

City of High Point

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



Meeting Agenda

Monday, November 20, 2017

5:30 PM

Council Chambers

City Council

*William S. Bencini, Jr., Mayor
Jay W. Wagner, Mayor Pro Tem
Latimer B. Alexander, IV., Cynthia Y. Davis
James C. Davis, Jason P. Ewing,
Jeffrey J. Golden, Alyce E. Hill,
Christopher Williams*

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**RECOGNITIONS AND PRESENTATIONS**

- [170395](#) GoFar - Recognition of City Departments
Representatives from the GoFar (Go out For a Run) organization will be in attendance to present awards to several City Departments for their assistance in the organization of the GoFar events.

CONSENT AGENDA ITEMS**FINANCE COMMITTEE - Council Member J. Davis, Chair**

- [170396](#) Contract - Ensales-Virginia Transformer
Council is requested to award a contract to Ensales-Virginia Transformer in the amount of \$1,715,805.00 for the purchase of three (3) medium power (substation) transformers for the upgrade of the Linden Substation and the Penny Road Substation.
Attachments: [1. Medium Power Transformers](#)
- [170397](#) Contract - Yates Construction Company
Council the requested to award a contract to Yates Construction Company in the amount of \$1,095,050.00 for the installation of a new location 8-inch gravity sewer that will eliminate the need of a pump station and the cost associated with perpetual maintenance at the Old Thomasville Road pump station (pump station will be abandoned).
Attachments: [2. Contract - Old Thomasville Pump Station](#)
- [170398](#) Contract - Creative Bus Sales
Council is requested to award a contract to Creative Bus Sales in the amount of \$334,386.00 for the purchase of three (3) new light transit vehicles; and declare the old equipment as surplus and authorize staff to dispose of through the online auction process.
Attachments: [3. Para Transit Vehicles](#)
- [170399](#) Contract - Spatial Data Consultants
Council is requested to award a contract to Spatial Data Consultants in the amount of \$168,745.00 for the purchase of new high-resolution aerial photography and oblique aerial view imagery from flight data to be obtained in early 2018.
Attachments: [4. Ortho Imagery and Oblique Aerial View Imagery](#)
- [170400](#) Ordinance - Budget Amendment - Business Incubator Grant
Council is requested to adopted a Budget Ordinance amending the City of High Point 2017-2018 Budget Ordinance to appropriate funds in the amount of \$250,000 for a grant received from the Rural Economic

Development Division of the North Carolina Department of Commerce for a Business Incubator Grant. These funds will be transferred to Business High Point to develop a business incubator with space for entrepreneurs, designers, small scale manufacturers, international guests and young professionals to grow their businesses.

Attachments: [5. Budget Ordinance Amendment - Rural Economic Development Grant amendi](#)

[170401](#)

Comprehensive Master Plan - Parks & Recreation Department
Council is requested to approve the selection of McAdams Company to assist with the development of a Comprehensive Master Plan for the Parks & Recreation Department.

Attachments: [6. Parks and Recreation - RFQ Master Plan November 2017](#)

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Council Member J. Davis, Chair

[170402](#)

Parks and Recreation Department Fee and Charges Policy - Fees and Charges Adjustments

Council is requested to approve new and adjusted fees to the High Point Parks and Recreation Department Fee and Charges Policy for the City's park facilities. (This item was discussed in the Finance Committee meeting held Wednesday, November 15th and due to one dissenting vote (Council Member C Davis) it is placed on the Regular Agenda.)

Attachments: [7. Parks and Recreation Revised Fees and Charges November 2017](#)
[PR Fees and Charges Recommendations 11-15-17 PP](#)

[170403](#)

Acknowledge Receipt of the City of High Point Comprehensive Annual Financial Report for 2016-2017

City Council is requested to acknowledge receipt of the City of High Point Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2017 and related required communications from the City's auditors, Cherry Bekaert LLP.

Attachments: [8. Acknowledge Receipt of CAFR-2017](#)

COMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT AND PUBLIC SAFETY COMMITTEE - Council Member Golden, Chair

[170404](#)

Ordinance - Demolition of Structure - 424 Ennis Street

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 424 Ennis Street belonging to the estate of John Lucian Kinley.

Attachments: [424 Ennis Council Packet Final](#)

[170405](#)

Ordinance - Demolition of Structure - 1011 Granby Avenue

Council is requested to adopt an ordinance ordering the housing inspector

to effectuate the demolition of a dwelling located at 1011 Granby Avenue belonging to Doris J. Austin (deceased).

Attachments: [1011 Granby Ave Council Packet Final](#)

[170406](#)

Ordinance - Demolition of Structure - 812 Westchester Drive
Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 812 Westchester Drive belonging to Doris J. Austin (deceased).

Attachments: [812 Westchester Council Packet Final](#)

[170407](#)

Ordinance - Demolition of Structure - 605 Langford Avenue
Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 605 Langford Avenue belonging to Schwarz Properties.

Attachments: [605 Langford Ave Council Packet Final](#)

[170408](#)

Ordinance - Demolition of Structure - 3209 Pine Valley Road
Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 3209 Pine Valley Road belonging to Charles D. Robbins.

Attachments: [3209 Pine Valley Rd Council Packet Final](#)

PENDING ITEMS

[170382](#)

Ordinance - Demolition of Dwelling - 222 Hobson Street
Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 222 Hobson Street belonging to Rebekah J. Hoover.

Attachments: [3. 222 Hobson Council Packet Final](#)

PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing,

Chair

[170424](#)

Resolutions - Lease Agreements - City Properties
Council is requested to adopt Resolutions approving Lease Agreements for the following City owned properties: 500 & 540 West English Road, 211 Pine Street, 201 Church Avenue, 303 Gatewood Avenue.

Attachments: [Lease agreements](#)

[Resolution Approving Lease Gatewood](#)

[Resolution Approving Lease of 211 Pine to Piedmont Electric](#)

[Resolution Approving Lease to Piedmont Electric for 500 & 504 West English](#)

[Resolution Approving Lease to United Way](#)

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Wagner,

Chair

[170409](#)

Resolution of Intent - Annexation 17-09

Approval of a Resolution of Intent that establishes a public hearing date of Monday, December 18, 2017, at 5:30 p.m. to consider a voluntary non-contiguous annexation of approximately 8.787 acres lying along the south side National Service Road, approximately 500 feet west of Tyner Road. The property is addressed as 8017 National Service Road and is also known as Guilford County Tax Parcel 0169800.

Attachments: [1. ROI AN-17-12](#)

PUBLIC HEARINGS[170410](#)

Ordinance - T&Z Commercial Property, LLC - Zoning Map Amendment 17-24

A request by T&Z Commercial Property, LLC to rezone an approximate 1.74-acre parcel from the Retail Center (RC) District to the General Business (GB) District. The site is lying west of Johnson Street and north of E. Parris Avenue (295 E. Parris Avenue).

Attachments: [2. Staff Report ZA-17-24](#)

[170411](#)

Ordinance - Willard Family Trust and Willard Survivors - Annexation 17-11

A request by the Willard Family Trust and Willard Survivors to consider a voluntary contiguous annexation of approximately 22.2 acres lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. The property is also known as Guilford County Tax Parcel 0169933.

Attachments: [3. AN-17-11 Staff Report](#)

[170412](#)

Ordinance - City of High Point - Zoning Map Amendment 17-21

A request by the City Council to amend the boundary of the Airport Overlay (ARO) District as it pertains to approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road.

Attachments: [4. Staff Report ZA-17-21](#)

[170413](#)

Resolution - Keystone Homes - Plan Amendment 17-04

A request by Keystone Homes to change the Land Use Map classification for approximately 20.5 acres from the Restricted Industrial to a Medium Density Residential designation. In addition, the Planning & Development Department requests a change to approximately 30.44 acres from the Restricted Industrial to a Medium Density Residential designation, to change approximately 35.12 acres from the Restricted Industrial to the Low Density Residential designation and to change approximately 200 acres from the Mixed-Use Development to the Low Density Residential designation. These requests are for a total of 286.06 acres lying along the north and south side of Willard Dairy Road, near the intersection of Willard Dairy Road and Southwest School Road and along the east and west side of Barrow Road, north of the intersection of Barrow Road and Willard Dairy

Road.

Attachments: [5. Staff Report PA-17-04 & ZA-17-20](#)

[170414](#)

Ordinance - Keystone Homes - Zoning Map Amendment 17-20

A request by Keystone Homes to rezone an approximate 22.2-acre parcel from the Agricultural District, within Guilford County's jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ-RM-16) District. The site is lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

Attachments: [5. Staff Report PA-17-04 & ZA-17-20](#)

[170415](#)

Ordinance - City of High Point - Text Amendment 17-06

A request by the Planning & Development Department to amend the Development Ordinance to establish the Mixed-Use Downtown (MX-D) District, to make corresponding changes to the standards of the Mixed-Use (MX), Main Street (MS) and Central Business (CB) Districts, and to designate the Central Business (CB) District as the zoning district for new Market Showrooms.

Attachments: [7. TA-17-06 Staff Report](#)

[170416](#)

Resolution - City of High Point - Plan Amendment 17-05

A request by the Planning & Development Department to change the Land Use Map classification for approximately 61 acres from the Office, Institutional, Local/Convenience Commercial, Moderate Density Residential and Light Industrial classifications to the Community Regional Commercial classification for a portion of the downtown area.

Attachments: [9. PA-17-05 & ZA-17-22 Staff Report](#)

[170417](#)

Ordinance - City of High Point - Zoning Map Amendment 17-22

A request by the City Council to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan.

Attachments: [9. PA-17-05 & ZA-17-22 Staff Report](#)

[170418](#)

City of High Point - Special Use 17-01

A request by the City Manager's Office to permit a Major Assembly use. The site is generally bounded by Gatewood Avenue, N. Elm Street, and S. Lindsay Street.

Attachments: [Staff Report SU-17-01](#)

[170419](#)

Resolution - City of High Point - Street Abandonment 17-04

A request by the Planning & Development Department to abandon the following public right-of-ways:

Abandonment #1 (portion of Pine Street): That portion of the Pine Street right-of-way lying between Gatewood Avenue and the northern property line of Guilford County Tax Parcel 0186839 (410 W. English Rd). The

right-of-way runs in a general north-south direction and contains approximately 0.69 acres.

Abandonment #2 (portion of Church Avenue): That portion of the Church Avenue right-of-way lying between N. Elm Street and N. Lindsay Street.

The right-of-way runs in a general east-west direction and contains approximately 1.09 acres.

Abandonment #3 (alley): An alley lying south of Church Avenue, between Pine Street and N. Lindsay Street. The alley runs in a general north-south direction and contains approximately 0.13 acres.

Abandonment #4 (alley): An alley lying north of W. English Road, between Pine Street and N. Lindsay Street. The alley runs in a general east-west direction and contains approximately 0.08 acres.

Abandonment #5 (alley): An alley lying west of N. Elm Street, between Gatewood Avenue and Church Avenue. The alley runs in a general east-west direction and contains approximately 0.02 acres.

Attachments: [Staff Report SA-17-04](#)

[170420](#)

Ordinance - City of High Point - Text Amendment 17-05

A request by the Planning & Development Department to adopt miscellaneous amendments to the Development Ordinance.

Attachments: [10. Staff Report TA-17-05](#)

GENERAL BUSINESS AGENDA

[170421](#)

NC WaterWarn (North Carolina Water/Wastewater Agency Response Network)

Council is requested to authorize the appropriate city official to execute an agreement to join the NCWaterWarn Association which is a statewide mutual aid agreement with other water and sewer utilities to receive and provide assistance during emergency situations.

Attachments: [NC Water WARN](#)

[NCWaterWARN Agreement Sep 2014](#)

[170422](#)

Minutes to Be Approved

Manager's Briefing Session; Monday, November 6th @ 4:00 p.m.

Special Meeting; Monday, November 6th @ 5:00 p.m.

Regular Session of Council; Monday, November 6th @ 5:30 p.m.

Attachments: [1. November 6 2017 Manager's Briefing.pdf](#)

[2. November 6 2017 High Point City Council Special Meeting.pdf](#)

[3. November 6 2017 High Point City Council.pdf](#)

[170423](#)

Approval of Closed Session Meeting Minutes

Closed Session Minutes to be Unsealed/Approved

December 15, 2014 (Economic Dev.)

March 2, 2015 (Economic Dev.)

June 15, 2015 (Economic Dev.)
August 17, 2015 (Economic Dev.)
September 8, 2015 (Economic Dev.)
April 4, 2016 (Economic Dev.)
May 2, 2016 (Economic Dev.)
September 19, 2016 (Economic Dev.)
November 7, 2016 (Economic Dev.)
January 17, 2017 (Economic Dev.)
April 3, 2017 (Economic Dev.)
May 1, 2017 (Economic Dev.)
July 17, 2017 (Economic Dev.)
November 6, 2017 (Economic Dev.)

Closed Session Minutes to be Approved, but Sealed and not released until it no longer frustrates the purpose

January 20, 2015 (Attorney-Client Privilege)
March 16, 2015 (Attorney-Client Privilege)
June 2, 2015 (Attorney-Client Privilege)
June 11, 2015 (Attorney-Client Privilege)
June 15, 2015 (Attorney-Client Privilege)
July 20, 2015 (Attorney-Client Privilege)
May 16, 2016 (Attorney-Client Privilege)
August 1, 2016 (Attorney-Client Privilege)
September 19, 2016 (Attorney-Client Privilege)
March 6, 2017 (Economic Dev.)
April 3, 2017 (Attorney-Client Privilege)
June 19, 2017 (Attorney-Client Privilege)
June 19, 2017 (Economic Dev.)
July 17, 2017 (To Prevent Disclosure of Privileged Information)
August 21, 2017 (Attorney-Client Privilege)
September 18, 2017 (Attorney-Client Privilege)
September 25, 2017 (Economic Dev.)
October 19, 2017 (To instruct city staff concerning negotiations on material terms relating to the acquisition of real property by purchase, option, exchange, or lease purpose)
October 19, 2017 (Attorney-Client Privilege)

Closed Session Minutes to be Approved, and Permanently Sealed

December 15, 2014 (Personnel)
February 2, 2015 (Personnel)
March 16, 2015 (Personnel)
May 28, 2015 (Personnel)
June 18, 2015 (Personnel & Attorney-Client Privilege)
July 20, 2015 (Personnel)

September 10, 2015 (Personnel)
December 7, 2015 (Personnel)
April 4, 2016 (Personnel)
August 15, 2016 (Attorney-Client Privilege)
October 3, 2016 (Personnel)
December 5, 2016 (Personnel)
December 19, 2016 (Personnel)

ADJOURNMENT

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish –3209 Pine Valley Rd.

From: Michael McNair, Director
Community Development & Housing

Meeting Date: 11/20/17

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Demolish
- C. Photos
- D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 3209 Pine Valley Rd.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 7/31/17. No action occurred by the compliance date of 9/4/17. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling.

PENDING ACTION:

The ordinance becomes effective from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.

**COMMUNITY DEVELOPMENT AND HOUSING
CODE ENFORCEMENT
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

3209 Pine Valley Rd.

OWNER:

Charles D. Robbins

**REASON FOR
INSPECTION:**

Received complaint from neighbor that house was dilapidated

**FIRST
INSPECTION:**
6/8/17

Summary of Major Violations

1. Repair or replace damaged rafters/trusses and ceiling joists
2. Repair or replace roof covering and sheathing
3. Repair cracks and holes in foundation walls
4. Repair or replace damaged floor joists and band
5. Repair or replace damaged beams and girders

**HEARING
RESULTS:**
6/27/17

The owner, Mr. Robbins did appear for the Hearing. During the Hearing it was determined there are several violations of the Minimum Housing Code. The owner indicated that he would like to sell the property to someone that has the resources to make the repairs. There are multiple violations of the minimum housing code in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 65% of the value of the structure.

**ORDER(S)
ISSUED:**
7/31/17

Order to Repair or Demolish
Date of Compliance 9/4/17

APPEALS:

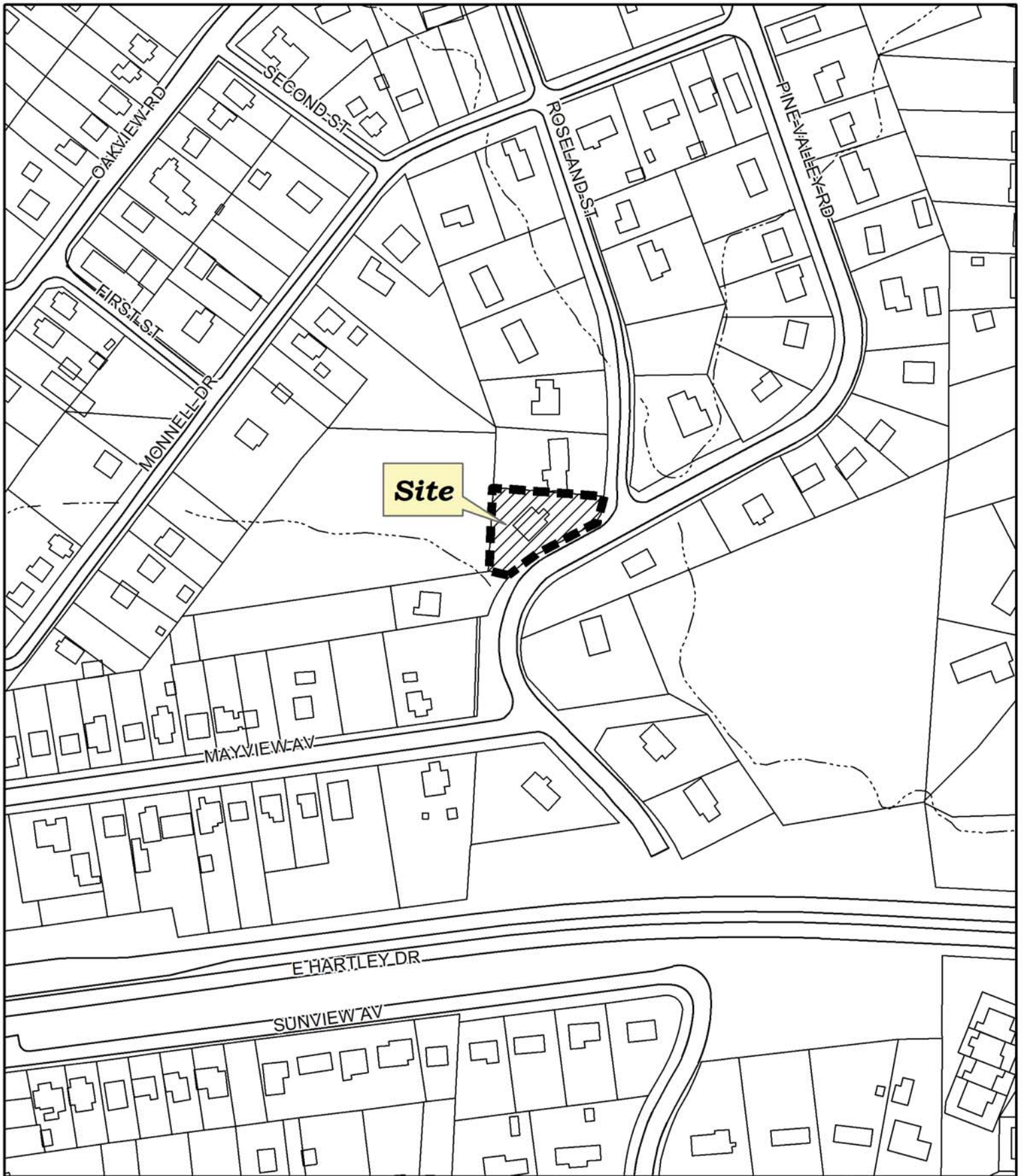
No appeals to date.

**OWNER
ACTIONS:**

None

ADDITIONAL:

There is not a "For Sale" sign posted at the property and no one has notified the inspector that the property had been placed on the market for sale. The owner indicated to the inspector that he has spoken with a few people about purchasing it but he didn't agree with what they would offer for the property.



3209 Pine Valley Road

Ordinance to Demolish



Location of subject property

**Community Development
and Housing**

City of High Point

Date: November 7, 2017



Scale: 1"=200'
G:/Planning/Secure/ba-pz/
Inspections/ord-demo.mxd





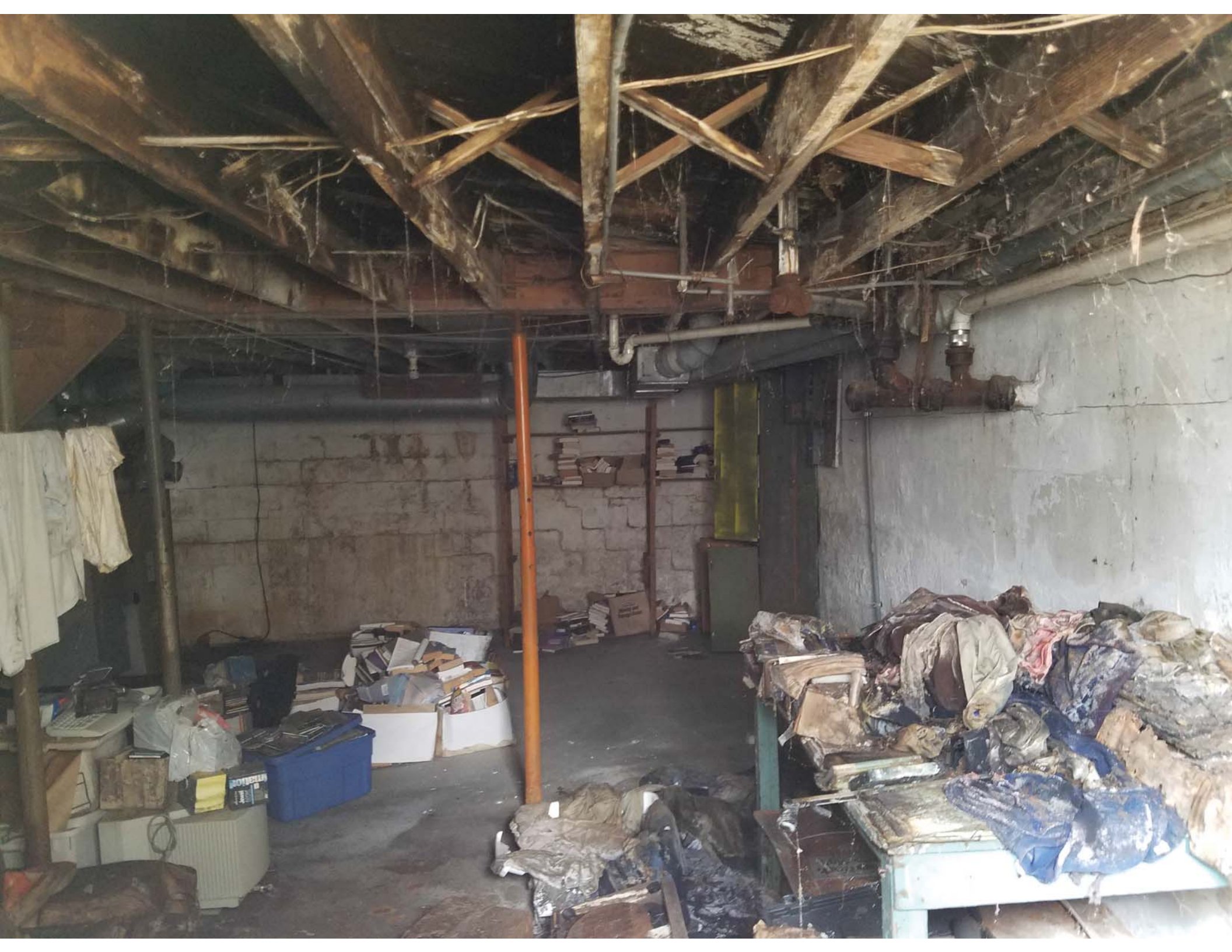












**RESOLUTION OF HIGH POINT CITY COUNCIL
APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND
PIEDMONT ELECTRIC REPAIR COMPANY**

WHEREAS, North Carolina General Statutes § 160A-272 authorizes the City to enter into lease agreements of one year or less without public notice, pursuant to a resolution of City Council authorizing the execution of the lease, adopted at a regular meeting; and

WHEREAS, the City Council is convened in regular meeting on the date so noted below;
and

WHEREAS, the City has made a formal offer to purchase the premises located at 500 and 504 West English Road, High Point, North Carolina (“Property”) owned by Glenaco, Inc. (“Glenaco”) and Glenaco has accepted the City’s offer to purchase the Property with an anticipated closing date of November 21, 2017 (“Closing Date”); and

WHEREAS, Piedmont Electric Repair Company (“Piedmont Electric”) has a need to lease the Property beginning January 1, 2018 through and including December 31, 2018; and

WHEREAS, the City and Piedmont Electric have entered into negotiations for a Lease Agreement for the Property with the term to be effective beginning January 1, 2018 through and including December 31, 2018; and

WHEREAS, the City and Piedmont Electric have agreed that Piedmont Electric will lease the Property for the term beginning January 1, 2018 through and including December 31, 2018 for considerations received from Glenaco, Inc. and Piedmont Electric, including rental payment of One Dollar (\$1.00) per month; and

WHEREAS, the City Council has determined that the Property will not be needed by the City for term of the Lease Agreement; and

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the Lease Agreement for the Property located at 500 and 504 West English Road, High Point, North Carolina to Piedmont Electric Repair Company, for a period beginning January 1, 2018 through and including December 31, 2018 for considerations received from Glenaco, Inc. and Piedmont Electric including rental payment of One Dollar (\$1.00) per month, and hereby authorizes the City Manager to execute any instruments as necessary.

Adopted this the 20th day of November 2017.

Mayor William S. Bencini, Jr.

ATTEST:

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish –424 Ennis St.

From: Michael McNair, Director
Community Development & Housing

Meeting Date: 11/20/17

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Demolish
- C. Photos
- D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 424 Ennis Street.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 8/31/17. No action occurred by the compliance date of 10/2/17. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling.

PENDING ACTION:

The ordinance becomes effective from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.

**COMMUNITY DEVELOPMENT AND HOUSING
CODE ENFORCEMENT
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

424 Ennis St.

OWNER:

Estate of John Lucian Kinley

**REASON FOR
INSPECTION:**

Started new inspection from old software system

**FIRST
INSPECTION:**
6/7/17

Summary of Major Violations

1. Repair or replace damaged rafters or trusses
2. Repair or replace roof sheathing & covering
3. Repair or replace damaged floor joists, band, girders
4. Repair or replace steps at front entrance
5. Repair or replace front porch

**HEARING
RESULTS:**
8/15/17

No one appeared for the Hearing. During the Hearing it was determined there are several violations of the Minimum Housing Code. There are multiple violations of the minimum housing code in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 65% of the value of the structure.

