

City of High Point

*Municipal Office Building
211 S. Hamilton Street
High Point, NC 27260*



Meeting Agenda

Wednesday, June 23, 2021

5:30 PM

City Council Chambers

Recessed Meeting of City Council

Jay W. Wagner, Mayor

Britt W. Moore (At Large), Mayor Pro Tem

Tyrone Johnson (At Large), Cyril Jefferson (Ward 1), Christopher Williams (Ward 2),

Monica L. Peters (Ward 3), S. Wesley Hudson (Ward 4), Victor Jones (Ward 5), and

Michael Holmes (Ward 6)

As part of the City of High Point's on-going COVID-19 mitigation efforts, in-person attendance will not be allowed at this meeting. Instead, the meeting will be live-streamed and the public can listen to the meeting as it is being live-streamed by clicking on the following link www.HighPointNC.gov/VirtualPublicMeeting.

CALL TO ORDER and ROLL CALL

PRESENTATION OF ITEMS

FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair

[2021-244](#)

Public Hearing - Key Risk, a Berkley Company - Performance Based Incentives

City Council is requested to approve performance-based incentives up to \$1,175,540 for a project with Key Risk, a Berkley Company and authorize the City Manager to execute a performance agreement containing benchmarks for the company to achieve and a schedule for the payment of such financial incentives.

Attachments: [15. Public Hearing - Key Risk Performance Based Incentives](#)
[Patrick Chapin \(BHP\) Comment Endorsing Incentives for 275 North Elm.pdf](#)
[Key Risk Presentation City of High Point June 21 2021.pdf](#)

COMMUNITY DEVELOPMENT COMMITTEE - Council Member Williams, Chair

[2021-254](#)

Public Hearing - Substantial Amendment of the 2019-20 Action Plan and 2015-19 Consolidated Plan

City Council is requested to approve the Special Amendment to the 2019-20 Annual Action Plan and 2015-19 Consolidated Plan and that the appropriate City official and/or employee be authorized to execute all necessary documents.

Attachments: [Substantial Amendment for CDBG-CV3 Special Allocation](#)
[Public Comment \(anonymous\).pdf](#)

PLANNING & DEVELOPMENT - Mayor Jay Wagner[2021-257](#)**John Ritner - Zoning Map Amendment 21-09**

A request by John Ritner to rezone approximately 51 acres from a Conditional Use Planned Development Mixed (CU PDM) District to a Planned Development - Core City (PD-CC) District. The site is located east of Westchester Drive, approximately 1,500 feet south of Phillips Avenue, and north of Whittier Avenue.

Attachments: [Staff Report ZA-21-09](#)

[Statement from John Ritner \(Pinnacle Foods Co\) for City Council Hearing Tues](#)

[2021-258](#)**Hunter Farms - Zoning Map Amendment 21-10**

A request by Hunter Farms to rezone approximately 0.92 acres from the Residential Single Family - 5 (R-5) District and a Conditional Use General Business (CU-GB) District to a Conditional Zoning Office Institutional (CZ-OI) District. The site is located at the southwest corner of Irbywood Drive and Montgomery Street (108 and 110 Irbywood Drive).

Attachments: [Staff Report ZA-21-10](#)

[2021-259](#)**City of High Point - Zoning Map Amendment 21-11**

A request by the High Point City Council to rezone 91 properties, totaling approximately 25.03 acres, as part of the Comprehensive Zoning Map Amendment project.

- a) To rezone 22 properties, totaling approximately 3.53 acres, within the Arbors Subdivision. This site is located at the southeast corner of Guyer Street and Beaucrest Avenue.

To rezone 69 properties, totaling approximately 21.5 acres, within the Ashton Woods Subdivision and two abutting parcels at the northern terminus of Wickham Avenue. This site is located north of the intersection of Suffolk Avenue and Stoneycreek Drive, with parcels fronting along a portion of Boulding Avenue, a portion of Stoneycreek Drive, a portion of Wickham Avenue and along Arborbrook Lane.

Attachments: [Staff Report ZA-21-11](#)

ADJOURNMENT

CITY OF HIGH POINT

AGENDA ITEM



Title: Substantial Amendment to the 2019-20 Action Plan and 2015-19 Consolidated Plan

From: Michael E. McNair, Director

Meeting Date: June 21, 2021

Public Hearing: Yes

Advertising Date: June 9, 2021

Advertised By: High Point Enterprise

Attachments: Allocation letter from the Acting Assistant Secretary for Community Planning and Development
Substantial Amendment to the 2019-20 Action Plan and 2015-19 Consolidated Plan
Public Notice

PURPOSE:

The City has been notified of an additional special allocation of Community Development Block Grant funds (CDBG) funds identified as CDBG-CV3 to be used to prevent, prepare for, and respond to the coronavirus pandemic. The amendment is needed to satisfy Housing and Urban Development) HUD requirements prior to commitment of funds.

BACKGROUND:

The passage of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), authorized a special allocation of CDBG funds to entitlement cities to respond to the growing effects of coronavirus pandemic. The law was signed by President Trump on March 27, 2020. This allocation is separate from the first allocation CDBG funds.

In order to expedite the availability of these resources, HUD has approved several waivers including the reduction of the public comment to 5-days down from 30-days. Accordingly, the Substantial Amendment was published to receive citizen input from June 14, 2021 through June 18, 2021.

The Special Amendment was reviewed with the Citizens Advisory Council on May 27, 2021.

BUDGET IMPACT:

The CDBG-CV3 special allocation is \$588,651.00.

RECOMMENDATION / ACTION REQUESTED:

The Community Development and Housing Department recommends Council's favorable consideration to approve the Special Amendment to the 2019-20 Annual Action Plan and 2015-19 Consolidated Plan and that the appropriate City official and/or employee be authorized to execute all necessary documents.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

September 11, 2020

The Honorable Jay Wagner
Mayor of High Point
211 S Hamilton Street
P.O. Box 230
High Point, NC 27261

Dear Mayor Wagner:

I am pleased to inform you of a special allocation to your jurisdiction of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.

The CARES Act made available \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds. Of this amount, the Department immediately allocated \$2 billion on March 27, 2020, the same day President Trump signed the Act, based on the fiscal year 2020 CDBG formula; this constituted the first round of CDBG-CV funds. Next, \$1 billion was required by the Act to be allocated to States and insular areas within 45 days of enactment of the Act; HUD accomplished this on May 11, 2020, and this constituted the second round of CDBG-CV funds. Finally, the remaining \$2 billion in CDBG-CV funds was required by the Act to be allocated to states and local governments at the discretion of the Secretary on a rolling basis; HUD accomplished this on September 11, 2020, and this constituted the third round of CDBG-CV funds. Additionally, up to \$10 million will be set aside for technical assistance.

Accordingly, this letter informs you that your jurisdiction's allocation for the third round is \$588,651. Your cumulative amount for all allocation rounds is \$1,141,357.

The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual FY2019 and FY2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the HUD Secretary to grant waivers and alternative requirements of statutes and regulations the HUD Secretary administers in connection with the use of CDBG-CV funds and fiscal year 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative

requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

The CDBG CARES Act Federal Register Notice (FR-6218-N-01) was released on August 10, 2020. The notice describes the allocations and grant procedures applicable to the CDBG-CV grants. It also describes the program flexibilities, waivers, and alternative requirements that apply to the CDBG-CV grants as well as the fiscal year 2019 and 2020 CDBG grants. As further such flexibilities become available, they will be posted on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As you develop your plan for the use of these grant funds, we encourage you to consider approaches that prioritize the unique needs of low- and moderate-income persons and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. You should coordinate with state and local health authorities before undertaking any activity to support state or local pandemic response. CDBG-CV grants will be subject to oversight, reporting, and the requirement that each grantee have adequate procedures to prevent the duplication of benefits (DOB). HUD will provide guidance and technical assistance on DOB, the prevention of fraud, waste, and abuse, and on documenting the impact of this program for beneficiaries.

Reminder, all CPD Grantees must ensure they maintain active Dun and Bradstreet Numbering System (DUNS) numbers in the System for Award Management (SAM) system. Entities must have an active and unexpired DUNS before execution of grant agreements to avoid delays in the obligation of funds- which will delay your ability to drawdown funds in the Integrated Disbursement & Information System (IDIS). Grantees are required to maintain an active SAMs registration by re-activating their DUNS number annually in the SAM system for the entire drawdown period of their grants. DUNS numbers can be registered and renewed each year at the following website: <https://www.sam.gov/SAM/>.

The Office of Community Planning and Development (CPD) is looking forward to working with you to successfully meet the urgent and complex challenges faced by our communities. If you or any member of your staff has questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Gibbs', with a stylized, cursive script.

John Gibbs
Acting Assistant Secretary
for Community Planning and Development
U.S. Department of Housing and Urban Development

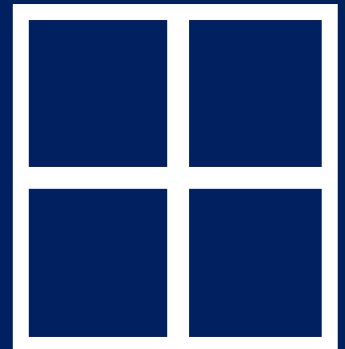
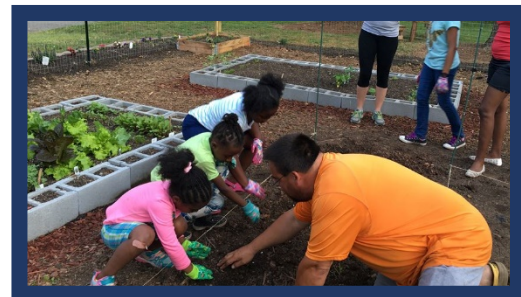


City of High Point

Community Development
& Housing Department



Substantial Amendment #2
2019-2020 Annual Action Plan
Public review and comment
June 14-18, 2021



CITY OF HIGH POINT
SUBSTANTIAL AMENDMENT #2 TO THE 2019-2020 ANNUAL ACTION PLAN
Community Development Block Grant - Coronavirus (CDBG-CV)

Executive Summary

In response to the Coronavirus 2019 (COVID-19) pandemic, the U.S. Department of Housing and Urban Development (HUD) has notified the City of High Point that it will receive an additional allocation of \$588,651 (CDBG-CV#3) to be used to prevent, prepare for, and respond to COVID-19. This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed into law on March 27, 2020 to respond to the growing effects of this unprecedented public health crisis. The total allocation of CDBG-CV funds to the City of High Point is \$1,141,357.

The City of High Point Community Development & Housing (CD&H) Department is proposing to amend the Annual Action Plan for 2019-2020, which was submitted to the Department of Housing & Urban Development (HUD) on or about May 15, 2019. With the City of High Point receiving CDBG-CV funds, a Substantial Amendment to the FY 2019-2020 Annual Action Plan is required. This amendment outlines the City's proposed use of the CDBG-CV funds in carrying out eligible activities to address the effects of COVID-19 in our community.

Receipt of CDBG-CV funds will substantially increase the expected resources available for programming. The City of High Point proposes that the 2019-2020 Annual Action Plan be amended, in accordance with its Citizen Participation Plan and the regulations governing the Community Development Block Grant (CDBG) Program. The amendments listed below are proposed for public review and comment.

2019-2020 Annual Action Plan Amendment

- AP-15 Expected Resources
 - New funding source – CDBG-CV \$588,651
- AP-35 Projects
 - The CDBG-CV funds allocated under the CARES Act may be used for a range of eligible activities, as allowed under 24 CFR Parts 570.201-570.206, that prevent, prepare for, and respond to the spread of COVID-19. The proposed activities must meet one of the three National Objectives as required by CDBG regulations at 24 CFR Part 570.208: 1) Benefit low-and-moderate income persons, 2) Aid in the prevention or elimination of slums or blight, or 3) Meet an urgent need. The City of High Point will use CDBG-CV dollars to fund projects that are to address, but not be limited to, the following: **(1) Emergency Assistance, (2) Homelessness, (3) Economic Disruption, (4) Rental Assistance, and (5) Other Issues that May Be Related to the Coronavirus.** The City is recommending allocating the funds as follows:

SOURCE	Amount	Eligibility
FY 2019-2020 CDBG-CV Allocation	\$588,651	
USE		
Public Facilities Grant	\$588,651	570.201(c)

Project Description – Homeless Day Center

People experiencing homelessness are at a greater risk for infection during community spread of COVID-19 due to underlying health conditions, and other factors. In addition, homeless individuals were not made a priority in the distribution of vaccines further exacerbating matters for an already vulnerable population. The proposed homeless day center will be used to distribute supplies to prevent COVID-19, educate individuals, and provide testing and vaccines.

The proposed site for the public facility project is 400 Brentwood Street, High Point NC 27260. A homeless day center would provide opportunities to individuals to access services, learn basic skills, and regain their ability to live independently. Services for homeless men and women can include, but not be limited to:

- Restrooms and showers,
- Laundry facilities,
- Telephones,
- Mailbox/mailling address,
- Computer and Internet access,
- Educational opportunities/continuing education,
- Onsite support services and resources (i.e. healthcare agencies, social service agencies, workforce development, legal aid, benefits access, etc.),
- Hot meals, and more.

Citizen Participation

While this amendment usually requires a 30-day public review and comment period, HUD has waived this requirement provided that no less than five (5) days are given for public review and comment. The draft 2019 Annual Action Plan Substantial Amendment will be available to the public for review and comment for a period of five (5) days beginning Monday, June 14, 2021 through Friday, June 18, 2021 at the City of High Point's website: <https://www.highpointnc.gov/231/Community-Development-Housing>. Or a hard copy can be requested through the City's Public Records Request portal: <https://www.highpointnc.gov/1813/Public-Records-Request>.

Public Hearing

A virtual public hearing will be held before the City of High Point City Council on June 21, 2021 at 5:30 p.m. To maintain the health, safety, and well-being of our residents, staff, and the City Council, this meeting will be conducted electronically. As part of the City of High Point's COVID-19 mitigation efforts, in-person attendance will not be allowed at this meeting. Instead, the City will be live streaming the meeting and public hearing. Once the City Council is in session, please use the following link to listen to the meeting: www.HighPointNC.gov/VirtualPublicMeeting.

In accordance with adopted legislation regarding public hearings at remote meetings, after the public hearing is held, the required 24-hour waiting period will be open before a vote can be taken on the matter, and the public can submit any additional comments on the budget during that time.

Public comments on this matter can be submitted by:

1. Calling 336-883-3522 and leaving a message, or by
2. Emailing written comments to publiccomment@highpointnc.gov, or by
3. Dropping written comments off in the City of High Point's utility payment drop-boxes located in the Green Drive and the Commerce Avenue parking lots on both sides of the Municipal Building located at 211 S. Hamilton Street.

All comments for the Public Hearing must be received by 5:00 p.m., June 22, 2021. Persons with disabilities or who otherwise need assistance should contact Kyeisha Maitland Hicks in advance of the public hearing at 336-883-3349, via email at kyeisha.maitland@highpointnc.gov, or call NC Relay/711 (TTY) if you are hearing impaired.

Written Comments

The City of High Point will receive written comments until 5:00 p.m., June 22, 2021. Comments can be sent via email to Thanena Wilson at thanena.wilson@highpointnc.gov, by fax to (336) 883-3355, or mailed to City of High Point Community Development & Housing Department, Attn: Thanena Wilson (Public Comment), P. O. Box 230, High Point, NC 27261. All mailed comments must be received in our office no later than June 22, 2021.

Si necesita esta información en español, por favor póngase en contacto con Kyeisha Maitland Hicks (336) 883-3349.

PUBLIC NOTICE

CITY OF HIGH POINT SUBSTANTIAL AMENDMENT TO THE 2019-2020 ANNUAL ACTION PLAN Community Development Block Grant - Coronavirus (CDBG-CV)

In response to the Coronavirus 2019 (COVID-19) pandemic, the U.S. Department of Housing and Urban Development (HUD) has notified the City of High Point that it will receive an additional allocation of \$588,651 in CDBG-CV funds to be used to prevent, prepare for, and respond to COVID-19. This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed into law on March 27, 2020 to respond to the growing effects of this unprecedented public health crisis. The total allocation of CDBG-CV funds to the City of High Point is \$1,141,357.

As the City of High Point will receive additional CDBG-CV funds, a Substantial Amendment to the FY 2019-2020 Annual Action Plan is required. The amendment outlines the City's proposed use of the additional CDBG-CV funds in carrying out eligible activities to address the effects of COVID-19 in our community. While this amendment usually requires a 30-day public review and comment period, HUD has waived this requirement provided that no less than five (5) days are given for public review and comments on the Substantial Amendment.

Public Review and Comment

The Substantial Amendment will be made available to the public for review and comment for a period of five (5) days beginning on Monday, June 14, 2021 through Friday, June 18, 2021 at the City of High Point's website: <https://www.highpointnc.gov/231/Community-Development-Housing>. Or a hard copy could be requested through the City's Public Records Request portal: <https://www.highpointnc.gov/1813/Public-Records-Request>.

Public Hearing

A virtual public hearing will be held before the City of High Point City Council on June 21, 2021 at 5:30 p.m. In order to maintain the health, safety, and well-being of our residents, staff, and the City Council, this meeting will be conducted electronically. As part of the City of High Point's COVID-19 mitigation efforts, in-person attendance will not be allowed at this meeting. Instead, the city will be live streaming the meeting. Once the City Council is in session, please use the following link to listen to the meeting. www.HighPointNC.gov/VirtualPublicMeeting.

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Public comments on this matter can be submitted by:

1. Calling 336-883-3522 and leaving a message, or by
2. Emailing written comments to publiccomment@highpointnc.gov, or by
3. Dropping written comments off in the city of High Point's utility payment drop-boxes located in the Green Drive and the Commerce Avenue parking lots on both sides of the Municipal Building located at 211 S. Hamilton Street.

All comments must be received by 5:00 p.m., Tuesday, June 22, 2021.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL 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 May 25, 2021 and before the City Council of the City of High Point on June 14, 2021 regarding **Zoning Map Amendment Case 21-10 (ZA-21-10)** 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 May 16, 2021, for the Planning and Zoning Commission public hearing and on June 10, 2021 and June 16, 2021, 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 **June 21, 2021**.

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 Office Institutional (CZ-OI) District**. The property is approximately 0.92 acres (40,075± square feet) and located at the southwest corner of Irbywood Drive and Montgomery Street. The property is addressed as 108 and 110 Irbywood Drive and also known as Guilford County Tax Parcels 189098 (portion) and 189100.

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. Any uses allowed in the Office Institutional (OI) District subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.
- B. The following uses, enumerated in Table 4.1.9 (Principal Use Table) of the Development Ordinance shall be prohibited:
 1. Commercial
Minor retail sales

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Existing healthy perimeter landscaping, located within the streetyard planting area, shall be preserved.
2. If the principal use of the zoning site is a parking lot, then a six (6) foot high opaque fence shall be installed along the Irbywood Drive and Montgomery Street frontage of the zoning site.

B. Transportation.

1. Access: Driveway access shall only be permitted to Irbywood Drive. In conjunction with any development permit approval, the existing driveway on Montgomery Street shall be closed and replaced with standard curb and gutter.

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 23rd day of June, 2021

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL 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 May 27, 2021 and before the City Council of the City of High Point on May 17, 2021 regarding **Zoning Map Amendment Case 21-07 (ZA-21-07)** 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 May 16, 2021, for the Planning and Zoning Commission public hearing and on June 9, 2021 and June 16, 2021, 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 **June 21, 2021**.

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 Heavy Industrial (CZ-HI) District**. The property is approximately 8.3 acres located east of Brentwood Street, south of Hayes Avenue and west of New Street (301, 323 & 401 Brentwood Street and 222, 226, 228 & 230 New Street). The property is also known as Guilford County Tax Parcels 184126, 184130, 184070, 184071, 184072, 184073 and 184077.

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**: Only the following principal uses, as permitted in the Heavy Industrial (HI) District, shall be permitted, subject to the dimensional requirements of the HI District and the specific conditions listed in this ordinance.

- A. Any principal use of the Heavy Industrial (HI) District, as listed in the Principal Use Table 4.1.9 of the Development Ordinance, that is also a permitted use in the Light Industrial (LI) District (use must be permitted in both districts).
- B. All principal uses authorized under the “Major Manufacturing” Use Type (Industrial Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance.

- C. All principal uses authorized under the “Toxic Chemicals or substances, pesticides or fertilizers” Use Type (Industrial Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance.

