure that this proposed site is developed in a manner that is in keeping with land use policy and compatible with the area.

### **Recommendation**

**Staff Recommends Approval:**

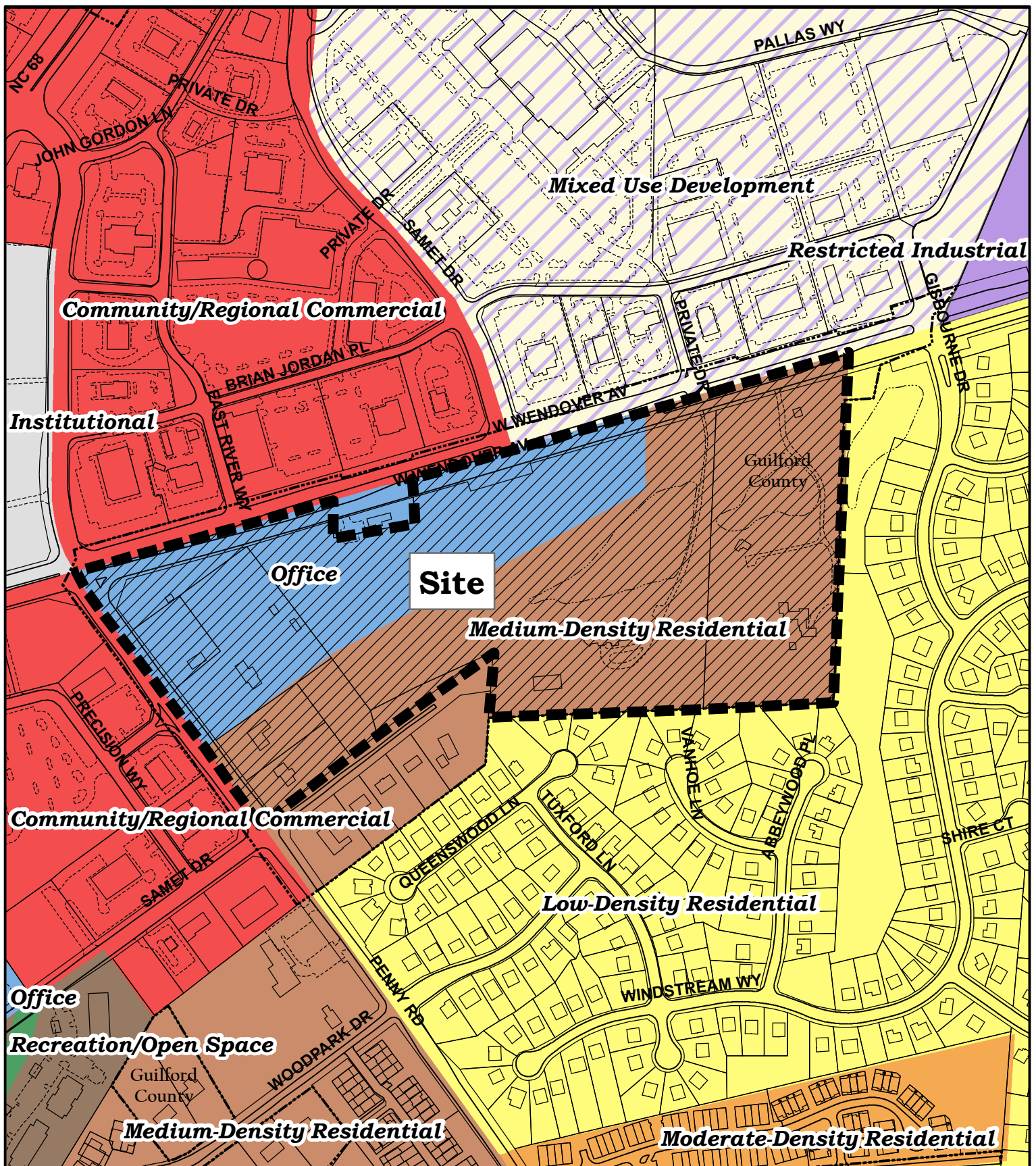
Staff recommends approval of the request to change the future land use designation for approximately 41 acres to the Community/Regional Commercial land use classification. The request meets the goals and objectives of the Community Growth Vision Statement and the Land Use Plan and will be in harmony with the land use pattern of the surrounding area.

### **Report Preparation**

This report was prepared by Planning and Development Department staff member Heidi Galanti AICP, Planning Services Administrator, and reviewed by Chris Andrews AICP, Interim Director.

*List of Attachments:*

*Land Use Map*



## PLAN AMENDMENT: PA-21-06

From: Office and Medium-Density Residential  
To: Community/Regional Commercial

Subject Property Boundary    - - - - -

Planning & Development  
Department

City of High Point



Scale: 1"=400'  
G:/Planning/Secure/BAC/  
PA/2021/MXD/pa21-06

**A RESOLUTION AMENDING THE LAND USE PLAN FOR THE HIGH POINT PLANNING AREA**

**WHEREAS**, the City Council of the City of High Point adopted the *Land Use Plan for the High Point Planning Area* on April 6, 2000, and

**WHEREAS**, changing circumstances may warrant that from time to time a particular land use designation be changed from one classification to another; and

**WHEREAS**, public hearings were held before the High Point Planning and Zoning Commission on September 28, 2021 and before the City Council of the City of High Point on November 1, 2021, regarding this proposed amendment (PA 21-06) to said *Land Use Plan for the High Point Planning Area*.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:**

**SECTION 1.** That the *Land Use Plan for the High Point Planning Area* be amended by reclassifying approximately 41 acres (as shown on the attached map) from Office and Medium-Density Residential to Community/Regional Commercial.

**SECTION 2.** Should any section or provision of this resolution be declared invalid, such decision shall not affect the validity of remaining portions of this resolution.

**SECTION 3.** This resolution shall become effective immediately upon adoption.

Adopted by City Council  
City of High Point, North Carolina  
The 1<sup>st</sup> day of November 2021

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

**Jay W. Wagner, Mayor**

**ATTEST:**

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**Lisa B. Vierling, City Clerk**