**ORDER(S)
ISSUED:**
8/31/17

Order to Repair or Demolish
Date of Compliance 10/2/17

APPEALS:

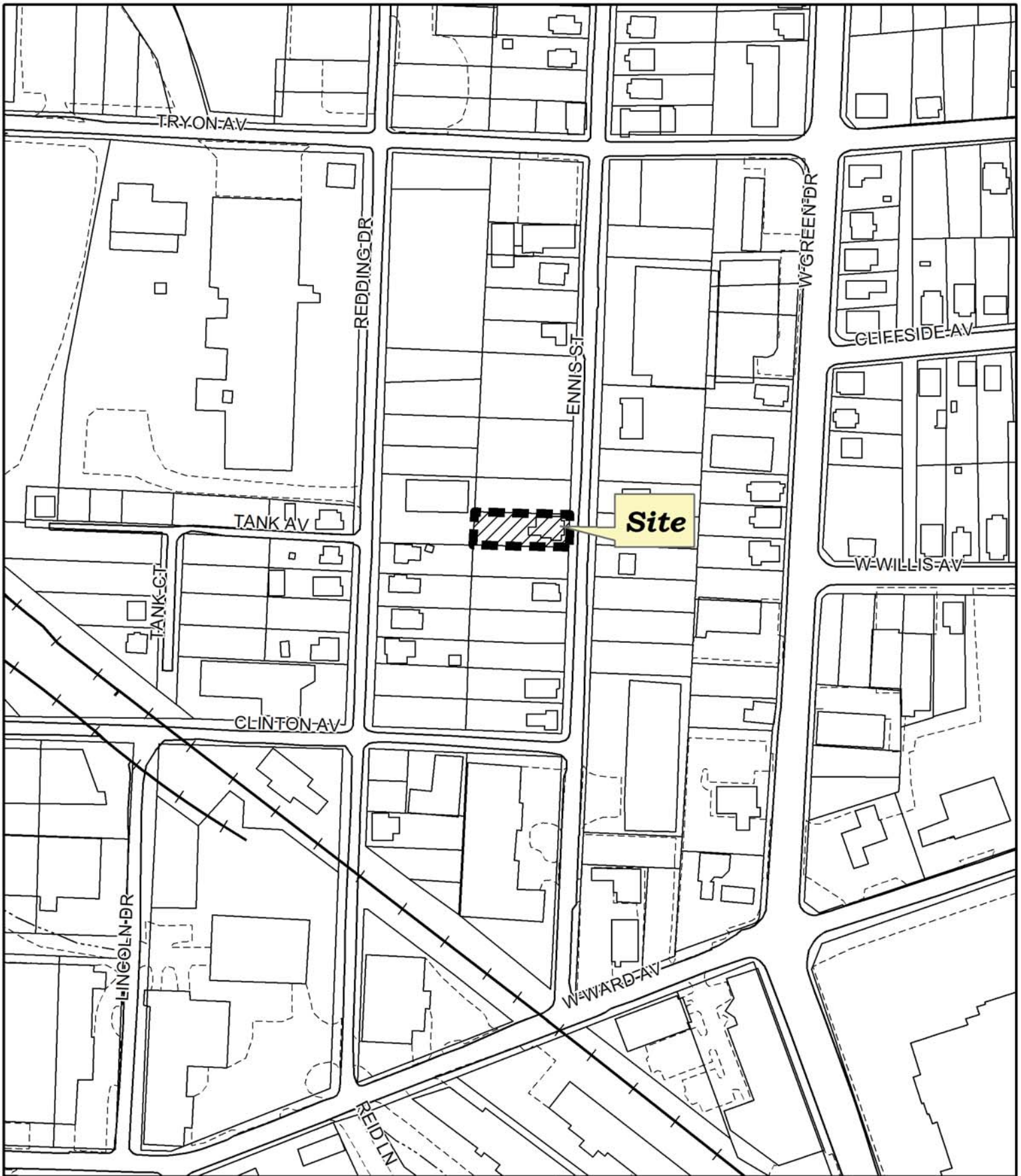
No appeals to date.

**OWNER
ACTIONS:**

None

ADDITIONAL:

This property is pending foreclosure by the Guilford County Tax Department. Property taxes are delinquent in the amount of \$2,830.07. We did have to advertise this in the newspaper to satisfy NC General Statute service requirements for notification. We have not had any contact from an owner or representative of this property.



424 Ennis Street

Ordinance to Demolish



Location of subject property

**Community Development
and Housing**

City of High Point

Date: November 7, 2017



Scale: 1"=200'
G:/Planning/Secure/ba-pz/
Inspections/ord-demo.mxd



PRIVATE
PROPERTY
NO TRESPASSING

















CITY OF HIGH POINT

AGENDA ITEM



Title: Budget Amendment for Business Incubator Grant

From: Eric Olmedo, Budget Director

Meeting Date: November 20, 2017

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Budget ordinance

PURPOSE:

A Budget Amendment is needed to appropriate funds for a grant received for from the Rural Economic Development Division of the North Carolina Department of Commerce.

BACKGROUND:

The City of High Point applied for a Rural Economic Development Downtown Revitalization grant. The purpose of the grant is to assist Business High Point develop a business incubator with space for entrepreneurs, designers, small scale manufacturers, international guests and young professionals to grow their businesses. Senate Bill 257 appropriated \$250,000 to the City of High Point for this purpose. A budget amendment is needed to accept these grant funds and to transfer the funding to Business High Point.

BUDGET IMPACT:

The Rural Economic Development Division of the North Carolina Department of Commerce appropriated \$250,000 to the City of High Point. There is no city match for this grant. These funds will be transferred to Business High Point.

RECOMMENDATION / ACTION REQUESTED:

The Budget Department recommends and asks the Council to approve the budget amendment.

"AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE FUNDS FOR BUSINESS INCUBATOR GRANT

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The City of High Point has received a Rural Economic Development Division of the North Carolina Commerce Department grant in the amount of \$250,000 to pay for the Business Incubator project for Business High Point.

Section 2. The 2017-2018 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the Grant Fund of the City of High Point, is hereby amended as follows:

State Grant Revenues	\$250,000
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(B) That the Grant Fund expenditures be amended as follows:

Grant Fund Expenditures	\$ 250,000
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Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Adopted November 20, 2017

CITY OF HIGH POINT

AGENDA ITEM



Title: Text Amendment 17-05
City of High Point

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
November 15, 2017

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Text Amendment Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the Planning & Development Department to adopt miscellaneous amendments to the Development Ordinance.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended **approval** of this request, as outlined in the attached staff report.
- B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Text Amendment 17-05. The Planning & Zoning Commission recommended **approval** of this request, by a vote of 9-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point

Text Amendment 17-05

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed a request to adopt miscellaneous amendments to the Development Ordinance. All members of the Commission were present. Mr. Bob Robbins, Development Services Administrator, presented Text Amendment 17-05 and recommended approval as outlined in the staff report.

Speaking in favor of the request:

Speaking in favor of the request was Ms. Judy Stalder, Regulatory Affairs Director for Triad Real Estate and Building Industry Coalition (TREBIC), 115 S. Westgate Drive, Greensboro, N.C. Ms. Stalder stated that TREEBIC reviewed the miscellaneous amendments and has no objections.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

Consistency Statement

The Commission stated that the request is consistent with the City's adopted plans and the objectives of the Development Ordinance. It makes the Ordinance more user-friendly, and it adds clarity to the wording and intent of various provisions. It is in the public interest to adopt this amendment as it fixes errors, omissions, provide clarity and consistency in the text. The Planning & Zoning Commission **adopted this statement** by a vote of 9-0.

Text Amendment

The Commission recommended **approval** of Text Amendment 17-05, as recommended by staff, by a vote of 9-0.

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

**STAFF REPORT
TEXT AMENDMENT CASE TA-17-05
October 24, 2017**

Request	
Applicant: City of High Point	Affected Ordinance Sections: Section 2.4.8.C. <i>Planned Development Review Standards</i> ; Section 4.3. <i>Use Standards</i> ; Section 7.2.1. <i>Installation Statement and Financial Guarantees In-Lieu of Completion</i> ; Section 8.2.3. <i>Standards Applied to Specific Nonconforming Uses</i> ; and various other sections of the Ordinance.
Proposal: Amend the Development Ordinance to: correct various Table and Figure numbers; clarify wording in various provisions, fence height standards, and standards applied to manufactured dwellings; consolidate planned development review standards; revise the definition of subdivision to coincide with change made by the General Assembly; and to correct various errors and omissions.	

Background

The Development Ordinance was adopted on May 16, 2016 and went into effect on January 1, 2017. On January 17, 2017, City Council approved the first set of text amendments to correct errors and omissions and address some changes in City policy. A second set of text amendments, correcting additional errors and omissions and removing the street design standards from the Ordinance so they may be placed in a design manual to allow for added flexibility, received approval on April 3, 2017. Now, a third set of text amendments is proposed which focus on the clarification, consolidation and standardization of wording in several sections of the Ordinance, and correcting another group of errors and omissions.

Details of Proposal

The following is a brief summary of the proposed amendments. All of the amendments are either: 1) corrections of errors and omissions; 2) consolidation of ordinance provisions to promote user friendliness; 3) clarification or standardization of wording; or 4) changes needed due to State law. No substantive changes are proposed by this amendment.

- **Section 1.** Staff discovered several inconsistencies and errors in the identification numbers for Tables and Figures in the Ordinance. The affected Tables and Figures are listed in this section, with the Table or Figure name and the current and new numbers shown. These changes will result in a more consistent and predictable numbering scheme.
- **Section 2.** In Table 2.3.6, which summarizes the public notification requirements for various applications, Zoning Map Amendment requirements were inadvertently omitted.

This section adds those requirements to the table and organizes the table contents alphabetically.

- **Section 3.** This section consolidates the review standards for Planned Development into one location. Some standards were located in Section 3.7.2. of the Ordinance and these are moved to Section 2.4.8.C. and joined with the review standards in that section, thereby eliminating the need to look in two different ordinance locations for them. Part A of this section shows the consolidated standards in Section 2.4.8., and Part B shows the standards moved from Section 3.7.2.
- **Section 4.** This is a multi-part section (A through H) that clarifies and standardizes language in the outdoor storage provisions in the District Standards of several business zoning districts in Section 3.4. It also makes similar clarifications in language for certain individual uses in Section 4.3. and for disabled motor vehicles as an accessory use (Section 4.4.5.). The clarifications refer the reader to Section 5.6.6. to determine what allowed methods of screening may be used to meet requirements, and in the case of Part F and Part H, which deal with vehicles, indicate that the method of screening must be specifically approved. These are all clarifications based on the requirements of the Ordinance as adopted.
- **Section 5.** The Use Type *Sports and Fitness Centers* was omitted as a permitted principal use in Table 4.1.9. (Principal Use Table) in the MS and MX districts. This section adds that use to those two districts.
- **Section 6.** The phrase “not front or gain access from a residential local street” as it applies to various institutional uses is reworded and expanded to more accurately convey its intent. The provision is intended to prevent the location of assembly, cemetery, day care, education and large religious uses deep within residential neighborhoods without having access to collector (or higher classified) streets, but to allow access to a residential local street for corner lots that also front on thoroughfare streets, where access to the thoroughfare street may be restricted or not desirable.
- **Section 7.** This section requires vehicle establishments to store tires within an enclosed building or under cover so as to not violate the City’s public nuisance code. This is a clarification of a general requirement for this specific use type aimed at eliminating standing water collected in tires that then encourages the breeding of mosquitos.
- **Section 8.** The new Ordinance established the MX District as a base district rather than an overlay district. As an overlay district applying only to the Washington Street area, the MX did not regulate signage. That was done through the underlying base district (CB). Now that it is a base district, general standards must be set for MX. Standards were set for freestanding signs, but omitted for attached (wall) signs. This section adds the MX district to Table 5.7.10., with the same regulations as exist for the wall signage in the CB and several other commercial and industrial zoning districts.
- **Section 9.** This is a clarification of the provision exempting sidewalk on a cul-de-sac or dead end street less than 800 feet in length except when cluster mailbox units are located there.
- **Section 10.** Section 5.11.5.C. regarding fence height for nonresidential and mixed use application has been reworded to make it clear that a fence may exceed 8 feet in height only when it is located 15 feet from the lot line or complies with principal building setbacks, *whichever is greater.*

- **Section 11.** In order to establish a financial guarantee in-lieu of completion of required improvements, an estimate of the costs is required from the developer which is approved by the City. The guarantee is based on that approved estimate. This section updates Section 7.2.1. of the Ordinance to the current City practice of requiring a bona fide itemized estimate, signed and dated by the preparer, rather than filling out an Installation Statement of Required Improvements form.
- **Section 12.** The City has few remaining manufactured home parks, and those that still remain are nonconforming uses. Text that was in the previous ordinance was omitted from the new Ordinance that allows the replacement of individual manufactured homes within these developments. Units may be replaced with newer units, which may or may not be larger than the one being replaced. No double-wide units are permitted. No increase in the number of units in the manufactured home park is permitted.
- **Section 13.** The General Assembly recently codified an exemption to the definition of a subdivision that came about through the courts, having to do with the division of land in accordance with a probated will or intestate succession. The definition of subdivision in Section 10.4 of the Ordinance is amended to add the language as it appears in the general statutes.

Analysis

As the new Development Ordinance is used, staff is continuing to identify errors and omissions and the need for clarification of wording and intent. These miscellaneous amendments help make the Ordinance user-friendly and easier to read and understand. These amendments also help the staff to correctly and consistently apply the provisions of the Ordinance. This group of amendments contains no substantive changes to the Ordinance.

Consistency with Adopted Plans:

The proposed text amendments are appropriate and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

These miscellaneous amendments are consistent with the City's adopted plans and the objectives of the Development Ordinance in that they make the Ordinance more user-friendly and add clarity to the wording and intent of various provisions.

Reasonableness/Public Interest:

An approval of the proposed text amendments is considered reasonable and in the public interest.

The amendments: 1) fix errors and omissions, and 2) provide clarity and consistency in the text.

Recommendation

Staff recommends approval.

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 Robert L. Robbins, AICP, Development Services Administrator and reviewed by G. Lee Burnette, AICP, Director.

**AN ORDINANCE AMENDING THE CITY OF HIGH POINT 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; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on October 24, 2017 and before the City Council on November 20, 2017 regarding Text Amendment TA-17-05; and

WHEREAS, notice for the public hearings was published in the High Point Enterprise on October 15, 2017 for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 15, 2017 for the City Council public hearing, pursuant to Chapter 160A-364 of the General Statutes of North Carolina;

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

SECTION 1.

The following Table and Figure identification numbers in various locations in the City of High Point Development Ordinance shall be amended as indicated below:

Table Name	Current Table Number	New Table Number
Zoning District Translation	1.9	1.9.1
Summary Development Review Table	2.1	2.1.2
Land Use Intensity	5.5.11.C	5.5.11.C1
Type of Landscape Yard Required	5.5.11.D	5.5.11.C2
Replacement of Landscape Material Following Unauthorized Removal	5.5.16	5.5.16.C
Maximum Illumination Levels	5.10.6	5.10.6.A
Fence Height for Residential Uses	5.11.5	5.11.5.B
Minimum Open Space Amount	5.12.4	5.12.4.A
Pocket Neighborhood Lots	5.14.6	5.14.6.D
Sustainable Development Incentives	5.15.3	5.15.3.E
Minimum Stormwater Controls Required in the General Watershed Area	6.2.11.A.1	6.2.11.A1
Minimum Stormwater Controls Required in the Watershed Critical Area	6.2.11.A.2	6.2.11.A2
Maximum Permissible Velocity for Stormwater Discharges	6.3.7	6.3.7.B
Development Entry Points	7.1.6.C.2	7.1.6.C

Figure Name	Current Figure Number	New Figure Number
Planning Policy Framework	1.5.1.1	1.5.1
Parking Lot Location	3.5.6.G.3	3.5.6.G1
Façade Transparency Alternatives	3.5.6.G.4	3.5.6.G2
Parking Lot Configuration	3.5.7.C.2	3.5.7.C1
Façade Transparency Alternatives	3.5.7.C.3	3.5.7.C2
Façade Facing A Street	5.14.4	5.14.4.B
Use Easement	5.14.6.D.1	5.14.6.D1
Examples of Dwelling Unit Configuration (Not named; add name as shown)	Not numbered	5.14.6.D2
Setbacks for Group Development	10.2.4.A.1	10.2.4.A
Setbacks	10.2.4.A.2	10.2.4.E1
Setbacks for Buildings Exceeding 50 Feet in Height	10.2.4.A.3	10.2.4.E2
Height Measurement	10.2.6.A.1	10.2.6

All references in the Development Ordinance text to the current table or figure numbers shall be changed to the new table or figure numbers as indicated above.

SECTION 2.

Table 2.3.6 *Public Notification Timing Requirements* shall be amended to add the following application type:

Application Type	Decision-Making Body Review	Types of Required Public Notice		
		Published Notice	Mailed Notice	Posted Notice
Zoning Map Amendment	P&Z	X	X [5]	X [3]
	City Council	X [6]	X [5]	X [3]

In addition, all Application Types in Table 2.3.6 shall appear in the table in alphabetic order.

SECTION 3.

Part A.

Section 2.4. *Review Procedures Subject to Decision-Making Body Review and Decision*, subsection 2.4.8. regarding Planned Development, of the City of High Point Development Ordinance shall be amended as follows:

2.4.8. Planned Development

C. Planned Development Review Standards

The advisability of establishing a planned development district classification 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, the City Council shall consider the **following: standards in Section 2.4.5C, Conditional Zoning Review Standards, and the standards for the proposed type of PD district in Section 3.7, Planned Development Zoning Districts.**

1. Consistency with Adopted Policy Guidance

Whether a decision to approve, or to deny, the proposed PD zoning district is consistent with the City's adopted policy guidance.

2. Consistency with PD District Standards

(a) Whether the proposed PD district meets the standards of Section 3.7.3., Standards Applied to All Planned Development Districts.

(b) Whether the proposed PD district meets the standards of Section 3.7.5., PD-CC District if in the Core City Area, or the standards of Section 3.7.6, PD-P District if outside the Core City Area.

3. Compatibility with Surrounding Areas

(a) Whether development along the perimeter of the proposed PD district is compatible with adjacent existing or proposed development.

(b) Where there are issues of compatibility, the master plan map, statement of intent and the standards document shall establish transition areas along the perimeter of the PD district that provide for appropriate buffering and ensure a complimentary character of development.

(c) Determination of complimentary character shall 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 identified by the City Council.

4. Promotes a Preferred Development Pattern

(a) 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.

- (b) Whether and the extent to which the proposed PD zoning district will result in development that promotes a logical, preferred, and orderly development pattern.**

5. Mitigation of Impacts

How the proposed PD District, including the proposed use(s), standards, and PD Master Plan, will satisfactorily:

- (a) 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.;**
- (b) Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees, and protect habitat;**
- (c) 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; and**
- (d) Minimize or effectively mitigate any identified adverse effect on the use, enjoyment, or value of adjacent lands.**

6. Reasonableness/Public Interest

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

D. Effect

- 1.** Lands rezoned to a planned development district shall be subject to the approved master plan map and the statement of intent and development standards document. The master plan map and the statement of intent and development standards document are binding on the land as an amendment to the Official Zoning Map. The applicant may apply for and obtain subsequent development permits and approvals necessary to implement the planned development master plan map and the statement of intent and development standards document in accordance with the appropriate procedures and standards in this Ordinance. Any permits or development approvals shall comply with the planned development master plan map and the statement of intent and development standards document.

2. The PD master plan map, statement of intent and development standards document shall not include any standards which:

- (a) Specifies the ownership status, race, religion, or other characteristics of the occupants of housing units;**
- (b) Establishes a minimum size of a dwelling unit;**
- (c) Establishes a minimum value of buildings or improvements;**
- (d) Excludes residents based upon race, religion, or income; or**

(e) Obligates the City to perform in any manner relative to the approval of the PD District or development of the land.

Part B.

Section 3.7. *Planned Development Zoning Districts*, subsection 3.7.2. *General Provisions*, of the City of High Point Development Ordinance shall be amended as follows:

3.7.2. General Provisions

A. Classification of Planned Development Districts

Land shall be classified as a planned development zoning district only in accordance with the procedures and requirements set forth in Section 2.4.8, Planned Development, and this section.

B. Organization of Planned Development District Regulations

Section 3.7.3, Standards Applied to All Planned Development Districts, sets out general standards applicable to all planned development districts. Sections 3.7.5, Planned Development-Core City (PD-CC), and 3.7.6, Planned Development-Periphery (PD-P), set out the purpose statements and standards applicable to each of the specific planned development districts. The more restrictive requirements between the general standards in this section and the standards in the PD-CC or PD-P districts shall control.

~~C. Consistency with Adopted Policy Guidance~~

~~The PD zoning district classification, the master plan map, and the statement of intent and standards document, shall be consistent with the City's adopted policy guidance.~~

~~D. Compatibility with Surrounding Areas~~

~~Development along the perimeter of a PD district shall be compatible with adjacent existing or proposed development. Where there are issues of compatibility, the master plan map shall provide for transition areas at the edges of the PD district that provide for appropriate buffering and/or ensure a complimentary character of development. Determination of complimentary character shall be based on densities/intensities, types of uses, lot sizes and dimensions, building height, mass and scale, exterior lighting, siting of service areas, or other aspects identified by the City Council.~~

~~E. Planned Development Application~~

~~An application for a planned development district shall be made using a form provided by the City, complete with all required signatures,~~

~~application fees, and other documentation as required in Section 2.4.8, Planned Development.~~

SECTION 4.

Part A.

Section 3.4. regarding Business Zoning Districts, Subsection 3.4.6. *General Business (GB)* of the City of High Point Development Ordinance shall be amended as follows:

3.4.6. General Business (GB)

G. District Standards

2. Outdoor Storage Outdoor storage shall:

- (d) Be screened from view from adjacent lots and public streets with an opaque ~~wall fence, fence wall,~~ or by any other approved means allowed method in Section 5.6.6., Screening Methods, to a height 6 feet above grade level, provided the screen shall not be allowed in any required landscape yard.

Part B.

Section 3.4. regarding Business Zoning Districts, Subsection 3.4.7 *Retail Center (RC)* of the City of High Point Development Ordinance shall be amended as follows:

3.4.7. Retail Center (RC)

G. District Standards

2. Outdoor Storage Outdoor storage shall:

- (d) Be screened from view from adjacent lots and public streets with an opaque ~~wall fence, fence wall,~~ or by any other approved means allowed method in Section 5.6.6., Screening Methods, to a height 6 feet above grade level, provided the screen shall not be allowed in any required landscape yard.

Part C.

Section 3.4. regarding Business Zoning Districts, Subsection 3.4.10 *Employment Center (EC)* of the City of High Point Development Ordinance shall be amended as follows:

3.4.10. Employment Center (EC)

G. District Standards

1. Site Standards

(h) **Outdoor Storage** Outdoor storage shall:

- (4) Be screened from view from adjacent lots and public streets with an opaque ~~wall fence~~, ~~fence wall~~, or by any other approved means allowed method in Section 5.6.6., Screening Methods, to a height 6 feet above grade level, provided the screen shall not be allowed in any required landscape yard.

Part D.

Section 3.4. regarding Business Zoning Districts, Subsection 3.4.11 Light Industrial (LI) of the City of High Point Development Ordinance shall be amended as follows:

3.4.11. Light Industrial (LI)

G. District Standards

1. **Outdoor Storage** Outdoor storage shall be screened from view from adjacent lots and public streets with an opaque ~~wall fence~~, ~~fence wall~~, or by any other approved means allowed method in Section 5.6.6., Screening Methods, to a height 6 feet above grade level.

Part E.

Section 4.3. regarding Use Standards, Subsection 4.3.3 Institutional Uses of the City of High Point Development Ordinance shall be amended as follows:

4.3.3. Institutional Uses

B. Day Care

1. Day Care Center

- (d) Outdoor recreation areas adjacent to a residential district shall be screened with an opaque ~~wall fence~~, ~~fence wall~~, or by any other approved allowed method in Section 5.6.6., Screening Methods, to a height of 6 feet above grade level.

Part F.

Section 4.3. regarding Use Standards, Subsection 4.3.4 Commercial Uses of the City of High Point Development Ordinance shall be amended as follows:

4.3.4. Commercial Uses

G. Vehicle Establishments

1. Vehicle Establishments

(a) General

- (5) In the LI and HI districts, outdoor vehicle storage may occupy up to 50 percent of the lot. The storage area shall be located behind the front building line of the principal building and be screened with an opaque ~~wall~~ **fence**, ~~fence~~ **wall**, or other approved ~~means~~ **method**, to a height of 6 feet above grade level.

(c) Minor

- (4) The use shall be screened with an opaque fence, wall, or **by any** other ~~approved~~ **allowed** method **in Section 5.6.6., Screening Methods**, to a height of 6 feet above grade level along all lot lines abutting a residential district.

Part G.

Section 4.3. regarding Use Standards, Subsection 4.3.5 *Industrial Uses* of the City of High Point Development Ordinance shall be amended as follows:

4.3.5. Industrial Uses

D. Waste-Related Service

2. Recycling Center

(b) Major

- (2) Materials may be stored outdoors provided they are located at least 200 feet from all property lines and are screened with an opaque ~~wall~~, fence, **wall**, or **by any** other ~~approved means~~ **allowed method in Section 5.6.6., Screening Methods**, to a height of 8 feet above grade **level**.

Part H.

Section 4.4. regarding Accessory Structures and Uses, Subsection 4.4.5. *Standards for Specific Accessory Uses* of the City of High Point Development Ordinance shall be amended as follows:

4.4.5. Standards for Specific Accessory Uses

S. Vehicles**1. Disabled Motor Vehicles****(a) All Other Uses**

- (2)** The disabled vehicle shall be stored within a fully enclosed building or fully screened by a building, opaque ~~wall~~ **fence**, ~~fence wall~~, or other approved ~~means~~ **method**, to a height of 6 feet above grade level.

SECTION 5.

Table 4.1.9 *Principal Use Table* of the City of High Point Development Ordinance shall be amended as follows:

Under the Commercial Use Classification, Use Category *Recreation and Leisure*, Use Type *Sports and fitness centers*, a “**P**” shall be added in the MS and MX column.

SECTION 6.