Part II. CONDITIONS

A. Development Standards:

1. The District Standards of the Light Industrial (LI) District Standards (Sec. 3.4.11.G) shall apply to the property.

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.

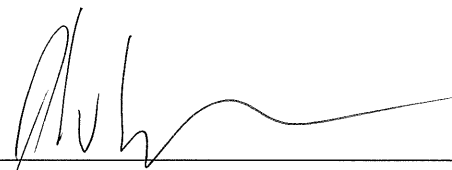
SECTION 5

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

SECTION 6.

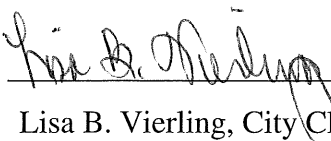
This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 23rd day of June, 2021

By: 
Jay W. Wagner, Mayor



ATTEST:


Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Public Hearing for Key Risk, a Berkley Company

From: Sandy Dunbeck , Director
High Point Economic Development

Meeting Date: June 21, 2021

Public hearing: yes

Advertising Date: June 10, 2021

Attachments: Legal Notice

Advertised by:
High Point Economic Development

PURPOSE:

The High Point City Council is asked to consider a request from Key Risk, a Berkley Company to authorize performance-based incentives in an amount of up to \$1,175,540.

PROJECT & BACKGROUND:

Key Risk, a Berkley company focused in the workers compensation industry has employees throughout the Triad and is interested in having a headquarters location in downtown High Point. The proposed incentives are based upon the City of High Point's Targeted Downtown Office policy. Key Risk is considering a potential lease of 21,645 sq' at the 275 N Elm Street building in downtown High Point. The rent assistance incentive is 80%, 60%, 40% and 20% of base rent over a four year period or \$1,125,540 and upfit assistance is \$50,000 for a total incentive of \$1,175,540. The company would execute a ten (10) year and six (6) months lease with two (2) five (5) year options to renew at 275 N Elm Street.

BUDGET IMPACT:

The source of those monies would be the City's Economic Development Incentive Fund, which is funded by general and electric revenues.

RECOMMENDATION / ACTION REQUESTED:

The High Point Economic Development staff recommends that City Council authorize performance-based incentives for the project up to \$1,175,540 and authorize the City Manager to execute a performance agreement containing benchmarks for the company to achieve and a schedule for the payment of such financial incentives.

request from a company considering locating at 275 N Elm Street in High Point. The company proposes leasing 21,645 square feet of Class A Office Space. The High Point City Council will consider authorizing incentives of 80%, 60% 40% and 20% of rent assistance respectively in years one thru four of the client's ten year lease and also consider \$50,000 in upfit assistance. These incentives could be up to \$1,175,540. The source of funding would be the Economic Development Incentive Fund, which is funded by general and electric revenues. The City would be authorized to provide this financial assistance upon the company's lease of space in the downtown municipal service district – pursuant to an incentive performance agreement containing benchmarks and a schedule for the payment of such financial assistance.

The meeting will be live-streamed. Once the City Council is in session on June 21, 2021 at 5:30 p.m., please visit www.HighPointNC.gov/VirtualPublicMeeting to listen to the meeting.

• Dropping written comments off in the City of High Point's utility payment drop-boxes located in the Green Drive and the Commerce Avenue parking on both sides of the Municipal Building located at 211 S. Hamilton Street.

The public comments received will be forwarded to the Mayor and City Council and attached as a permanent part of the proceedings of the June 21, 2021 City Council Meeting.

In accordance with recently adopted legislation regarding public hearings at remote meetings, after the public hearing is held, the required 24-hour waiting period will be open before a vote can be taken on this matter. During that time, the public can submit any additional comments on the subject matter for the public hearing.

Please note that the deadline for submitting comments for public hearings will be 24 hours after the public hearing is held by the City Council.

Questions? Please contact the City Clerk's Office at 336-883-3536 or 336-883-3690.

June 10, 2021

Pursuant to N.C. General Statute 158-7.1, notice is hereby given that a public hearing will be held by the High Point City Council on Monday, June 21, 2021, at 5:30 p.m. in the Council Chambers, High Point Municipal Building, 211 S. Hamilton Street, High Point, NC, for the purpose of receiving public input on a funding

For members of the public who wish to submit public comments, public comments can be submitted by:

- Calling 336-883-3522 and leaving a message, or by
- Emailing written comments to publiccomment@highpointnc.gov, or by

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL 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 May 25, 2021 and before the City Council of the City of High Point on June 21, 2021 regarding **Zoning Map Amendment Case 21-11 (ZA-21-11)** 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 May 16, 2021, for the Planning and Zoning Commission public hearing and on June 10, 2021 and June 16, 2021, 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 **June 23, 2021**.

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

SECTION 1

Arbors Subdivision

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Multifamily -16 (RM-16) District**. Approximately 3.53 acres located at the southeast corner of Guyer Street and Beaucrest Avenue. A description of this development is recorded in PB 74 - PG 30 of the Guilford County Register of Deeds Office. The development is also known as Guilford County Tax Parcels 196914, 202939, 202940, 202941, 202942, 202943, 202944, 202945, 202946, 202947, 202948, 202949, 202950, 202951, 202952, 202953, 202954, 202955, 202956, 202957, 202958, 202959.

SECTION 2

Ashton Woods Subdivision, and 1935, 2106 and 2108 and Whickham Avenue

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Single Family – 5 (R-5) District**. Approximately 21.5 acres located north of the intersection of Suffolk Avenue and Stoneycreek Drive, with parcels fronting along a portion of Boulding Avenue, a portion of Stoneycreek Drive, a portion of Wickham Avenue and along Arborbrook Lane. A description of the Ashton Woods Subdivision and 1935 Whickham Avenue is recorded in PB 77 - PG 86; PB 80 - PG 15 and PB 85 - PG 149. A description of 2106 and 2108 and Whickham Avenue is recorded in PB 77 - PG 86 (lot 4 and 5). The development is also known as Guilford County Tax Parcel 205377, 205378, 205379, 205380, 205381, 205382, 205383, 205384, 205385, 205386, 205387, 205388, 205389, 205390, 205391, 205392, 205393, 205394, 205395, 205396, 205397, 205398, 205399, 205400, 205401, 205402, 205403, 205404, 205405, 205406, 205407, 205408, 205409, 205410, 205411, 205412, 205413,

205414, 205415, 205416, 205417, 205418, 205419, 205420, 205421, 205422, 205423, 205424, 205425, 205426, 205427, 205428, 205429, 205430, 205431, 205432, 205433, 205434, 205436, 205437, 205441, 205442, 205443, 205444, 205445, 205446, 205447, 205448, 205451 (portion).

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 23rd day of June, 2021

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling

Lisa B. Vierling, City Clerk

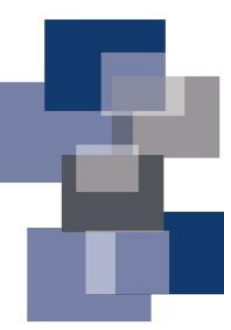


Key Risk

| a Berkley Company

Key Risk Presentation to the City of High Point June 21, 2021

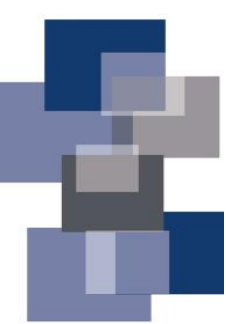
Brian Mook – Corporate Real Estate – W. R. Berkley Corporation
Becky Karr – COO & CFO – Key Risk



W. R. Berkley Corporation Overview

- Comprised of 54 Berkley operating units worldwide
 - 21 Unique Countries
- 7,500 associates
- Ranked 372 on Fortune 500
- Insurance company subsidiaries are assigned A+ Financial Strength Ratings from AM Best, S&P, Fitch
- 193 active leased properties with 3.4M square footage





Key Risk Overview

- Workers compensation insurance carrier
- 151 associates with 91 in the Triad area and 81 based out of our headquarters in Guilford County in Greensboro, NC
- Celebrating 35th anniversary in 2021!
- NC clients include: Biltmore, Bojangles, Goodwill Industries, Lexington Home Brands, K&W Cafeterias and Simply Southern



National Industries

Available in All 50 States

Staffing USL&H
Human Services

Regional Industries

Core States include:
AL, GA, MD, NC, PA, SC, TN, VA

Agricultural Manufacturing
Contractors Professional Services
Education Public Entities
Healthcare Stores
Hospitality Transportation

Connect With Us

 www.KeyRisk.com
 Key Risk (a Berkley Company)
 @KeyRiskWorkComp
 Key Risk



The Key Risk Difference

97% of Clients responding to our feedback program say we Exceed Expectations

88% of all reported claims Returned to Work within 7 days

35+ Years of Expertise in Workers Compensation

600+ Online Safety Videos

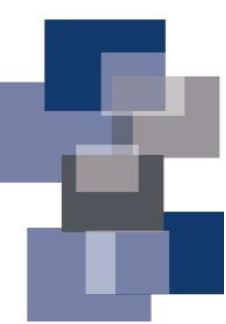
Insurance Company Subsidiaries of W. R. Berkley Corporation insurance companies are rated:

Financial Strength
Rated A+ (Superior)
A.M. Best Company, Inc.

Mission Statement



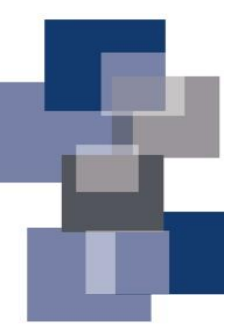
To deliver innovative and responsive workers compensation solutions that provide our clients the freedom to do what they do best.



Associates

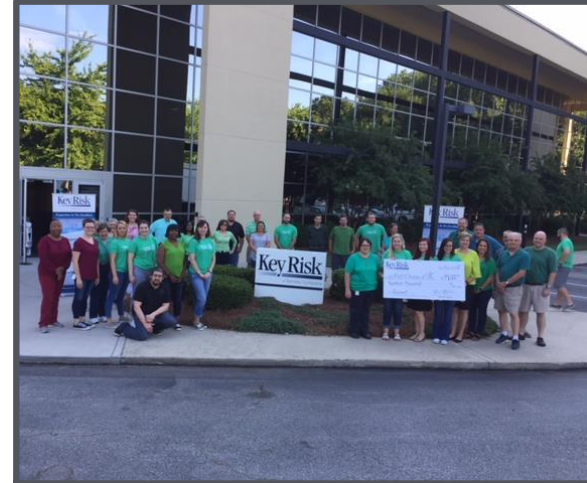
- Financial Services Professionals
 - Roles include: leadership, claims, underwriting, risk management, marketing, customer service, finance, actuarial, premium audit
 - Generally 80% - 85% of positions based in our headquarters require a college degree
 - College degrees range from risk management and insurance, marketing, accounting, finance, economics, business, criminal justice, liberal arts
- Winners of Best Places to Work - 2009, 2011, 2015, 2017, 2019 - Managed by Best Companies Group and published by Business Insurance





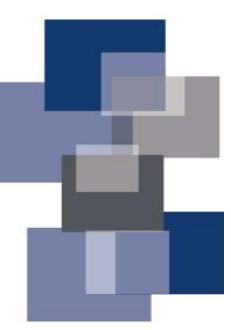
Bases Loaded

- ✓ Location and amenities
- ✓ Innovative culture and work environment
- ✓ Place of community - Work, Live and Play
- ✓ Growing and thriving with the renewal of downtown
- ✓ Recruiting and retaining associates - partnering with colleges
- ✓ Unique client experience
- ✓ Social responsibility
- ✓ Synergy, collaboration and innovation
- ✓ Long term partnership





Responsiveness Matters



Home Run

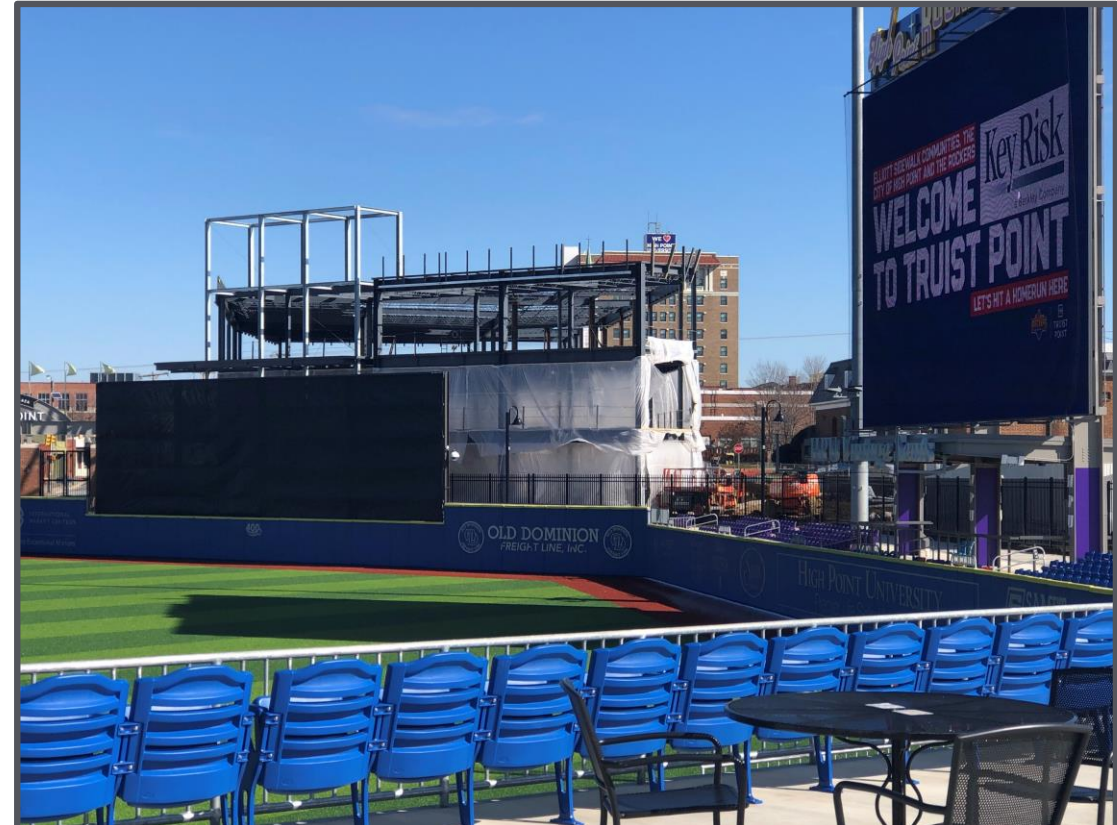
“WE BUILD DOWNTOWN JOY.”

“YOU CAN'T FRANCHISE AUTHENTICITY.

Real downtown joy comes from a place that's genuine and unique, not merely another gathering of the familiar franchises that turn so much of America into Anywhere, USA.”



-Elliott Sidewalk Communities





Thank You

Brian Mook – Corporate Real Estate – W. R. Berkley Corporation
Becky Karr – COO & CFO – Key Risk

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-09
(John Ritner)

From: Lee Burnette, Planning & Development
Director

Meeting Date: June 21, 2021

Public Hearing: Yes

Advertising Date: June 9, 2021, and
June 16, 2021

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by John Ritner to rezone approximately 51 acres from a Planned Development Mixed (PDM) District to a Planned Development – Core City (PD-CC) District. The site is located east of Westchester Drive, approximately 1,500 feet south of Phillips Avenue, and north of Whittier Avenue.

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their May 25, 2021 regular meeting and took final action when the meeting was reconvened on May 27, 2021. On the date of final action, all members of the Commission were present except for Ms. Joan Swift and Mr. Terry Venable. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking in favor of the request was the applicant, Mr. John Ritner, 1003 Elk Place, High Point, the Owner and Head of Production for Pinnacle Foods Company. Mr. Ritner provided an overview of their proposal to open a wholesale food processing facility on the zoning site. He noted that they produce freeze dried meals and primarily market their product to hikers and hunters. They propose to locate in the former Canterbury Restaurant in the former mall building on the zoning site. Their business will cook full meals, then remove the moisture by electric freeze dryers, which produce no exhaust. Once all the moisture is removed, the meals are packed in air-tight packaging that have a shelf life of 10 years. They are currently a retail operation but wish to expand to include wholesaling, making them a minor manufacturing use. In conclusion, Mr. Ritner stated their facility will occupy approximately 3,200 square feet of the former restaurant.

The Commission had questions as to the intensity of development. Mr. Shannon stated that the only new use in this updated planned development zoning ordinance is the minor manufacturing use type. To ensure compatibility the proposed planned development district limits minor manufacturing uses to 5,000 square feet per establishment and that all activities be within the structure it is located (no outside processing activity). In conclusion, Mr. Shannon stated that the condition to limit the square footage of this use type will ensure compatibility with the surrounding area.

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 21-09 is consistent with the City's adopted policy guidance because as conditioned, the requested PD-CC District does not conflict with the Institutional land use designation of this area or with adopted policy guidance documents. Furthermore, the request is reasonable and in the public interest because the request is to update the old planned development district to a new PD CC District and add one small-scale use type to the allowable uses in the mixed development.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-21-09
May 25, 2021**

Request	
Applicant: John Ritner	Owners: First Wesleyan Church and Westchester Christian Center Inc., Lorillard Federal Credit Union, PPRC Holdings LLC & PPRC Senior Living Inc., Providence Assisted Living Inc., Rainbow Family Restaurant Inc., Rose Hill High Point LLC and SBT Hill High Point, LLC.
Zoning Proposal: To rezone approximately 51 acres	From: CU-PDM Conditional Use Planned Development Mixed District
	To: PD-CC Planned Development – Core City District

Site Information	
Location:	Located east of Westchester Drive, approximately 1,500 feet south of Phillips Avenue, and north Whittier Avenue.
Tax Parcel Number:	Guilford County Tax Parcel 194057, 194058, 194059, 194060, 194062, 194063, 194064, 194065, 194077, 194078 and 217606
Site Acreage:	Approximately 51 acres
Current Land Use:	The site is development with a mixture of commercial outparcels, a large central commercial structure (former mall), religious institution and various life care uses (assisted living facility and nursing facility).
Physical Characteristics:	The northern two-thirds of the site is relatively flat and the southern one-third of the site has a moderately sloping terrain.
Water and Sewer Proximity:	8-inch and 12-inch City water lines and an 8-inch City sewer line lie adjacent to the site along Westchester Drive and Whittier Avenue.
General Drainage and Watershed:	The site drains in a southwesterly direction and is within the Yadkin Pee-Dee (non-water supply) watershed. Dependent upon development intensity, stormwater control measures may be required.
Overlay District:	None

Adjacent Property Zoning and Current Land Use			
North:	RC	Retail Center District	Shopping center and office park
	OI	Office Institutional District	
South:	GB	General Business District	Major medical facility and single family dwellings
	R-5	Residential Single Family – 5 District	
East:	R-5	Residential Single Family – 5 District	Park and cemetery
West:	R-3	Residential Single Family – 3 District	Religious institution, medical facility, funeral home, fitness center and governmental facility
	TO	Transitional Office District	
	GB	General Business District	
	CZ-LB	Conditional Zoning Limited Business	

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 an Institutional land use designation. This classification is intended to accommodate public, quasi-public and institutional uses on large tracts.
Land Use Plan Goal, Objective & Policies:	This request is neither consistent or inconsistent with the goals and objectives of the he Land Use Plan.
Relevant Area Plan:	<u>Core City Plan:</u> This request is neither consistent or inconsistent with the goals and objectives of the Core City Plan.
Zoning History:	The principal commercial structure (former mall) and commercial outparcels were developed in the late 1960s. The current CU-PDM District zoning was established in 1998 and was amended in 2003 and 2006 to expand allowable uses. During the early 2000s, the life care uses along the southern half the development were constructed.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Westchester Drive		Major Thoroughfare	2,040 ft.
	Whittier Avenue		Local Street	1,100 ft
	Edgewood Drive		Local Street	450 ft.
Vehicular Access:	Access is provided from four access points on Westchester Drive, one access point on Whittier Avenue and two access points on Edgewood Drive.			
Traffic Counts: (Average Daily Trips)	Westchester Drive		23,500 AADT (2019 NCDOT traffic counts)	
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.

Planned Development District Overview
The Planned Development (PD) districts consist of the Planned Development Core City (PD-CC) District for lands with the Core City Area and the Planned Development-Periphery (PD-P) District for lands outside the Core City Area. They were established to allow development under unified control while utilizing more flexible standards and procedures than would otherwise result from a strict application of a general district. The PD districts are intended to encourage innovative land planning and site design concepts that will produce a high quality, unified project that will not negatively impact adjacent land. A few of the key concepts are: Promote quality design and reduce or diminish the inflexibility of design that sometimes results from the strict application of zoning and development standards designed primarily for individual lots.