Section 4.3., *Use Standards*, subsection 4.3.3., *Institutional Uses* of the City of High Point Development Ordinance, shall be amended as follows:

4.3.3. - Institutional Uses**A. Civic****1. Assembly (Major and Minor)**

An assembly use (major and minor) shall comply with the following standards:

- (a) ~~Not front or gain access from a residential local street;~~ Have street frontage on a street classified higher than a residential local street.**
- (b) Have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street.**
- ~~(b)~~ (c)** Outdoor courts, swimming pools, and athletic fields shall be located at least 50 feet from any lot line abutting a residential district.
- ~~(e)~~ (d)** Assembly uses in residential districts shall be on a lot of at least 2 acres.
- ~~(d)~~ (e)** Assembly uses with permanent seating for 1,000 or more shall require a special use in accordance with Section 2.4.11, Special Use.

2. Cemetery, Columbarium, Mausoleum

~~Except for the expansion of an existing cemetery that is an accessory use to a religious institution, a~~ **A** cemetery shall comply with the following standards:

- (a) Be located on a lot or site at least 3 acres in area;
- (b) Provide space for on-site parking and maneuvering of funeral processions;
- (c) ~~Not front or gain access from a residential local street;~~ **Have street frontage on a street classified higher than a residential local street;** and
- (d) **Have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street; and**
- ~~(d)-(e)~~ (e) Ensure interments take place at least 50 feet from a lot line and comply with the requirements of State law.

B. Day Care

1. Day Care Center A day care center shall comply with the following standards:

- (a) ~~Meet All~~ **applicable** State licensing requirements;
- (b) ~~Not front or gain access from a residential local street;~~ **Have street frontage on a street classified higher than a residential local street;**
- (c) **Have no access from a residential local street; unless the use is located on a corner lot with street frontage on a thoroughfare street.**
- ~~(e)-(d)~~ (d) Outdoor recreation areas shall:
 - (1) Be located behind the front building line of the principal building;
 - (2) Be completely enclosed by a fence that is at least 4 feet in height; and
 - (3) Be safely segregated from parking, loading, or service areas.
- ~~(d)-(e)~~ (e) ~~Screen~~ **Outdoor recreation areas adjacent to a residential district shall be screened with an opaque wall fence, fence wall, or other approved allowed method in Section 5.5.6., Screening Methods, to a height of 6 feet above grade level.**
- ~~(e)-(f)~~ (f) If located in a residential district, signage is limited to 1 monument sign with a maximum area of 24 square feet and a maximum height of 6 feet.

C. Education

2. School (Major and Minor)

A school (major and minor) ~~shall not front or gain primary access from a residential local street~~ **shall comply with the following standards:**

- (a) Have street frontage and gain primary access on a street classified higher than a residential local street.**
- (b) Have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street.**

D. Religious Institutions

~~1. Religious Institution~~ A religious institution in a residential district on a lot of 3 acres in area or larger **shall comply with the following standards:**
~~shall not front on or gain access from a residential local street.~~

- (a) Have street frontage and gain primary access on a street classified higher than a residential local street.**
- (b) Have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street.**

SECTION 7.

Section 4.3., *Use Standards*, of the City of High Point Development Ordinance, subsection 4.3.4.G., *Vehicle Establishments*, shall be amended as follows:

1. Vehicle Establishments

(a) General

- ~~(1) The outdoor storage of tires shall be subject to the outdoor storage standards of the zoning district. Tires shall be stored within an enclosed building or stored within the outdoor vehicle storage area and under cover in such a manner as to prevent a violation of the public nuisance code.~~**

SECTION 8.

Table 5.7.10.B. *Requirements For An Attached Sign Requiring A Permit* of the City of High Point Development Ordinance shall be amended as follows:

TABLE 5.7.10.B: REQUIREMENTS FOR AN ATTACHED SIGN REQUIRING A SIGN PERMIT					
SIGN TYPE	NUMBER	AREA (SQ FT)		HEIGHT (FEET)	COMPUTATION
		MAX	MIN [1]		
WALL SIGNS					

TO, I & PNR districts	See 5.7.10.A.1, Maximum Number of Attached Signs	n/a	25	top of wall	5% of wall area [2]
OI, LB, & EC districts			25		7.5% of wall area [2]
GB, RC, CB, MS, MX LI, & HI districts			50		10% of wall area [2]

SECTION 9.

Section 5.9. *Sidewalks*. Subsection 5.9.3 *Exemptions* of the City of High Point Development Ordinance shall be amended as follows:

5.9.3. EXEMPTIONS

- C. Cul-De-Sac and Dead End Streets** Along cul-de-sac streets and permanent dead-end streets of 800 feet or less in length, except ~~where~~ when they contain cluster ~~(mail)~~ mailbox units.

SECTION 10.

Section 5.11.5., *Height Standards* of the City of High Point Development Ordinance, regarding height standards for fences, shall be amended as follows:

- C. Nonresidential and Mixed Uses** ~~No fence shall exceed a maximum height of 8 feet unless:~~

~~1. The fence is at least 15 feet from a lot line; or~~

~~2. The fence complies with the minimum setback requirements applied to the principal structure.~~

No fence may be erected that exceeds 8 feet in height, unless the fence is 15 feet from a lot line, or it complies with the minimum setback requirements as applied to the principal structure, whichever is greater.

SECTION 11.

Section 7.2.1. *Installation Statement and Financial Guarantees In-Lieu of Completion* of the City of High Point Development Ordinance shall be amended as follows:

7.2.1. ~~Installation Statement and~~ Financial Guarantees In-Lieu of Completion

A. General

In-lieu of the completion, installation, and dedication of all required public improvements (streets, potable water, sanitary sewer, stormwater, electricity and

street lights) and private site improvements (off-street parking, landscaping, screening, protected trees, fencing, stormwater management and sedimentation control) prior to approval of a final plat or issuance of a certificate of occupancy (as appropriate), a developer may submit:

1. ~~An installation statement of required improvements, as provided in the City of High Point's Development Guide, A bona fide itemized estimate of the costs, including labor, for all required improvements, signed and dated by the preparer,~~ for which the developer is responsible, and the date when the improvements are to be completed; and
2. An acceptable financial guarantee for the installation of ~~public infrastructure~~ said required improvements in accordance with Section 7.2.2., Performance Guarantee.

B. Timing

The ~~installation statement-itemized estimate of the costs~~ and financial guarantees shall not be accepted until after the construction plans and profiles for the development are approved, in accordance with Section 7.1.3., Street and Utility Construction, and a watershed development plan, if applicable, is approved in accordance with Section 6.2.8.E., Watershed Development Plan.

C. Effect

Once the ~~installation statement-itemized estimate of the costs~~ and the required financial guarantees ~~are~~ is accepted by the City, the final plat or certificate of occupancy (as appropriate) may be approved if the development complies with all other requirements of this Ordinance.

SECTION 12.

Section 8.2.3. *Standards Applied to Specific Nonconforming Uses*, of the City of High Point Development Ordinance be amended as follows:

D. Standards Applied to Manufactured Dwellings

Nonconforming manufactured dwellings shall meet the requirements of Section 8.2.2. Standards Applied to All Nonconforming Uses except as stated herein.

1. Continuation and Replacement

- (a) A nonconforming manufactured dwelling that is the sole principal structure on a lot, or is located within a manufactured dwelling park, may be continued or replaced in accordance with the requirements of this section.
- (b) A ~~replacement~~—manufactured dwelling that replaces a manufactured dwelling located on a lot shall:
 - (1) Obtain a building permit in accordance with Section 2.5.3., Building Permit;
 - (2) Meet or exceed the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time ~~of construction of the dwelling~~ the dwelling was manufactured; and
 - (3) Meet the requirements of a manufactured dwelling in accordance with Section 4.3.2.B.4., Manufactured Dwelling.
- ~~(c)~~ A manufactured dwelling that replaces a manufactured dwelling located in a manufactured dwelling park shall:
 - (1) Obtain a building permit in accordance with Section 2.5.3., Building Permit;
 - (2) Meet or exceed the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time the dwelling was manufactured;
 - (3) Be a single-wide unit no wider than 15 feet; and
 - (4) Not increase the number of dwelling units in the manufactured dwelling park.
- ~~(e)-(d)~~ No manufactured dwelling ~~constructed~~ made prior to June 15, 1976 may be used to replace a lawfully established nonconforming manufactured dwelling.

2. Expansion or Enlargement

A replacement manufactured dwelling or single-wide manufactured dwelling ~~(mobile home)~~ may be larger than the existing manufactured dwelling being replaced, provided:

- (a) It is located in a residential or AGR zoning district;
- (b) It is located on the same lot or space as the previous dwelling unit;
and
- (c) It meets all applicable setbacks for the district where it is located, and
- ~~(d) The number of dwelling units is not increased.~~

SECTION 13.

Section 10.4 Definitions of the City of High Point Development Ordinance shall be amended as follows:

SUBDIVISION

The division of a tract or parcel of land into 2 or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and includes all divisions of land involving the dedication of a new street or a change in existing streets. The following are not included within this definition and are not subject to any subdivision regulations in this Ordinance:

- a. The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this Ordinance.
- b. The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved.
- c. The public acquisition by purchase of strips of land for the widening or opening of streets.
- d. The division of a tract in single ownership, the entire area of which is not greater than 2 acres, into not more than 3 lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of this Ordinance.
- e. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the North Carolina General Statutes.**

SECTION 14.

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 15.

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

SECTION 16.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The ____ day of _____, 2017

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 17-24
T&Z Commercial Property, LLC

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
November 15, 2017

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by T&Z Commercial Property, LLC to rezone an approximate 1.74-acre parcel from the Retail Center (RC) District to the General Business (GB) District. The site is lying west of Johnson Street and north of E. Parris Avenue (295 E. Parris Avenue).

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended **approval** of this request, as outlined in the attached staff report.
- B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-24. The Planning & Zoning Commission recommended **approval** of this request, by a vote of 9-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

T&Z Commercial Property, LLC

Zoning Map Amendment 17-24

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximate 1.74-acre parcel to the General Business (GB) District. All members of the Commission were present. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking in favor of the request:

Speaking in favor of the request was the applicant's representative, Mr. Alex Field, Price Commercial Properties, 1220 N. Main Street, Suite. 201, High Point, N.C. Mr. Field explained that a portion of this site would be a small car-rental facility with a maximum of eight to ten cars. He noted that it would be a complementary use with the existing gas station, auto body shop and vehicle repair facility currently operating at this location.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

Consistency Statement

The Commission stated that the request is consistent with adopted policy guidance, and that the current RC District is not appropriate for this site. More specifically, the manner in which the land along the north of E. Parris Avenue has developed does not support the intent and purpose of the RC District. The Planning & Zoning Commission **adopted this statement** by a vote of 9-0.

Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 17-24, as recommended by staff, by a vote of 9-0.

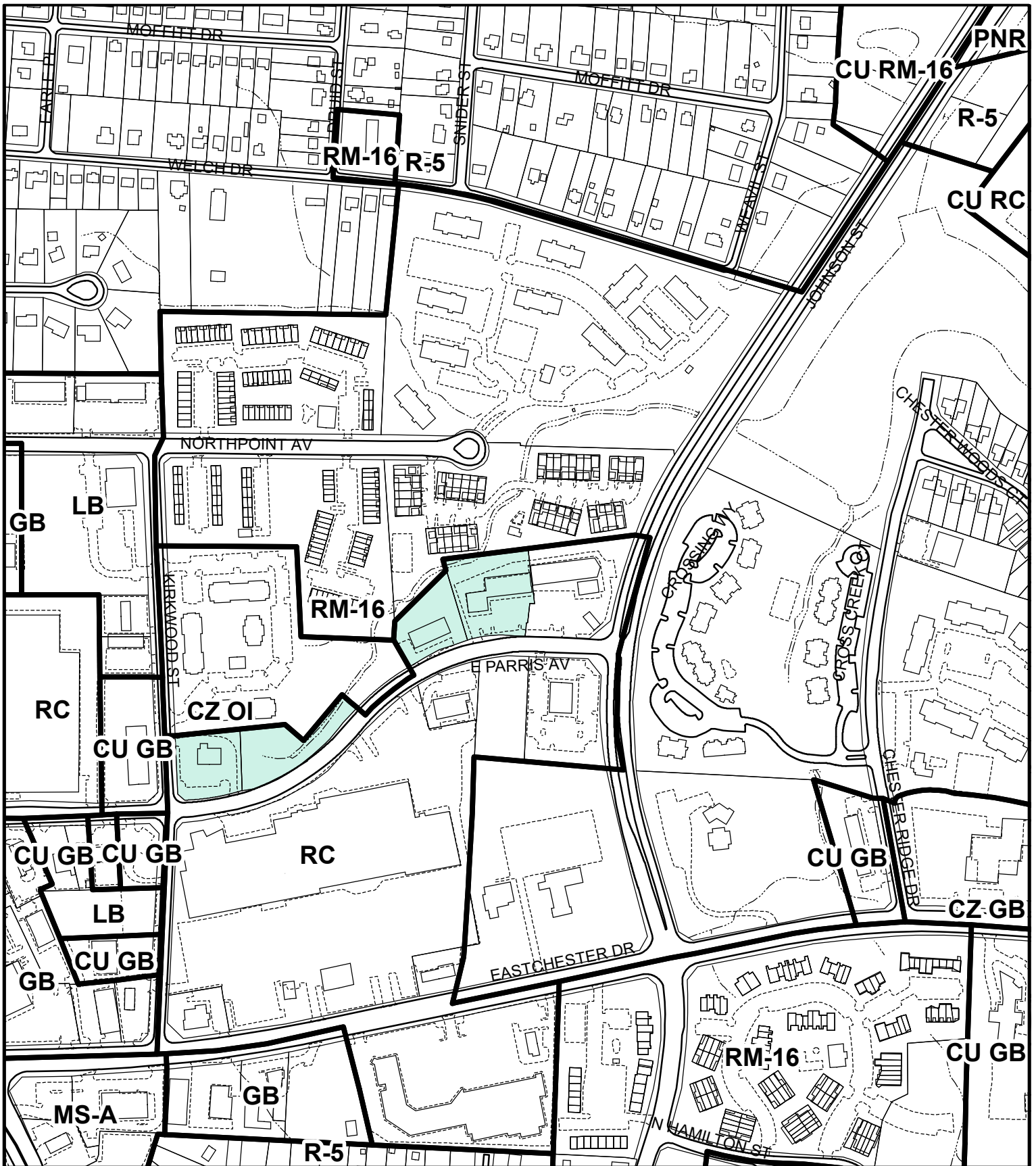
There are four small parcels, lying directly west of this zoning site, that also have a RC District zoning designation. The Commission recommended that the City Council initiate a Zoning Map Amendment application to rezone these remaining RC District parcels to the GB District.



To: Honorable Mayor & City Council
From: G. Lee Burnette, AICP
Date: November 10, 2017
Subject: **Request to Initiate Zoning Map Amendment**
(201, 203, 245 and 255 E. Parris Avenue)

At their October 24, 2017 public hearing, the Planning and Zoning Commission reviewed Zoning Map Amendment Case 17-24 (ZA-17-24). This is a request to rezone a 1.74-acre parcel, at the northwest corner of Johnson Street and E. Parris Avenue (295 E. Parris Avenue), from the RC District to the GB District. The Commission recommended approval of ZA-17-24, stating that the manner in which the land along the north of E. Parris Avenue has developed does not support the intent and purpose of the RC District.

The Commission also noted that there are four additional small parcels along the north side of E. Parris Avenue, between Johnson Street and Kirkwood Street, that also have a RC District zoning designation. The Planning and Zoning Commission recommended, and staff concurs, that the City Council should initiate an amendment to rezone these remaining RC District parcels (201, 203, 245 and 255 E. Parris Avenue) to the GB District.



REQUEST TO INITIATE ZONING MAP AMENDMENT

From: Retail Commercial (RC)

To: General Business (GB)

Existing Zoning Boundary

Subject Property Boundary



**Planning & Development
Department**

City of High Point



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

**STAFF REPORT
ZONING MAP AMENDMENT 17-24
October 24, 2017**

Request	
Applicant: T&Z Commercial Property, LLC	Owners: T&Z Commercial Property, LLC
Zoning Proposal: To rezone approximately 1.74 acres	From: RC Retail Center District To: GB General Business District

Site Information	
Location:	Lying west of Johnson Street and north of E. Parris Avenue.
Tax Parcel Number:	Guilford County Tax Parcel 0199859
Site Acreage:	Approximately 1.74 acres
Current Land Use:	Convenience store and a multi-tenant commercial structure with a mixture of retail sales and personal services uses.
Physical Characteristics:	The site is flat with no distinguishable features.
Water and Sewer Proximity:	A 12-inch City water line and an 8-inch City sewer line lies adjacent to the site along E. Parris Avenue.
General Drainage and Watershed:	The site drains in a general northerly direction and development is subject to the Oak Hollow Lake General Watershed Area (GWA) requirements. Engineered storm water treatment 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:	None

Adjacent Property Zoning and Current Land Use			
North:	RM-16	Residential Multifamily-16 District	Single family attached dwellings (Northpoint Estates Condos)
South:	RC	Retail Center District	Restaurant
East:	RM-16	Residential Multifamily-16 District	Multifamily development (Crossings apartment complex)
West:	RC	Retail Center District	Automotive body shop/repair facility

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is neither consistent nor inconsistent with the goals and objectives of the Community Growth Vision Statement.
Land Use Plan Map Classification:	The site has a Community/Regional Commercial land use designation. This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

Land Use Plan Goals, Objectives & Policies:	This request does not conflict with the Land Use Plan's goals and objectives.
Relevant Area Plan:	Not applicable.
Zoning History:	Except for a 2011 approval to establish a CZ-GO-H (Now CZ-OI) District to the west along Kirkwood St., there have been no recent zoning requests in this area.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	E. Parris Avenue		Minor Thoroughfare	620 ft.
	Johnson Street		Major Thoroughfare	330 ft.
Vehicular Access:	Via existing driveway from E. Parris Avenue			
Traffic Counts: <i>(Average Daily Trips)</i>	E. Parris Avenue		2,000 ADT (HP DOT 2014, 12-hour count)	
	Johnson Street		9,200 ADT (NCDOT 2015, 24 hour count)	
Estimated Trip Generation:	Not applicable, the site is already fully developed.			
Traffic Impact Analysis:	Required		Comment	
	<u>Yes</u>	<u>No</u> X	None	

School District Comment
Not applicable.

Details of Proposal

The applicant is requesting rezoning to permit a major vehicle establishment use. This use category includes the direct sale, rental; storage, and servicing of automobiles (including trucks, boats & motorcycles). The applicant desires to lease a portion of the existing multi-tenant commercial building for an automotive rental facility. This use is not permitted in the RC District; thus, the applicant has requested rezoning to a GB District.

Staff Analysis

The RC District accommodates a diverse range of high-intensity retail, service, and office uses that provide goods and services serving the residents and businesses of the region. Development in the RC district is often configured as large-scale with multiple uses, shared parking, coordinated signage and landscaping, and deep front setbacks, with a minimum area of five acres when located outside the Core City Area.

The area along the north side of E. Parris Avenue no longer meets the purpose and intent outlined by the Development Ordinance for the RC District. In the early 1970s, E. Parris Avenue stopped at Kirkwood Street and it was anticipated that the large tract of land north of Eastchester Drive between Johnson Street and Kirkwood Street would develop as a regional commercial center, and so was zoned SC, for shopping center uses. The Eastchester Drive frontage developed with a major commercial use, however, an extension of E. Parris Avenue to Johnson Street in the early 1980s and the presence of a perennial stream to the north of the extension reduced the available land for large scale commercial development. Subsequently, the north side of E. Parris Avenue

has developed with smaller individual commercial parcels, including two service-related major vehicle establishment uses that are currently non-conforming uses. Much of the former SC zoning along the north side of E. Parris Avenue has been replaced to facilitate the development of multifamily and smaller lot commercial uses. However, a few parcels still carry the new RC District designation (converted from the old SC District) and the rezoning of these remnant parcels to a more appropriate commercial district is warranted.

The requested GB District permits smaller commercial lots and is intended to accommodate a wide range of general retail, business, and service uses that serve groups of neighborhoods. Based on the district standards and the manner in which the land along the north side of E. Parris Avenue has developed, the establishment of the GB District would be consistent with the character of existing development. More specifically, City Council should initiate a zoning map amendment to rezone the remaining three RC zoned parcels on the north side of E. Parris Avenue.

Consistency with Adopted Policy Guidance:

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

The zoning site, and other properties in GB Districts along E. Parris Avenue, are designated by the Land Use Plan Map for Community/Regional Commercial uses.

Reasonableness/Public Interest:

Whether an approval of the proposed zoning map amendment reasonable and in the public interest.

The manner in which the land along the north of E. Parris Avenue has developed does not support the intent and purpose of the RC District.

More specifically:

- 1) The request is consistent with the City's adopted policy guidance for this portion of the City.
- 2) The requested GB District more accurately reflect the manner and character in which this area has developed.
- 3) The presence of a perennial stream to the north of E. Parris Avenue makes development under RC District standards impractical.

Recommendation

Staff Recommends Approval

The Planning & Development Department recommends approval of the request to rezone this 1.74-acre parcel to the GB District. In addition, staff recommends that the City Council initiate a zoning map amendment to rezone the three remaining RC-zoned parcels to the GB 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.

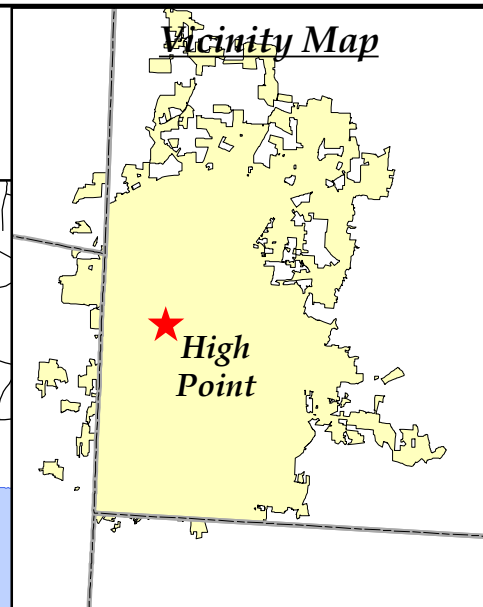
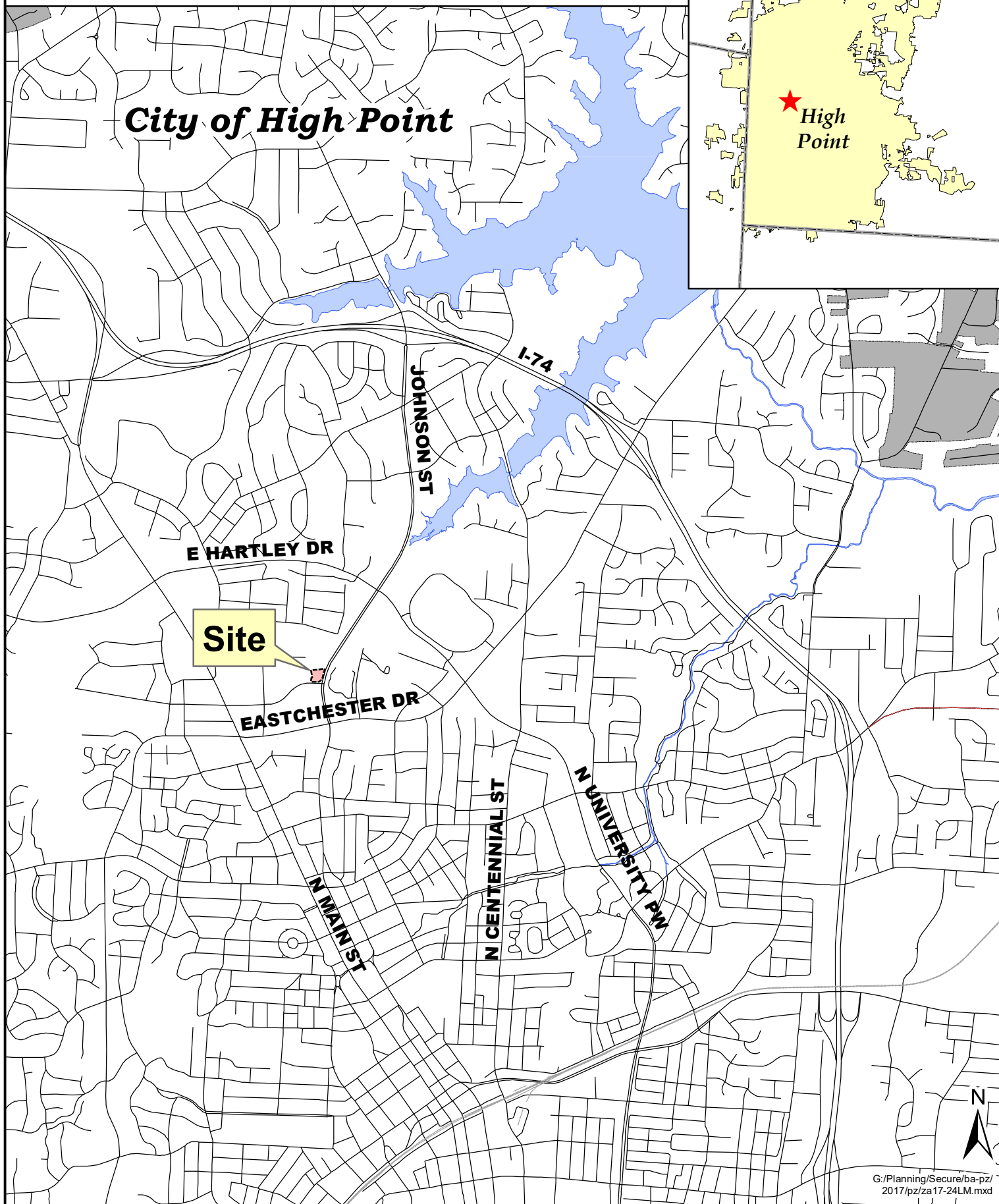
Report Preparation

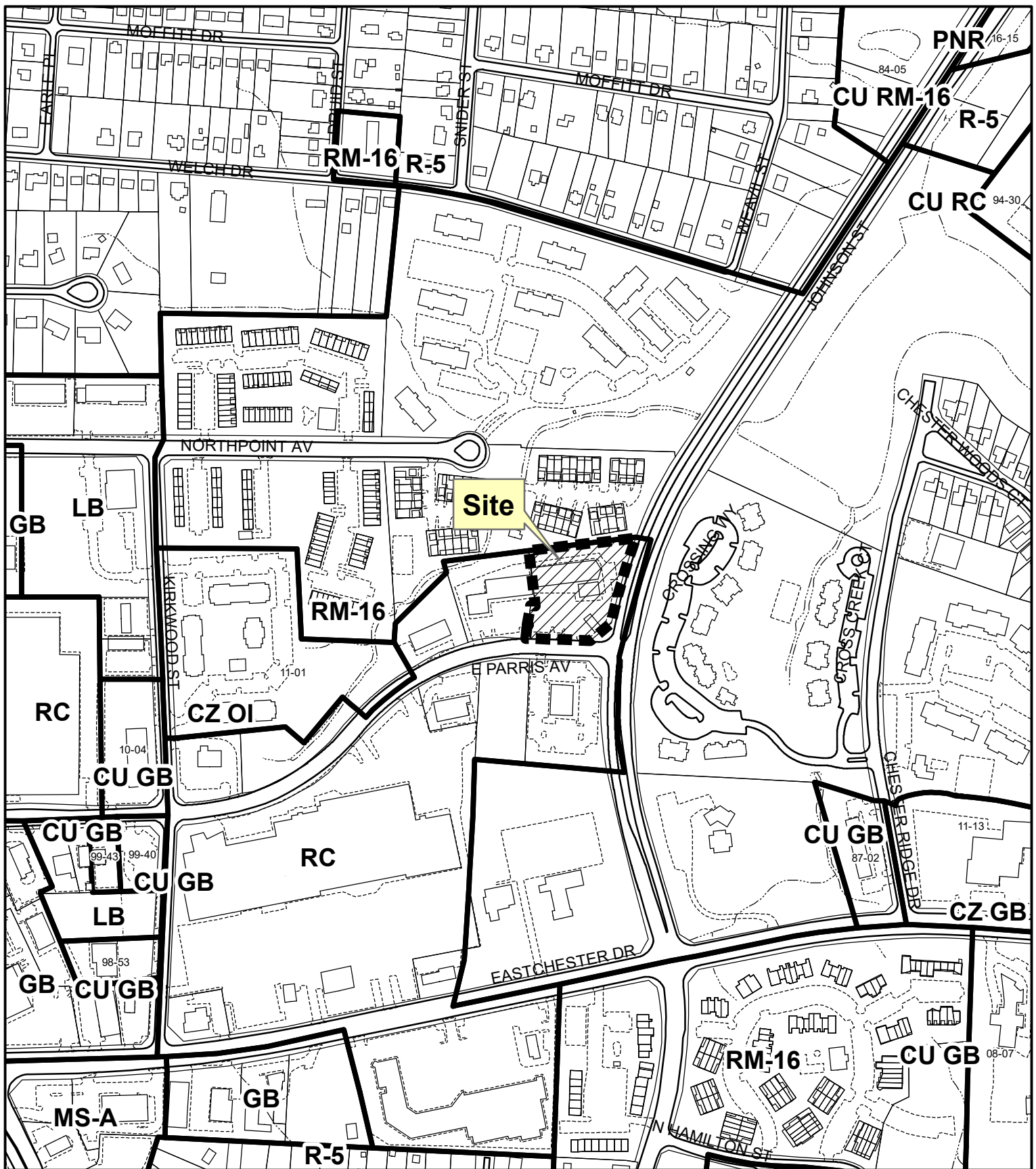
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-17-24

Applicant: Enzine Inc.





ZONING MAP AMENDMENT ZA17-24

From: Retail Commercial (RC)
To: General Business (GB)

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

**Planning & Development
 Department**

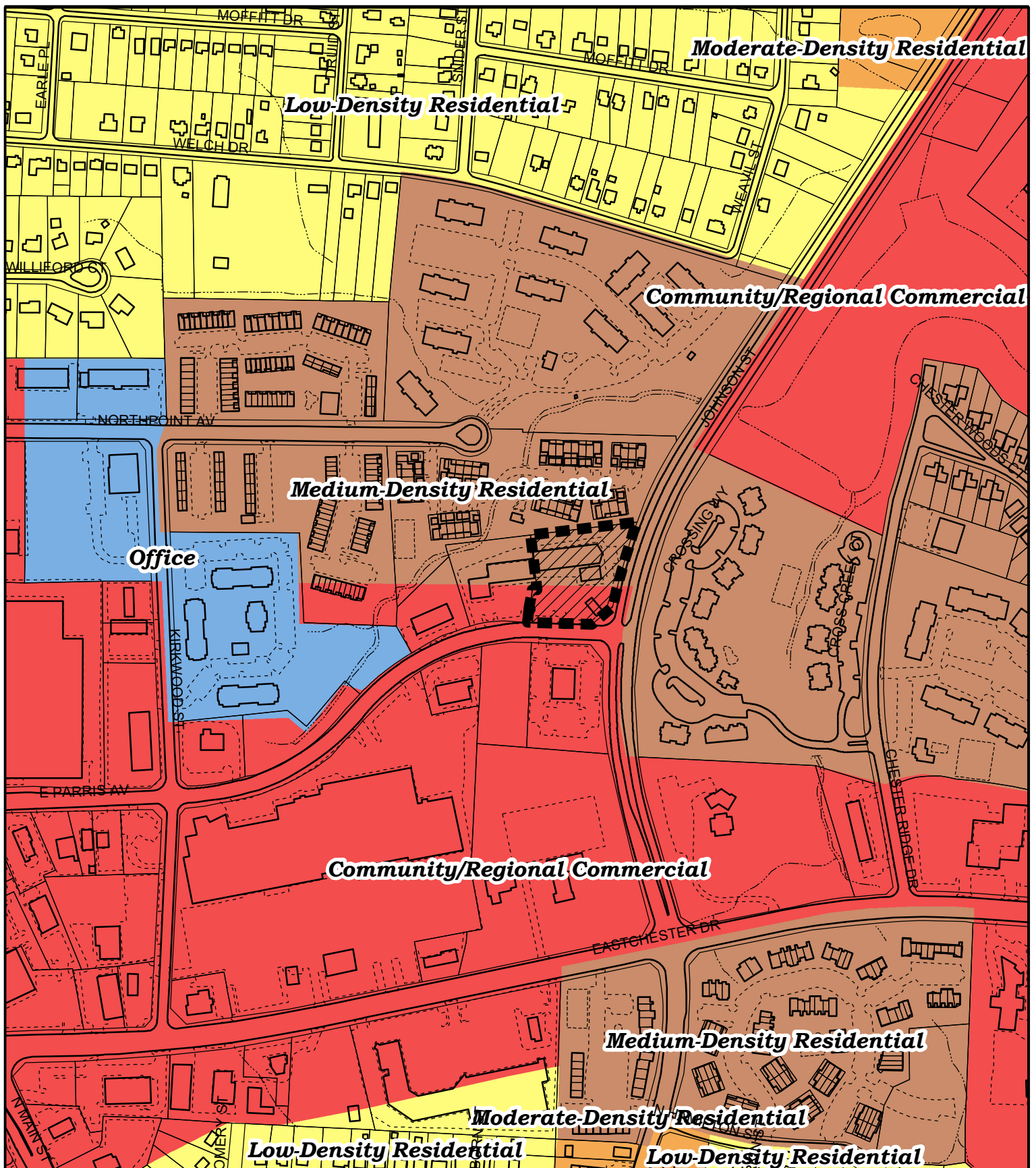
City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-24

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



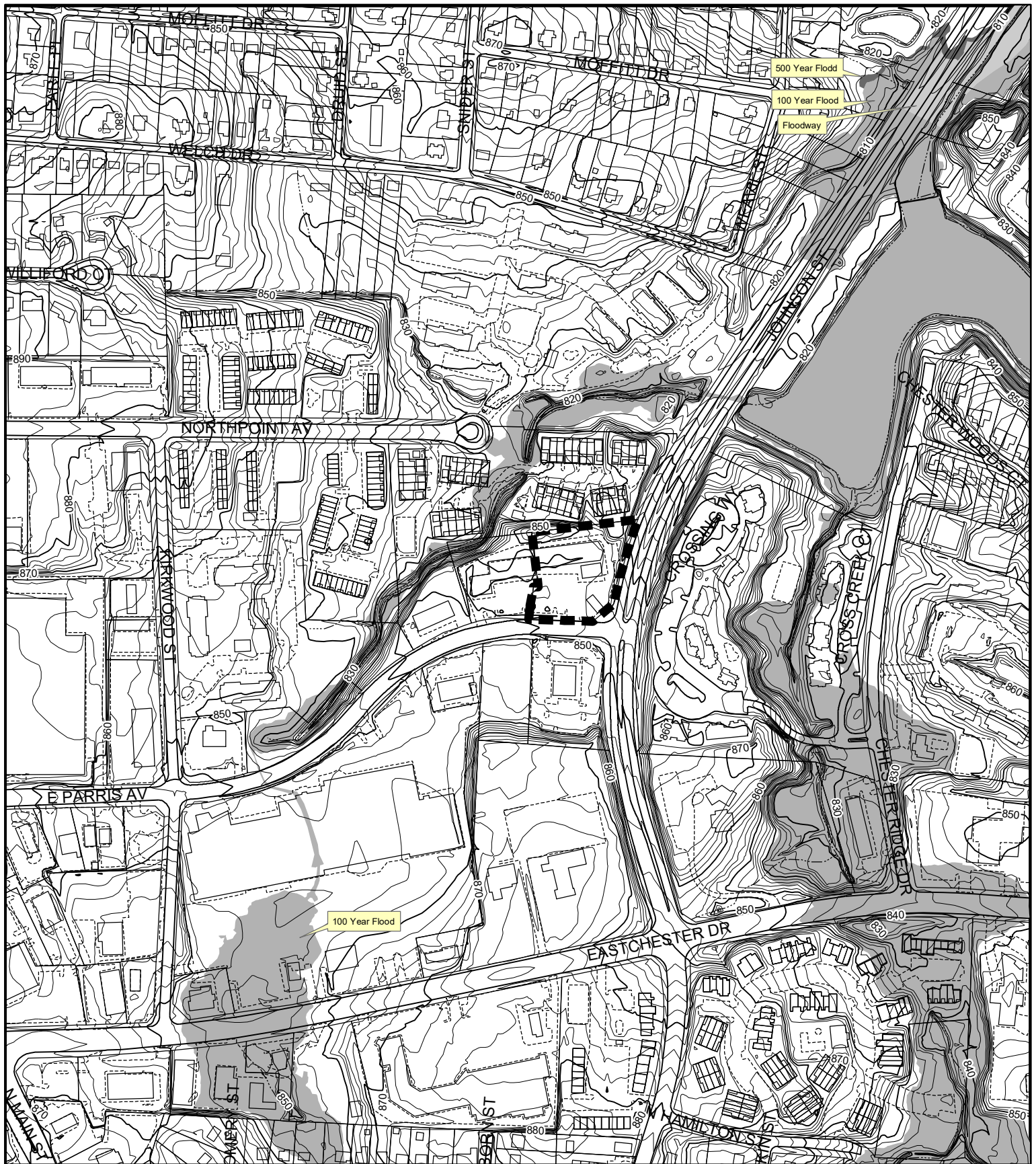
Planning & Development
Department

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-24

Topography

Subject Property Boundary

Planning & Development
Department

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-24



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 24, 2017 and before the City Council of the City of High Point on November 20, 2017 regarding **Zoning Map Amendment Case 17-24 (ZA-17-24)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on October 15, 2017, for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 15, 2017, 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 **November 20, 2017**.

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: **General Business (GB) District**. The property is approximately 1.74 acres lying west of Johnson Street and north of E. Parris Avenue (295 E. Parris Avenue). The property is also known as Guilford County Tax Parcel 0199859).

SECTION 2

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 3

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 4

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

SECTION 5.

This ordinance shall become effective upon the date of adoption.

20th day of **November, 2017.**

Lisa B. Vierling, City Clerk

**AN ORDINANCE AMENDING THE CITY OF HIGH POINT 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; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on October 24, 2017 and before the City Council on November 20, 2017 regarding Text Amendment TA-17-05; and

WHEREAS, notice for the public hearings was published in the High Point Enterprise on October 15, 2017 for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 15, 2017 for the City Council public hearing, pursuant to Chapter 160A-364 of the General Statutes of North Carolina;

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

SECTION 1.

The following Table and Figure identification numbers in various locations in the City of High Point Development Ordinance shall be amended as indicated below:

Table Name	Current Table Number	New Table Number
Zoning District Translation	1.9	1.9.1
Summary Development Review Table	2.1	2.1.2
Land Use Intensity	5.5.11.C	5.5.11.C1
Type of Landscape Yard Required	5.5.11.D	5.5.11.C2
Replacement of Landscape Material Following Unauthorized Removal	5.5.16	5.5.16.C
Maximum Illumination Levels	5.10.6	5.10.6.A
Fence Height for Residential Uses	5.11.5	5.11.5.B
Minimum Open Space Amount	5.12.4	5.12.4.A
Pocket Neighborhood Lots	5.14.6	5.14.6.D
Sustainable Development Incentives	5.15.3	5.15.3.E
Minimum Stormwater Controls Required in the General Watershed Area	6.2.11.A.1	6.2.11.A1
Minimum Stormwater Controls Required in the Watershed Critical Area	6.2.11.A.2	6.2.11.A2
Maximum Permissible Velocity for Stormwater Discharges	6.3.7	6.3.7.B
Development Entry Points	7.1.6.C.2	7.1.6.C

Text Amendment: TA-17-05

Ordinance #7365/17 - 108

Applicant: City of High Point

Figure Name	Current Figure Number	New Figure Number
Planning Policy Framework	1.5.1.1	1.5.1
Parking Lot Location	3.5.6.G.3	3.5.6.G1
Façade Transparency Alternatives	3.5.6.G.4	3.5.6.G2
Parking Lot Configuration	3.5.7.C.2	3.5.7.C1
Façade Transparency Alternatives	3.5.7.C.3	3.5.7.C2
Façade Facing A Street	5.14.4	5.14.4.B
Use Easement	5.14.6.D.1	5.14.6.D1
Examples of Dwelling Unit Configuration (Not named; add name as shown)	Not numbered	5.14.6.D2
Setbacks for Group Development	10.2.4.A.1	10.2.4.A
Setbacks	10.2.4.A.2	10.2.4.E1
Setbacks for Buildings Exceeding 50 Feet in Height	10.2.4.A.3	10.2.4.E2
Height Measurement	10.2.6.A.1	10.2.6

All references in the Development Ordinance text to the current table or figure numbers shall be changed to the new table or figure numbers as indicated above.

SECTION 2.

Table 2.3.6 *Public Notification Timing Requirements* shall be amended to add the following application type:

Application Type	Decision-Making Body Review	Types of Required Public Notice		
		Published Notice	Mailed Notice	Posted Notice
Zoning Map Amendment	P&Z	X	X [5]	X [3]
	City Council	X [6]	X [5]	X [3]

In addition, all Application Types in Table 2.3.6 shall appear in the table in alphabetic order.

SECTION 3.**Part A.**

Section 2.4. *Review Procedures Subject to Decision-Making Body Review and Decision*, subsection 2.4.8. regarding Planned Development, of the City of High Point Development Ordinance shall be amended as follows:

2.4.8. Planned Development

C. Planned Development Review Standards

The advisability of establishing a planned development district classification 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, the City Council shall consider the ~~following: standards in Section 2.4.5C, Conditional Zoning Review Standards, and the standards for the proposed type of PD district in Section 3.7, Planned Development Zoning Districts.~~

1. Consistency with Adopted Policy Guidance

Whether a decision to approve, or to deny, the proposed PD zoning district is consistent with the City's adopted policy guidance.

2. Consistency with PD District Standards

(a) Whether the proposed PD district meets the standards of Section 3.7.3., Standards Applied to All Planned Development Districts.

(b) Whether the proposed PD district meets the standards of Section 3.7.5., PD-CC District if in the Core City Area, or the standards of Section 3.7.6, PD-P District if outside the Core City Area.

3. Compatibility with Surrounding Areas

(a) Whether development along the perimeter of the proposed PD district is compatible with adjacent existing or proposed development.

(b) Where there are issues of compatibility, the master plan map, statement of intent and the standards document shall establish transition areas along the perimeter of the PD district that provide for appropriate buffering and ensure a complimentary character of development.

(c) Determination of complimentary character shall 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 identified by the City Council.

4. Promotes a Preferred Development Pattern

(a) 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.

- (b) Whether and the extent to which the proposed PD zoning district will result in development that promotes a logical, preferred, and orderly development pattern.**

5. Mitigation of Impacts

How the proposed PD District, including the proposed use(s), standards, and PD Master Plan, will satisfactorily:

- (a) 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.;**
- (b) Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees, and protect habitat;**
- (c) 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; and**
- (d) Minimize or effectively mitigate any identified adverse effect on the use, enjoyment, or value of adjacent lands.**

6. Reasonableness/Public Interest

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

D. Effect

- 1.** Lands rezoned to a planned development district shall be subject to the approved master plan map and the statement of intent and development standards document. The master plan map and the statement of intent and development standards document are binding on the land as an amendment to the Official Zoning Map. The applicant may apply for and obtain subsequent development permits and approvals necessary to implement the planned development master plan map and the statement of intent and development standards document in accordance with the appropriate procedures and standards in this Ordinance. Any permits or development approvals shall comply with the planned development master plan map and the statement of intent and development standards document.

2. The PD master plan map, statement of intent and development standards document shall not include any standards which:

- (a) Specifies the ownership status, race, religion, or other characteristics of the occupants of housing units;**
- (b) Establishes a minimum size of a dwelling unit;**
- (c) Establishes a minimum value of buildings or improvements;**
- (d) Excludes residents based upon race, religion, or income; or**

(e) Obligates the City to perform in any manner relative to the approval of the PD District or development of the land.

Part B.

Section 3.7. *Planned Development Zoning Districts*, subsection 3.7.2. *General Provisions*, of the City of High Point Development Ordinance shall be amended as follows:

3.7.2. General Provisions

A. Classification of Planned Development Districts

Land shall be classified as a planned development zoning district only in accordance with the procedures and requirements set forth in Section 2.4.8, Planned Development, and this section.

B. Organization of Planned Development District Regulations

Section 3.7.3, Standards Applied to All Planned Development Districts, sets out general standards applicable to all planned development districts. Sections 3.7.5, Planned Development-Core City (PD-CC), and 3.7.6, Planned Development-Periphery (PD-P), set out the purpose statements and standards applicable to each of the specific planned development districts. The more restrictive requirements between the general standards in this section and the standards in the PD-CC or PD-P districts shall control.

~~C. Consistency with Adopted Policy Guidance~~

~~The PD zoning district classification, the master plan map, and the statement of intent and standards document, shall be consistent with the City's adopted policy guidance.~~

~~D. Compatibility with Surrounding Areas~~

~~Development along the perimeter of a PD district shall be compatible with adjacent existing or proposed development. Where there are issues of compatibility, the master plan map shall provide for transition areas at the edges of the PD district that provide for appropriate buffering and/or ensure a complimentary character of development. Determination of complimentary character shall be based on densities/intensities, types of uses, lot sizes and dimensions, building height, mass and scale, exterior lighting, siting of service areas, or other aspects identified by the City Council.~~

~~E. Planned Development Application~~

~~An application for a planned development district shall be made using a form provided by the City, complete with all required signatures, application fees, and other documentation as required in Section 2.4.8, Planned Development.~~

SECTION 4.

Part A.

Section 3.4. regarding Business Zoning Districts, Subsection 3.4.6. General Business (GB) of the City of High Point Development Ordinance shall be amended as follows:

3.4.6. General Business (GB)

G. District Standards

2. Outdoor Storage Outdoor storage shall:

- (d) Be screened from view from adjacent lots and public streets with an opaque ~~wall fence, fence wall,~~ or by any other approved means allowed method in Section 5.6.6., Screening Methods, to a height 6 feet above grade level, provided the screen shall not be allowed in any required landscape yard.

Part B.

Section 3.4. regarding Business Zoning Districts, Subsection 3.4.7 Retail Center (RC) of the City of High Point Development Ordinance shall be amended as follows:

3.4.7. Retail Center (RC)

G. District Standards

2. Outdoor Storage Outdoor storage shall:

- (d) Be screened from view from adjacent lots and public streets with an opaque ~~wall fence, fence wall,~~ or by any other approved means allowed method in Section 5.6.6., Screening Methods, to a height 6 feet above grade level, provided the screen shall not be allowed in any required landscape yard.

Part C.

Section 3.4. regarding Business Zoning Districts, Subsection 3.4.10 Employment Center (EC) of the City of High Point Development Ordinance shall be amended as follows:

3.4.10. Employment Center (EC)

G. District Standards

1. Site Standards

- (h) **Outdoor Storage** Outdoor storage shall:

- (4) Be screened from view from adjacent lots and public streets with an opaque ~~wall fence, fence wall~~, or ~~by any~~ other ~~approved means~~ allowed method in Section 5.6.6., Screening Methods, to a height 6 feet above grade level, provided the screen shall not be allowed in any required landscape yard.

Part D.

Section 3.4. regarding Business Zoning Districts, Subsection 3.4.11 Light Industrial (LI) of the City of High Point Development Ordinance shall be amended as follows:

3.4.11. Light Industrial (LI)

G. District Standards

- 1. Outdoor Storage** Outdoor storage shall be screened from view from adjacent lots and public streets with an opaque ~~wall fence, fence wall~~, or ~~by any~~ other ~~approved means~~ allowed method in Section 5.6.6., Screening Methods, to a height 6 feet above grade level.

Part E.

Section 4.3. regarding Use Standards, Subsection 4.3.3 Institutional Uses of the City of High Point Development Ordinance shall be amended as follows:

4.3.3. Institutional Uses

B. Day Care

1. Day Care Center

- (d) Outdoor recreation areas adjacent to a residential district shall be screened with an opaque ~~wall fence, fence wall~~, or ~~by any~~ other ~~approved~~ allowed method in Section 5.6.6., Screening Methods, to a height of 6 feet above grade level.

Part F.

Section 4.3. regarding Use Standards, Subsection 4.3.4 Commercial Uses of the City of High Point Development Ordinance shall be amended as follows:

4.3.4. Commercial Uses

G. Vehicle Establishments

1. Vehicle Establishments

(a) General

- (5) In the LI and HI districts, outdoor vehicle storage may occupy up to 50 percent of the lot. The storage area shall be located behind the front building line of the principal building and be screened with an opaque ~~wall fence, fence wall~~, or other approved ~~means~~ method, to a height of 6 feet above grade level.

(c) Minor

- (4)** The use shall be screened with an opaque fence, wall, or **by any** other ~~approved~~ **allowed** method **in Section 5.6.6., Screening Methods,** to a height of 6 feet above grade level along all lot lines abutting a residential district.

Part G.

Section 4.3. regarding Use Standards, Subsection 4.3.5 Industrial Uses of the City of High Point Development Ordinance shall be amended as follows:

4.3.5. Industrial Uses

D. Waste-Related Service

2. Recycling Center

(b) Major

- (2)** Materials may be stored outdoors provided they are located at least 200 feet from all property lines and are screened with an opaque ~~wall,~~ fence, **wall,** or **by any** other ~~approved means~~ **allowed method in Section 5.6.6., Screening Methods,** to a height of 8 feet above grade **level.**

Part H.

Section 4.4. regarding Accessory Structures and Uses, Subsection 4.4.5. Standards for Specific Accessory Uses of the City of High Point Development Ordinance shall be amended as follows:

4.4.5. Standards for Specific Accessory Uses

S. Vehicles

1. Disabled Motor Vehicles

(a) All Other Uses

- (2)** The disabled vehicle shall be stored within a fully enclosed building or fully screened by a building, opaque ~~wall fence,~~ **fence wall,** or other approved ~~means~~ **method,** to a height of 6 feet above grade level.

SECTION 5.

Table 4.1.9 Principal Use Table of the City of High Point Development Ordinance shall be amended as follows:

Under the Commercial Use Classification, Use Category *Recreation and Leisure*, Use Type *Sports and fitness centers*, a “**P**” shall be added in the MS and MX column.

SECTION 6.

Section 4.3., *Use Standards*, subsection 4.3.3., *Institutional Uses* of the City of High Point Development Ordinance, shall be amended as follows:

4.3.3. - Institutional Uses

A. Civic

1. Assembly (Major and Minor)

An assembly use (major and minor) shall comply with the following standards:

- (a) ~~Not front or gain access from a residential local street;~~ Have street frontage on a street classified higher than a residential local street.
- (b) Have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street.
- ~~(b)-(c)~~ Outdoor courts, swimming pools, and athletic fields shall be located at least 50 feet from any lot line abutting a residential district.
- ~~(e)-(d)~~ Assembly uses in residential districts shall be on a lot of at least 2 acres.
- ~~(d)-(e)~~ Assembly uses with permanent seating for 1,000 or more shall require a special use in accordance with Section 2.4.11, Special Use.

2. Cemetery, Columbarium, Mausoleum

~~Except for the expansion of an existing cemetery that is an accessory use to a religious institution, a~~ A cemetery shall comply with the following standards:

- (a) Be located on a lot or site at least 3 acres in area;
- (b) Provide space for on-site parking and maneuvering of funeral processions;
- (c) ~~Not front or gain access from a residential local street;~~ Have street frontage on a street classified higher than a residential local street; and
- (d) Have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street; and
- ~~(d)-(e)~~ Ensure interments take place at least 50 feet from a lot line and comply with the requirements of State law.

B. Day Care

- 1. **Day Care Center** A day care center shall comply with the following standards:

- (a) Meet ~~All~~ applicable State licensing requirements;
- (b) ~~Not front or gain access from a residential local street;~~ Have street frontage on a street classified higher than a residential local street;
- (c) Have no access from a residential local street; unless the use is located on a corner lot with street frontage on a thoroughfare street.
- ~~(e)-(d)~~ Outdoor recreation areas shall:
 - (1) Be located behind the front building line of the principal building;
 - (2) Be completely enclosed by a fence that is at least 4 feet in height; and
 - (3) Be safely segregated from parking, loading, or service areas.
- ~~(d)-(e)~~ Screen ~~Outdoor recreation areas adjacent to a residential district shall be screened~~ with an opaque ~~wall fence, fence wall,~~ or other ~~approved~~ allowed method in Section 5.5.6., Screening Methods, to a height of 6 feet above grade level.
- ~~(e)-(f)~~ If located in a residential district, signage is limited to 1 monument sign with a maximum area of 24 square feet and a maximum height of 6 feet.

C. Education

2. School (Major and Minor)

A school (major and minor) ~~shall not front or gain primary access from a residential local street~~ shall comply with the following standards:

- (a) Have street frontage and gain primary access on a street classified higher than a residential local street.
- (b) Have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street.

D. Religious Institutions

~~1. Religious Institution~~ A religious institution in a residential district on a lot of 3 acres in area or larger shall comply with the following standards:
~~shall not front on or gain access from a residential local street.~~

- (a) Have street frontage and gain primary access on a street classified higher than a residential local street.
- (b) Have no access from a residential local street, unless the use is located on a corner lot with street frontage on a thoroughfare street.

SECTION 7.