- Allow greater freedom in providing a well-integrated mix of residential and non-residential uses in the same development including a mix of housing types, lots sizes, and densities.

Details of Proposal

The applicant has requested to update the previously established Planned Development zoning of this site to expand allowable uses; specifically, to allow a minor manufacturing use. Although the site has been developed since the 1960s as a commercial use, in 1998 the current CU-PDM District was established to expand the mixtures of uses to include life care uses along the southern portion of the site. With the adoption of the current Development Ordinance in 2017, the former PDM District no longer exists as an available district. Developments approved as CU-PDM Districts are vested and may continue to operate; however, any expansion of allowable uses in a previously approved CU-PDM District is not permitted and requires rezoning to a current Planned Development District.

As this site is within the Core City Area, the PD-CC District is being requested. The PD-CC District is established to provide a flexible means of accommodating high density mixed-use development with an urban character in the Core City. The district encourages a well-balanced mix of residential, commercial, employment, recreation, and entertainment uses configured in a manner that supports pedestrian orientation and human interaction.

Under this zoning request, the various uses and development standards from the current CU-PDM District are being carried over into a new PD-CC District ordinance for this site. The only change will be to update the terminology of uses to match the current language of the Development Ordinance, to add the applicant's proposed minor manufacturing use with a condition to limit such uses to a maximum area of 5,000 square feet per establishment, and to remove outdoor storage and repair of golf carts, as the establishment conducting this activity no longer operates on the site.

Staff Analysis

The advisability of establishing a Planned Development district 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 Planned Development district, the City Council shall weigh the relevance of and consider the following items noted below. Based on the applicant's submittal and proposed conditions the Planning and Development Department offers the following comments.

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.

As conditioned, the requested PD-CC District does not conflict with the Institutional land use designation of this area or with adopted policy guidance documents.

Reasonableness/Public Interest:

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

The request is to update the old planned development district to a new PD CC District and add one small-scale use type to the allowable uses in the mixed development.

Consistency with PD District Standards

This request meets the standards of the Development Ordinance.

Compatibility with Surrounding Areas

- Whether the proposed PD 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 master plan map, statement of intent and the standards document 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.
- ❖ Previous compatibility findings use to establish a Planned Development District at this location still apply.
 - The site fronts along a 5-lane major throughfare (Westchester Drive) and non-residential uses along the opposite of this throughfare provide a transition area for the adjacent residential neighborhood to the west.
 - The site abuts an existing shopping center to the north, and a park and cemetery to the east.
 - The southern portion of the site is developed with life care uses (nursing home and assisting living facility), which is a compatible use next to the adjacent residential neighborhood to the south.
 - ❖ The one new use being added, minor manufacturing, is limited to an area of 5,000 square feet per establishment and all activities associated with that use type shall occur within the structure it is located.

Mitigation of Impacts: Whether the applicant's proposed PD district, including the proposed use(s), standards and PD master plan, will satisfactorily:

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 proposed district does not add any new vehicular access points, does not change the configuration of the tracts, and as conditioned does not increase the previously approved intensity of development.

Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees, and protect habitat.

- ❖ The site is fully developed, and environment impacts were addresses during the review and approval process for the various phases of development.

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.

- ❖ Previously approved transportation conditions requiring the improvement of Edgewood Drive, northward to Phillips Avenue, and right of dedication along Whittier Avenue have been completed.

Minimize or effectively mitigate any identified adverse effect on the use, enjoyment, or value of adjacent lands.

- ❖ The current mixture of commercial and life care uses in this planned development has been in place since the early 2000s. The request to expand allowable uses to support minor manufacturing uses, which include processing activities that take place within enclosed buildings will limit the creation of noise, vibration, dust, glare, heat, odor, and smoke.

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 PD zoning district that support the application.

Development along this segment of the Westchester Drive corridor has continued to develop as planned with nonresidential uses, primarily commercial, office and institutional.

Promotes a Preferred Development Patterns

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

As conditioned, the zoning request will continue to promote the long-standing mixed use development pattern of the zoning site.

Recommendation

Staff Recommends Approval

The Planning and Development Department recommends approval to rezone this 51 acre site to the PD-CC 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

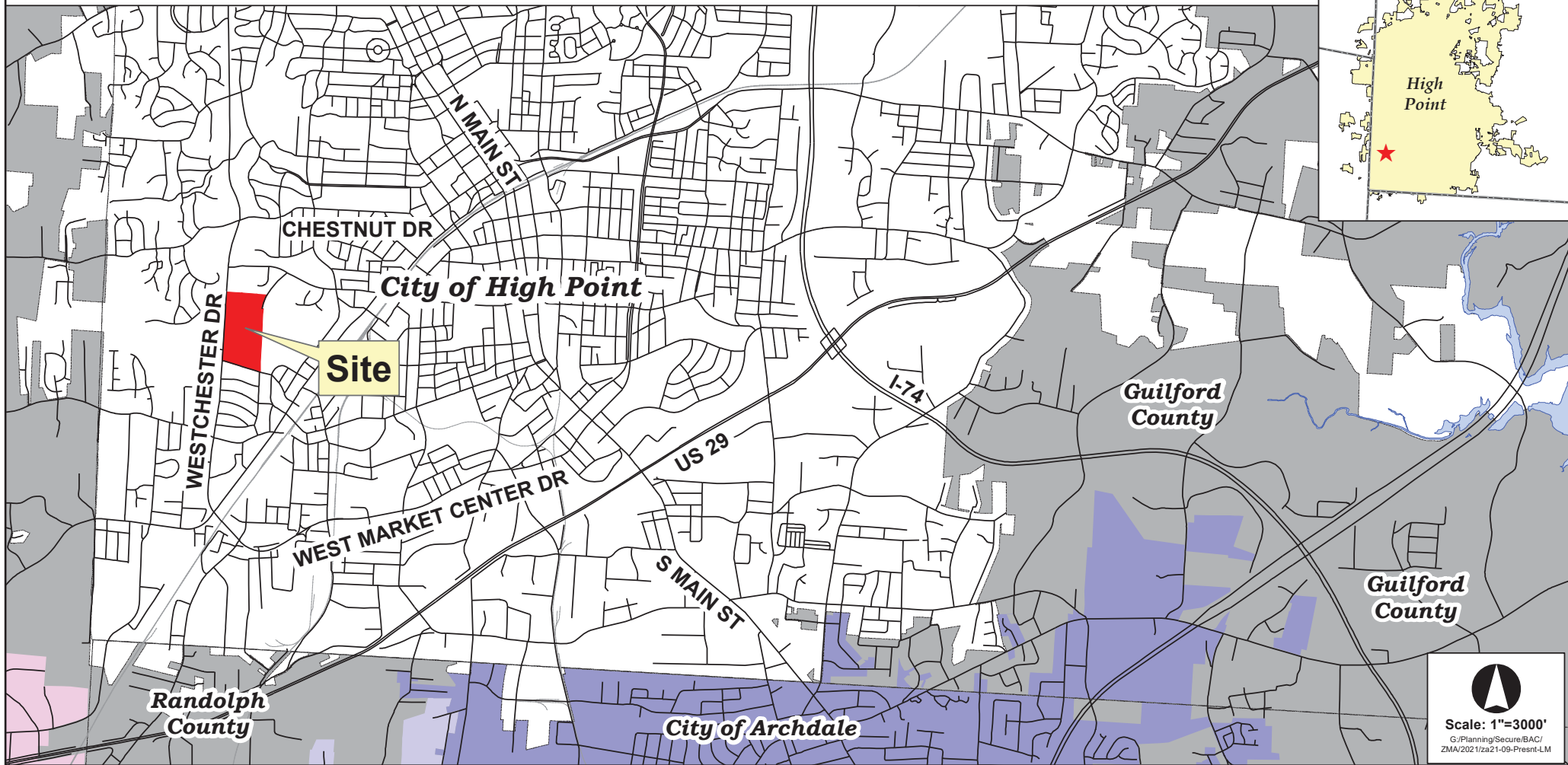
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator and Lee Burnette AICP, Director.

LOCATION MAP

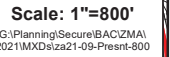
ZONING MAP AMENDMENT: ZA-21-09

Applicant: John Ritner

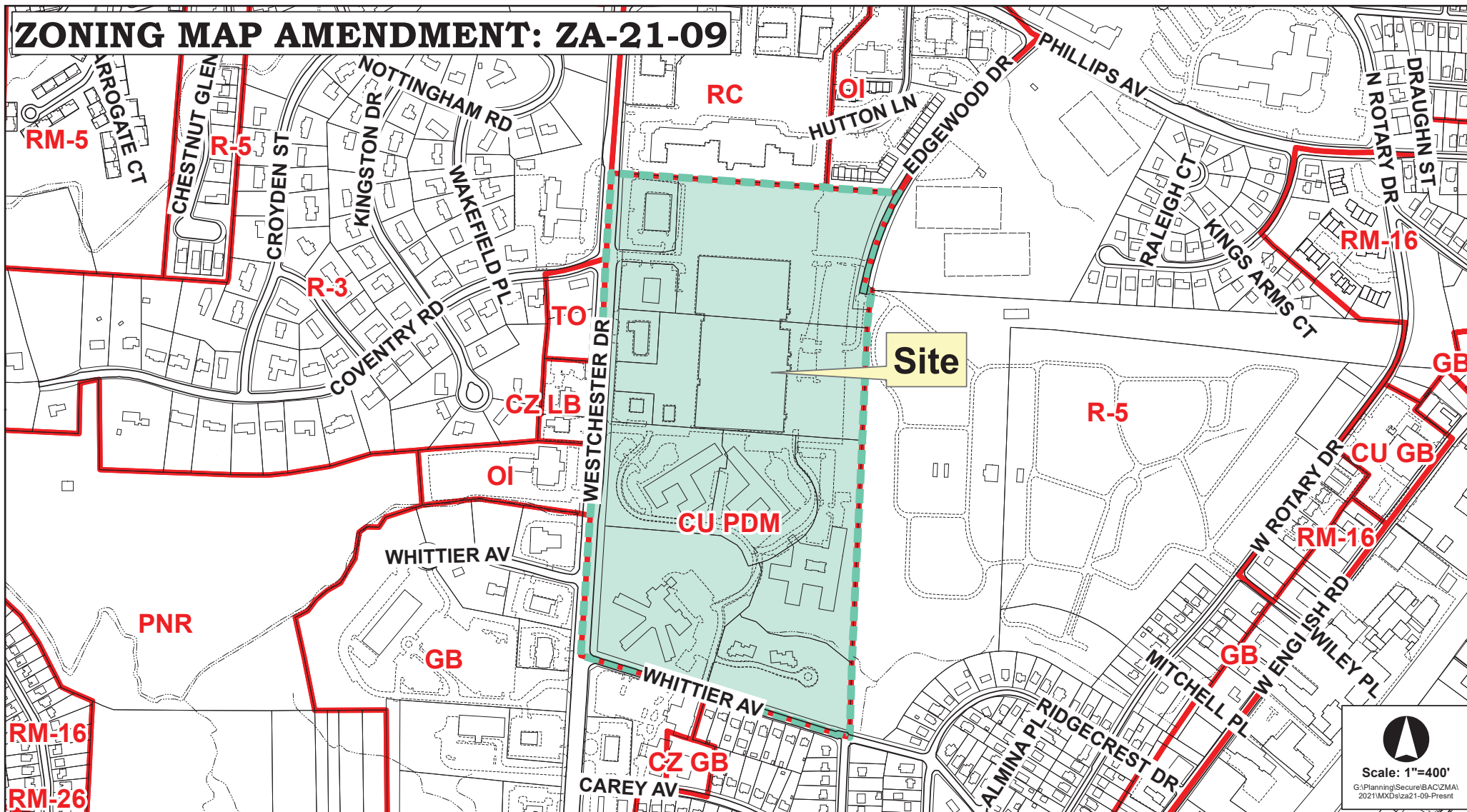
Vicinity Map



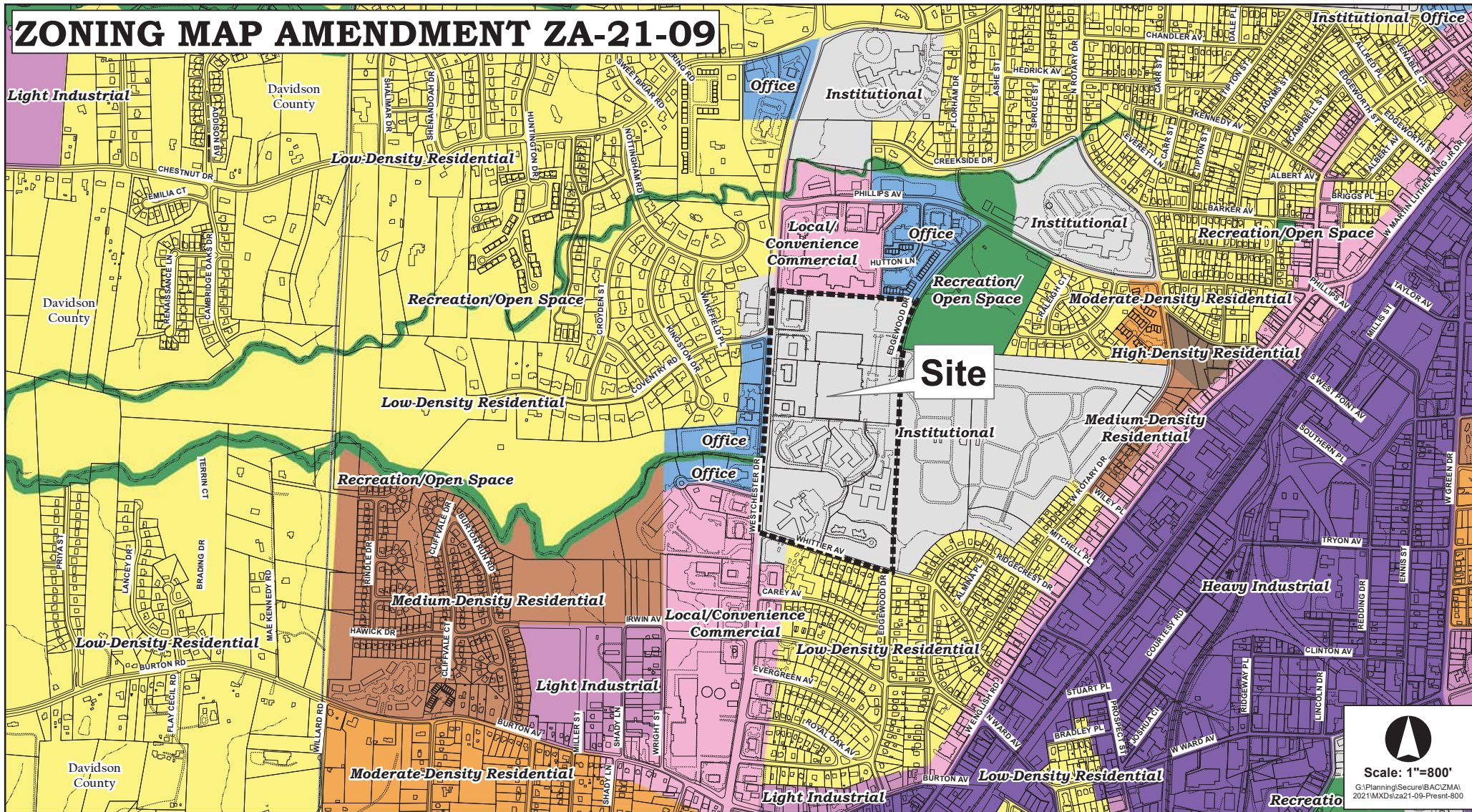
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ZONING MAP AMENDMENT: ZA-21-09



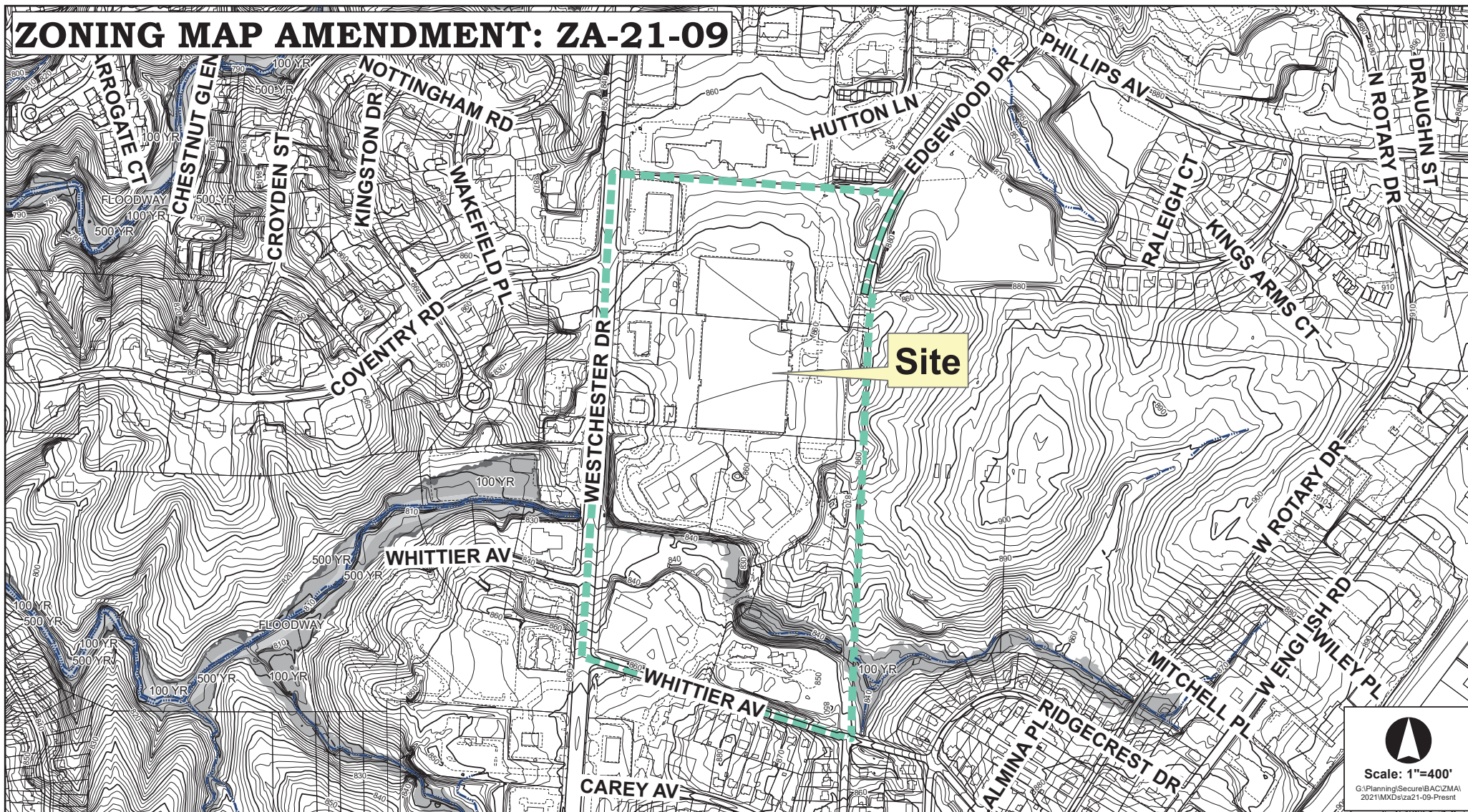
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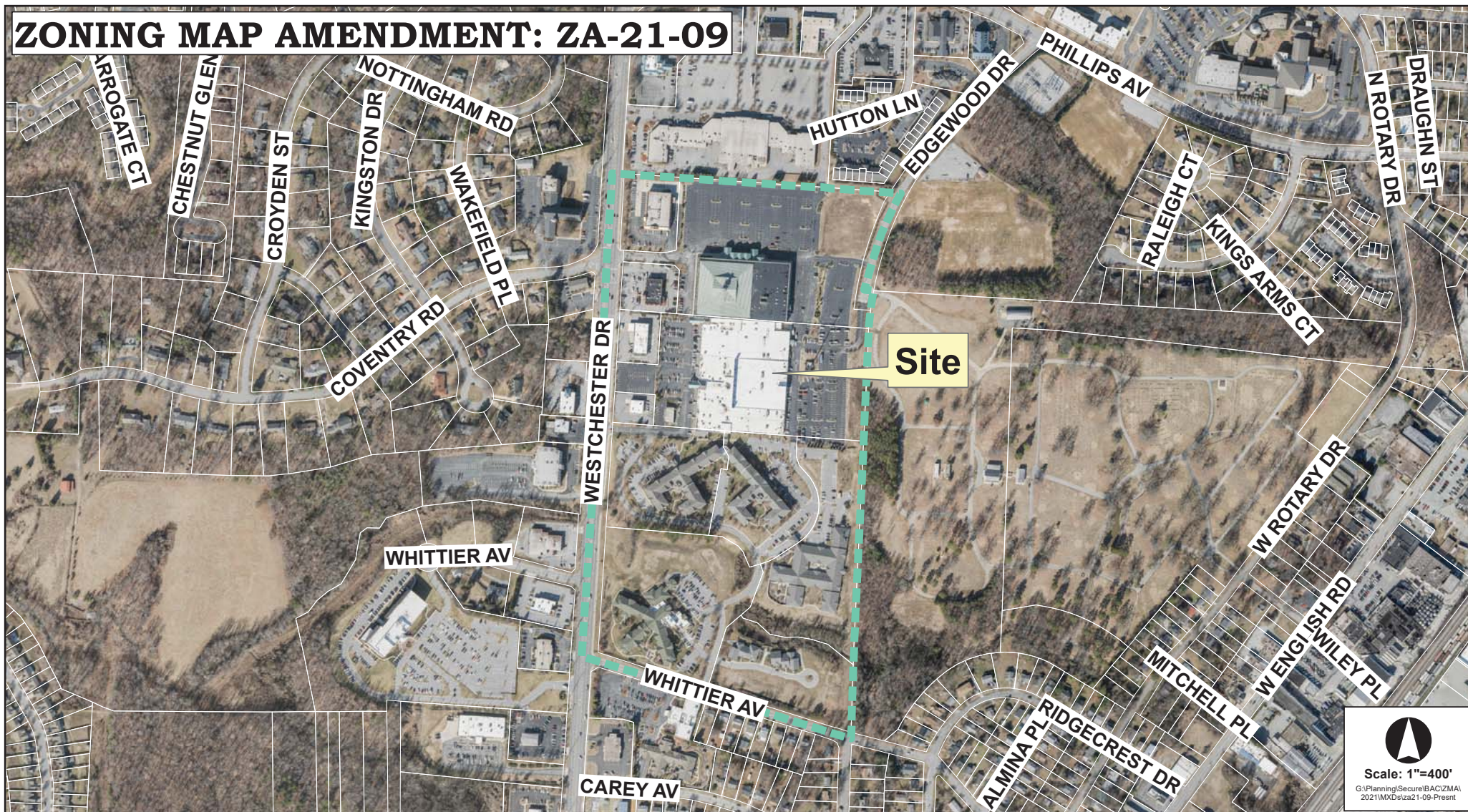
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ZONING MAP AMENDMENT: ZA-21-09



ZONING MAP AMENDMENT: ZA-21-09



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Planned Unit Development - Statement of Intent

- a) The applicant intends to continue to use this former mall development, and adjacent lands to the south, to support a variety of Retail Center (RC) District uses, life care uses and minor manufacturing uses.
- b) Minor manufacturing uses shall be limit to 5,000 square feet per establishment. All activities associated with this use type shall occur within the structure it is located.
- c) Although uses within the various structures may change, subject to being allow by the sites PD-CC District Ordinance, development shall be generally consistent with the Master Plan previous approved for this site as recorded in Book 178 Page 111 of the Guilford County Register of Deeds Office.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.9, PLANNED DEVELOPMENT, 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 May 25, 2021 and before the City Council of the City of High Point on June 21, 2021 regarding **Zoning Map Amendment Case 21-09 (ZA-21-09)** 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 May 16, 2021, for the Planning and Zoning Commission public hearing and on June 9, 2021 and June 16, 2021, 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 **June 23, 2021**.

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: **Planned Development Core City (PD-CC) District**. The property is approximately 51 acres, located east of Westchester Drive, approximately 1,500 feet south of Phillips Avenue, and north Whittier Avenue. The site is also known as Guilford County Tax Parcels 194057, 194058, 194059, 194060, 194062, 194063, 194064, 194065, 194077, 194078 and 217606.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and standards imposed in the Master Plan Map, Statement of Intent and Development Standards, unless subsequently changed or amended as provided for by the Development Ordinance.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with standards imposed in the PD-CC District, Master Plan Map, Statement of Intent and Development Standards, 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 23rd day of June, 2021

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

Development Standards

Part I. USES:

A. Tract 1:

1. Any of the land uses as allowed in the Retail Center (RC) District shall be permitted subject to the development and dimensional requirements of the RC District.

B. Tract 2:

1. Any of the land uses as allowed in the Retail Center (RC) District.
2. Minor Manufacturing uses with a maximum gross floor area of 5,000 square feet per establishment.
3. All use types under the Life Care Use Category of Table 4.1.9 (Principle Use Table) of the Development Ordinance.

Part II. CONDITIONS:

A. Development, Dimensional & Density Standards:

1. Tract 1:

- a) All uses and development within this tract shall be subject to the Dimensional Standards and District Standards of the RC District.
- b) The Additional Standard section of Table 4.1.9 (Principle Use Table) shall apply to applicable uses.

2. Tract 2:

- a) All uses and development within this tract shall be subject to the Dimensional Standards and District Standards of the RC District.
- b) Minor Manufacturing uses. In addition to meeting Dimensional Standards and District standards of the RC District, this use type shall also be subject to District Standards of the Light Industrial (LI) District (sec. 3.4.11.G).
- c) The Additional Standard section of Table 4.1.9 (Principle Use Table) shall apply to applicable uses.

B. Transportation

1. Vehicular Access:

- a. Vehicular Access: The zoning site shall have a maximum of three (3) points of vehicular access to Westchester Drive. One (1) of these points shall be the existing signalized intersection at Westchester Drive and Coventry Road. One (1) point of access shall be permitted to Whittier Avenue.

C. Signage: The location of signage on the rezoning site shall conform to the approved Common Signage Plan. An overall Common Signage Plan shall be submitted and approved.

- D. Relationship of Permit to Development Ordinance: The use and development of this site shall be subject to the uses and conditions within this Statement of Intent and Development Standards. The City of High Point Development Ordinance shall govern issues not addressed within this Statement of Intent and Development Standards.

CITY COUNCIL P.U.D. APPROVAL STATEMENT

City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing Unified Development Plan was adopted by the High Point City Council in official session on FEB. 15 2010.
 WITNESSED BY HAND AND THE CORPORATE SEAL OF THE CITY OF HIGH POINT.
 THIS 15th DAY OF March, 2010.



APPROVAL FOR RECORDING:
 APPROVED BEFORE RECORDATION BY THE CITY OF HIGH POINT, NORTH CAROLINA, ON THE
 DAY OF FEB. 15 2010, PURSUANT TO THE CITY OF HIGH POINT DEVELOPMENT
 ORDINANCE.
Lisa B. Vetterling
 DIRECTOR OF PLANNING AND DEVELOPMENT



THIS PLAN DOES NOT REQUIRE CERTIFICATE OF APPROVAL BY THE N.C. DIVISION
 OF HIGHWAYS AS PROVIDED IN G.S. 136-112.6, SUBSECTION (5).

THE TECHNICAL REVIEW COMMITTEE FINDS THIS SKETCH PLAN IS GENERALLY CONSISTENT WITH THE REQUIREMENTS
 OF CHAPTER 6 (SUBORDINATE PROCEDURES & STANDARDS) AND OTHER APPLICABLE STANDARDS IN THE
 DEVELOPMENT ORDINANCE.
John D. Drea
 DIRECTOR OF PLANNING

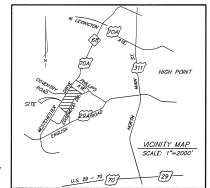
THERE IS NO RIGHT TO BUILD UPON OR OTHERWISE IMPROVE ANY OF THESE LOTS UNTIL A VALID WRITTEN
 GRANTOR CONVEYANCE HAS BEEN OBTAINED FROM THE HEALTH DEPARTMENT AS REQUIRED BY 15.01.01.01.
 CONTACT THE GULFORD COUNTY ENVIRONMENTAL HEALTH DIVISION CONCERNING LOT SUITABILITY FOR
 ON-SITE SURFACE REMEDIATION AND DISPOSAL SYSTEMS.

BLANKET ELECTRIC UTILITY EASEMENT AGREEMENT

THE GRANTOR, DOES HEREBY ACKNOWLEDGE AND GRANT TO THE CITY OF HIGH POINT AND ITS
 SUCCESSORS AND ASSIGNS A BLANKET UTILITY EASEMENT FOR THE PURPOSE OF WATERS AND
 SEWERIS TO EXIST, CONSTRUCT, OPERATE, MAINTAIN, PATROL, INSPECT, SERVICE, REPAIR, REMOVE
 AND CONTROL, UPON, ABOVE, UNDER, ADJACENT TO, AND WITHIN THE PROPERTY FOR THE MAINTENANCE
 OF ELECTRIC LINES, TOGETHER WITH ALL RIGHTS AND PRIVILEGES NECESSARY FOR THE CONVENIENCE OF FULL
 EXERCISE OF USE OF SAID LINE AND RIGHT TO ENTER OVER ADJACENT LANDS IF GRANTOR FOR RIGHTS
 AND PRIVILEGES HEREIN GRANTED.

THIS EASEMENT ITSELF CONSISTS OF 5 FEET FOR UNDERGROUND LINES AND 15 FEET FOR OVERHEAD LINES
 MAINTAINED BY THE CITY OF HIGH POINT EXTENDING TO EITHER SIDE AND RUNNING ALONG THE DISTANCE
 OF ANY UTILITY LINE OF THE PROPERTY.

GRANTOR COVENANTS AND AGREES NOT TO CONSTRUCT ANY STRUCTURE OR PLANT ANY PAVING OR
 PLANTINGS (OTHER THAN SMALL DECORATIVE PLANTINGS) OR OTHER IMPROVEMENTS PERMANENT IN NATURE
 ON THE EASEMENT HEREBY GRANTED, WITHOUT CITY OF HIGH POINT'S WRITTEN CONSENT. GRANTOR
 TO REPAIR, REPLACE, OR RESTORE ANY SUCH STRUCTURES OR OTHER IMPROVEMENTS IF DAMAGED, DESTROYED,
 OR REMOVED BY GRANTOR IN SERVICE, MAINTENANCE, REPAIRING, OR REPLACING SUCH UTILITIES.



OWNERSHIP & DEDICATION:

THE UNDERSIGNED HEREBY ACKNOWLEDGES OWNERSHIP OF THE PROPERTY SHOWN AND DESCRIBED
 HEREIN AND HEREBY ADOPTS THIS PLAN AND ALLOTMENT TO BE A FREE ACT AND DEED AND HEREBY
 DEDICATES TO PUBLIC USE, STREETS, PLAYGROUNDS, PARKS, DRAINAGEWAY AND OPEN SPACE, AND
 EASEMENTS FOREVER ALL AREA SO SHOWN OR INDICATED ON SAID PLAN, AND AUTHORIZES THE
 CITY OF HIGH POINT TO RECORD THIS PLAN IN THE OFFICE OF THE REGISTER OF DEEDS OF
 GULFORD COUNTY, NORTH CAROLINA.

Mark Schreder
 REVIEW OFFICER OF THE CITY OF HIGH POINT, GULFORD
 COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
 REQUIREMENTS FOR RECORDING.



BUILDING COVERAGE

A	EXISTING 129 BED NURSING FACILITY	38,245 SF
B	EXISTING 120 UNIT ASSISTED LIVING FACILITY	31,785 SF
C	EXISTING 108 UNIT CONDOGATE LIVING FACILITY	31,785 SF
D	EXISTING 2 UNIT CONDOGATE LIVING FACILITY	5,032 SF
E	EXISTING 3 UNIT CONDOGATE LIVING FACILITY	5,032 SF
F	EXISTING 80 BED ASSISTED LIVING FACILITY	58,170 SF
G	PROPOSED 80 BED ASSISTED LIVING FACILITY	7,360 SF
H	EXISTING BUILDING COMMERCIAL RETAIL	2,433 SF
I	EXISTING BUILDING COMMERCIAL RETAIL	7,150 SF
J	EXISTING BUILDING COMMERCIAL RETAIL	6,856 SF
K	EXISTING BUILDING COMMERCIAL RETAIL	14,330 SF
L	EXISTING BUILDING COMMERCIAL RETAIL	14,330 SF
M	LEASED COMMUNICATION TOWER	

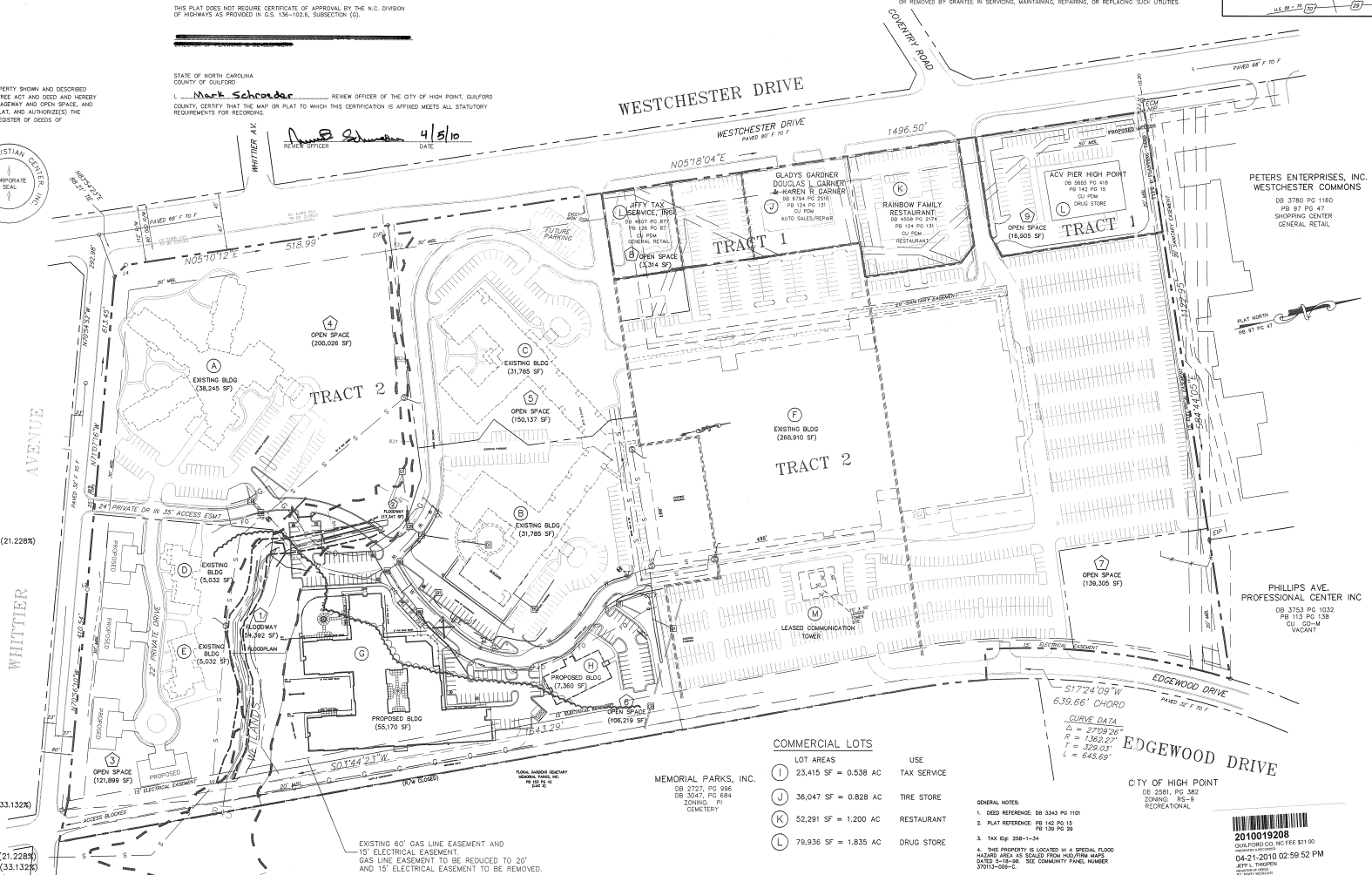
TOTAL BUILDING COVERAGE 488,888 SF = 11.223 AC (21.228%)

OPEN SPACE CALCULATIONS

1	FLOODWAY	= 54,392 SF
2	FLOODWAY	= 17,347 SF
3	OPEN SPACE	= 121,899 SF
4	OPEN SPACE	= 200,026 SF
5	OPEN SPACE	= 150,137 SF
6	OPEN SPACE	= 95,580 SF
7	OPEN SPACE	= 139,305 SF
8	OPEN SPACE	= 3,314 SF
9	OPEN SPACE	= 16,905 SF

TOTAL OPEN SPACE 763,036 SF = 17.516 AC (33.132%)

TOTAL BUILDING COVERAGE	488,888 SF	= 11.223 AC (21.228%)
PAVED AREAS	763,036 SF	= 17.516 AC (33.132%)
TOTAL OPEN SPACE	1,050,941 SF	= 24.126 AC (45.833%)
AREA IN CLOSED R/W	2,209,799 SF	= 50.730 AC (4.404%)
AREA IN EX. TRACTS	83,066 SF	= 2.137 AC (95.965%)
TOTAL SITE AREA	2,302,865 SF	= 52.867 AC (100.00%)
TOTAL BUILT-UPON (INCLUDING BLDG G & H)	1,251,924 SF	= 28.740 AC (54.362%)
(FUTURE ALLOWABLE) BUILT-UPON AREA	820,670 SF	= 18.84 AC (39.596%)

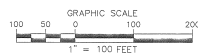


COMMERCIAL LOTS

LOT AREAS	USE
1 23,415 SF = 0.538 AC	TAX SERVICE
2 36,047 SF = 0.828 AC	TIRE STORE
3 52,291 SF = 1.200 AC	RESTAURANT
4 79,936 SF = 1.835 AC	DRUG STORE

OPEN SPACE CALCULATIONS

OPEN SPACE	REQUIRED	PROVIDED
RESIDENTIAL USES	4.20 ACRES	13.85 ACRES
NON-RESIDENTIAL USES	2.57 ACRES	3.27 ACRES



GENERAL NOTES:

1. DEED REFERENCE: DB 3343 PG 110
2. PLAT REFERENCE: PB 142 PG 15
3. TAX MAP 258-1-3-4
4. THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS FROM THE NATIONAL FLOOD INSURANCE PROGRAM. SEE COMMUNITY PANEL NUMBER 27013-009-C.
5. ZONING: CU PDM (PREZONING CASE 98-20)
6. THIS PROPERTY IS LOCATED WITHIN THE "ADJACENT" ZONE.
7. BOUNDARY INFORMATION TAKEN FROM A SURVEY PERFORMED BY JOHN M. HANCOCK, INC. IN OCTOBER OF 1995 AND FROM RECORD PLAT INFORMATION.
8. BLANKET ELECTRIC UTILITY EASEMENT RECORDED IN PG 124 PG 75 & 76.

OWNER/DEVELOPER:

CONTACT: CARLUS VERNON
 PROVIDENCE PLACE
 1701 WESTCHESTER DR SUITE 400
 HIGH POINT, NC 27262
 (336) 888-4566

DAVIS-MARTIN-POWELL & ASSOCIATES, INC.
 ENGINEERING
 LAND PLANNING
 SURVEYING
 6405 OLD PLANK ROAD
 HIGH POINT, NC 27265
 (336) 886-4821
 LICENSE: F-0045
 WWW.DMP-INC.COM

UNIFIED DEVELOPMENT PLAN
 ASSISTED LIVING FACILITY
 PROVIDENCE PLACE
 HIGH POINT TOWNSHIP
 HIGH POINT - NORTH CAROLINA

SHEET NO.

1

Citizens Information Meeting Report Zoning Map Amendment 21-09

Submitted by: John Ritner, on behalf of Pinnacle Foods Company

Pinnacle Foods Co

John Ritner
1701 Westchester dr Suite 650
High Point, NC 27262

Hello,

I am writing to let you know you will receive a letter from the City of High Point saying my small business, Pinnacle Foods Co, has requested a zoning change to the kitchen space we are currently leasing in the Providence Place mall that was formerly Canterbury's.