Section 4.3., *Use Standards*, of the City of High Point Development Ordinance, subsection 4.3.4.G., *Vehicle Establishments*, shall be amended as follows:

1. Vehicle Establishments**(a) General**

- (1) ~~The outdoor storage of tires shall be subject to the outdoor storage standards of the zoning district. Tires shall be stored within an enclosed building or stored within the outdoor vehicle storage area and under cover in such a manner as to prevent a violation of the public nuisance code.~~

SECTION 8.

Table 5.7.10.B. *Requirements For An Attached Sign Requiring A Permit* of the City of High Point Development Ordinance shall be amended as follows:

TABLE 5.7.10.B: REQUIREMENTS FOR AN ATTACHED SIGN REQUIRING A SIGN PERMIT					
SIGN TYPE	NUMBER	AREA (SQ FT)		HEIGHT (FEET)	COMPUTATION
		MAX	MIN [1]		
WALL SIGNS					
TO, I & PNR districts	See 5.7.10.A.1, Maximum Number of Attached Signs	n/a	25	top of wall	5% of wall area [2]
OI, LB, & EC districts			25		7.5% of wall area [2]
GB, RC, CB, MS, <u>MX</u> LI, & HI districts			50		10% of wall area [2]

SECTION 9.

Section 5.9. *Sidewalks*, Subsection 5.9.3 *Exemptions* of the City of High Point Development Ordinance shall be amended as follows:

5.9.3. EXEMPTIONS

- C. Cul-De-Sac and Dead End Streets** Along cul-de-sac streets and permanent dead-end streets of 800 feet or less in length, except ~~where~~ when they contain cluster ~~(mail)~~ mailbox units.

SECTION 10.

Section 5.11.5., *Height Standards* of the City of High Point Development Ordinance, regarding height standards for fences, shall be amended as follows:

C. Nonresidential and Mixed Uses ~~No fence shall exceed a maximum height of 8 feet unless:~~

~~1. The fence is at least 15 feet from a lot line; or~~

~~2. The fence complies with the minimum setback requirements applied to the principal structure.~~

No fence may be erected that exceeds 8 feet in height, unless the fence is 15 feet from a lot line, or it complies with the minimum setback requirements as applied to the principal structure, whichever is greater.

SECTION 11.

Section 7.2.1. *Installation Statement and Financial Guarantees In-Lieu of Completion* of the City of High Point Development Ordinance shall be amended as follows:

7.2.1. ~~Installation Statement and~~ Financial Guarantees In-Lieu of Completion

A. General

In-lieu of the completion, installation, and dedication of all required public improvements (streets, potable water, sanitary sewer, stormwater, electricity and street lights) and private site improvements (**off-street** parking, landscaping, screening, protected trees, fencing, stormwater management and sedimentation control) prior to approval of a final plat or issuance of a certificate of occupancy (as appropriate), a developer may submit:

1. ~~An installation statement of required improvements, as provided in the City of High Point's Development Guide, A bona fide itemized estimate of the costs, including labor, for all required improvements, signed and dated by the preparer,~~ for which the developer is responsible, and the date when the improvements are to be completed; and

2. An acceptable financial guarantee for the installation of ~~public infrastructure~~ **said required improvements in accordance with Section 7.2.2., Performance Guarantee.**

B. Timing

The ~~installation statement itemized estimate of the costs~~ and financial guarantees shall not be accepted until after the construction plans and profiles for the development are approved, in accordance with Section 7.1.3., Street and Utility Construction, and a watershed development plan, if applicable, is approved in accordance with Section 6.2.8.E., Watershed Development Plan.

C. Effect

Once the ~~installation statement itemized estimate of the costs~~ and ~~the~~ required financial guarantees ~~are~~ is accepted by the City, the final plat or certificate of occupancy (as appropriate) may be approved if the development complies with all other requirements of this Ordinance.

SECTION 12.

Section 8.2.3. *Standards Applied to Specific Nonconforming Uses*, of the City of High Point Development Ordinance be amended as follows:

D. Standards Applied to Manufactured Dwellings

Nonconforming manufactured dwellings shall meet the requirements of Section 8.2.2. Standards Applied to All Nonconforming Uses except as stated herein.

1. Continuation and Replacement

- (a) A nonconforming manufactured dwelling that is the sole principal structure on a lot, or is located within a manufactured dwelling park, may be continued or replaced in accordance with the requirements of this section.
- (b) A ~~replacement~~—manufactured dwelling **that replaces a manufactured dwelling located on a lot** shall:
 - (1) Obtain a building permit in accordance with Section 2.5.3., Building Permit;
 - (2) Meet or exceed the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time ~~of construction of the dwelling~~ **the dwelling was manufactured**; and
 - (3) Meet the requirements of a manufactured dwelling in accordance with Section 4.3.2.B.4., Manufactured Dwelling.

(c) A manufactured dwelling that replaces a manufactured dwelling located in a manufactured dwelling park shall:

- (1) Obtain a building permit in accordance with Section 2.5.3., Building Permit;**
- (2) Meet or exceed the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time the dwelling was manufactured;**
- (3) Be a single-wide unit no wider than 15 feet; and**
- (4) Not increase the number of dwelling units in the manufactured dwelling park.**

(e)-(d) No manufactured dwelling ~~constructed~~ **made** prior to June 15, 1976 may be used to replace a lawfully established nonconforming manufactured dwelling.

2. Expansion or Enlargement

A replacement manufactured dwelling **or single-wide manufactured dwelling** ~~(mobile home)~~ may be larger than the existing manufactured dwelling being replaced, provided:

- (a)** It is located in a residential or AGR zoning district;
- (b)** It is located on the same lot or space as the previous dwelling unit;
and
- (c)** It meets all applicable setbacks for the district where it is located, **and**
- ~~**(d) The number of dwelling units is not increased.**~~

SECTION 13.

Section 10.4 *Definitions* of the City of High Point Development Ordinance shall be amended as follows:

SUBDIVISION The division of a tract or parcel of land into 2 or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and includes all divisions of land involving the dedication of a new street or a change in existing streets. The following are not included within this definition and are not subject to any subdivision regulations in this Ordinance:

a. The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this Ordinance.

b. The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved.

c. The public acquisition by purchase of strips of land for the widening or opening of streets.

d. The division of a tract in single ownership, the entire area of which is not greater than 2 acres, into not more than 3 lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of this Ordinance.

e. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the North Carolina General Statutes.

SECTION 14.

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 15.

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

SECTION 16.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 20th day of November, 2017

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Purchase of Medium Power (Substation) Transformers

From: Garey S. Edwards, Electric Utilities Director

Meeting Date: November 20, 2017

Public Hearing: N/A

Advertising Date /

Advertised By: N/A

Attachments: Attachment A: Southeastern Consulting Engineers Recommendation
Attachment B: Bid Tabulation

PURPOSE:

Two of these units will be used at the Linden Substation upgrade and one will be installed at the Penny Road substation.

BACKGROUND:

Over the past several years we have been converting the old 69 kV transmission system to a 100 kV system. Two of the units will be utilized for this purpose for the upgrade work we are doing at Linden Substation. The third unit will be set at the Penny Road substation for increased loading that we are experiencing in the northern part of the city limits.

BUDGET IMPACT:

Funds are available in the 2017-2018 Annual Budget.

RECOMMENDATION / ACTION REQUESTED:

Council is requested to award contract to Ensales-Virginia Transformer in the amount of \$1,715,805.00 and authorize the appropriate city official to execute contracts.





**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Electric**

COUNCIL AGENDA DATE: **Nov 20, 2017**

BID NO.: **18-101217** CONTRACT NO.: DATE OPENED: **Oct 12, 2017**

DESCRIPTION:

Purchase of Three (3) Medium Power (Substation) Transformers

PURPOSE:

Two of these units will be used at the Linden Substation upgrade and one will be installed at the Penny Road substation.

COMMENTS:

Over the past several years we have been converting the old 69 kV transmission system to a 100 kV system. Two of the units will be utilized for this purpose for the upgrade work we are doing at Linden Substation. The third unit will be set at the Penny Road substation for increased loading that we are seeing in the area.

RECOMMEND AWARD TO: **Ensales-Virginia Transformer** AMOUNT: **\$1,715,805.00**

JUSTIFICATION:

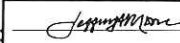
We have budgeted adequate funds for this year's budget.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
631799	533701	631151022305	40202	\$1,143,870.00
631799	533701	631181023105	40202	\$571,935.00
TOTAL BUDGETED AMOUNT				\$1,715,805.00

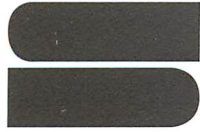
DEPARTMENT HEAD: **Garey S Edwards** Digitally signed by Garey S Edwards
Date: 2017.11.07 09:19:54 -05'00' DATE: **Nov 7, 2017**

The Purchasing Division concurs with recommendation submitted by the **Electric and recommends award to the lowest responsible, responsive bidder **Ensales - Virginia Trans.** in the amount of \$ **1,715,805.00**.**

PURCHASING MANAGER: **Erik Conti** Digitally signed by Erik Conti
DN: cn=Erik Conti, o=ou,
email=erik.conti@highpointnc.gov, c=US
Date: 2017.11.07 11:46:13 -05'00' DATE: **Nov 7, 2017**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC,
ou=Financial Services Director,
email=jmoore@highpointnc.gov, c=US
Date: 2017.11.09 09:48:38 -05'00' DATE: **Nov 9, 2017**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o=High Point, ou=High Point,
email=greg.demko@highpointnc.gov, c=US
Date: 2017.11.09 09:47:57 -05'00' DATE: **Nov 9, 2017**



Southeastern Consulting Engineers, Inc.

October 26, 2017

Mr. Garey Edwards, PE
City of High Point
P.O. Box 230
High Point, North Carolina 27261

Ref.: Three Power Transformers Recommendation
Bid Number: 18-101217

Dear Garey:

The City received sealed proposals on October 12, 2017, from three suppliers for providing three power transformers for the City's upcoming substation projects. A tabulation of the bids received is attached.

Each bid was reviewed for compliance with the specifications, purchase price, evaluated cost, quality and delivery.

The bids were also evaluated based on losses to determine the cost of operating the transformers over time. As shown on the attached bid tabulation Virginia Transformer of Roanoke, Virginia, evaluated cost is \$123,640.00 less than SPX - Waukesha. Therefore Virginia Transformer submitted the lowest responsive and compliant bid in the amount of \$1,769,805.00. We recommend that the City arrange their own offloading, which will reduce the cost by \$54,000.00.

Based on the above information, we recommend that the City accept Virginia Transformer's proposal and issue a purchase order in the amount of \$1,715,805.00. If you have any questions, please do not hesitate to contact us.

Very truly yours,

SOUTHEASTERN CONSULTING ENGINEERS, INC.

By

Jerry L. Ford, Jr., P.E.
Senior Design Engineer

JLF/lc

cc: Mr. Philip Hiatt

Bid Tabulation
Purchase of Three Medium Power Transformers
Bid Number 18-101217

Bid Date: October 12, 2017
2:00 p.m.

Bidder:	Virginia Transformer	ABB	SPX - Waukesha
(3) Transformers	\$ 1,667,805.00	\$ 1,877,538.00	\$ 1,761,654.00
Offloading	54,000.00	22,500.00	32,916.00
Assembly	48,000.00	90,000.00	88,590.00
Total Bid	\$ 1,769,805.00	\$ 1,990,038.00	\$ 1,883,160.00
Delivery	23-25 Weeks	26-30 weeks	36-40 weeks
<u>Evaluated Cost @ Rated Capacity</u>			
22.4 MVA	\$ 1,909,020.00	\$ 2,128,103.00	\$ 2,032,660.00
29.8 MVA	\$ 1,962,980.00	—	\$ 2,104,510.00
37.33 MVA	—	\$ 2,375,598.00	—
Plant Location	Roanoke, VA	Crystal Springs, MS	Goldsboro, NC
Meets Specified Dimensions	Yes	Yes	Yes

BIDDERS LIST & TABULATION

FORMAL BID #18-101217 – POWER TRANSFORMERS (LINDEN SUB.) – ELECTRIC DEPT.				
VENDOR NAME & ADDRESS	ITEM (QTY.)	UNIT PRICE	TOTAL PRICE	DELIVERY A.R.O.
ELECTRICAL POWER PRODUCTS, INC. CHARLOTTE, NC	XFMRS. (3) OFF LOAD (3) ASSEMBLY (3)	-	NO QUOTE	-
ENSALES (VTC) P.O. BOX 2427 SMITHFIELD, NC 27577	XFMRS. (3) OFF LOAD (3) ASSEMBLY (3)	\$555,935.00 \$18,000.00 \$16,000.00	\$1,667,805.00 \$54,000.00 \$48,000.00	22-24 WKS.
OTC SERVICES, INC. 1776 CONSTITUTION AVENUE P.O. BOX 188 LOUISVILLE, OH 44641	XFMRS. (3) OFF LOAD (3) ASSEMBLY (3)	-	NO QUOTE	-
POWERTECH, LLC (ABB) 9004 YELLOW PINE COURT WAXHAW, NC 28173	XFMRS. (3) OFF LOAD (3) ASSEMBLY (3)	\$625,846.00 \$7,500.00 \$30,000.00	\$1,877,538.00 \$22,500.00 \$30,000.00	26-30 WKS.
R.W. CHAPMAN & COMPANY (DELTA STAR) P. O. BOX 240748 CHARLOTTE, NC 28224	XFMRS. (3) OFF LOAD (3) ASSEMBLY (3)	-	NO QUOTE	-
W.R. DANIEL & ASSOCIATES (SPX) 207-6A SOUTH BROAD STREET MOORESVILLE, NORTH CAROLINA 28115	XFMRS. (3) OFF LOAD (3) ASSEMBLY (3)	\$587,218.00 \$10,972.00 \$29,530.00	\$1,761,654.00 \$32,916.00 \$88,590.00	36-40 WKS.

* Bid packages mailed out September 15, 2017 by Southeastern Consulting Engineers (Jerry Ford).

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
November 6, 2017 – 5:30 P.M.**

ROLL CALL, PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Bencini called the meeting to order. Upon call of the roll, the following Council Members were present:

Present (9): Mayor William S. Bencini, Jr., Mayor Pro Tem Jay Wagner (Ward 4); and Council Members Cynthia Y. Davis (At-Large), Latimer Alexander (At-Large); Jeffrey Golden (Ward 1), Christopher Williams (Ward 2), Alyce Hill (Ward 3), James C. Davis (Ward 5), and Jason Ewing (Ward 6)

The Pledge of Allegiance followed with a Moment of Silence. Mayor Bencini recognized Boy Scout Matt Garner with Troop #26 (Immaculate Heart of Mary).

RECOGNITIONS AND PRESENTATIONS

170367 Resolution - New Bethel Baptist Church

Mayor Bencini will present a Resolution to New Bethel Baptist Church for their outreach, service to the Community and positive contributions to our children.

Mayor Bencini read the Resolution recognizing New Bethel Baptist Church for their outreach, service to the community and positive contributions to the children into the record and presented it to Pastor Sherman Mason. [applause]

170371 Proclamation - Rev. Robert Williams

Mayor Bencini will present a Proclamation to Rev. Robert J. Williams recognizing him for 40 years of ministry at Williams Memorial Christian Methodist Episcopal Church.

Mayor Bencini read the Proclamation into the record recognizing Rev. Robert J. Williams for 40 years of ministry at Williams Memorial Christian Methodist Episcopal Church.

170368 Johnson Street Sports Complex

Ms. Nichole Donoghue with the Declan Foundation will be present to show the City Council drawings of the Johnson Street Sports Complex new playground equipment.

Lee Tillery, Director of Parks & Recreation, introduced Nichole Donoghue with the Declan Foundation. Ms. Donoghue approached the city about six months ago about a proposed collaboration project for a playground that was needed to replace the existing playground at Johnson Street Complex. He then asked Ms. Donoghue to come forward to talk about the Declan Foundation, its mission and collaboration efforts.

Nichole Donoghue, mother of Declan Donoghue, shared a brief history on how the Foundation was created. Her son, Declan, who was born in 2008, passed away on September 2, 2010 after struggling with an undiagnosed rare immune genetic disease that was undiagnosed until after his death. Ms. Donoghue described her son as a wonderful little boy who loved to play and noted although his time here was short and sometimes painful, it was never without play. To honor his legacy, she and her husband created the Declan

Donoghue Foundation and sought out to carry on the Declan's memory and his spirit of play by helping to fund and build playgrounds in the North Carolina Piedmont Triad area. They took advantage of the opportunity to partner with parks and recreation departments and groups from Kernersville, Greensboro, and High Point.

To date, the Declan Foundation has helped fund the following playgrounds:

- *Harman Park in Kernersville- September 2011;*
- *Ivey Redmon Sports Complex in Kernersville;*
- *Marylene F. Griffin Park in Greensboro;*
- *Lindley Park in Greensboro; and*
- *Johnson Street Sports Complex in High Point*

Ms. Donoghue advised that the Foundation actually makes a donation to the city and the city owns and maintains the playgrounds for the life of the playgrounds.

She issued an invitation for Council to attend the Grand Opening of Declan's Playground at the Johnson Street Sports Complex on Sunday, November 12th @ 2:00 p.m. Ms. Donoghue hopes to raise additional funds and do another playground in High Point. She thanked the city for its support and stated without the city's support, Declan's fifth playground would not have been possible.

Mayor Bencini thanked Ms. Donoghue for building a wonderful, inspiring legacy for Declan and making High Point a part of it.

STRATEGIC PLAN UPDATE

170369 Update on the Strategic Plan adopted by City Council

Council Member Jeff Golden, Chair of the Community Housing, Neighborhood Development and Public Safety Committee and Council Member Jason Ewing, Chair of the Prosperity & Livability Committee will give an update to City Council on the Strategic Plan as adopted by City Council.

Code Enforcement/Blight

Community Housing, Neighborhood Development & Public Safety Committee Chair Council Member Golden provided an update on some numbers as they relate to the Code Enforcement efforts regarding blight in the city. He then shared numbers for the October 2017 activities as follows:

- ✓ 42 New Minimum Housing Complaints
- ✓ 291 Active Minimum Housing cases
- ✓ 24 Active Backlog cases
- ✓ 72 Public Nuisance Complaints
- ✓ 130 Active Public Nuisance cases
- ✓ 23 Zoning Complaints (vehicles, signs, banners, etc....)
- ✓ 165 Signs collected

Chairman Golden noted the backlog of minimum housing cases from the old system continues to drop; down from 270 to a remarkable 24 for October. Interviews for the vacant Local Codes Enforcement Officer position are expected to take place over the next few weeks.

Lori Loosemore, Local Codes Enforcement Supervisor, shared some before and after photographs of minimum housing cases and lots cleaned in October.

Connect HP

Prosperity & Livability Chairman Jason Ewing reported that Connect HP would be hosting the 2nd Annual Young Professional's Summit on November 14th from 8:30 a.m. to 11:30 a.m. at the High Point University Community Center. At next month's meeting, they will be considering their 2019 strategic planning based on City Councils direction.

PUBLIC COMMENT PERIOD

170370

Public Comment Period

A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.

- Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.
- Persons addressing City Council are asked to limit their comments to three (3) minutes.
- Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.
- If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.

Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

*On the eve of the election, **Frank Thomas**, Pastor of Mt. Zion Baptist Church, took the opportunity to thank each of the Council Members for their service for the past three years, specifically for their support of three major projects:*

- 1. Library project;*
- 2. Renaming of Martin Luther King, Jr. Drive; and*
- 3. Stadium project*

He also thanked Council for donating the fourteen computers for their computer lab.

Mayor Bencini asked if there was anyone else who would like to speak during the public comment period. There being none, the public comment period was closed.

CONSENT AGENDA ITEMS

Council Member J. Davis reported that the Finance Committee met on November 1st and recommended approval of all eight matters under the Finance Committee.

*Mayor Pro Tem Wagner stated he did have one question regarding **170379 Contract-Traffic Signal Poles and Mast Arms** and offered to make a second to the motion if this matter could be pulled.*

Council Member J. Davis then moved that all matters with the exception of 170379 Traffic Signal Poles and Mast Arms be approved. Council Member Wagner made a second to the motion, which carried unanimously. [9-0 vote]

Matter 170379 will be pulled from the Finance Committee Consent Agenda and voted on separately.

Note: Although one motion was made to approve/adopt these matters under the Finance Committee Consent Agenda, action on all of these matters will be reflected throughout the Consent Agenda portion of these minutes as being made and seconded by the same persons.

FINANCE COMMITTEE - Council Member J. Davis, Chair
Committee Members: J. Davis, C. Davis, Hill and Alexander

170372 Lease Amendment - High Point Theatre/International Market Center - HVAC
Council is requested to approve an amendment to the original lease agreement between the High Point Theatre and the International Market Centers for the HVAC usage by the Theatre.

Approved the amendment to the original lease agreement between the High Point Theatre and the International Market Centers for HVAC usage by the Theatre.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170373 Budget Ordinance Amendment - Fire Truck Insurance Proceeds
Council is requested to adopt an ordinance amending the 2017-2018 City of High Point Budget Ordinance to appropriate funds in the amount of \$138,859 for insurance proceeds received for repair of a fire truck damaged in an accident.

Adopted an ordinance amending the 2017-2018 City of High Point Budget Ordinance appropriating funds in the amount of \$138,859 for insurance proceeds received for repair of a fire truck damaged in an accident.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this Budget Ordinance Amendment be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7341/17-83

Introduced 11/6/2017; Adopted 11/6/2017

Ordinance Book, Volume XIX, Page 223

170374 Budget Ordinance Amendment - Governor's Crime Commission Grant

Council is requested to adopt an ordinance amending the 2017-2018 City of High Point Budget Ordinance to appropriate funds in the amount of \$35,332 received from for the Gang Prevention and Intervention from the Byrne Justice Assistance Grants via the North Carolina Governor's Crime Commission.

Adopted ordinance amending the 2017-2018 city of High Point Budget Ordinance appropriating funds in the amount of \$35,332 received from the Gang Prevention and Intervention from the Byrne Justice Assistance Grant via the North Carolina Governor's Crime Commission.

A motion was made by Council Member Davis, seconded by Mayor Pro Tem Wagner, that this budget ordinance amendment be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7342/17-84

Introduced 11/6/2017; Adopted 11/6/2017

Ordinance Book, Volume XIX, Page 224

170375 Budget Ordinance Amendment - Community Gardens

Council is requested to adopt an ordinance amending the 2017-2018 City of High Point Budget Ordinance to appropriate funds in the amount of \$37,289 for a Community Gardens Program and a Community Garden Coordinator position as recommended by the Prosperity & Livability Committee at the August 2, 2017 meeting.

Adopted ordinance amending the 2017-2018 City of High Point Budget Ordinance appropriating funds in the amount of \$37,289 for a Community Gardens Program and a Community Garden Coordinator position.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7343/17-85

Introduced 11/6/2017; Adopted 11/6/2017

Ordinance Book, Volume XIX, Page 225

170376 Budget Ordinance Amendment- Johnson Street Sports Complex

Council is requested to adopt an ordinance amending the 2017-2018 City of High Point Budget Ordinance to appropriate funds in the amount of \$40,000 received from the Declan Donoghue Foundation for replacement playground equipment at the Johnson Street Sports Complex.

Adopted ordinance amending the 2017-2018 City of High Point Budget Ordinance appropriating funds in the amount of \$40,000 received from the Declan Donoghue Foundation for replacement playground equipment at the Johnson Street Sports Complex.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7344/17-86

Introduced 11/6/2017; Adopted 11/6/2017

Ordinance Book, Volume XIX, Page 226

170377 Resolution - Agreement - NCDOT - Furniture Market Transportation Grant

Council is requested to adopt a resolution authorizing the city manager to enter into an agreement with the North Carolina Department of Transportation (NCDOT) to execute all agreements and contracts in connection with the transportation activities for the biennial Furniture Market.

Adopted a resolution authorizing the city manager to enter into an agreement with the North Carolina Department of Transportation (NCDOT) to execute all agreements and contracts in connection with the transportation activities for the biennial Furniture Market.

A motion was made by Council Member Davis, seconded by Mayor Pro Tem Wagner, that this resolution be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170378 High Point MPO - Pedestrian Plan for City of Archdale

The High Point Metropolitan Planning Organization (MPO) is requesting that Council approve a contract with Alta Planning and Design in the amount of \$104,236 to develop a pedestrian plan for the City of Archdale.

Approved a contract with Alta Planning and Design in the amount of \$104,236 to develop a pedestrian plan for the City of Archdale.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

FINANCE COMMITTEE - Council Member J. Davis, Chair

REGULAR AGENDA ITEMS**170379 Contract - Traffic Signal Poles and Mast Arms**

Council is requested to award contract in the amount of \$104,236.00 for the purchase of traffic signal poles and mast arms assemblies from Atlantic Technical Sales for installation at the intersections of 1) North Main Street and Lexington Avenue, and 2) North Centennial Street and Montlieu Avenue.

Mayor Pro Tem Wagner asked if all of the money for this project was coming from the NCDOT funds that have already been received and earmarked for the improvements to the Lexington/Main Street intersection. Mark McDonald, Director of Transportation, replied that it was not and explained the part for the Montlieu/Centennial improvements would be paid for through the High Point University funds for those improvements, and the part for the Lexington/Main intersection improvements would come from the NCDOT funding, which is being increased from \$140,000 in State participation to \$240,000.

There being no further questions, the contract was approved with Atlantic Technical Sales in the amount of \$104,236.00 for the purchase of traffic signal poles and mast arms assemblies for improvements at the intersections of 1) North Main Street/Lexington Avenue, and 2) North Centennial Street/Montlieu Avenue.

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

REGULAR AGENDA ITEMSCOMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT AND PUBLIC SAFETYCOMMITTEE - Council Member Golden, Chair*Committee Members: Golden, Alexander, Ewing, and Williams***170380 Ordinance - Demolition of Dwelling - 708 Old Winston Road**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 708 Old Winston Road belonging to David C. Martin.

Lori Loosemore, Local Codes Enforcement Supervisor, reported that this property was originally inspected on October 11, 2016. This was on one the cases from the old system that was started over. An inspection was done on October 11, 2016 with a hearing held on November 11, 2016. No one appeared for the hearing. At the time of the hearing, it was determined that the house exceeded 50% of the cost for repairing. As a result, an ordinance to repair or demolish was issued with a compliance date of December 16, 2016. There have been no appeals, nor has the property owner made any repairs. During the process of the notices being issued, the owner had stated that he had sold the property, but when staff spoke to the new owner, they found out that the property never officially transferred, so staff is requesting the structure be demolished.

Chairman Golden asked staff if there had been any contact with the previous owner since that time. Ms. Loosemore replied that the inspector did speak with him, but he indicated that he was not going to make the repairs and inquired about demolition.