My brother and I started this business in Missoula, Montana selling freeze dried meals. My wife and I and our two boys recently moved back to our hometown of High Point to be closer to family, and are excited to bring our business here.

The reason for the zoning request is to add a wholesale use to just our 3,200 square foot kitchen. We are a small business with only online sales, no storefront, and one weekly food delivery truck.

If you have any questions or concerns, please reach out to me at John@pinnaclefoods.co

I have also scheduled a Zoom meeting if you would like to join and ask any questions. The meeting will be held on Tuesday, May 4th from 7:00pm-7:30pm.

You can join the Zoom meeting with the following ID and passcode.

Meeting ID: 978 9454 7736

Passcode: evK4TB

We are excited to add to the growing list of small businesses moving to High Point and do what we can to positively impact our community.

Thanks so much,

-John Ritner

A handwritten signature in black ink, appearing to be 'JLR' followed by a stylized flourish.

www.Pinnaclefoods.co (co, not com)

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

From: [John Ritner](#)
To: [Herbert Shannon Jr](#)
Subject: Statement from John Ritner (Pinnacle Foods Co) for City Council Hearing Tuesday June 22
Date: Tuesday, June 15, 2021 10:02:51 AM

Hello Herb,

I attempted to get representation at the council hearing but was unable. As I am still unable to attend I have prepared the following statement.

“Hello, I apologize I am not able to attend today. My name is John Ritner, my brother and I started our small business called Pinnacle Foods Co in Missoula, Montana last year cooking, packaging, and selling freeze dried meals for camping, backpacking, etc. Earlier this year my family decided to move back to our hometown of High Point to raise our two young boys around their grandparents. We moved our business into 1701 Westchester dr in the kitchen that used to be Canterbury’s restaurant. This kitchen had been unoccupied for 12 years and the owners agreed to wall off the dining room from the kitchen to create two separate units. We operate our small business in the 3,200 sq foot kitchen which is large for us and we hope to grow into our space. Our facility does not have a storefront as all of our sales are done online. We hope to begin selling product wholesale as well in the future which is the the reason for my request. With the addition of wholesale sales, the zoning department is viewing our operation as minor manufacturing. If approved, we will be able to grow our business and hope to create a few jobs and do what we can to impact our community in a positive way. We are excited to join the rapidly growing community of small businesses in High Point!

Because we have no storefront, and only receive one food order per week, we have little to no negative impact on our neighbors.

Thanks so much for your consideration, if you are considering denying this request, I ask that you delay my case so that I may be able to attend to answer any questions you may have.

Thanks,

-John Ritner”

Anonymous caller
336-471-9468
June 10, 2021 @ 9:00 p.m.
[00:20 in duration]

Yeah, just a comment on this Community Development Block Grant. Me and a bunch of boys I work with just figured, just ask Nido Qubein what y'all should do with the money. He seems to run the city, so ask him what you do with the money. Y'all have a great day.

[end of voicemail transcript]

From: [John Ritner](#)
To: [Herbert Shannon Jr](#)
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Thanks,

-John Ritner”

Planned Unit Development - Statement of Intent

- a) The applicant intends to continue to use this former mall development, and adjacent lands to the south, to support a variety of Retail Center (RC) District uses, life care uses and minor manufacturing uses.
- b) Minor manufacturing uses shall be limit to 5,000 square feet per establishment. All activities associated with this use type shall occur within the structure it is located.
- c) Although uses within the various structures may change, subject to being allow by the sites PD-CC District Ordinance, development shall be generally consistent with the Master Plan previous approved for this site as recorded in Book 178 Page 111 of the Guilford County Register of Deeds Office.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.9, PLANNED DEVELOPMENT, 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 May 25, 2021 and before the City Council of the City of High Point on June 21, 2021 regarding **Zoning Map Amendment Case 21-09 (ZA-21-09)** 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 May 16, 2021, for the Planning and Zoning Commission public hearing and on June 10, 2021 and June 16, 2021, 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 **June 21, 2021**.

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: **Planned Development Core City (PD-CC) District**. The property is approximately 51 acres, located east of Westchester Drive, approximately 1,500 feet south of Phillips Avenue, and north Whittier Avenue. The site is also known as Guilford County Tax Parcels 194057, 194058, 194059, 194060, 194062, 194063, 194064, 194065, 194077, 194078 and 217606.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and standards imposed in the Master Plan Map, Statement of Intent and Development Standards, unless subsequently changed or amended as provided for by the Development Ordinance.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with standards imposed in the PD-CC District, Master Plan Map, Statement of Intent and Development Standards, 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

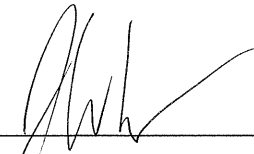
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

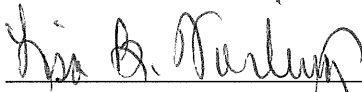
This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 23rd day of June, 2021

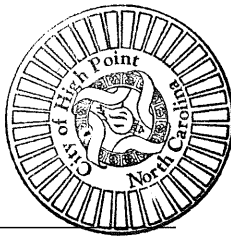
By: _____


Jay W. Wagner, Mayor

ATTEST:



Lisa B. Vierling, City Clerk



Development Standards

Part I. USES:

A. Tract 1:

1. Any of the land uses as allowed in the Retail Center (RC) District shall be permitted subject to the development and dimensional requirements of the RC District.

B. Tract 2:

1. Any of the land uses as allowed in the Retail Center (RC) District.
2. Minor Manufacturing uses with a maximum gross floor area of 5,000 square feet per establishment.
3. All use types under the Life Care Use Category of Table 4.1.9 (Principle Use Table) of the Development Ordinance.

Part II. CONDITIONS:

A. Development, Dimensional & Density Standards:

1. Tract 1:

- a) All uses and development within this tract shall be subject to the Dimensional Standards and District Standards of the RC District.
- b) The Additional Standard section of Table 4.1.9 (Principle Use Table) shall apply to applicable uses.

2. Tract 2:

- a) All uses and development within this tract shall be subject to the Dimensional Standards and District Standards of the RC District.
- b) Minor Manufacturing uses. In addition to meeting Dimensional Standards and District standards of the RC District, this use type shall also be subject to District Standards of the Light Industrial (LI) District (sec. 3.4.11.G).
- c) The Additional Standard section of Table 4.1.9 (Principle Use Table) shall apply to applicable uses.

B. Transportation

1. Vehicular Access:

- a. Vehicular Access: The zoning site shall have a maximum of three (3) points of vehicular access to Westchester Drive. One (1) of these points shall be the existing signalized intersection at Westchester Drive and Coventry Road. One (1) point of access shall be permitted to Whittier Avenue.

C. Signage: The location of signage on the rezoning site shall conform to the approved Common Signage Plan. An overall Common Signage Plan shall be submitted and approved.

- D. Relationship of Permit to Development Ordinance: The use and development of this site shall be subject to the uses and conditions within this Statement of Intent and Development Standards. The City of High Point Development Ordinance shall govern issues not addressed within this Statement of Intent and Development Standards.

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-11
(City of High Point)

From: Lee Burnette, Planning & Development
Director

Meeting Date: June 21, 2021

Public Hearing: Yes

Advertising Date: June 9, 2021, and
June 16, 2021

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the High Point City Council to rezone 91 properties, totaling approximately 25.6 acres, as part of the Comprehensive Zoning Map Amendment project.

- a) To rezone 22 properties, totaling approximately 4.13 acres, within the Arbors Subdivision. This site is located at the southeast corner of Guyer Street and Beaucrest Avenue.
- b) To rezone 69 properties, totaling approximately 21.5 acres, within the Ashton Woods Subdivision and two abutting parcels at the northern terminus of Wickham Avenue. This site is located north of the intersection of Suffolk Avenue and Stoneycreek Drive, with parcels fronting along a portion of Boulding Avenue, a portion of Stoneycreek Drive, a portion of Wickham Avenue and along Arborbrook Lane.

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their May 25, 2021 regular meeting and took final action when the meeting was reconvened on May 27, 2021. On the date of final action, all members of the Commission were present except for Ms. Joan Swift and Mr. Terry Venable. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on 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 21-11 is consistent with the City's adopted policy guidance because the proposed zoning map amendments are supported by the Low-Density Residential designation for these areas, as contained in the adopted Land Use Plan. Furthermore, the amendments are needed to remove unneeded restrictions on the properties and to remove the conditional use zoning districts, which cannot be amended.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-21-11
May 25, 2021**

Request

A request by the High Point City Council to rezone 91 properties, totaling approximately 25.03 acres, as part of the Comprehensive Zoning Map Amendment Project. This request focuses on evaluating two residential subdivisions located in the central portion of the City, north of E. Lexington Avenue.

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 current fourth round of zoning evaluations, associated with this request, in December 2020.

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.

From	To	Development/Use	Location
CU RM-16 (CU 83-05)	RM-16	Arbors Subdivision Townhomes and a single family dwelling	Located at the southeast corner of Guyer Street and Beaucrest Avenue.
CU R-5 RM-16 (CU 84-18)	R-5	Ashton Woods Subdivisions and two abutting parcels; Single family dwellings	Located north of the intersection of Suffolk Avenue and Stoneycreek Drive, with parcels fronting along a portion of Boulding Avenue, a portion of Stoneycreek Drive, a portion of the of Wickham Avenue and along Arborbrook Lane.

Analysis

The requested rezoning of these two residential subdivisions is intended to remove obsolete zoning conditions. These developments were granted their current City of High Point Conditional Use (CU) zoning in the early 1980s under a former Development Ordinance that was updated in 1992. That 1992 version of the Development Ordinance was recently updated in 2017. These developments have been fully completed and their various zoning conditions have been met. The requested rezoning is intended to remove obsolete zoning conditions, while maintaining the development's base zoning district. See attached detailed evaluations.

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 Low-Density Residential designation 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 districts, which cannot be amended.

Recommendations

Staff recommends approval of the following zoning map amendments:

- 1) Rezone the Arbors Subdivision from a CU RM-16 District to the RM-16 District.
- 2) Rezone the Ashton Woods Subdivisions and an abutting parcel addressed as 1935 Wickham Avenue from a CU R-5 District to the R-5 District. And, rezone two abutting parcels addressed as 2106 and 2108 Whickham Avenue from the RM-16 District to the R-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.

Arbors Subdivision

Location: Lying at the southeast corner of Guyer Street and Beaucrest Avenue

Current Use: A subdivision consisting of 20 single family attached (townhome) dwellings and one single family dwelling.

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Conditional Use Residential Multifamily – 16 (CU RM-16) District	Residential Multifamily – 16 (RM-16) District
<i>Purpose & 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
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	<u>Arbors Subdivision</u> 1983 Zoning Approval (CU 83-05) • Use type and density.	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Single Family–5 (R-5) District	Single family dwellings
South:	Residential Single Family–5 (R-5) District	Single family dwellings
East:	Residential Single Family–5 (R-5) District	Single family dwellings
West:	Residential Single Family–5 (R-5) District	Single family dwellings

Land Use Plan Classification
The area is designated as follows: • Low-Density Residential: The site has a Low-Density Residential land use designation. 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

This CU RM-16 District zoning was established in 1983, the subdivision plat was recorded in 1984 and this development has been completed. The purpose of this rezoning is to remove the CU designation as conditions from the zoning approvals were met upon the completion of this development. Rezoning to the base zoning district (the RM-16 Districts) does not impact any deed restrictions the Homeowners Association may have imposed over this development.

Staff recommends rezoning of the Arbors subdivision from a CU RM-16 District to the RM-16 District.

**Ashton Woods Subdivision and
2108 and 2106 Whickham Avenue**

Location: Lying north of the intersection of Suffolk Avenue and Stoneycreek Drive, with parcels fronting along a portion of Boulding Avenue, a portion of Stoneycreek Drive, a portion of Wickham Avenue and along Arborbrook Lane.

Current Use: Ashton Woods Subdivision and
1935 Wickham Avenue

Single family dwellings and open space/recreational area associated with the greenway trail

2108 and 2106 Wickham Avenue

Two single family dwellings

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Conditional Use Residential Single Family-5 (R-5) District	Residential Single Family-5 (R-5) District
	Residential Multifamily – 16 (CU RM-16) District	Residential Single Family-5 (R-5) District
<i>Purpose & Intent:</i>	<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.	<u>R-5 District</u> Same
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	<u>Arbors Subdivision</u> 1984 Zoning Approval (CU 84-18) • Density limits	None

	Adjacent Zoning	Adjacent Land Use
North:	Residential Single Family-3 (R-3) District	Single family dwellings
South:	Residential Multifamily – 16 (CU RM-16) District	Multifamily dwelling (apartment complex) and duplexes
East:	Residential Multifamily – 16 (CU RM-16) District	Single family attached (townhomes) and I-74 corridor
West:	Residential Single Family-5 (R-5) District	Single family dwellings and greenway trail

Land Use Plan Classification

The area is designated as follows:

- **Low-Density Residential:** The site has a Low-Density Residential land use designation. 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.
- **Recreation/Open Space:** Lands for recreation or open space are included in this classification, offering either active use or passive enjoyment and environmental protection.

Analysis/Recommendation

The Ashton Woods subdivision obtained zoning approval in 1984 and subdivision approval for phases I and II was granted in 1986 and 1987, respectively. The northern portion of the subdivision (1935 Wickham Avenue) was dedicated to the City for construction of the greenway trail. The purpose of this rezoning is to remove the CU designation as conditions from the zoning approvals were met upon the completion of this development.

At the northern terminus of Wickham Avenue are two parcels (2108 and 2106 Wickham Avenue) outside of the platted subdivision with a RM-16 District zoning designation. Since these two parcels have limited land area, approximately 7,100 and 9,000 square feet, and have developed with single family homes, they are proposed to be rezoned to the R-5 District to match the manner in which they have been developed.

Staff recommends approval of the following zoning map amendments:

1. Rezone the Ashton Woods Subdivision and 1935 Wickham Avenue from a CU R-5 District to the R-5 District.
2. Rezone 2108 and 2106 Wickham Avenue from the RM-16 District to the R-5 District.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-21-11

Applicant: City of High Point

Vicinity Map



High Point

Guilford County

Jamestown

Greensboro

Guilford County

City of High Point

Site

Site

EASTCHESTER DR

PENNY RD

DEEP RIVER RD

GREENSBORO RD

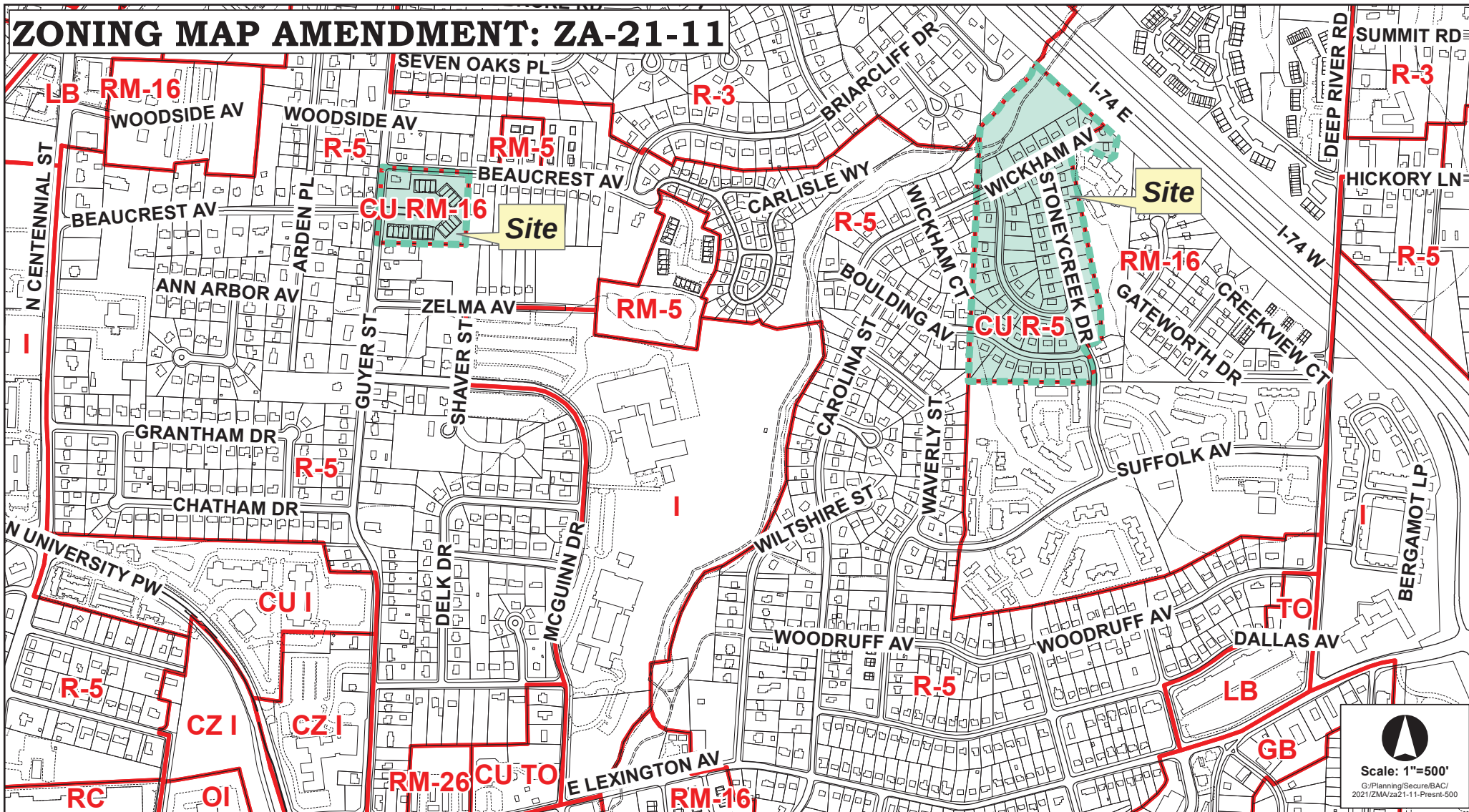
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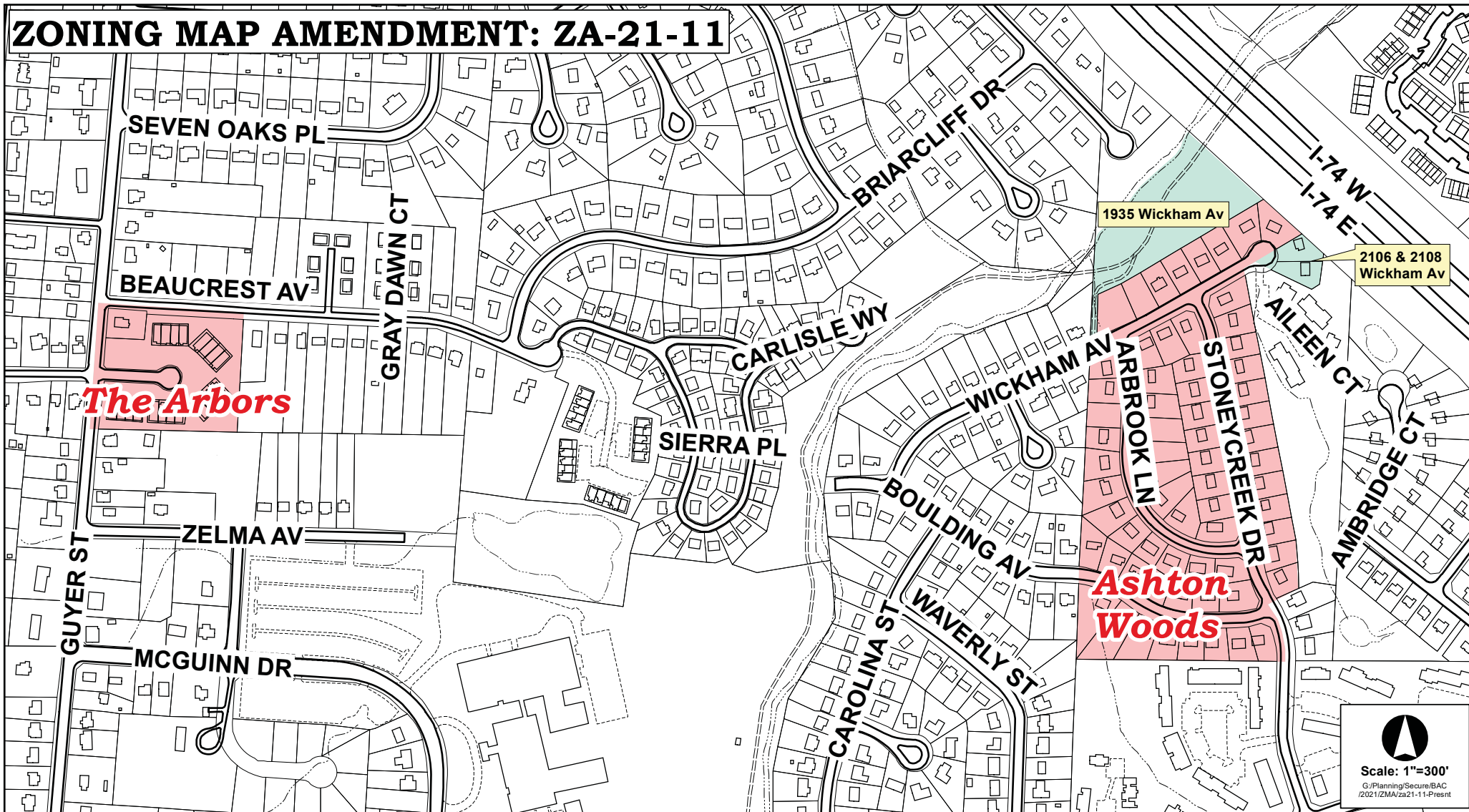
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ZONING MAP AMENDMENT: ZA-21-11