At this time, Chairman Golden asked if the owner was present to speak regarding the property. The property owner was not present.

Adopted ordinance ordering the housing inspector to effectuate the demolition of the dwelling located at 708 Old Winston Road.

A motion was made by Council Member Golden, seconded by Council Member Ewing, that this demolition ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7345/17-87

Introduced 11/6/2017; Adopted 11/6/2017

Ordinance Book, Volume XIX, Page 227

170381 Ordinance - Demolition - 3111 Martin Luther King, Jr. Drive

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 3111 Martin Luther King, Jr. Drive.

Lori Loosemore, Local Codes Enforcement Supervisor, advised this property was originally inspected on June 15, 2017. A hearing was held on June 30, 2017 and it was determined at that time that the repairs exceeded 65% of the value of the property. As a result, an order to repair or demolish was issued with a compliance date of August 9, 2017. There have been no appeals, nor have any repairs been made to date. The inspector did speak with the executor of the estate of the property owner and they had asked for a list of the demolition contractors that the city uses, but no action has been taken by the property owner to demolish the structure.

There was no one present to speak regarding 3111 Martin Luther King, Jr. Drive.

Adopted an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 3111 Martin Luther King, Jr. Drive.

A motion was made by Council Member Golden, seconded by Council Member Williams, that this demolition ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7346/17-89

Introduced 11/6/2017; Adopted 11/6/2017

Ordinance Book, Volume XIX, Page 228

170382 Ordinance - Demolition of Dwelling - 222 Hobson Street

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 222 Hobson Street belonging to Rebekah J. Hoover.

Lori Loosemore, Local Codes Supervisor, reported that this housing case was initiated by a complaint and after an inspection took place. The hearing was held on September 11, 2017. It was deemed at that time that the repairs exceeded 65% of the value of the property and an order to repair or demolish was issued on September 13, 2017 with a compliance date of October 16, 2017. No one appeared for the hearing. The property owner, Ms. Hoover, did make an inquiry about having the property demolished, but stated she did not have the money to have it done.

Chairman Golden asked if there was anyone present to speak regarding this housing case.

Edward Jordan addressed Council. He shared that he recently entered into an agreement with Mrs. Hoover to repair the property and spent last weekend boarding it up and securing

it. He reported that they have also entered into a contract to get an engineer to look at the foundation so the structure could be renovated.

Chairman Golden asked Mr. Jordan if he or the property owner has had any conversation with the city's inspectors regarding their plans to repair the property. Mr. Jordan replied they have not. Ms. Loosemore replied that there has not been any communication between the property owner and the inspectors since August.

Ms. Loosemore specifically asked Mr. Jordan if he is a general contractor. Mr. Jordan replied in the affirmative. Council Member J. Davis then asked if he is a licensed general contractor and Mr. Jordan, again, replied that he is.

Chairman Golden recommended this housing case be turned over to Code Enforcement and Inspections for oversight.

A motion was made by Council Member Golden, seconded by Council Member C. Davis, that this matter be placed on the pending list in the Community Housing, Neighborhood Development & Public Safety Committee and the progress reviewed under the direction of Inspections. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170383 Resolution - Conveyance of Properties to Housing Consultants Group

Council is requested to adopt resolutions authorizing the conveyance of properties located at 800 George Place and 802 George Place to Housing Consultants Group (HCG) to build and sell two homes to income eligible buyers.

Mike McNair, Director of Community Development & Housing, reported that staff continues to work with nonprofits to develop affordable housing in the city. Housing Consultants Grant (HCG) is the city's new partner and they have secured a loan commitment from Pinnacle Bank to construct two houses in the Southside neighborhood: one at 800 George Place and the other at 802 George Place). HCG has asked the city to enter into a relatively small contract and provide gap financing in the amount of \$50,000 (\$25,000 for each home) to assist them in constructing these affordable homes.

Mr. McNair explained in order for this to be done, a conveyance would be needed first so staff can move forward with the project and staff is seeking approval from Council.

Adopted resolutions authorizing the conveyance of properties located at 800 George Place and 802 George Place to Housing Consultants Group (JCG) to build and sell two affordable homes to income eligible buyers.

A motion was made by Council Member Golden, seconded by Council Member C. Davis, that this resolution be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Resolution No. 1722/17-69

Introduced 11/6/2017; Adopted 11/6/2017

Resolution Book, Volume XIX, Page 191

Resolution No. 1723/17-70

Introduced 11/6/2017; Adopted 11/6/2017

Resolution Book, Volume XIX, Page 192

PENDING ITEMS

170350 Ordinance - Demolition of Structure - 1207 Vernon Place

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1207 Vernon Place belonging to Dennis Wall. (At the October 2, 2017, it was reported that the property owner is in the process of making repairs. Item was placed back in committee on pending list for 30 days or until the November 6 Council Meeting.)

Chairman Golden advised that staff is recommending to pull the following matters off the pending list 170350 (1207 Vernon Place), 170349 (119 Underhill), 170284 (709 Hilltop), 170255 (1013 Johnson Street), and 160330 (512 Hines Street).

Council Member Golden then made a motion to pull these matters from the pending list and refer back to staff. Mayor Pro Tem Wagner made a second, which carried by the following unanimous 9-0 vote:

Removed from the agenda at the recommendation from staff.

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170349 Ordinance - Demolition of Structure - 119 Underhill Street

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 119 Underhill Street belonging to Innovative Investments & Contracting, LLC.

Chairman Golden advised that staff is recommending to pull the following matters off the pending list 170350 (1207 Vernon Place), 170349 (119 Underhill), 170284 (709 Hilltop), 170255 (1013 Johnson Street), and 160330 (512 Hines Street).

Council Member Golden then made a motion to pull these matters from the pending list and refer back to staff. Mayor Pro Tem Wagner made a second, which carried by the following unanimous 9-0 vote:

Removed from the agenda at the recommendation from staff.

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170284 Ordinance - Demolition of Structure - 709 Hilltop Street

Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 709 Hilltop Street belonging to Victor Manuel Campos Rivas and Cynthia Lanto. (This item was placed in Committee and will be reviewed at the November 6th meeting.)

Chairman Golden advised that staff is recommending to pull the following matters off the pending list 170350 (1207 Vernon Place), 170349 (119 Underhill), 170284 (709 Hilltop), 170255 (1013 Johnson Street), and 160330 (512 Hines Street).

Council Member Golden then made a motion to pull these matters from the pending list and refer back to staff. Mayor Pro Tem Wagner made a second, which carried by the following unanimous 9-0 vote:

Removed from the agenda at the recommendation from staff.

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170255 Ordinance - Demolition of Structure - 1013 Johnson Street

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1013 Johnson Street belonging to Don G. Angell Trust.

Chairman Golden advised that staff is recommending to pull the following matters off the pending list 170350 (1207 Vernon Place), 170349 (119 Underhill), 170284 (709 Hilltop), 170255 (1013 Johnson Street), and 160330 (512 Hines Street).

Council Member Golden then made a motion to pull these matters from the pending list and refer back to staff. Mayor Pro Tem Wagner made a second, which carried by the following unanimous 9-0 vote:

Removed from the agenda at the recommendation from staff.

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

160330 Ordinance - Demolition of Structure - 512 Hines Street

Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 512 Hines Street belonging to Eliseo Zavala. (At the November 7, 2016 meeting this item was deferred to the December 5, 2016 Council Meeting. At the December 5, 2016 Council Meeting, Council deferred this item for 60 days or until the

February 6, 2017 Council Meeting. At the February 6th Council Meeting, item was placed back in pending. At the May 1, 2017 meeting this item was continued to the May 15, 2017 meeting. At the May 15th Council Meeting this item was deferred for 45 days). At the June 5th meeting item was deferred pending receipt of the executed Supplemental Order from the property owner.

Chairman Golden advised that staff is recommending to pull the following matters off the pending list 170350 (1207 Vernon Place), 170349 (119 Underhill), 170284 (709 Hilltop), 170255 (1013 Johnson Street), and 160330 (512 Hines Street).

Council Member Golden then made a motion to pull these matters from the pending list and refer back to staff. Mayor Pro Tem Wagner made a second, which carried by the following unanimous 9-0 vote:

Removed from the agenda at the recommendation from staff.

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing, Chair
Committee Members: Ewing, Hill, Wagner, and Williams

170384 Community Garden Assistance Procedure

Council is requested to approve the Procedures for Assistance to Community Gardens as approved and recommended by the Prosperity and Livability Committee at the August 2, 2017 meeting.

Mike McNair, Director of Community Development & Housing, reported that this matter was discussed during a Prosperity & Livability Committee meeting held on August 2nd at which time they received a presentation and a request from the Greater High Point Food Alliance to promote community gardens. They were also asked for funding to provide garden materials for things such as compost, etc.... At that time, the Committee agreed this was a good idea provided there was an appropriate procedure developed that would govern how the resources would be allocated and who would receive them, etc.... Then on October 4th, the Prosperity & Livability Committee met a second time to review the procedures that were developed that would allow nonprofit agencies to get soil, mulch, compost, etc.... and would allow neighborhood groups to partner with nonprofits to access those resources. The Prosperity & Livability Committee is recommending funding in the amount of \$20,000, which has already been approved in a budget ordinance amendment earlier in the meeting.

Mr. McNair noted the procedures still need to be approved and proceeded to recognize those individuals who served on the committee that met and helped develop the procedures: Karen Neill, State Cooperative Extension Service in Guilford County; Carl Vierling, Executive Director- Greater High Point Food Alliance; and Patrick Harman of the Hayden-Harman Foundation.

Approved the Procedures for Assistance to Community Gardens as recommended by the Prosperity & Livability Committee.

A motion was made by Council Member Ewing, seconded by Council Member Williams, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170385 Interlocal Agreement - NC State Cooperative Extension in Guilford County - Community Garden Coordinator

Council is requested to adopt a resolution authorizing staff to execute an Interlocal Agreement between the City of High Point, City of Greensboro and Guilford County to fund a Community Garden Coordinator position that will coordinate community, school and shared garden spaces located on public and private lands in Guilford County as recommended by the Prosperity & Livability Committee at their August 2, 2017 meeting. This position will be housed at and administered by the NC State Cooperative Extension in Guilford County.

Mike McNair, Director of Community Development & Housing, reported that the Prosperity & Livability Committee heard a proposal from the County Extension Director of the NC State Cooperative Extension Office in Guilford County, to participate in an Interlocal Agreement with the City of High Point, City of Greensboro, and Guilford County to establish a community garden coordinator position for Guilford County. This person will work with all community gardens in Guilford County and will dedicate two days a week in High Point. They will also provide technical expertise and assistance to help community gardens raise the yield in High Point and establish some consistency for more effective gardens. The position will be housed at the State Cooperative Extension Office in Guilford County.

The Interlocal Agreement provides for sharing of the cost for the position. The City of Greensboro will be responsible for one-third of the cost, as well as the City of High Point and Guilford County. This equates to about \$17,289 annually for each entity. The City of High Point, City of Greensboro and Guilford County will participate on the hiring committee, but the administration will be handled by the Extension Service.

Chairman Ewing recalled the discussion back in September and felt the position should greatly enhance the community garden program and what can be done for areas in High Point where there is need for better garden assistance.

Mayor Bencini inquired about High Point's pro rata share of the expenses and how that would be determined. Mr. McNair replied that the cost of the position is approximately \$51,386 and High Point's share would be one-third of that (\$17,289).

Adopted a resolution authorizing staff to execute an Interlocal Agreement between the City of High Point, City of Greensboro, and Guilford County to fund a community garden coordinator position that will coordinate community, school, and shared garden spaces located on public and private lands in Guilford County.

A motion was made by Council Member Ewing, seconded by Council Member Hill, that this matter be approved as recommended by the Prosperity & Livability Committee. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Resolution No. 1726/17-73

Resolution Book, XIX, page 195

Introduced 11/6/2017; Adopted 11/6/2017

170386 Public Hearing - Resolution - Acquisition of Properties - Catalyst Project

Monday, November 6, 2017 at 5:30 p.m. is the date established for the adoption of a Resolution providing for the acquisition of properties in accordance with NCGS§158-7.1 as part of the Downtown Catalyst Project.

Chairman Ewing read the following resolution into the record:

RESOLUTION AUTHORIZING THE MAYOR, CITY ATTORNEY, CITY MANAGER, OR HIS DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS ASSOCIATED WITH THE ACQUISITION OF PROPERTIES PURSUANT TO THE PROVISIONS OF N.C.G.S. 158-7.1

WHEREAS, on April 3, 2017 City Council adopted the implementation of procedures relating to the Downtown Catalyst Project ("Project") which included the purchase of land, site and multi-use stadium design at a cost not to exceed \$15,000,000; and

WHEREAS, the Project requires the acquisition of multiple properties and the City Council desires to acquire said properties located in the downtown area in accordance with the provisions of N.C.G.S. 158-7.1; and

WHEREAS, City staff has negotiated Offers to Purchase fee simple interests for the following properties:

<u>PROPERTIES</u>	<u>PURCHASE PRICE</u>
201 Church Avenue	\$850,000
212 N. Lindsay Street and 210 N. Lindsay Street	\$340,000
218 N. Lindsay Street	\$285,000

THEREFORE, THE HIGH POINT CITY COUNCIL RESOLVES THAT the Mayor, City Attorney, City Manager, or his designee, execute any and all documents necessary in order to effectuate the City's acquisition of the properties identified above at a purchase price totaling \$1,475,500.

ADOPTED this the 6th day of November 2017.

Mayor William S. Bencini, Jr.

Attested to:

Lisa B. Vierling, City Clerk

[end of resolution]

Following the reading of the resolution into the record, Assistant City Manager Randy Hemann advised this is the second of three public hearings for acquisition of property that would be done under N.C. General Statute 158-7.1. He reminded Council that the statute does require that these properties be sold at fair market value. The following properties are being acquired by the city:

- 201 Church Street (United Way Property)
- 210-212 N. Lindsay (Crisis Pregnancy Center)
- 218 N. Lindsay (house)

At this time, Chairman Ewing opened the public hearing and asked if anyone was present to offer comment on the purchase of the four aforementioned properties. No one came forward to speak and the public hearing was closed.

Council Member Ewing then moved adoption of the resolution as presented and read into the record. Council Member Alexander made a second to the motion.

For further discussion, Council Member C. Davis announced that she would not be supporting this matter for the following reasons:

1. *On April 3rd, a presentation was made to Council, but prior to that date, Council was not provided any working documents;*
2. *She made a substitute motion at the April 3rd meeting for Council to defer a vote that evening to allow citizens an opportunity to view the presentation and come before Council with comments/thoughts on the project, or to place the item on a Referendum for citizens to have a vote on the project; and*
3. *The potential financing has not been secured.*

There being no further discussion, the motion carried by the following 8-1 vote:

Aye (8): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Nay (1): Council Member C. Davis

**Resolution No. 1724/17-71
Introduced 11/6/2017; Adopted 11/6/2017
Resolution Book, Volume XIX, Page 193**

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Wagner, Chair
Committee Members: Wagner, J. Davis, C. Davis, and Golden

170387 Resolution of Intent - Annexation 17-11

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 20, 2017, at 5:30 p.m. to consider a voluntary contiguous annexation of approximately 20.5 acres lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. The property is known as Guilford County Tax Parcel 0169933.

Adopted Resolution of Intent establishing a public hearing date of Monday, November 20, 2017 at 5:30 p.m. to consider a contiguous annexation of approximately 20.5 acres lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road.

A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Alexander, that this resolution of intent be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

**Resolution No. 1725/17-72
Introduced 11/6/2017; Adopted 11/6/2017
Resolution Book, Volume XIX, Page 194**

PUBLIC HEARINGS - Planning & Development Committee**170388 Ordinance - William R. Fowler, Jr and Tonia C. Fowler - Annexation 17-09**

A request by William R. Fowler, Jr and Tonia C. Fowler to consider a voluntary contiguous annexation of approximately 7.53 acres lying along the north side of Willard Road, approximately 130 feet east of Hickwood Road. The property is addressed as 2603 Willard Road and also known as Guilford County Tax Parcel 0187194.

The joint public hearing for this matter and the accompanying Zoning Map Amendment 17-17 was held on Monday, November 6, 2017 at 5:30 p.m.

Herb Shannon of Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. He advised that staff would provide a combined presentation on Annexation 17-09 and Zoning Map Amendment 17-17; however, each matter will require a separate vote by Council.

Regarding Annexation 17-09, the property owner is requesting voluntary annexation of a 7.5 acre parcel lying along the north side of Willard Road, approximately 130 feet east of Hickwood Road in order to access city utilities. The property is already in the city's corporate limits and the portion in the Hickwood/Willard Road area is within the city's ETJ area. Because the site does abut the city limits, there are already city utility vehicles that travel in this area daily and this would be a logical progression of the city's annexation policy for this area.

Regarding Zoning Map Amendment 17-17, Mr. Shannon advised the applicant is requesting rezoning of this 7.5-acre parcel from the current Residential Single Family-3 to the Residential Single Family-5 (R-5) District. Both are similar in nature in that they are intended for single family dwellings. The primary difference is density and allowable uses. The R-3 District permits densities up to 3 units per acre, while the R-5 district allows attached dwellings or townhome developments. Regardless of whether the site develops as single family detached or attached dwellings, the maximum density is 5 units per acre, up to 37 unit.

Key points that staff noted:

- 1. If the zoning is approved to a R-5 district, the applicant has noted an intent to develop a twinhome subdivision. This would be consistent with the Land Use Plan, which does permit up to 5 dwelling units per acre.*
- 2. Development standards of the ordinance would ensure compatibility. A 20-foot wide perimeter setback is required and no more than two homes can be attached, thus a long row of houses would not be allowed.*
- 3. Compatibility with abutting single family developed to the east, the ordinance would require a Type C planting yard that requires a minimum of a 50-foot wide planting area with at least seven trees and 20 shrubs every 100 linear feet.*
- 4. There are similar uses (twinhome developments) in the area, thus the request would not be introducing a use type that is not already developed in the area.*

Mr. Shannon pointed out the request is consistent with the Land Use Plan, which permits densities up to five units per acre and the request would be reasonable in the public interest as the development standards of the R-5 district would ensure compatibility with surrounding uses. Additionally, the standards of the R-5 district would ensure the goals and objectives of the Land Use Plan are being met. Staff recommends approval of the request. The Planning & Zoning Commission reviewed this request at their September public hearing and are also recommending approval by a vote of 6-1.

Following staff's presentation on both the annexation request and the zoning map amendment, Chairman Wagner asked the applicant to come forward.

David Michaels, 5603 New Garden Village Road, Greensboro, provided a brief background for Landcraft Acquisition and Development Services. He noted that they are affiliated with Windsor Homes, one of the largest builders in the Triad. Windsor has developed and built in High Point for a number of years in numerous neighborhoods.

Mr. Michaels felt the site is a very good infill site and it would make good use of existing utility infrastructure that is close to the property. He explained that the current owner inherited the property and would like to sell it because he has no current use for it. An agreement has been reached between the current property owner and Mr. Michaels subject to approval of the annexation and the zoning map amendment requests.

He reported that approximately 14 people attended the citizen information meeting. Mr. Michaels then touched on the points of discussion that came up during the Planning & Zoning Commission meeting as follows:

Traffic. *Concerns about the traffic exterior to the site along Penny Road, some on Hickwood and on Willard. He noted the site does have direct access onto Willard Road and they would not be creating any street connection into the existing neighborhood, so all traffic will go directly out onto Willard.*

A traffic impact analysis was not required for this site because they are developing only 36 lots. NCDOT has approved their driveway permit with input from the High Point Transportation staff as well

Density. *Mr. Michaels feels like the density is consistent with the Land Use Plan and pointed out there are similar zoning uses nearby.*

Property values. *The applicant does not feel like approval of this request would have any negative impact on the neighbors.*

Stormwater and buffer. *Mr. Michaels pointed out they would be putting in a Type C buffer and environmentally the site has no flood plain, wetlands, streams, and as far as run-off , they will have a stormwater control device (a bio cell), which is a system that does not expose water.*

No wells or septic tanks. *Since the area will be served by city water/sewer, there will be no wells or septic tanks, so there will not be an impact on the groundwater.*

Mr. Michaels then asked Judy Stalder to come forward to address the marketing and procedural aspect of the request.

Judy Stalder, 665 N. Main Street, reminded Council that a major priority of the Development Ordinance rewrite was to encourage new housing options. She noted the proposed twinhome development is a new option now allowed in the R-5 district and this is why no additional conditions are necessary with this rezoning. She further advised that the standards, setbacks, buffers, landscaping are built into the ordinance and they would be able to easily meet these standards with their development proposal.

Ms. Stalder pointed out this development would attract the 50+ age group, single professionals and millennials. The homes would be manageable in size, around 1,700 sq. ft., low maintenance; the homeowner's association would maintain the exterior and the lawns. The homes are priced in the \$220,000 range and are intended for owner occupancy.

TRC has reviewed the site for layout, fire code, building standards, buffer requirements, zoning requirements, public water and sewer, environmental protection, water quality, erosion control, and transportation and Ms. Stalder pointed out nothing needs to be added for protection from traffic.

Chairman Wagner opened the public hearing and invited those present desiring to speak to come forward to the podium. There being no one present to offer any comments, the public hearing was closed.

Following the conclusion of the public hearing, the following actions were taken.

Regarding Annexation 17-09, Mayor Pro Tem Wagner moved adoption of the ordinance annexing this 7.53-acre tract lying along the north side of Willard Road, approximately 130 feet east of Hickwood Road, specifically addressed as 2603 Willard Road. Council Member Alexander made a second to the motion, which carried by the following 9-0 unanimous vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

**Ordinance No. 7347/17-90
Introduced 11/6/2017; Adopted 11/6/2017
Ordinance Book, Volume XIX, Page 229**

Regarding Zoning Map Amendment 17-17, Mayor Pro Tem Wagner moved adoption of the ordinance approving Zoning Map Amendment 17-17 based on consistency with the city's adopted plans and that the action is considered to be reasonable and in the public interest for the reasons outlined in the staff report. Council Member Ewing made a second to the motion, which carried by the following 9-0 unanimous vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

**Ordinance No. 7348/17-91
Introduced 11/6/2017; Adopted 11/6/2017
Ordinance Book, Volume XIX, Page 230**

170389 Ordinance - Land Acquisition & Development Services, LLC - Zoning Map Amendment 17-17

A request by Land Acquisition and Development Services, LLC to rezone an approximate 7.53-acre parcel from the Residential Single Family-3 (R-3) District to the Residential Single Family-5 (R-5) District. The property is lying along the north side of Willard Road, approximately 130 feet east of Hickwood Road (2603 Willard Road). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

The public hearing for this matter and the accompanying matter 170388 Annexation 17-09 was held on Monday, November 6, 2017 at 5:30 p.m.

Herb Shannon of Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

*He advised that staff would provide a combined presentation on **Annexation 17-09 and Zoning Map Amendment 17-17**; however, each matter will require a separate vote by Council.*

*For specific comments made at the public hearing for **170389 Zoning Map Amendment 17-17**, please see matter **170388 Annexation 17-09**.*

*Following the conclusion of the public hearing, **Mayor Pro Tem Wagner moved adoption of the ordinance approving Zoning Map Amendment 17-17 based on consistency with the city's adopted plans and that the action is considered to be reasonable and in the public interest for the reasons outlined in the staff report. Council Member Ewing made a second to the motion, which carried by the following 9-0 unanimous vote:***

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7348/17-91
Introduced 11/6/2017; Adopted 11/6/2017
Ordinance Book, Volume XIX, Page 230

170390 Ordinance - The Presbyterian Homes, Inc. - Annexation 17-10

A request by The Presbyterian Homes, Inc. to consider a voluntary contiguous annexation of approximately 12.8 acres lying north of the intersection of Sandy Ridge Road and Johnson Street. The property also known as Guilford County Tax Parcels 0171322 and 0171330.

*The public hearing for this matter and accompanying matter **107391 Zoning Map Amendment 17-18** was held on Monday, November 20, 2017 at 5:30 p.m.*

Note: Staff will provide a combined presentation; however, Council will need to vote on each item separately.

Herb Shannon of Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

The applicant, The Presbyterian Homes, Inc. is proposing to annex a 12.8-acre site lying south of the River Landing development, which was annexed in 1998 and has has several expansions since that time. Mr. Shannon noted that since the annexation in the late 1990s, over 1,000 acres have been annexed in this northern portion of the city's planning area, thus, city service vehicles have been firmly established in this area and this would be a logical progression of the city's annexation policy.

*In regards to **Zoning Map Amendment 17-18**, the applicant is requesting not only the annexation area, but the entire development be rezoned to the Planned Development-Periphery (PD-P) District so that the entire development is under one zoning regulation. Mr. Shannon pointed out this does not change what is already existing in the area, but it applies the most current zoning from the Development Ordinance on the property. The applicant has taken all the previous conditions and transferred them over into the new PD-P District.*

Key things that staff pointed out regarding Zoning Map Amendment 17-18:

The total residential development density will increase from 466 allowable units up to 550 allowable units.

The applicant proposes the following in their Master Plan:

Area A: *No changes.*

Area B: *Proposing single family detached and single family attached cottages.*

Area C: *The Links Golf Course will now be the interior area of the development. Residential uses (either single family or multi-family will be added to this area, as well as a clubhouse that may include a restaurant on a portion of the site. Driveway will remain from Sandy Ridge Road, although a portion will be diverted to accommodate the expansion.*

Area C-1: *New maintenance facility is proposed in this area with buffering around the perimeter of the site.*

Area D: *Nothing has changed in this area. The area is already developed and contains some multi-story structures.*

Area E: *Rear of the property. Nothing has changed in this area.*

Area F: *Frontage along Sandy Ridge Road. The updated Master Plan notes this area is intended for residential uses.*

Area G: *Office use.*

Area H: *Contains their golf course, walking trail, recreational area, no changes noted.*

Mr. Shannon pointed out the Master Plan was designed in such a way so that the more intense uses are towards the interior of the site and the perimeter consists of single family either detached or attached that are consistent or similar to surrounding development.

Additional key items to note:

Density: *The request meets the density requirement. The Land Use Plan designates this area for low density residential, which permits residential uses up to five units per acre, thus, the request will be consistent with the Land Use Plan.*

Access: *No new access points are proposed. The existing access points of Links Drive and John Knox and the additional new area will be assessed from the internal private streets. The applicant has offered dedication of right-of-way on Sandy Ridge Road to address future widening of the corridor.*

In conclusion, staff suggests that the request is reasonable and in the public interest as it is consistent with the adopted policy guidance documents. Staff is recommending approval.

The Planning & Zoning Commission reviewed this request at their September public hearing and also recommend approval.

Following the presentation of the staff report, Chairman Wagner asked the applicant to come forward.

***Luke Dickey** with Stimmell Associates, 601 N. Trade Street, Suite 200 in Winston Salem, spoke in favor of the request on behalf of the applicant, River Landing Presbyterian Homes. He noted the key point of this is a matter of incorporating this 12.8-acre tract back into their main campus for expansion. With the expansion, they are asking for the entire property, including the existing campus, to be rezoned to Planned Development- Periphery (PD-P) District. Mr. Dickey advised that the existing conditions already in place to protect the surrounding property owners on the north side of the development would remain. He reiterated that the density would be focused on the interior, with the maintenance facility on the exterior. They have also added conditions on height, as well as conditions for extra buffering and screening from the adjacent properties.*

As required, they did have a neighborhood meeting and issued invitations to the residents in Saddlebrook, the Legacy, and surrounding property owners. Mr. Dickey stated that staff provided them with 119 addresses, but they increased that by an additional 158, so they sent out a total of 277 invitations for the drop-in meeting. Only two residents attended and they were good with the development after being assured that the golf course would remain.

Mr. Dickey acknowledged the members of the River Landing and Presbyterian Homes that were present in the audience and entertained questions following his comments.

There being no questions, Chairman Wagner declared the public hearing open and asked if there was anyone present who would like to speak in favor of or in opposition to this request. No one was present to comment and the public hearing was declared closed.

Regarding Annexation 17-10, Mayor Pro Tem Wagner made a motion to adopt the ordinance providing for the annexation of the property. Council Member Alexander made a second, which carried by the following 9-0 unanimous vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

**Ordinance No. 7349/17-92
Introduced 11/6/2017; Adopted 11/6/2017
Ordinance Book, Volume XIX, Page 231**

Regarding Zoning Map Amendment 17-18, Mayor Pro Tem Wagner moved adoption of the ordinance rezoning this property from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, and the Planned Development Development Residential (PDR) District to the Planned Development- Periphery (PD-P) District based on consistency with the city's adopted plans and that the request is reasonable in the public interest for the reasons outlined in the staff report. Council Member Alexander made a second to the motion, which carried by the following 9-0 unanimous vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7350/17-93

Introduced 11/6/2017; Adopted 11/6/2017

Ordinance Book, Volume XIX, Page 232

170391 Ordinance - The Presbyterian Homes, Inc. - Zoning Map Amendment 17-18

A request by the Presbyterian Homes, Inc. to rezone approximately 162 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, and the Planned Development Residential (PDR) District to the Planned Development - Periphery (PD-P) District. The site is lying north of the intersection of Sandy Ridge Road and Johnson Street and west of the intersection of Sandy Ridge Road and Kendale Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

Note(s): Staff will provide a combined presentation; however each individual matter will require a separate vote by Council.

Please refer to 170390 Annexation 17-10 for specific comments made during the joint public hearing on 170391 Zoning Map Amendment 17-18.

The joint public hearing for this matter and accompanying matter 170390 Annexation 17-10 was held on Monday, November 6, 2017 at 5:30 p.m.

Regarding Zoning Map Amendment 17-18, Mayor Pro Tem Wagner moved adoption of the ordinance rezoning this property from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, and the Planned Development Development Residential (PDR) District to the Planned Development- Periphery (PD-P) District based on consistency with the city's adopted plans and that the request is reasonable in the public interest for the reasons outlined in the staff report. Council Member Alexander made a second to the motion, which carried by the following 9-0 unanimous vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Ordinance No. 7350/17-93

Introduced 11/6/2017; Adopted 11/6/2017

Ordinance Book, Volume XIX, Page 232

GENERAL BUSINESS AGENDA

170392 Appointment - NCMPA1 - Randy McCaslin

Council is requested to confirm the appointment of Deputy City Manager, Randy McCaslin, as the City's appointed representative to the North Carolina Municipal Power Agency1

(NCMPA1) replacing former City Manager Strib Boynton. Appointment effective January 23, 2018.

Council Member C. Davis stated that although she does not oppose Mr. McCaslin serving in this capacity, she was curious as to why the city manager is not serving.

City Manager Greg Demko explained that he asked Deputy City Manager Randy McCaslin to sit on NCMPA1 board for two specific reasons:

- 1. Mr. McCaslin has direct responsibility and oversight of the utility operations in his position as Deputy City Manager; and*
- 2. Mr. McCaslin will consult with the city manager on any actions prior to bringing it to the City Council, adding another layer of oversight.*

Appointed Deputy City Manager Randy McCaslin to the North Carolina Municipal Power Agency1 (NCMPA1), effective January 23, 2018.

A motion was made by Council Member Alexander, seconded by Council Member Williams, that this appointment be approved. The motion carried by the following 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170393 Abstract of Votes - Primary Election Results

Council is requested to acknowledge receipt of the abstract of votes received from the Board of Election for Guilford County, Forsyth County, Davidson County and Randolph County for the Municipal Primary Election held Tuesday, October 10, 2017.

A motion was made by Council Member Alexander, seconded by Council Member Ewing, to acknowledge receipt of the Abstract of Votes received from the Guilford County Board of Elections that this matter be acknowledged receipt of report. The motion carried by the following 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

170394 Minutes to Be Approved

1. Special Meeting- High Point City Council; September 25th @ 4:30 p.m.
2. Finance Committee; September 27th @ 4:00 p.m.
3. Manager's Briefing; October 2nd @ 4:00 p.m.
4. Special Meeting- High Point City Council; October 2nd @ 4:45 p.m.
5. High Point City Council Regular Meeting; October 2nd @ 5:30 p.m.
6. Community Housing, Neighborhood Dev. & Public Safety Committee; October 3rd @ 10:00 a.m.
7. Prosperity & Livability Committee; October 4th @ 9:00 a.m.
8. Special Meeting- High Point City Council; October 19th @ 2:00 p.m.

9. Finance Committee; November 1st @ 4:00 p.m.

A motion was made by Council Member Alexander, seconded by Council Member Ewing, that the preceding minutes be approved as submitted by the city clerk. The motion carried by the following 9-0 vote:

Aye (9): Mayor Bencini; Mayor Pro Tem Wagner, and Council Member C. Davis, Council Member Alexander, Council Member Golden, Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:45 p.m. upon motion duly made by Council Member Ewing and second by Council Member Hill.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Street Abandonment 17-04
City of High Point

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
November 15, 2017

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Resolution of Abandonment

Advertised By: Planning & Development

PURPOSE:

A request by the Planning & Development Department to abandon the following public right-of-ways:

- a) Abandonment #1 (portion of Pine Street): That portion of the Pine Street right-of-way lying between Gatewood Avenue and the northern property line of Guilford County Tax Parcel 0186839 (410 W. English Rd). The right-of-way runs in a general north-south direction and contains approximately 0.69 acres.
- b) Abandonment #2 (portion of Church Avenue): That portion of the Church Avenue right-of-way lying between N. Elm Street and N. Lindsay Street. The right-of-way runs in a general east-west direction and contains approximately 1.09 acres.
- c) Abandonment #3 (alley): An alley lying south of Church Avenue, between Pine Street and N. Lindsay Street. The alley runs in a general north-south direction and contains approximately 0.13 acres.
- d) Abandonment #4 (alley): An alley lying north of W. English Road, between Pine Street and N. Lindsay Street. The alley runs in a general east-west direction and contains approximately 0.08 acres.
- e) Abandonment #5 (alley): An alley lying west of N. Elm Street, between Gatewood Avenue and Church Avenue. The alley runs in a general east-west direction and contains approximately 0.02 acres.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended **approval** of this request, as outlined in the attached staff report.
- B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Street Abandonment 17-04. The Planning & Zoning Commission recommended **approval** of this request, by a vote of 9-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point

Street Abandonment 17-04

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed a request for five street abandonments in a four-block area bounded by Gatewood Avenue, N. Elm Street, N. Lindsay Street and W. English Road. All members of the Commission were present. Mr. Herbert Shannon, Senior Planner, presented the request and recommended approval of the requests as outlined in the staff reports

No one spoke in favor nor in opposition to this request.

Planning & Zoning Commission Action

The Planning & Zoning Commission recommended **approval** of these street abandonments, as recommended by staff, by a vote of 9-0.

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

**STAFF REPORT
STREET ABANDONMENT SA-17-04
October 24, 2017**

Request	
Applicant: City of High Point Planning & Development Department	Proposal: To abandon the following public right-of-ways: <u>Abandonment #1:</u> Portion of Pine Street. <u>Abandonment #2:</u> Portion of Church Avenue. <u>Abandonment #3 (alley):</u> An alley lying south of Church Avenue, between Pine Street and N. Lindsay Street. <u>Abandonment #4 (alley):</u> An alley lying north of W. English Road, between Pine Street and N. Lindsay Street. <u>Abandonment #5 (alley):</u> An alley lying west of N. Elm Street, between Gatewood Avenue and Church Avenue

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Gatewood Avenue	Local street	50-foot wide right-of-way; 33-foot wide paving with curb and gutter
N. Elm Street	Major Thoroughfare	70-foot wide right-of-way; 50-foot curb and gutter paved street
N. Lindsay Street	Major Thoroughfare	The right-of way varies in width from 50 to 72-feet and street paving varies from 30 to 60-feet in width

Adjacent Property Zoning and Current Land Use		
North	Office & Institutional District (OI) District	Gatewood Avenue right-of-way
East	Central Business (CB) District	N. Elm Street right-of-way
South	General Business (GB) District Light Industrial (LI) District	Pine Street right-of-way
West	Office & Institutional District (OI) District Light Industrial (LI) District	N. Lindsay Street

Analysis

This is a request to abandon a portion of two streets and three alleys to facilitate the development of a major assembly use (stadium). The proposed stadium will occupy property generally bounded by Gatewood Avenue to the north, N. Elm Street to the east, N. Lindsay Street to the west and terminates to the south approximately 375 feet north of W. English Road. The parcels in this four-block area are proposed to be combined to form one large development site and these right-of-ways (ROWs) are to be abandoned to facilitate the combination of properties in this area for this development.

These public streets and alleys were initially established with the recording of a map in 1895 entitled "Map of High Point" recorded in Plat Book 2 – Page 14. All abutting parcels, not part of the stadium project, have frontage or access to other improved public streets. Abandonment of the City's interest in these ROWs will not deprive any owner of access to their property. Mail notice for the public

hearing was sent to abutting property owners, notice placed in the High Point Enterprise and the posting of signs at the ROWs to be abandoned were also performed per requirements. A summary of each of the requests is provided below:

Abandonment #1 (portion of Pine Street): This request includes that portion of the Pine Street ROW lying between Gatewood Avenue and the northern property line of Guilford County Tax Parcel 0186839 (410 W. English Rd). This 50-foot wide ROW runs in a general north-south direction, has an approximate length of 645 feet, contains approximately 0.69 acres and is improved with a 30-foot-wide paved street that includes various utility lines. All parcels abutting this area of abandonment are either part of the stadium project or have existing access to another improved public street.

Figure 1a. Looking south of the intersection of Pine Street and Gatewood Avenue



Figure #1b: Looking north on Pine Street towards Gatewood Avenue



Abandonment #2 (portion of Church Avenue): This request includes that portion of the Church Avenue ROW lying between N. Elm Street and N. Lindsay Street. This 60-foot-wide ROW runs in a general east-west direction, has a length of approximately 895 feet, contains approximately 1.09 acres and is improved with a 30-foot-wide paved street that includes various utility lines.

Property at 201 Church Avenue (at intersection of Church Avenue and N. Elm Street) has an access drive from Church Street to its parking lot. However, this property is proposed for acquisition by the City for the stadium.

A similar situation exists at the western limits of the abandonment at the intersection of Church Avenue and N. Lindsay Street. The parcel at 224 Church Avenue is used as a parking lot and currently takes access from Church Avenue, but also has frontage along N. Lindsay Street. This parcel is also scheduled for acquisition by the City along with adjoining lots for the purpose of redevelopment.

Parcels at 300 and 302 N. Lindsay Street have primary access from N. Lindsay Street. They have secondary access to the rear from an alley that connects to Church Avenue. The alley is to remain open and the City is working with the property owners to maintain access to the rear.

None of these properties will be denied access as they all have frontage on a public street and the ability to obtain access from it.

Figure #2a: Looking west of the intersection of Church Avenue and N. Elm Street



Figure #2b: Looking east of the intersection of Church Avenue and N. Lindsay Street



Abandonment #3 (unnamed alley): This request includes all of an unnamed alley lying south of Church Avenue, between Pine Street and N. Lindsay Street. The alley runs in a general north-south direction, has a length of approximately 350 feet and contains approximately 0.13 acres. The alley is unimproved, not paved, and contains various utility lines. Properties abutting this alley are either part of the stadium project or have frontage and access from N. Lindsay Street.

Figure #3a: Looking south at the alley from Church Avenue



Figure # 3b. Looking north at alley



Abandonment #4 (unnamed alley): This request includes all of an unnamed alley lying north of W. English Road, between Pine Street and N. Lindsay Street. The alley runs in a general north-south direction, has a length of 340 feet and contains approximately 0.13 acres. The alley is improved with a private driveway and all abutting parcels have frontage or access to Pine Street (portion to remain open), W. English Drive or N. Lindsay Street.

Figure #4a: Looking east at the alley from N. Lindsay Street



Figure #4b: Looking north at the alley from Pine Street



Abandonment #5 (unnamed alley): This request includes all of an unnamed alley lying west of N. Elm Street, between Gatewood Avenue and Church Avenue. The alley runs in a general east-west direction, has a length of 70 feet and contains approximately 0.02 acres. The alley initially ran from N. Elm Street to Pine Street; however, the eastern and western portions of this alley were abandoned as part of two separate City Council actions. There is no record of this small remnant of the alley being abandoned, thus it was included in this request.

Figure 5: Looking east from N. Elm Street at alley



Findings & Recommendations

The Technical Review Committee (TRC) and the various private utility providers reviewed this request and identified no concerns related to the abandonment of these ROWs. However, there are multiple public and private utility lines that were identified in these ROWs. As part of the construction of the stadium project some of these utility lines in these right-of-ways will either be removed, or relocated. Thus, easements must be retained over them to protect and preserve access to these utility lines.

The abandonment of the public's interest and conveyance of these ROWs to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and is found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property. The Planning and Development Department recommends approval of the request with the retention of the following utility easements applying to all of the requested abandonments:

- 1) Retention of a 30-foot wide City of High Point electrical easement centered over the existing City of High Point electrical pole and service lines within and crossing these right-of-ways.
- 2) Retention of a 20-foot wide sewer line easement centered over existing sewer lines within or crossing these right-of-ways.
- 3) Retention of a 20-foot wide water line easement centered over existing water lines within or crossing these right-of-ways.

- 4) Retention of a 20-foot wide stormwater line easement centered over existing stormwater lines within or crossing these right-of-ways.
- 5) Retention of a 20-foot wide Piedmont Natural Gas easement centered over existing gas lines within or crossing these right-of-ways.
- 6) Retention of a 30-foot wide Duke Energy easement centered over existing Duke Power lines (overhead and underground) within or crossing these right-of-ways.

Report Preparation

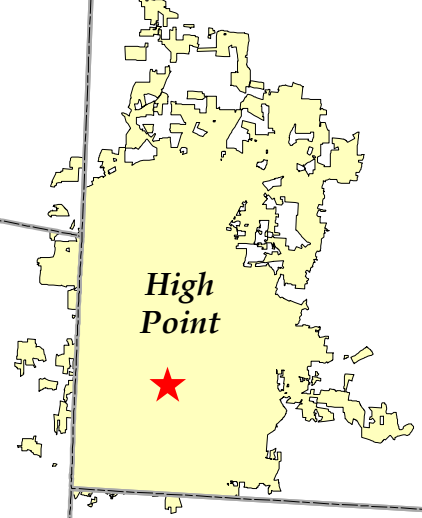
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.

LOCATION MAP

STREET ABANDONMENT SA-17-04

Applicant: City of High Point

Vicinity Map



City of High Point

EASTCHESTER DR

N MAIN ST

N CENTENNIAL ST

I-74

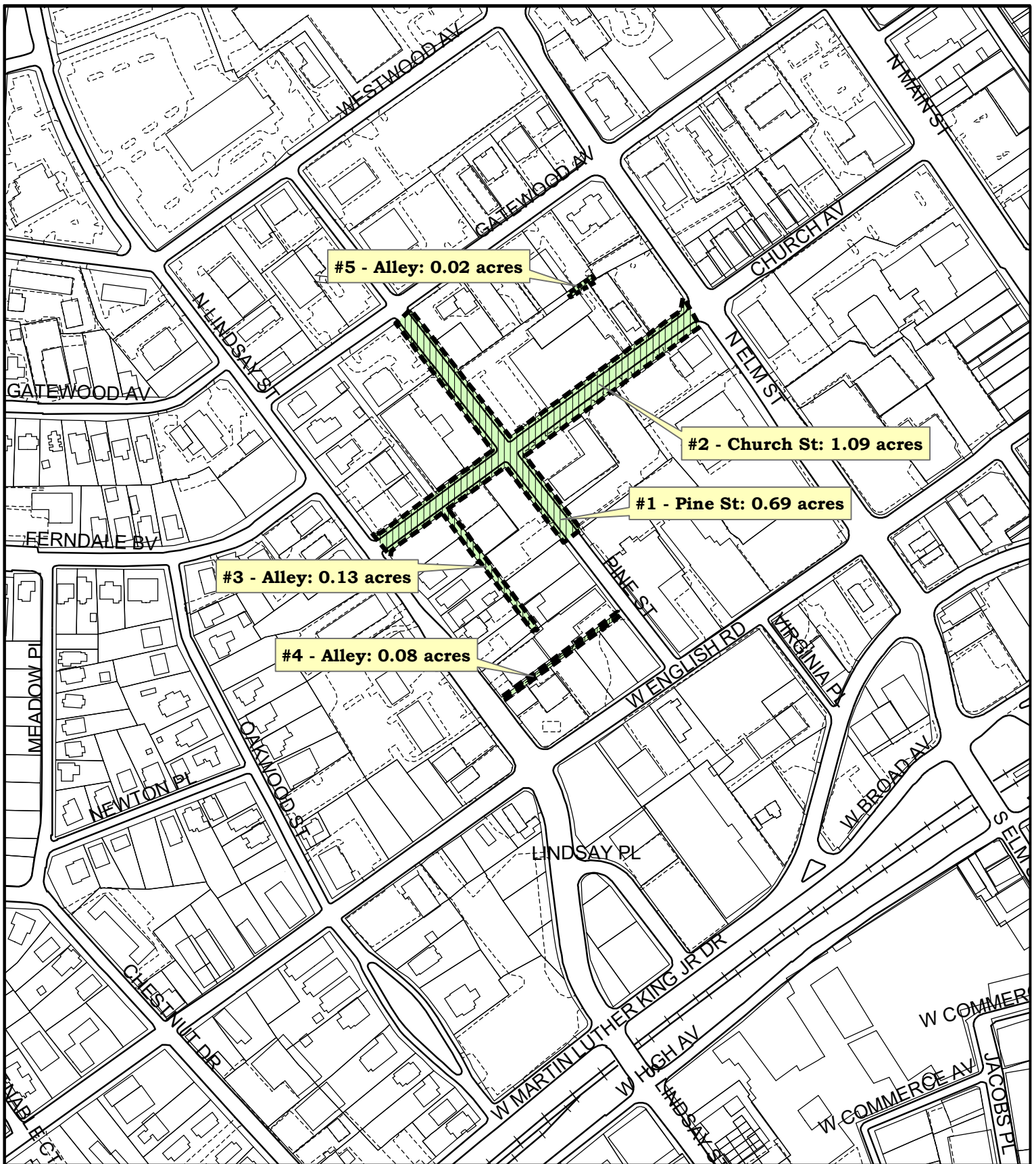
Site

ENGLISH RD

S MAIN ST

BUSINESS I-85





STREET ABANDONMENT SA-17-04

Applicant: City of High Point
Area: 2.01 acres



Location of requested street abandonment

**Planning & Development
 Department**

City of High Point

Date: October 6, 2017



Scale: 1"=300'
 G:/Planning/Secure/ba-pz/
 2017/pz/sa17-04exh.mxd

STREET ABANDONMENT SA-17-04



Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. xxxx / 17-xx

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 2nd DAY OF OCTOBER, 2017, AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

Street Abandonment (Closure) Case 17-04

(abandonment of five separate public street right-of-way's within a four-block area bounded by Gatewood Avenue, N. Elm Street, N. Lindsay Street and W. English Road)

WHEREAS, The City Manager's Office has petitioned the City Council of the City of High Point to permanently abandon (close) the following right-of-way's:

- a) Abandonment #1 (portion of Pine Street): That portion of the Pine Street right-of-way lying between Gatewood Avenue and the northern property line of Guilford County Tax Parcel 0186839 (209 Pine Street). More specifically described as that portion of the Pine Street right-of-way, running in a general north-south direction for a length of approximately 633 feet (more or less), from the southern right-of-way line of Gatewood Street to the northeastern corner of Guilford County Tax parcel 0186826 and the northwestern corner of Guilford County Tax parcel 0186839; and contains approximately 0.69 acres.
- b) Abandonment #2 (portion of Church Avenue): That portion of the Church Avenue right-of-way lying between N. Elm Street and N. Lindsay Street. More specifically described as that portion of the Church Avenue right-of-way, running in a general east-west direction

for a length of approximately 906 feet (more or less), from the western right-of-way of N. Elm Street to the eastern right-of-way of N. Lindsay Street; and containing approximately 1.09 acres.

- c) Abandonment #3 (alley): An unnamed alley lying south of Church Avenue, between Pine Street and N. Lindsay Street (lying approximately 165 feet west of Pine Street). More specifically described as an alley, running in a general north-south direction for a length of approximately 422 feet (more or less), from the southern right-of-way line of Church Avenue to the northern property line of Guilford County Tax Parcel 0186833. This alley is lying along the eastern property lines of Guilford County Tax Parcels 0186817, 0186818, 186829, 0186830, 0186831 & 0186832 and lying along the western property lines of Guilford County Tax Parcels 0186825, 0186826, 0186827 & 0186828; and contains approximately 0.13 acres.
- d) Abandonment #4 (alley): An unnamed alley lying approximately 150 feet north of W. English Road, between Pine Street and N. Lindsay Street. More specifically described as an alley, running in a general east-west direction for a length of approximately 334 feet (more or less), from the western right-of-way of Pine Street to the eastern right-of-way line of N. Lindsay Street. This alley is lying along the northern property lines of Guilford County Tax Parcels 0186819, 0186820, 186821, 0186822 & 0186823 and lying along the southern property lines of Guilford County Tax Parcel 0186833; and contains approximately 0.08 acres.
- e) Abandonment #5 (alley): An unnamed alley lying west of N. Elm Street, between Gatewood Avenue and Church Avenue (lying approximately 140 feet west of N. Elm Street). More specifically described as a portion of an alley, running in a general east-west direction for a length of approximately 70 feet (more or less), and lying west of Guilford County Tax Parcel 0186810 and contains approximately 0.02 acres.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 2nd day of October, 2017, at 5:30 p.m. setting the 20th day of November, 2017 at 5:30 p.m., in the Council Chambers of the Municipal Building, as the time and place for a public hearing before said Council on said petition, and public notice of said time and place was ordered given, all pursuant to North Carolina G.S. 160A-299; and

WHEREAS, due and proper notice of said hearing to be heard on the petition at this meeting of the City Council was made by publication in the High Point

Enterprise for four (4) consecutive weeks, beginning October 20, 2017 and October 27, 2017, November 3, 2017 and November 10, 2017; and,

WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to abandon (closure) of the above described right-of-ways; and

WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right-of-way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other individual, firm or corporation owning property in the vicinity of said street, or in the subdivision in which said street is located, will be deprived of reasonable means of ingress or egress to this property.

NOW THEREFORE BE IT RESOLVED:

1. The five right-of-ways, as described above, be closed pursuant to North Carolina G.S. 160A-299;
2. That within the above described five right-of-ways, the City of High Point shall retain a 30-foot wide City of High Point electrical easement centered over the existing City of High Point electrical pole and service lines within and crossing these right-of-ways;
3. That within the above described five right-of-ways, the City of High Point shall retain a 20-foot wide sewer line easement centered over existing sewer lines within or crossing the right-of-way;
4. That within the above described five right-of-ways, the City of High Point shall retain a 20-foot wide stormwater line easement centered over existing stormwater lines within or crossing these right-of-ways;
5. That within the above described five right-of-ways, the City of High Point shall retain a 20-foot wide Piedmont Natural Gas easement centered over existing gas lines within or crossing these right-of-ways;
6. That within the above described five right-of-ways, the City of High Point shall retain a 30-foot wide Duke Energy easement centered over existing Duke Power lines (overhead and underground) within or crossing these right-of-ways; and
7. That a copy of this resolution be filed in the Office of the Register of Deeds for Guilford County, North Carolina.

By order of the City Council,
this the 20th day of November, 2017
Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Gravity Sewer to Abandon Old Thomasville Road Pump Station

From: Terry Houk – Public Services Director

Derrick Boone – Public Services Asst. Director

Trevor Spencer – Projects Engineer

Meeting Date: November 20, 2017

Public Hearing: N/A

Advertising Date: September 24, 2017

Advertised By: Purchasing

Attachments: Attachment A – Award Recommendation
Attachment B – Certified Bid Tab

PURPOSE:

The City has budgeted for the installation of gravity sewer to abandon the pump station at Old Thomasville Road.

BACKGROUND:

This project is part of the overall upgrade of pump stations throughout the City of High Point. The existing station was evaluated for replacement, but Davis Martin Powell Engineers & Surveyors determined that the Old Thomasville Road pump station could be abandoned by installing new location gravity sewer from Old Thomasville Road to South Road. The 8-inch gravity sewer will eliminate the need of a pump station and the costs associated with perpetual maintenance of a pump station. The low bidder is an experienced contractor properly licensed by the State of North Carolina.

BUDGET IMPACT:

Funds for this project are available in the FY 2017-2018 budget.

RECOMMENDATION / ACTION REQUESTED:

The Public Services Department recommends approval of the contract and that the appropriate City official and/or employee be authorized to execute all necessary documents to award the project to Yates Construction Company in the amount of \$1,095,050.00.



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Public Services**

COUNCIL AGENDA DATE: **November 20, 2017**

BID NO.: **20-110217** CONTRACT NO.: DATE OPENED: **Nov 2, 2017**

DESCRIPTION:

Gravity Sewer to Abandon Old Thomasville Road Pump Station

PURPOSE:

The Old Thomasville Rd. pump station was evaluated for replacement, but DMP Engineers & Surveyors determined that the pump station could be abandoned by installing new location 8" gravity sewer from Old Thomasville Rd. to South Rd.