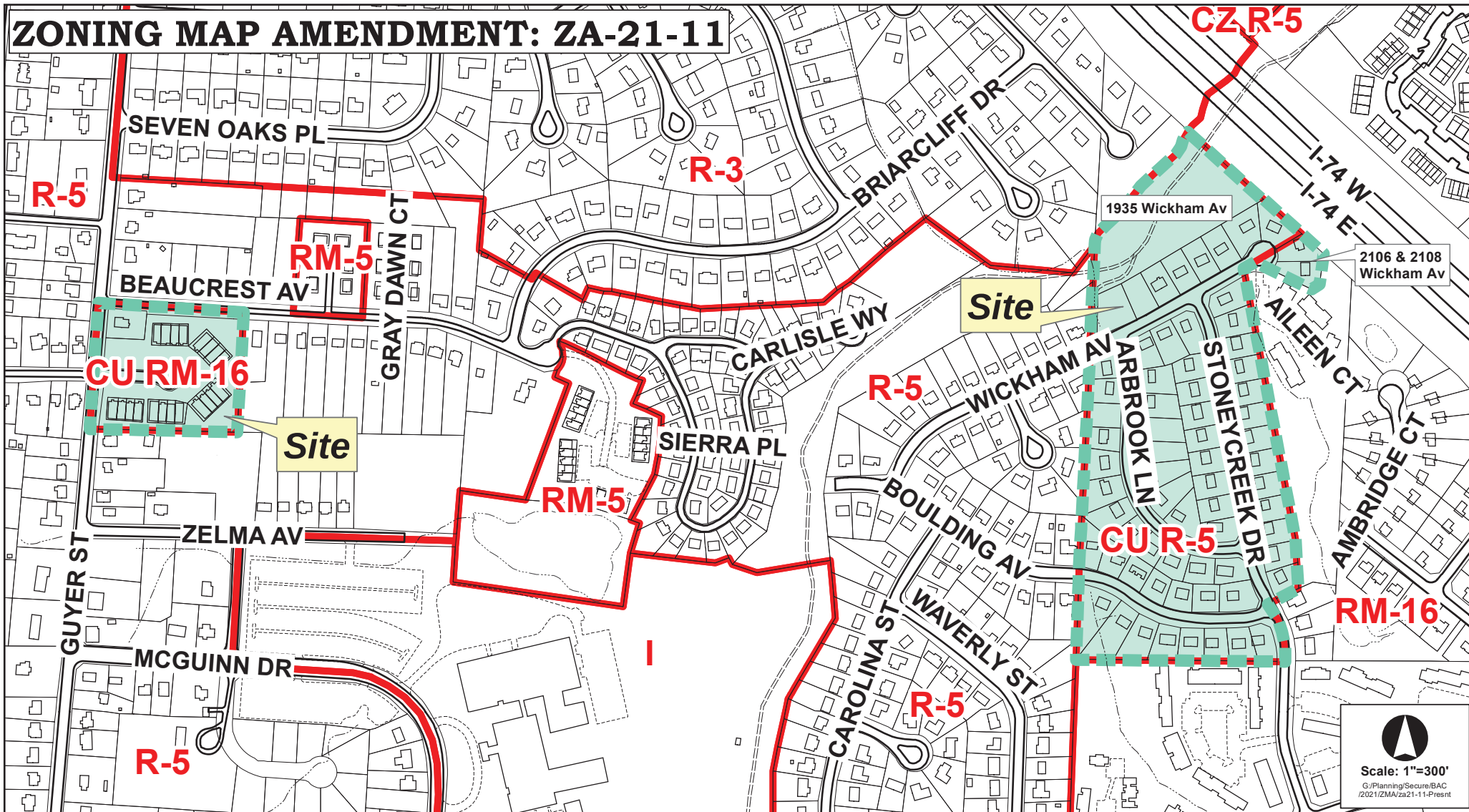


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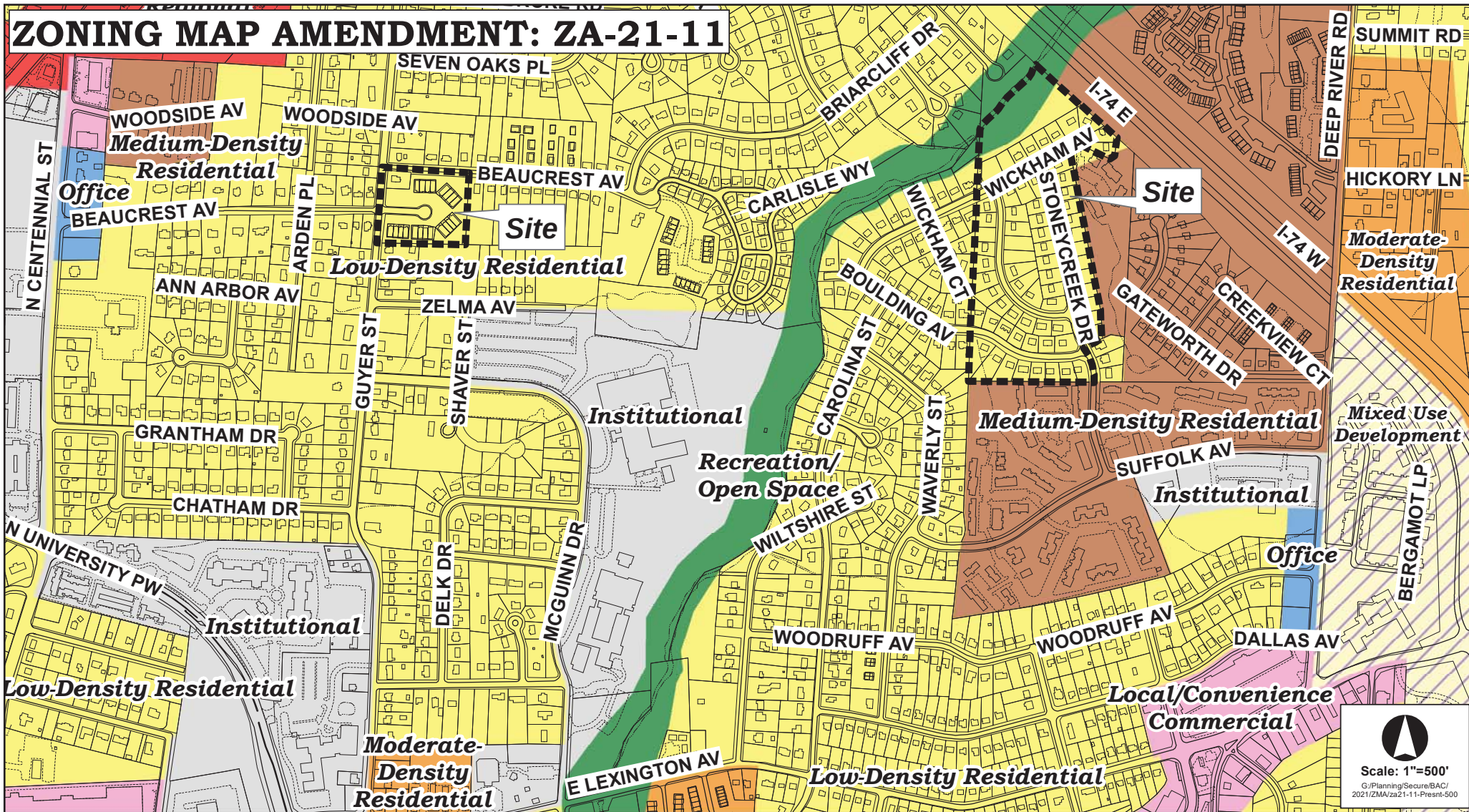
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ZONING MAP AMENDMENT: ZA-21-11

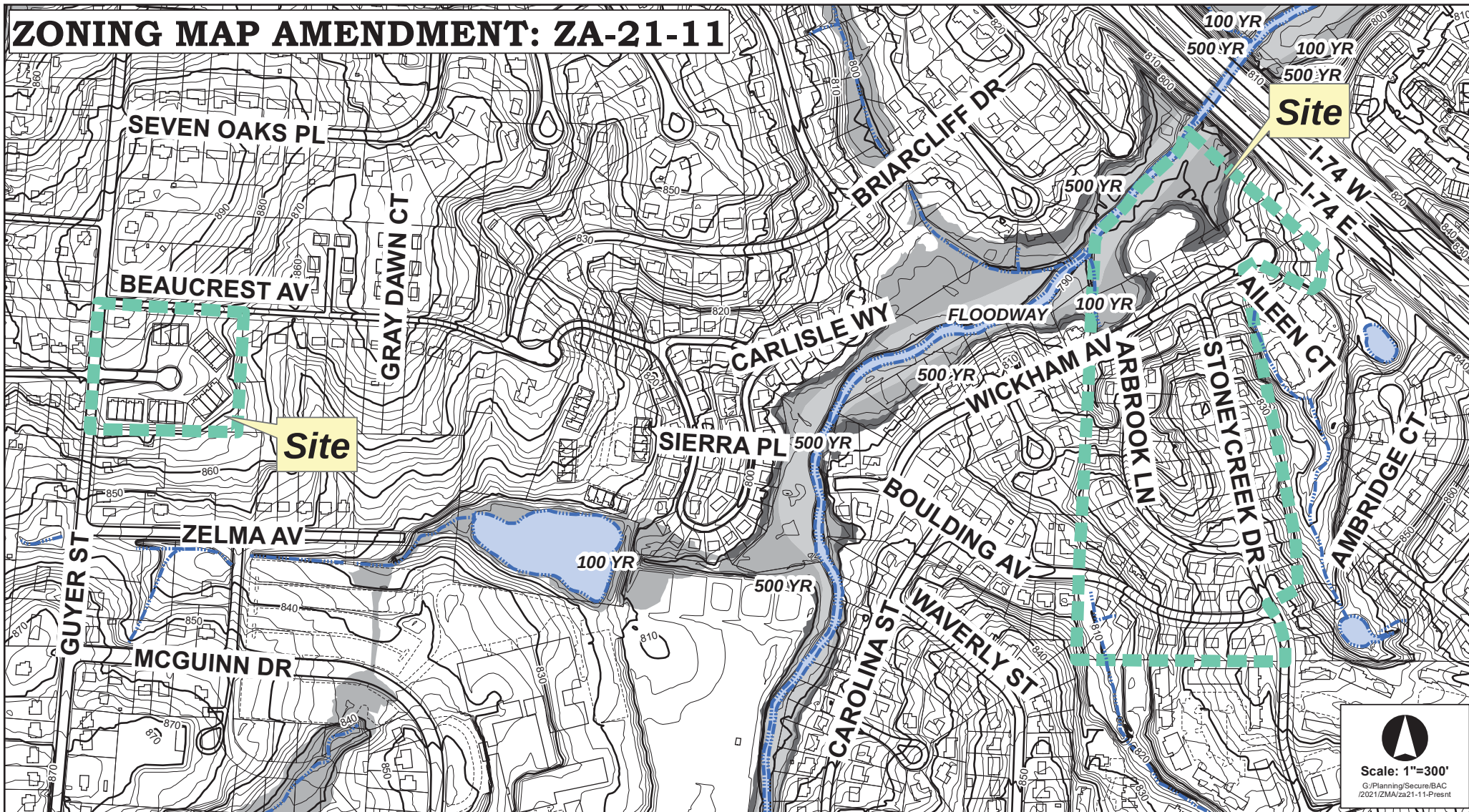


ZONING MAP AMENDMENT: ZA-21-11

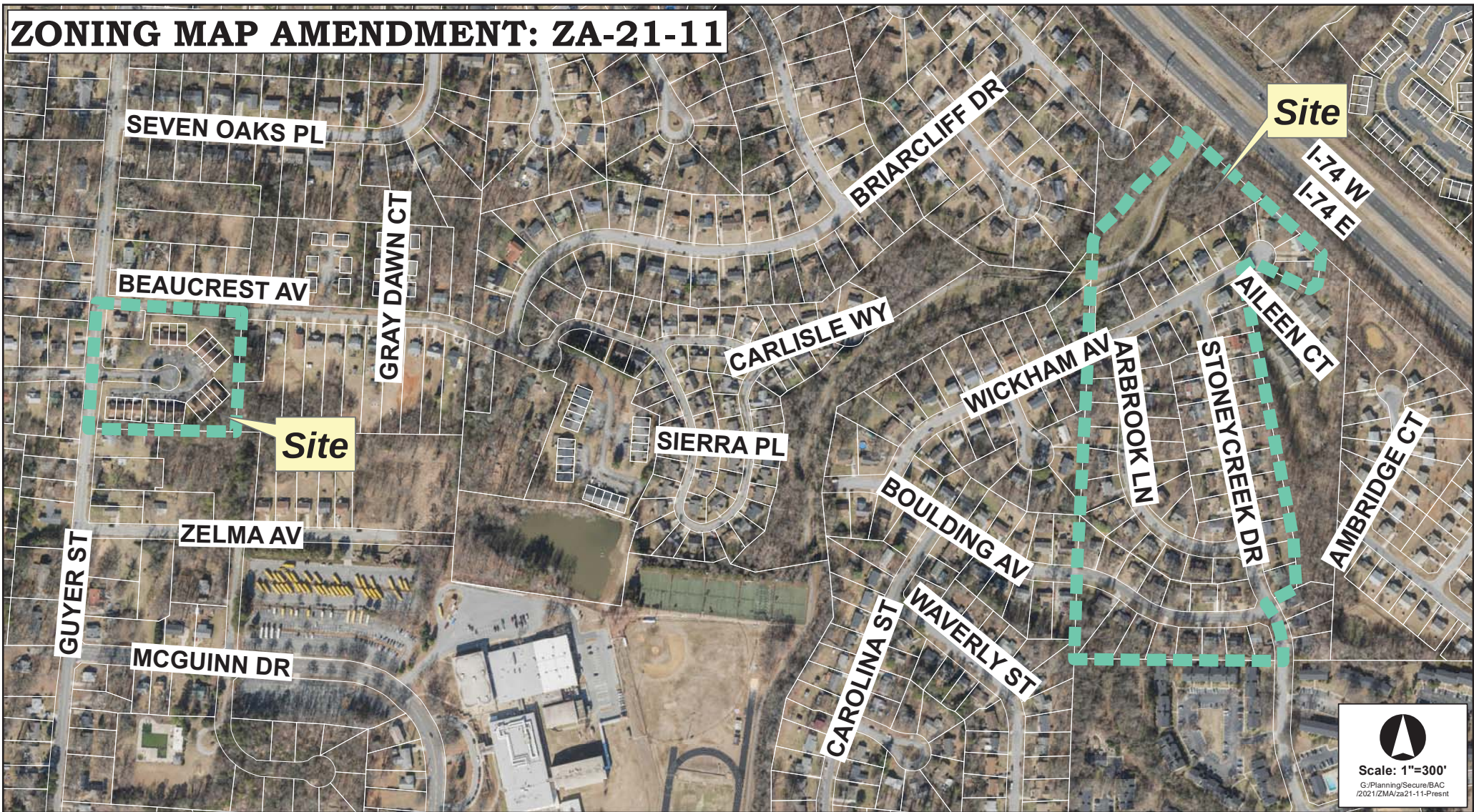


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ZONING MAP AMENDMENT: ZA-21-11



ZONING MAP AMENDMENT: ZA-21-11



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL 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 May 25, 2021 and before the City Council of the City of High Point on June 21, 2021 regarding **Zoning Map Amendment Case 21-11 (ZA-21-11)** 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 May 16, 2021, for the Planning and Zoning Commission public hearing and on June 10, 2021 and June 16, 2021, 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 **June 21, 2021**.

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

SECTION 1

Arbors Subdivision

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Multifamily -16 (RM-16) District**. Approximately 3.53 acres located at the southeast corner of Guyer Street and Beaucrest Avenue. A description of this development is recorded in PB 74 - PG 30 of the Guilford County Register of Deeds Office. The development is also known as Guilford County Tax Parcels 196914, 202939, 202940, 202941, 202942, 202943, 202944, 202945, 202946, 202947, 202948, 202949, 202950, 202951, 202952, 202953, 202954, 202955, 202956, 202957, 202958, 202959.

SECTION 2

Ashton Woods Subdivision, and 1935, 2106 and 2108 and Whickham Avenue

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Single Family – 5 (R-5) District**. Approximately 21.5 acres located north of the intersection of Suffolk Avenue and Stoneycreek Drive, with parcels fronting along a portion of Boulding Avenue, a portion of Stoneycreek Drive, a portion of Wickham Avenue and along Arborbrook Lane. A description of the Ashton Woods Subdivision and 1935 Whickham Avenue is recorded in PB 77 - PG 86; PB 80 - PG 15 and PB 85 - PG 149. A description of 2106 and 2108 and Whickham Avenue is recorded in PB 77 - PG 86 (lot 4 and 5). The development is also known as Guilford County Tax Parcel 205377, 205378, 205379, 205380, 205381, 205382, 205383, 205384, 205385, 205386, 205387, 205388, 205389, 205390, 205391, 205392, 205393, 205394, 205395, 205396, 205397, 205398, 205399, 205400, 205401, 205402, 205403, 205404, 205405, 205406, 205407, 205408, 205409, 205410, 205411, 205412, 205413,

205414, 205415, 205416, 205417, 205418, 205419, 205420, 205421, 205422, 205423, 205424, 205425, 205426, 205427, 205428, 205429, 205430, 205431, 205432, 205433, 205434, 205436, 205437, 205441, 205442, 205443, 205444, 205445, 205446, 205447, 205448, 205451 (portion).

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 June, 2021

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

From: [Sandy Dunbeck](#)
To: [Randy McCaslin](#); [Greg Ferguson](#); [Eric Olmedo](#); [Lisa Vierling](#); [Mary Brooks](#); [Amy Myers](#)
Cc: [Penny Westgard](#)
Subject: FW: Endorsing Incentives for 275 North Elm
Date: Monday, June 21, 2021 1:43:21 PM
Attachments: [image001.png](#)
[image002.png](#)

Please see this email below from Patrick Chapin in support of the incentives for Key Risk. The clients are looking forward to being with us this evening.

All my best, Sandy

From: Patrick Chapin <patrick@bhpchamber.org>
Sent: Monday, June 21, 2021 12:46 PM
To: Jay Wagner <jay.wagner@highpointnc.gov>; Monica L. Peters <monica.peters@highpointnc.gov>; Christopher Williams <chris.williams@highpointnc.gov>; Tyrone Johnson <tyrone.johnson@highpointnc.gov>; Britt Moore <britt.moore@highpointnc.gov>; Victor Jones <victor.jones@highpointnc.gov>; Michael Holmes <michael.holmes@highpointnc.gov>
Cc: Sandy Dunbeck <sandy.dunbeck@highpointnc.gov>; Jeron Hollis <jeron.hollis@highpointnc.gov>; Brian Gavigan <bpglaw@outlook.com>; Patrick Chapin <patrick@bhpchamber.org>
Subject: Endorsing Incentives for 275 North Elm

Dear High Point Mayor and City Council Members,

On behalf of Business High Point - Chamber of Commerce (BHP-CC) I would like to go on the record in support of the incentives for Key Risk, a Berkley company.

It meets the City and BHP-CC's mutual goal of transformational change and revitalization of downtown High Point. This will bring significant economic impact and attract and retain young, educated talent to our downtown core. This is a significant win and will also support our small businesses in the area as well as move us (collectively) to having a more vibrant, livable downtown.

In light of the huge investments already made by the City, the Congdons, Dr. Qubein and HPU, Dr. Peters, Sidewalk Development and others, the incentive package is small in the scheme of things. The fact that it is four years of incentives on a 10-year lease (with a 5-year renewable option) the net economic value to our overall community is dramatic.

This is a huge achievement, with a great (Fortune 500) company and shows the enthusiasm and momentum of our efforts over the last several years. The early projections of \$100M of new economic development around the stadium in 10 years is being eclipsed, with recent projections of over \$100M in 5 years and \$325M projected in 10 years.

It is an exciting time for High Point. This opportunity will lead to a broader economic and social impact for our future. Opportunities for all of our City residents. I strongly endorse this decision.

Sincerely,

Patrick W. Chapin

Patrick W. Chapin

President / CEO

☎ 336.882.5000, ext. 3900

✉ patrick@bhpchamber.org

Business High Point-Chamber of Commerce

1634 N. Main Street • High Point, NC 27262

bhpchamber.org

community*first.* **community***always.*

VISION INVESTORS

BB&T NOW TRUIST • BETHANY MEDICAL CENTER/LENNY PETERS FOUNDATION
BLUE RIDGE COMPANIES • CITY OF HIGH POINT • CONE HEALTH
CULP INC. • DAVIS FURNITURE • GMA/FIRSTPOINT, INC.
HARRISS & COVINGTON HOSIERY • HIGH POINT MEDICAL CENTER
HIGH POINT UNIVERSITY • ILBERTON DODGE CHRYSLER JEEP RAM
INTERNATIONAL MARKET CENTERS • LANDMARK BUILDERS • MARK NORCROSS
MARKETPLACE MANAGEMENT • NORTHSTATE • NOVANT HEALTH
OLD DOMINION FREIGHT LINE • PETERS MEDICAL RESEARCH

PINNACLE FINANCIAL PARTNERS · SHARRARD, MCGEE & CO., PA · SMITH & JENNINGS
SMITH LEONARD PLLC · TRULIANT FEDERAL CREDIT UNION
VANN YORK AUTO GROUP · VISIT HIGH POINT · WELLS FARGO BANK

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 21-10
(Hunter Farms)

From: Lee Burnette, Planning & Development
Director

Meeting Date: June 21, 2021

Public Hearing: Yes

Advertising Date: June 9, 2021, and
June 16, 2021

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by Hunter Farms to rezone approximately 0.92 acres from the Residential Single Family – 5 (R-5) District and a Conditional Use General Business (CU-GB) District to a Conditional Zoning Office Institutional (CZ-OI) District. The site is located at the southwest corner of Irbywood Drive and Montgomery Street (108 and 110 Irbywood Drive).

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their May 25, 2021 regular meeting and took final action when the meeting was reconvened on May 27, 2021. On the date of final action, all members of the Commission were present except for Ms. Joan Swift and Mr. Terry Venable. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking in favor of the request on behalf of the applicant was Mr. Sam Lasine, attorney, Keziah-Gates LLP, 300 N. Main Street, Suite 400, High Point. Mr. Lasine noted that the Hunter Farms facility has continued to grow, and with the hiring of additional staff they are requesting rezoning to support expansion of their employee parking lot. To ensure they will continue to be a good neighbor to the abutting residential area, Hunter Farms has offered conditions to limit access and to screen the proposed parking area with fencing and landscaping. Mr. Lasine concluded by noting no one attended their neighborhood meeting. The only contact he has received was a phone call from the owner of the Sir Pizza restaurant, 1916 N. Main Street, who wanted to ensure their property was not being rezoned.

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 21-10 is consistent with the City's adopted policy guidance because the requested conditional zoning district provides a transition between the manufacturing use and the adjacent residences. Furthermore, the request is reasonable and in the public interest because the requested zoning change includes the last residentially zoned parcel in the block and down zones the commercially zoned portion of the site to a district that provides better protection for the adjoining neighborhood.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-21-10
May 25, 2021**

Request	
Applicant: Harris Teeter, Inc. (dba Hunter Farms)	Owner: Harris Teeter, Inc. (dba Hunter Farms)
Zoning Proposal: To rezone approximately 0.92 acres	From: CU-GB Conditional Use General R-5 Business District Residential Single Family – 5 District
	To: CZ-OI Conditional Zoning Office Institutional District

Site Information	
Location:	Located at the southwest corner of Irbywood Drive and Montgomery Street (108 and 110 Irbywood Drive).
Tax Parcel Number:	Guilford County Tax Parcels 189098 (portion) and 189100.
Site Acreage:	Approximately 0.92 acres (40,075± square feet)
Current Land Use:	Commercial parking lot and undeveloped parcel.
Physical Characteristics:	The site has a relative flat topography with no noteworthy features.
Water and Sewer Proximity:	A 6-inch City water line and an 8-inch City sewer line both lie adjacent to the site along Irbywood Drive and Montgomery Street.
General Drainage and Watershed:	The site drains in a northerly direction and development is subject to the Oak Hollow Lake General Watershed Area (GWA) requirements. Primary stormwater control measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more.
Overlay District:	Oak Hollow Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	R-5	Residential Single Family – 5 District	Single family dwelling
South:	MS-A	Main Street District (Sub-District A)	Minor Industrial Service Use
East:	R-5	Residential Single Family – 5 District	Single family dwelling
West:	MS-A	Main Street District (Sub-District A)	Retail sales establishment

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 area has a Low-Density Residential land use designation. This classification includes primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre. However, the zoning site is part of the larger Hunter Farms manufacturing facility which fronts on N. Main Street. Lands fronting along or that have an established orientation towards this segment of this corridor have a Community/Regional Commercial land use designation, which supports a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Land Use Plan Goal, Objective & Policies:	The following objective of the Land Use Plan is relevant to this request: Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.
Relevant Area Plan: Core City Plan	<u>Core City Plan:</u> This request is neither consistent or inconsistent with the goals and objectives of the Core City Plan.
Zoning History:	The zoning site is owned by the abutting Hunter Farm manufacturing facility. Tax records note this manufacturing facility (also known as Harris Teeter Creamery) was built in 1946 and is depicted on historic aerial photography dating back to 1958. Until the establishment of the Main Street (MS) zoning district in 2008, this facility and butting lands along N. Main Street were in the General Business (GB) District. The area requesting to be rezoned was initially platted for single family dwellings as part of the of S.D. Gibson Jr subdivision in 1950. In 1998, the northern portion of this current zoning site was rezoned to a CU-GB District to be used as a parking lot for the abutting manufacturing facility.

Transportation Information			
Adjacent Streets:	Name		Classification
	Irbywood Drive		Local Street
	Montgomery Street		Local Street
Vehicular Access:	Via driveway access for Irbywood Drive.		
Traffic Counts: (Average Daily Trips)	None, traffic counts are not typically taken from local streets by the NCDOT.		
Estimated Trip Generation:	Not applicable		
Traffic Impact Analysis (TIA):	Required		TIA Comments
	<u>Yes</u>	<u>No</u> X	A TIA is not required.
Conditions:	<u>Access:</u> Driveway access shall only be permitted to Irbywood Drive. In conjunction with any development permit approval, the existing driveway on Montgomery Street shall be closed and replaced with standard curb and gutter.		

School District Comment

Not applicable to this zoning case.

Details of Proposal

The applicant is requesting rezoning of lands abutting their manufacturing facility, along Irbywood Drive, to support expansion of their employee parking area. The northern portion of the zoning site has a CU-GB District zoning that was established in 1998 for an employee parking lot. The southern portion of the site has a R-5 District zoning and was previously developed with a single family dwelling, which has since been demolished. The applicant desires to rezone this area to a Conditional Zoning Office Institutional (CZ-OI) District to expand their previously established employee parking area.

Included with this zoning map amendment application is a conditional zoning ordinance in which the applicant has offered conditions to prohibit minor retail sales use types, preserve existing permitter vegetation, screen parking and to restrict access.

Staff Analysis

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 requested conditional zoning district provides a transition between the manufacturing use and the adjacent residences

Reasonableness/Public Interest:

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

The requested zoning change includes the last residentially zoned parcel in the block and down zones the commercially zoned portion of the site to a district that provides better protection for the adjoining neighborhood.

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.
- ❖ Based on the zoning site's limited land area and conditions offered by the applicant, allowable uses in the proposed CZ OI District will be of a limited scale and intensity.
- ❖ The proposed expansion of the employee parking lot will continue previously established conditions for screening and preservation of landscaping along the site's street frontage.

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 condition offered by the applicant to close the current parking lot access on Montgomery Street and require access to be from Irbywood Street will reduce the intrusion of nonresidential trips into the adjacent residential area.
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 Oak Hollow Lake General 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. The site is within an area currently served by City of High Point utilities and municipal services. The zoning submittal has no known adverse impacts on municipal services.
Mitigation #4	Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands. Conditions offered to preserve existing streetyard landscaping, screen parking lots and prohibit retail uses will assist in mitigating adverse impacts on adjacent residential uses.

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.

This zoning request is a continuation of the conversion of the area along Montgomery Street and south of Irbywood Drive from a residential to a nonresidential area. In 1998, the eastern portion of the zoning site (fronting along Montgomery Street) was rezoned to support establishment of an employee parking area for the abutting manufacturing facility. In 2008, under Street Abandonment Case 08-22 and Zoning Map Amendment Case 08-12, the City Council approved the abandonment of the southern two-thirds of the Montgomery Street right-of-way and expansion of the Hunter Farms facility to lands east of the abandoned Montgomery Street right-of-way.

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 promotes a preferred development pattern as this is the last residentially zoned parcel in this block and will complete the conversion of this block from residential zoning.

Recommendation

Staff Recommends Approval:

The Planning and Development Department recommends approval of the request to rezone this 0.92-acre site to the CZ-OI District. As conditioned, the requested will be compatible with the surrounding area and in conformance with adopted plans.

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-21-10

Applicant: Hunter Farms

Vicinity Map

High Point



Davidson
County

Site

City of High Point

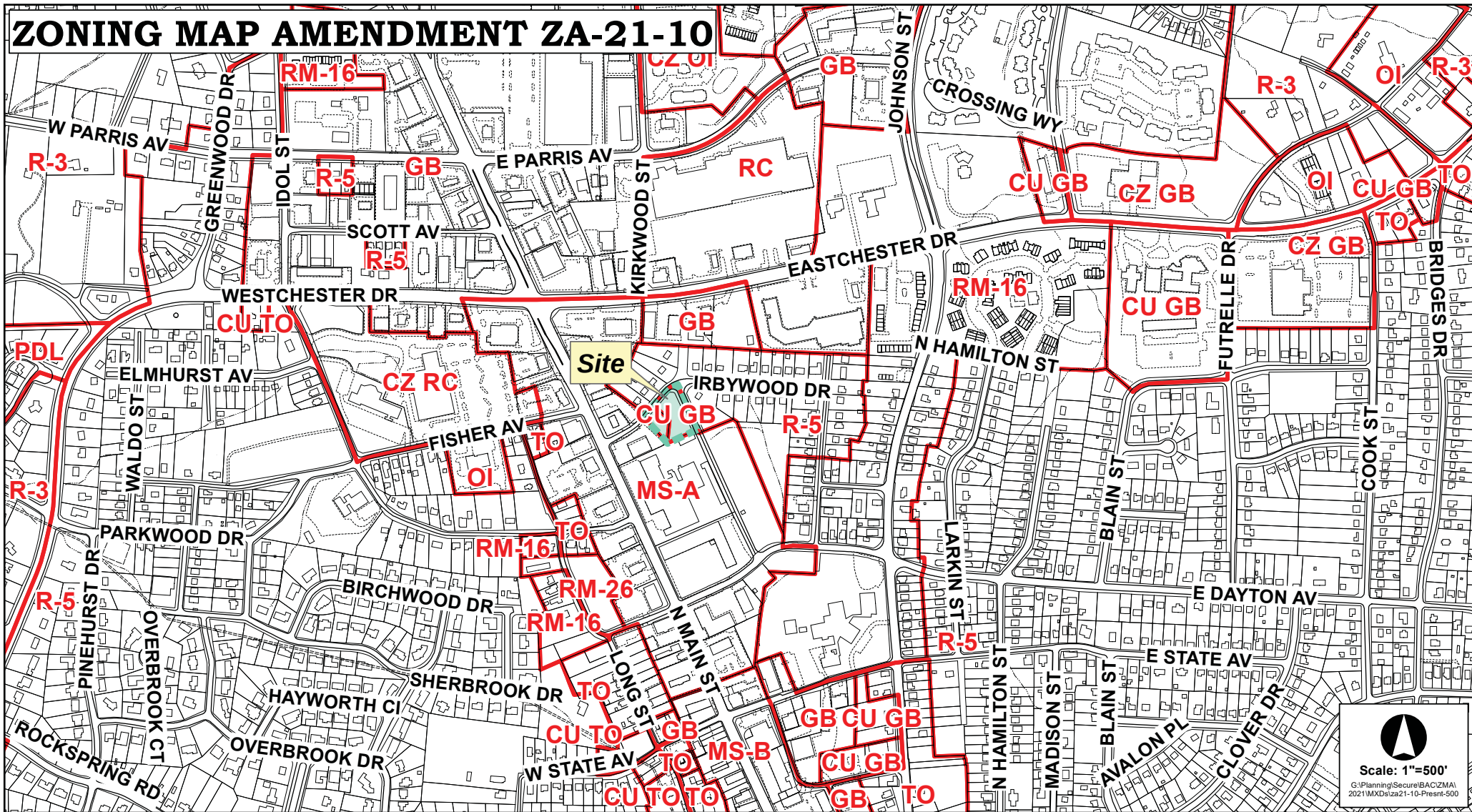
Guilford
County



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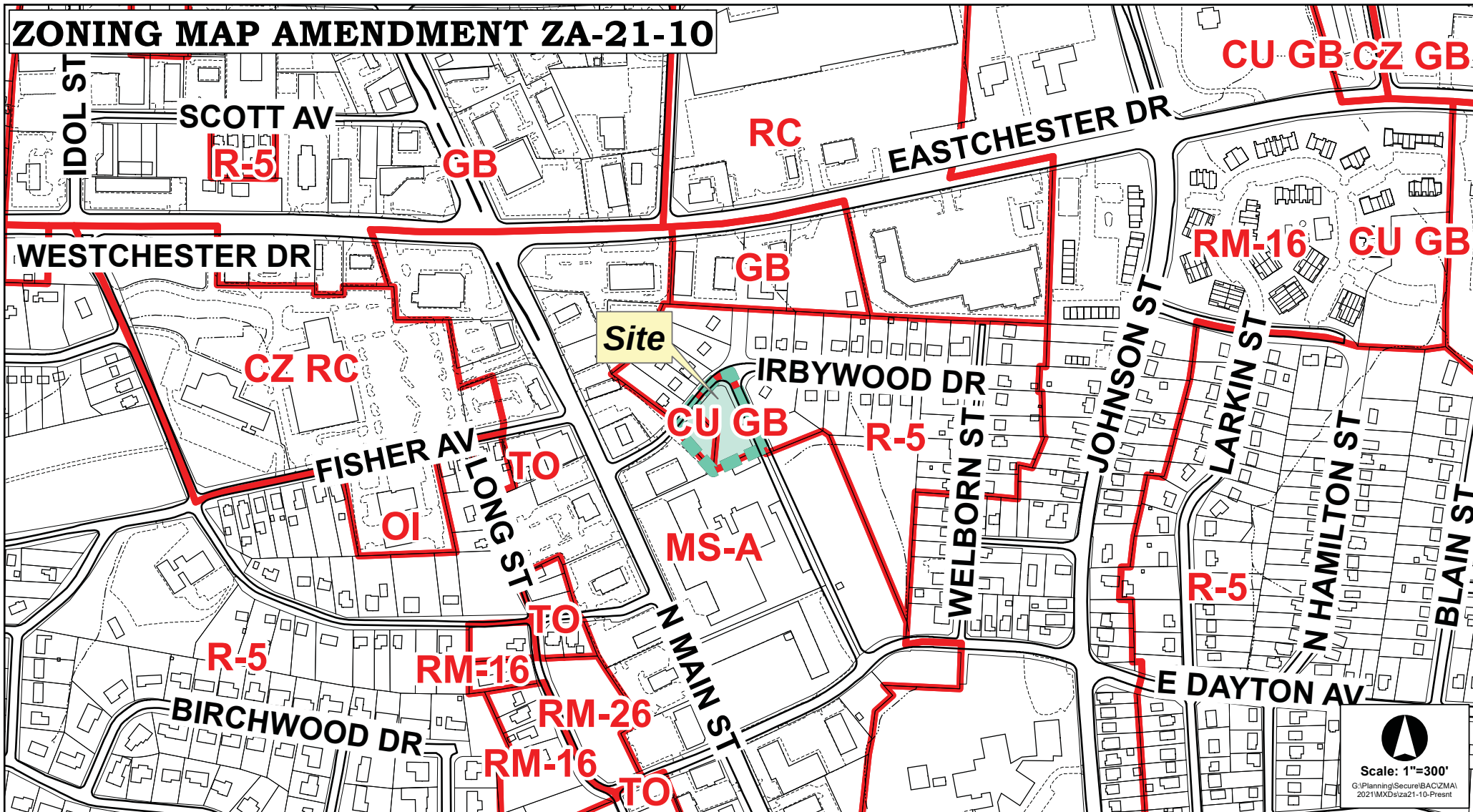
ZONING MAP AMENDMENT ZA-21-10



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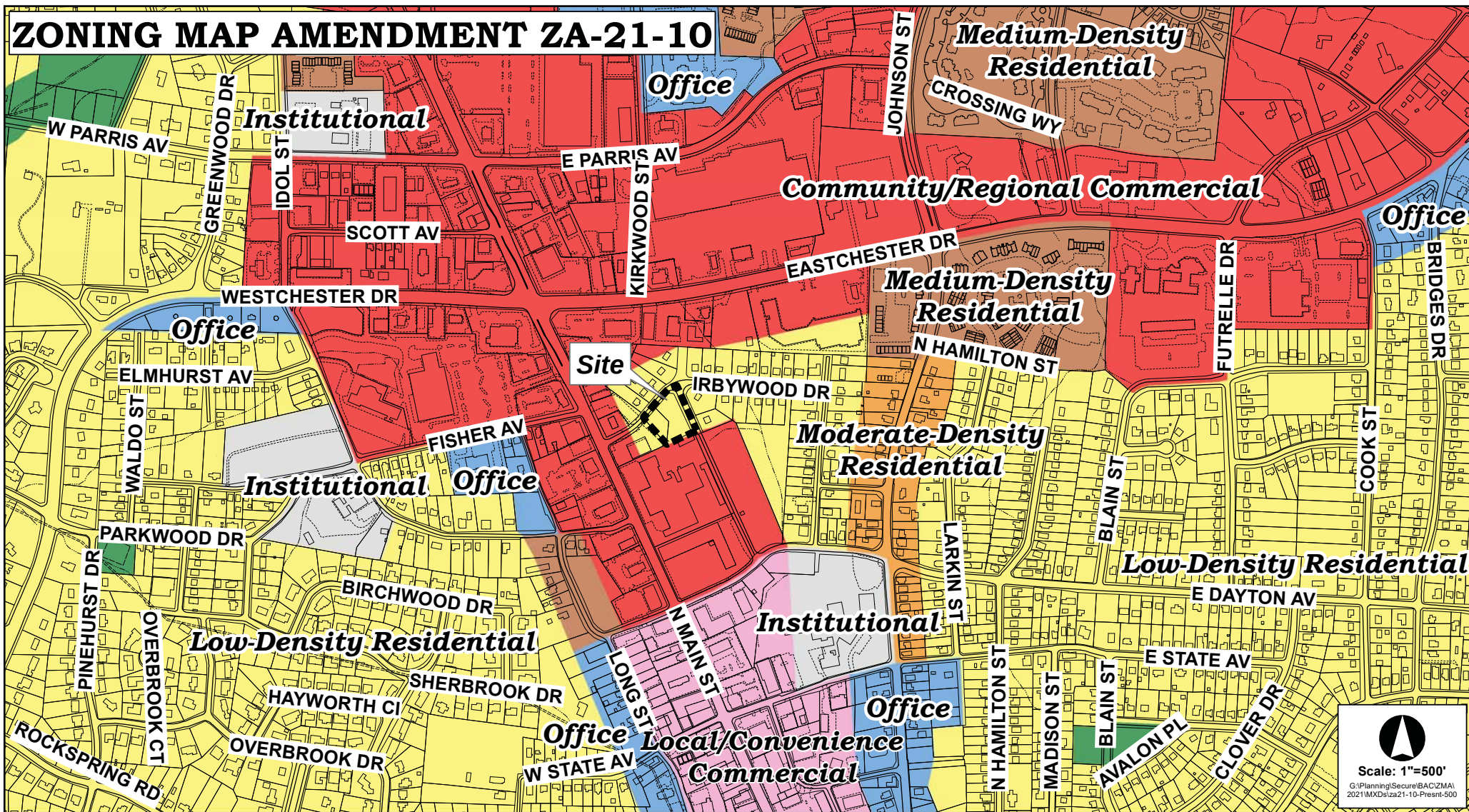
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ZONING MAP AMENDMENT ZA-21-10



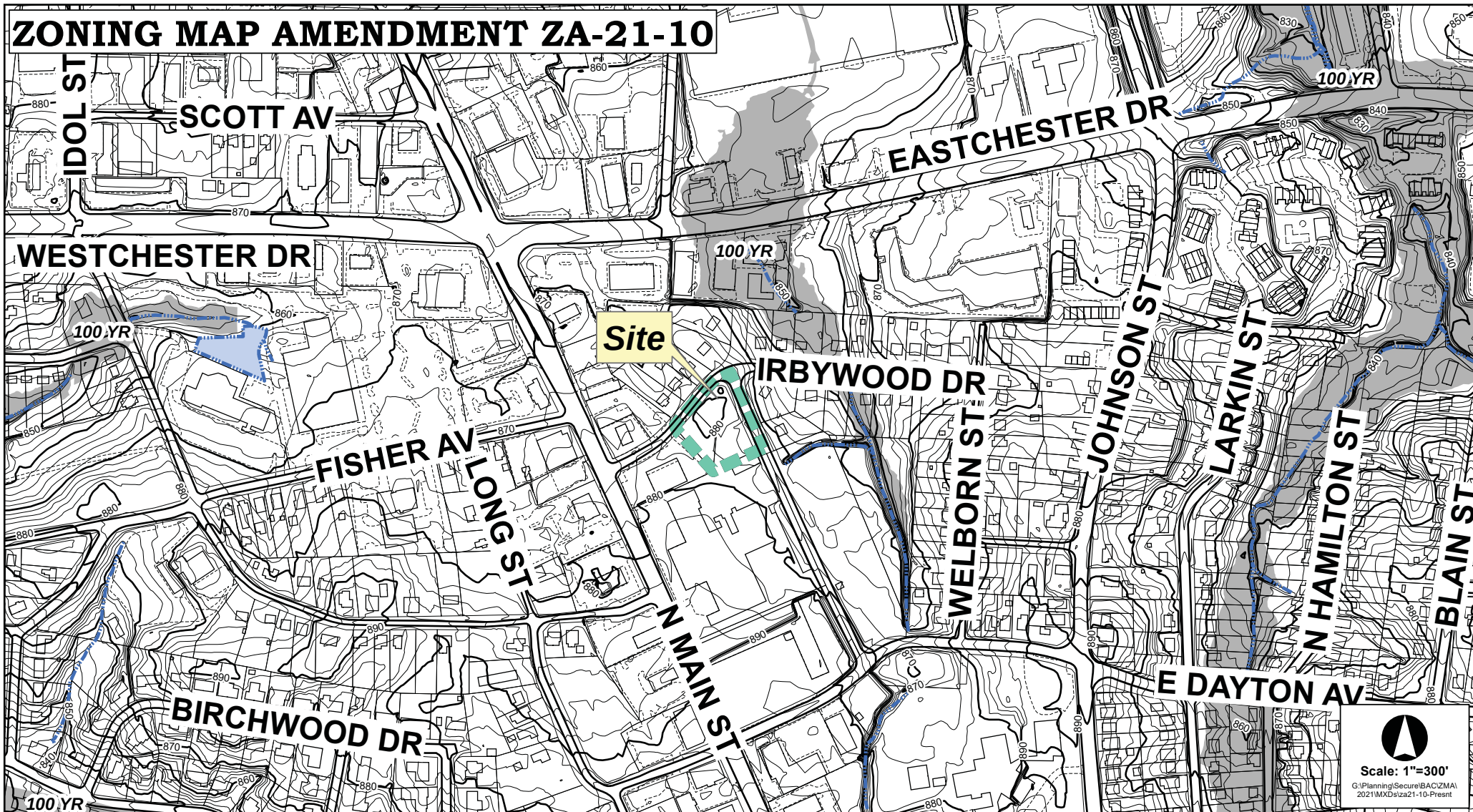
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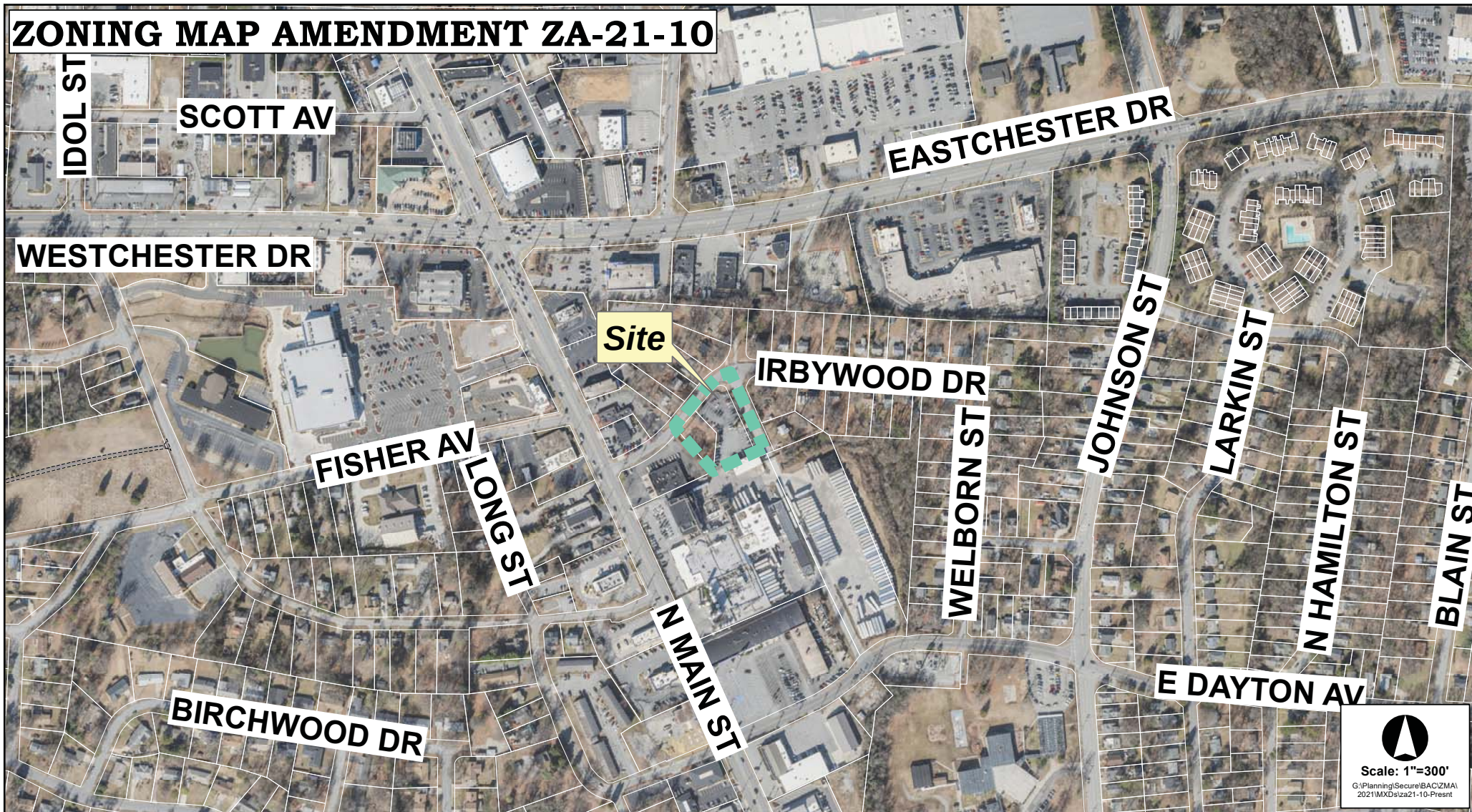

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ZONING MAP AMENDMENT ZA-21-10




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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL 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 May 25, 2021 and before the City Council of the City of High Point on June 14, 2021 regarding **Zoning Map Amendment Case 21-10 (ZA-21-10)** 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 May 16, 2021, for the Planning and Zoning Commission public hearing and on June 9, 2021 and June 16, 2021, 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 **June 23, 2021**.

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 Office Institutional (CZ-OI) District**. The property is approximately 0.92 acres (40,075± square feet) and located at the southwest corner of Irbywood Drive and Montgomery Street. The property is addressed as 108 and 110 Irbywood Drive and also known as Guilford County Tax Parcels 189098 (portion) and 189100.

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. Any uses allowed in the Office Institutional (OI) District subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.
- B. The following uses, enumerated in Table 4.1.9 (Principal Use Table) of the Development Ordinance shall be prohibited:
 1. **Commercial**
Minor retail sales

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Existing healthy perimeter landscaping, located within the streetyard planting area, shall be preserved.
2. If the principal use of the zoning site is a parking lot, then a six (6) foot high opaque fence shall be installed along the Irbywood Drive and Montgomery Street frontage of the zoning site.

B. Transportation.

1. Access: Driveway access shall only be permitted to Irbywood Drive. In conjunction with any development permit approval, the existing driveway on Montgomery Street shall be closed and replaced with standard curb and gutter.

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 23rd day of June, 2021

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

Neighborhood Communications Report
Hunter Farms
ZA-21-10

Submitted by Andrew S. ("Sam") Lasine, Keziah Gates LLP
On behalf of Hunter Farms
May 6, 2021

1. Invitation

Hunter Farms' neighbors were sent the attached letter (**Exhibit A**) via expedited service. The letter included (a) the mandatory official statement about the zoning process with the City; (b) a full description of why the conditional rezoning was requested; (c) a site map; (d) a site plan that shows the Hunter Farms property and the employee parking area; (e) ways the neighbors could personally contact Hunter Farms with questions by both email and telephone; and (f) an invitation for neighbors to attend a virtual meeting with Hunter Farms' representatives.

Recipients of the letter are the neighbors listed on **Exhibit B**. This list was provided by the High Point Planning Department.

2. Meeting

A virtual meeting was held between 5:30 and 6:30 p.m. on Wednesday, April 28, 2021. Representatives of Hunter Farms were in attendance: Jason Thomason, Hunter Farms Director of Dairy Operations; Sam Lasine, Attorney; Brent Cockrum, PE; and Abigaile Pittman, planner.

No neighbors attended the meeting either virtually (Zoom) or by telephone.

3. Other Communications

To date, no communications from the neighbors have been received by Hunter Farms by phone, email, mail, or any other means, except from Danny Butler (Owner of Sir Pizza property, 1916 North Main Street). Mr. Butler called Hunter Farms' representative, Jason Thomason, to ask why his zoning was changing. Mr. Thomason explained that the zoning of the Sir Pizza property was not changing; only the zoning of the subject Hunter Farms property, and that he had received notice of the requested rezoning as an adjacent property owner. Mr. Butler was satisfied by this response and did not have any other questions or concerns.

EXHIBIT A



*Hunter Farms Dairy
1900 North Main Street
High Point, NC 27262
336.822.2300*

April 23, 2021

Dear Neighbor,

I am writing to let you know that you will receive notice from the City of High Point that Hunter Farms, your adjacent neighbor, has requested a zoning change.

The purpose of this request is to allow Hunter Farms to increase the size of its existing employee parking area at the corner of Irbywood Drive and Montgomery Street.

Hunter Farms has owned the property located at 108 Irbywood Drive for a number of years, took down the house on the site and has been temporarily using the lot for additional employee parking, pending approval of this rezoning request.

The parking area will continue to be screened with fencing and landscaping and will be paved. Also, there will be just one access to the area, from Irbywood Drive, in order to provide for safe traffic movements.

Enclosed for your information is an official statement on the rezoning process with the city, a site map and a site plan that shows the Hunter Farms property and the employee parking area.

If you have questions about this or wish to discuss this process, please call Jason Thomason at 336-822-2351 or email me at wthomason@hunterfarms.com.

Additionally, we will conduct a virtual meeting to answer any questions or discuss any concerns you may have. You can follow this link to join us in this virtual meeting: <https://zoom.us/j/93136946202?pwd=Unh6UzdhdQ2NlUnVzeFBGMWVjK1JLUT09>; or call at 1-301-715-8592, Meeting ID: 931 3694 6202, and Passcode: 308429. The meeting will be held from 5:30p.m. to 6:30p.m. on Wednesday, April 28 2021. For a digital meeting invitation please email bcockrum@feiconsulting.com. It is open to anyone who is interested.

Best Regards,

Jason Thomason
Hunter Farms

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:

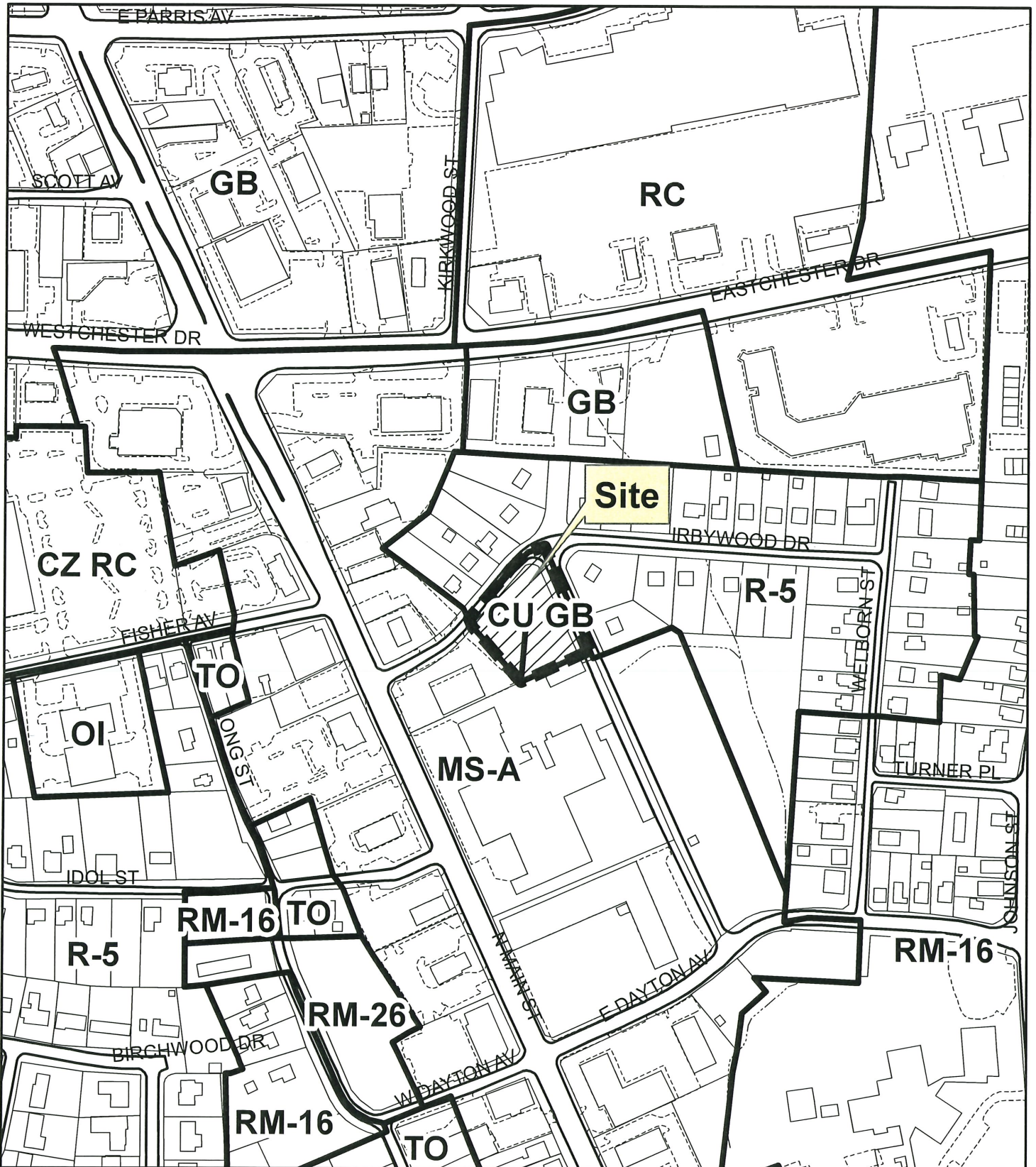
- Specifies the ownership status, race, religion, or other characteristics of the development's occupants;
- Establishes a minimum size of a dwelling unit;
- Establishes a minimum value of buildings or improvements;
- Excludes residents based upon race, religion, or income; or
- Obligates the City to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



ZONING MAP AMENDMENT ZA-21-10

From: Residential Single Family-5, and
Conditional Use General Business
To: Conditional Zoning Office Institutional

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

**Planning & Development
 Department**

City of High Point



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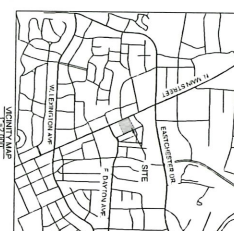


EXHIBIT B

ATLAS 5 HOLDINGS LLC
2004 N MAIN ST
HIGH POINT NC 27262

BOOTSMA INVESTMENT LLC
1235 S ELM EUGENE ST
GREENSBORO NC 27406

BROWN, MARK L;BROWN, MEREDITH S
PO BOX 247
WELCOME NC 27374

BUSBY, ALLEN JAMES
PO BOX 140074
SALCHA AK 99714

CITY OF HIGH POINT
PO BOX 230
HIGH POINT NC 27261

DAVIS, ANDREA RILEY;RILEY, EMILY ANN
ELIZABETH;WRIGHT, KRISTINA RILEY
4012 POND VALLEY CT
MCLEANSVILLE NC 27301

EDWARD-DONALD CORP
PO BOX 6363
HIGH POINT NC 27262

GOLDSTAR PARTNERS LLC - STORE #1246
PO BOX 9167
SPRINGFIELD MO 65801

HARRIS TEETER INC
701 CRESTDALE RD
MATTHEWS NC 28105

ILDERTON, CLARENCE M JR;ILDERTON, NANCY K
1010 COUNTRY CLUB DR
HIGH POINT NC 27262

JENNINGS, S DANIEL;JENNINGS, DOLLY F
1411 WALES DR
HIGH POINT NC 27262

JEONG, KWANGBEOM;OH, AEKYOUNG
208 EASTCHESTER DR
HIGH POINT NC 27262

JESSICAS LAND COMPANY LLC
PO BOX 214
BELEWS CREEK NC 27009

MANSFIELD INVESTMENTS LLC
2406 GOLDFIELD CT
GREENSBORO NC 27455

MARSHALL, DONNIE LEE
2001 MONTGOMERY ST
HIGH POINT NC 27262

MINTON, JOE EUGENE;MINTON, SUE
ALLRED;MINTON, JOSEPH ADAM
111 IRBYWOOD DR
HIGH POINT NC 27262

MOZELEY, JAMES P
210 IRBYWOOD DR
HIGH POINT NC 27262

PEREZ, ANTONIO SANCHEZ
1703 WELBORN ST
HIGH POINT NC 27262

RAMOZ, DANIEL C
200 IRBYWOOD DR
HIGH POINT NC 27262

ROSS, FLOYD D
2143 MOTSINGER RD
WINSTON SALEM NC 27107

SILVER MAIN LLC
PO BOX 6363
HIGH POINT NC 27262

WHITE, TERESA J
1920 MONTGOMERY ST
HIGH POINT NC 27262