COMMENTS:

The new location 8 inch gravity sewer will eliminate the need of a pump station and the costs associated with perpetual maintenance of a pump station.

RECOMMEND AWARD TO: **Yates Construction Company** AMOUNT: **1,095,050.00**

JUSTIFICATION:

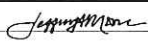
At the November 2nd bid opening, Yates Construction Company was the low bidder of the four (4) qualified bidders that submitted a bid.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
421779	533701	421141026905	40201	1,095,050.00
TOTAL BUDGETED AMOUNT				1,095,050.00

DEPARTMENT HEAD: **Terry Houk** Digitally signed by Terry Houk
DN: cn=Terry Houk, o=City of High Point, ou=Public Services, email=terry.houk@highpointnc.gov, c=US
Date: 2017.11.08 06:11:25 -0500 DATE: **Nov 8, 2017**

The Purchasing Division concurs with recommendation submitted by the **Public Services Dept. and recommends award to the lowest responsible, responsive bidder **Yates Construction Co.** in the amount of \$ **1,095,050.00**.**

PURCHASING MANAGER: **Erik Conti** Digitally signed by Erik Conti
DN: cn=Erik Conti, o, ou,
email=erik.conti@highpointnc.gov, c=US
Date: 2017.11.08 08:17:27 -0500 DATE: **Nov 8, 2017**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC,
ou=Financial Services Director, email=jfmoore@highpointnc.gov, c=US
Date: 2017.11.09 09:47:35 -0500 DATE: **Nov 9, 2017**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o=High Point, ou=High Point,
email=greg.demko@highpointnc.gov, c=US
Date: 2017.11.09 09:52:09 -0500 DATE: **Nov 9, 2017**

November 6, 2017

Re: City of High Point, N.C.
Gravity Sewer to Abandon
Old Thomasville Rd. Pump Station
CHP Bid 20-110217
DMP Project 150301(AL)

Mr. Derrick Boone
City of High Point
PO Box 230
High Point, NC 27261

Dear Derrick:

Bids were received by the Purchasing Department yesterday for the above referenced project. A total of four bids were received and opened. Our certified tabulation of the bids is attached, and a summary of the bids are as follows:

Bidder	Amount of Bid
Yates Construction Stokesdale, NC	\$1,095,050.00
Smith Rowe, LLC Mount Airy, NC	\$1,262,836.26
Triangle Grading & Paving, Inc. Burlington, NC	*\$1,326,399.99
Breece Enterprises High Point, NC	\$1,330,250.00

*This total is corrected based on extension of the bidders unit price bid errors. See red items on bid tab reflecting the change from the Contractor's written in bids which totaled \$1,329,999.99 by mistake.

The lowest bidder on this project is approximately 22% higher than the estimated construction cost updated by our firm after plans were completed. Currently cost are increasing in the improving economy, and as workloads are increasing, the cost of materials and construction are increasing.

Yates Construction is a properly licensed utility contractor who have successfully completed many projects for the City of High Point previously.

Based upon the information presented above, DMP recommends the City of High Point City Council consider awarding this contract to Yates Construction in the amount of their total unit price based bid of \$1,095,050.00.

If you have any questions or need additional information, please feel to call.

Sincerely,

DAVIS-MARTIN-POWELL & ASSOCIATES

 for

Randy L. McNeill, PE

c: Mr. Terry Houk
Mr. Erik Conti
File

**RESOLUTION OF HIGH POINT CITY COUNCIL
APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND
UNITED WAY OF GREATER HIGH POINT, INC.**

WHEREAS, North Carolina General Statutes § 160A-272 authorizes the City to enter into lease agreements of one year or less without public notice, pursuant to a resolution of City Council authorizing the execution of the lease, adopted at a regular meeting; and

WHEREAS, the City Council is convened in regular meeting on the date so noted below;
and

WHEREAS, the City has made a formal offer to purchase the premises located at 201 Church Avenue, ("Property") owned by United Way of Greater High Point, Inc. ("United Way"), and United Way has accepted the City's offer to purchase the Property, with an anticipated closing date ("Closing Date") of November 21, 2017; and

WHEREAS, United Way has a need to lease the Property from the Closing Date through and including January 19, 2018; and

WHEREAS, the City and United Way have entered into negotiations for a Lease Agreement for the Property with the term to be effective upon the Closing Date on the Property through and including January 19, 2018; and

WHEREAS, the City and the United Way have agreed that United Way will lease the Property for the term beginning upon Closing Date through and including January 19, 2018 for considerations received including rental payment of One Dollar (\$1.00) per month; and

WHEREAS, the City Council has determined that the Property will not be needed by the City during the term of the Lease Agreement; and

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the Lease Agreement for the Property located at 201 Church Avenue, High Point, North Carolina to United Way of Greater High Point, Inc. for a period beginning on the Closing Date, anticipated to be November 21, 2017 through and including January 19, 2018, for considerations received, including rental payment of One Dollar (\$1.00) per month, and hereby authorizes the City Manager to execute any instruments as necessary.

Adopted this the 20th day of November 2017.

Mayor William S. Bencini, Jr.

ATTEST:

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: NC WaterWarn (North Carolina Water/Wastewater Agency Response Network)

From: Terry Houk – Public Services Director
Derrick Boone – Public Services Asst. Director **Meeting Date:** November 20, 2017
James Gwyn – Safety Officer

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Mutual Aid Assistance Agreement
Members List

PURPOSE:

The Public Services Department has determined the need to enter into a statewide mutual aid agreement with other water and sewer utilities to receive and provide assistance during emergency situations.

BACKGROUND:

NCWaterWARN (North Carolina Water/Wastewater Agency Response Network) is a statewide mutual aid association of North Carolina water and wastewater agencies. There are over ninety (90) member agencies including municipalities, water and sewer authorities, and even private groups. NCMWaterWARN is a voluntary agreement that allows utilities to cross jurisdictional lines to provide aid and assistance to one another. This assistance may be used in preparing for, responding to, or recovering from an emergency. Assistance may take the form of personnel, equipment, tools, and supplies. Provider agencies have the right to refuse a request for assistance. Being in a WARN expedites requests for assistance because the administrative agreements, payment, billing, indemnification, and workers comp arrangements are already in place. In short, it functions as a voluntary, no-cost insurance plan.

BUDGET IMPACT:

No impact. All costs are reimbursed by the receiving agency.

RECOMMENDATION / ACTION REQUESTED:

The Public Services Department recommends that the City of High Point join the NCMWaterWarn Association and the appropriate city official execute the all necessary documentation.

CITY OF HIGH POINT

AGENDA ITEM



Title: Text Amendment 17-06,
Plan Amendment 17-05, and
Zoning Map Amendment 17-22

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
November 15, 2017

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Text Amendment Ordinance
D. Plan Amendment Resolution
E. Zoning Ordinance

PURPOSE:

1. **City of High Point** **Text Amendment 17-06**
A request by the Planning & Development Department to amend the Development Ordinance to establish the Mixed-Use Downtown (MX-D) District, to make corresponding changes to the standards of the Mixed-Use (MX), Main Street (MS) and Central Business (CB) Districts, and to designate the Central Business (CB) District as the zoning district for new Market Showrooms.
2. **City of High Point** **Plan Amendment 17-05**
A request by the Planning & Development Department to change the Land Use Map classification for approximately 61 acres from the Office, Institutional, Local/Convenience Commercial, Moderate Density Residential and Light Industrial classifications to the Community Regional Commercial classification for a portion of the downtown area.
3. **City of High Point** **Zoning Map Amendment 17-22**
A request by the City Council to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended approval of these requests, as outlined in the attached staff report.
- B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Plan Amendment 17-05 and Zoning Map Amendment 17-22. The Planning & Zoning Commission recommended approval of both requests, as outlined in the staff report and recommended by staff, by a vote of 8-1.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point

Text Amendment 17-06, Plan Amendment 17-05, and Zoning Map Amendment 17-22

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed these requests by the City Council to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan. All members of the Commission were present. As they are related, Ms. Heidi Galanti, Planning Services Administrator, provided a combined presentation of Text Amendment 17-06, Plan Amendment 17-05 and Zoning Map Amendment 17-22. She recommended approval of these requests as outlined in the staff report.

Speaking in favor of the requests:

Speaking in favor of the requests was Judy Stalder, Regulatory Affairs Director for Triad Real Estate and Building Industry Coalition (TREBIC) and Mr. Joel Fingerhut, 308 Oakwood Street. Ms. Stalder stated the proposed changes have been reviewed with TREBIC's members and they do not have any opposition to the proposed text amendment.

In regard to Plan Amendment 17-06, Mr. Fingerhut asked for clarification on the area as they related to his property near the corner of N. Lindsay Street and Ferndale Boulevard. Ms. Galanti explained that the city did not change the referenced area from the office and the local/convenience commercial to send the message that the city wants the intensity of uses to step down as development progresses westward toward the neighborhood. She noted that it is also reflected in the Downtown Mixed-Use Area Plan.

In regard to Text Amendment 17-06, Mr. Peter Freeman of Freeman-Kennett Architects, asked the Commission to consider including a 60-day grace period delaying the exclusion of new market showrooms outside the Central Business District. Mr. Freeman has a client who purchased property, within the proposed MX-D District, with the intent of establishing a new market showroom.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

1. Text Amendment 17-06

a) Consistency Statement

The Planning & Zoning Commission stated that the Text Amendment is consistent with adopted policy guidelines because the Community Growth Vision statement supports making downtown a vibrant, diverse mix of uses, the Land Use Plan supports revitalization of the city's oldest neighborhoods and the Core City Plan calls for a Downtown Mixed-Use District. They also stated that the request is reasonable and in the public interest because the amendment protects existing and future investments, supports and shapes the desired development style, and they are user friendly and manageable. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Mr. Armstrong dissenting.

b) Text Amendment

The Planning & Zoning Commission recommended **approval** of Text Amendment 17-06, as recommended by staff, with the recommendation that there be a grace period of up to 60 days for market showrooms in the new district, by a vote of 8-1, with Mr. Armstrong dissenting.

2. Plan Amendment 17-05

The Planning & Zoning Commission recommended **approval** of Plan Amendment 17-05 as recommended by staff, by a vote of 8-1, with Mr. Armstrong dissenting.

3. Zoning Map Amendment 17-22

a) Consistency Statement

The Commission stated that the request is consistent with adopted policy guidelines because the Community Growth Vision Statement supports making downtown a vibrant, diverse mix of uses; the Land Use Plan supports revitalization of the City's older neighborhoods; the Core City Plan calls for the Downtown Mixed-Use District and for the Showroom District as proposed; and the Downtown Mixed-Use Area Plan calls specifically for the proposed zoning changes. They also stated that the request is reasonable and in the public interest because it supports the creation of a downtown area that all citizens can enjoy, they support the revitalization of areas that are primarily underutilized, and they support the continued growth and viability of Market Showrooms. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Mr. Armstrong dissenting.

b) Zoning Map Amendment

The Planning & Zoning Commission recommended **approval** of Zoning Map Amendment 17-22, as recommended by staff, by a vote of 8-1, with Mr. Armstrong dissenting.

Mr. Armstrong stated that his votes in opposition were due to concerns that sufficient year-round parking is not being provided. He stated there should be plans to add a parking deck to accompany the proposed higher intensity development envisioned by the text amendment and zoning map amendment in the downtown area.

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

STAFF REPORT

PLAN AMENDMENT CASE PA-17-05 AND ZONING MAP AMENDMENT ZA-17-22

October 24, 2017

Requests		
Applicant: City of High Point	Owner: Multiple Owners (See Exhibit A)	
Plan Amendment Proposal: To change the future land use designation for approximately 60.5 acres to the Community/Regional Commercial land use classification.	From:	Office Institutional Local/Convenience Commercial, Moderate Density Residential, and Light Industrial
	To:	Community/Regional Commercial
Zoning Proposal: To rezone approximately 186 acres.	From:	LI Light Industrial District GB General Business District CB Central Business District OI Office Institutional District
	To:	MX-D Mixed Use Downtown District CB Central Business District

Site Information		
Location:	MX-D Area - The area is generally bounded by Ray Avenue and Westwood Avenue to the north; Wrenn Street to the east; the railroad tracks to the south; and properties that front on Oakwood Street and Lindsay Street, and North Elm Street to the west. CB Expansion – There are three separate areas that are generally located along Centennial Street, South of MLK, Jr. Drive, west of Park Street, north of Grimes Ave., and east of Wrenn and Hamilton Streets.	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	0171554, 0171557, 0171558, 0171559, 0171745, 0171746, 0171747, 0171815 through 0171837, 0186798 through 0186813, 0186815, 0186817, 0186818, 0186829 through 0186833, 0186840 through 0186843, 0188308 through 0188327, 0188333 through 0188336, 0188340 through 0188346, 0188350 through 0188354, 0188356, 0188357, 0188362, 0188364, 0188367, 0189700 through 0189709	0171412, 0171414, 0171513, 0171515, 0171518, 0171519, 0171524, 0171530, 0171531, 0171554, 0171555, 0171558, 0171559, 0171560, 0171563, 0171564, 0171745, 0171757, 0171758, 0171762 through 0171767, 0171769, 0171770, 0171771, 0171808, 0171809, 0171811 through 0171837, 0186798 thorough 0186815, 0186817 through 0186823, 0186825 through 0186843, 0186845 through 0186885, 0186887, 0186888, 0186890 through 0186935,

		0186938 through 0186940, 0186943 through 0186945, 0187804 through 0187806, 0187902 through 0187911, 0187921, 0187922, 0187927 through 0187933, 0187939 through 0187946, 0187949 through 0187956, 0188308 through 0188325, 0188327, 0188333 through 0188336, 0188340 through 0188346, 0188350 through 0188354, 0188356 through 0188362, 0188364 through 0188367, 0189700 through 0189707, 0189709 through 0189818, 0192374, 0192375, 0192376, 0215641 through 0215655
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 60.5 acres	Approximately 186 acres
Current Land Use:	Plan Amendment	Zoning Request
	Mix of office, retail, industrial and residential	Same
Physical Characteristics:	The MX-D Area is relatively flat with a gentle slope downward to the northwest. The CB expansion area has a gentle slope downward to the to the south-southeast.	
Water and Sewer Proximity:	The areas are served with water and sewer with lines of varying sizes generally from 6 to 12 inches.	
General Drainage and Watershed:	<u>Yadkin Pee-Dee (non-water supply) watershed</u> That portion of the zoning request lying west of N. Main Street and north of the railroad tracks drains in a southwesterly direction and is within the Yadkin Pee-Dee (non-water supply) watershed. Dependent upon the total acreage and allowable development intensity, stormwater controls may be required.	
	<u>City Lake General Watershed Area (GWA)</u> That portion of the zoning request lying east of N. Main Street and north of the railroad tracks drains in a southeasterly direction and development is subject to the City Lake GWA requirements. Engineered storm water treatment 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.	
	<u>Randleman Lake General Watershed Area (GWA)</u> That portion of the zoning request lying east of N. Main Street and south of the railroad tracks drains in a southeasterly direction, and development is subject to the Randleman Lake GWA requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 12% or more of the site.	
Overlay Districts:	Yadkin Pee-Dee (non-water supply) watershed; City Lake General Watershed Area; and Randleman Lake General Watershed Area	

MX-D Adjacent Property Zoning and Current Land Use			
North:	OI I MS-B	Office Institutional Institutional Main Street Sub-District B	Medical and general offices, hospital, retail uses
South:	CB	Central Business	Market Showrooms, train depot, parking deck
East:	CB	Central Business	Market Showrooms, bank
West:	OI GB	Office Institutional General Business	Residential, office, religious institution, auto repair

CB Expansion Adjacent Property Zoning and Current Land Use			
North:	MX-W	Mixed-Use Washington Street	Residential and office
South:	LI	Light industrial	Warehouse
East:	RM-16 RM-26 LI TO	Residential Multi-family 16 Residential Multi-family 26 Light Industrial Transitional Office	Apartments, manufacturing, recreation center, single-family residential
West:	CB	Central Business	Market Showrooms, motel, office

MX-D Adjacent Land Use Plan Designations	
North:	Institutional, Office, Local/Convenience Commercial
South:	Community/Regional Commercial
East:	Community/Regional Commercial, High Density Residential
West:	Office, Local/Convenience Commercial, Medium Density Residential

CB Expansion Adjacent Land Use Plan Designations	
North:	Community/Regional Commercial
South:	Community/Regional Commercial, Light Industrial
East:	Institutional, Low Density Residential, Moderate Density Residential
West:	Community/Regional Commercial

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	• Moderate-Density Residential: This classification includes a variety of detached or attached dwellings, generally including single family homes, cluster homes, duplexes and townhouses. Development densities shall range from five to eight dwelling units per gross acre. • Office: This classification includes professional, personal and business service uses. • Local/Convenience Commercial: This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods. • Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification. • Light Industrial: Light industrial uses include general manufacturing, wholesaling, warehousing, and research and development uses

Proposed Designation:	Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
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Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	The following goals and objectives of the Community Growth Vision Statement are relevant to this request Goal 4: Make Downtown High Point and its environs a vibrant, diverse and mixed-use environment. <u>Objective 4A:</u> Expand the role of Downtown High Point and its environs as the community’s cultural and institutional hub through a variety of public facilities. <u>Objective 4B:</u> As a supplement or alternative to the existing Downtown core, develop North Main between approximately the main library and Eastchester as “Up- town” to function as a traditional downtown. <u>Objective 4D:</u> Establish more retail shops, services, restaurants, and entertainment through zoning and/or incentives. <u>Objective 4E:</u> Create more rental and for-purchase housing, both as new development and within existing older buildings. <u>Objective 4F:</u> Introduce new uses and creative industries, including artist studios and living space, small business incubators, and live/work units, and support them through zoning. <u>Objective 4G:</u> Improve Downtown High Point’s streetscapes by providing buildings with human-scaled facades and groundfloor transparency, and streetscape furnishings that are attractive, functional, well-located and human-scaled. <u>Objective 4H:</u> Create public spaces with a variety of scales, designs and functions, and couple them with uses that will help to activate them, such as civic uses, retail and housing. <u>Objective 4I:</u> Improve public safety through urban design techniques, security-based programs, and increases in residential, employment and visitor populations.
Land Use Plan Goals, Objectives & Policies:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods; Obj.#4. Protect the City’s older, established neighborhoods, and promote their revitalization through needed infrastructure improvements and new residential investment; Obj.#10. Target appropriate established neighborhoods and areas adjoining the central business district and industrial locations for conservation and revitalization activities including public and private investment; and
Relevant Area Plan(s):	<u>Core City Plan</u> MX-D Area – The Core City Plan shows the area proposed for rezoning as Institutional and Downtown Mixed Mixed-Use. The intent of the

	Institutional District is to recognize that large institutional uses such as the hospital have more of a campus-like setting with an inward orientation and less of a focus on the street. The Downtown Mixed-Use District is intended to function more like a conventional downtown including shopping, dining, entertainment, offices, institutional uses, cultural facilities, and housing where mixed-use buildings are encouraged. The plan also recommends that no new showrooms should be allowed in this district and that it should strive to maintain an urban form with buildings that front the street with parking behind the buildings. CB Expansion Area – The Core City Plan shows the area proposed for rezoning as the Showroom District. The intent of the Showroom District is to protect the economic viability of the furniture showrooms. There are no restrictions to control the degree to which showrooms exist in this area. <u><i>Downtown Mixed-Use Area Plan</i></u> MX-D Area – The Downtown Mixed-Use Area Plan calls for the area to be rezoned to MX-D to create a cohesive downtown area that encourages the desired development style and mix of uses that are typical in traditional downtown areas. By consolidating this area under one zoning district, the City will establish one set of allowed uses and dimensional standards that promote an environment with an increased density and intensity of mixed uses. Because this area is intended for around-the-clock vitality, new Market Showrooms will not be allowed in this district. It is also recommended that this district be exempt from the minimum off-street parking space requirements, which will allow the developer to determine the number and location of the parking that they need to support the use that is being built. CB Expansion Area Because new Market Showrooms will not be allowed in the Mixed-Use-Downtown (MX-D) District, it is recommended that the Central Business (CB) District be expanded. There are some areas south of MLK Drive and adjacent to the eastern boundary of the Central Business District down to Grimes Avenue that are currently zoned Light Industrial (LI). This area was originally developed with manufacturing uses, but now it contains several Market Showrooms, in addition to vacant buildings and undeveloped parcels. Rezoning this area to CB would allow for a better utilization of the land area because the CB district has zero lot line setbacks and it is exempt from parking space requirements. These LI areas consist of approximately 57 acres and they are within a few blocks of the Mendenhall Transportation Center, which is considered the epicenter of the High Point Market. Therefore, it is recommended that the areas currently zoned LI in this area, should be rezoned to CB to encourage the continued growth of Market Showrooms in this area.
Zoning History:	MX-D Area – There have been a few zoning cases in the area over the past 10-15 years and they have all been to zone to a more intense zoning district. Two went from Office to General Business and one went from General Business to Central Business.

	CB Expansion Area – There have been several zoning cases adjacent to the proposed CB expansion areas and the majority of them have been from a lesser intense district to the CB District.
LUPA History:	MX-D Area – none CB Expansion Area – In 2002, approximately 20 acres covering the area in the southeast corner of MLK, Jr. Drive and Centennial Street down to Commerce Avenue was amended from Light Industrial to Community/Regional Commercial.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	N Wrenn St	Major Thoroughfare	2,500 feet
	N Main St	Major Thoroughfare	3,000 feet
	Elm St	Major Thoroughfare	3,000 feet
	Lindsay St	Minor Thoroughfare	2,200 feet
	Westwood Ave	Local	2,100 feet
	Gatewood Ave	Local	1,600 feet
	W English Road	Major Thoroughfare	2,500 feet
	W MLK Jr Dr	Major Thoroughfare	2,700 feet
Traffic Counts: (Average Daily Trips)	N Wrenn St	2,000 (2015 NCDOT AADT)	
	N Main St	16,000 (2015 NCDOT AADT)	
	Elm St	4,100 (2015 NCDOT AADT)	
	Lindsay St	N/A	
	Westwood Ave	2,700 (2015 NCDOT AADT)	
	Gatewood Ave	1,200 (2014 HPDOT 12 Hour Count)	
	W English Road	5,900 (2015 NCDOT AADT)	
	W. MLK Jr Dr.	5,400 (2013 NCDOT AADT)	

School District Comment
Not applicable.

Details of Proposal

1. General Overview:

On September 18, 2017, City Council adopted the *High Point Downtown Mixed-Use Area Plan* that recommended the establishment of the Mixed-Use Downtown (MX-D) District to support the growth and redevelopment of the area in and around the proposed multi-use stadium.

The Plan also recommended the designation of the Central Business (CB) District as the zoning district for new Market Showrooms. Because new Market Showrooms are not allowed in the Mixed-Use-Downtown (MX-D) District, the Plan recommended that the Central Business (CB) District be expanded on the eastern side.

2. Summary of Land Use Plan Amendment Request:

MX-D Area - Areas that are associated with the zoning amendment to MX-D are being amended to the Community/Regional Commercial land use classification to support the mix of uses that are desired for this area. Areas on the west side of Lindsay Street are not being amended so that the intensity of uses is reduced where they are adjacent to the single-family neighborhood to the west.

CB Expansion Area - The CB expansion area is also being amended to the Community/Regional Commercial land use classification to support a higher intensity of uses in this area.

3. Summary of Zoning Request:

MX-D Area - The MX-D rezoning request includes 129 acres that is currently a combination of Office Institutional (OI), General Business (GB), Central business (CB), and Light Industrial (LI).

CB Expansion Area – The expansion of the CB district includes approximately 57 acres that are currently zoned Light Industrial (LI). The areas are located south of MLK Drive and adjacent to the eastern boundary of the Central Business District down to Grimes Avenue.

Staff Analysis

MX-D Area - The Downtown Mixed-Use District identified in the Core City Plan, fits the intent of the Mixed-Use (MX) zoning district. The goal of establishing this district for this area is to create a traditional downtown area that the whole community can enjoy. Rezoning the area to Mixed-Use Downtown (MX-D) will allow for the creation of a cohesive district with one set of permitted uses and dimensional standards that support an increased density and intensity and the mixed-use development style that is called for in the Downtown Mixed-use Area Plan.

CB Expansion Area – Because new Market Showrooms will not be allowed in the Mixed-Use-Downtown (MX-D) District, expanding the CB District to the east and south supports the future growth and expansion of Market Showrooms. This area was originally developed with manufacturing uses, but now it contains several Market Showrooms, in addition to vacant buildings and undeveloped parcels and it is within a few blocks of the Mendenhall Transportation Center, which is considered the epicenter of the High Point Market. Changing the zoning from Light Industrial (LI) to CB would allow for a better utilization of the land area because the CB district has zero lot line setbacks and it is exempt from off-street parking requirements.

Consistency with Adopted Policy Guidance:

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

The Community Growth Vision Statement supports making downtown a vibrant, diverse mix of uses; the Land Use Plan supports revitalization of the City's older neighborhoods; the Core City Plan calls for the Downtown Mixed-Use District and for the Showroom District as proposed; and the Downtown Mixed-Use Area Plan calls specifically for the proposed zoning changes.

Reasonableness/Public Interest:

Whether an approval of the proposed zoning map amendment reasonable and in the public interest.

The proposed zoning districts support the creation of a downtown area that all citizens can enjoy, they support the revitalization of areas that are primarily underutilized, and they support the continued growth and viability of Market Showrooms.

Recommendation

1. Plan Amendment 17-05:

Staff Recommends Approval:

Staff recommends approval of the request to change the future land use designation for approximately 60.5 acres to the Community/Regional Commercial land use classification.

2. Zoning Map Amendment 17-22:

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone 129 acres to MX-D District and 57 acres to CB 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

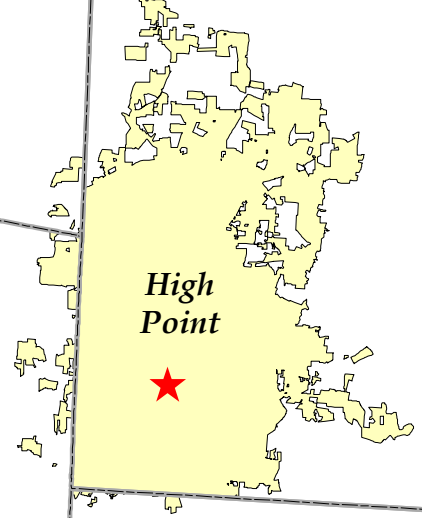
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

LOCATION MAP

PLAN AMENDMENT PA-17-05

Applicant: City of High Point

Vicinity Map



City of High Point

EASTCHESTER DR

N MAIN ST

N CENTENNIAL ST

I-74

Site

Site

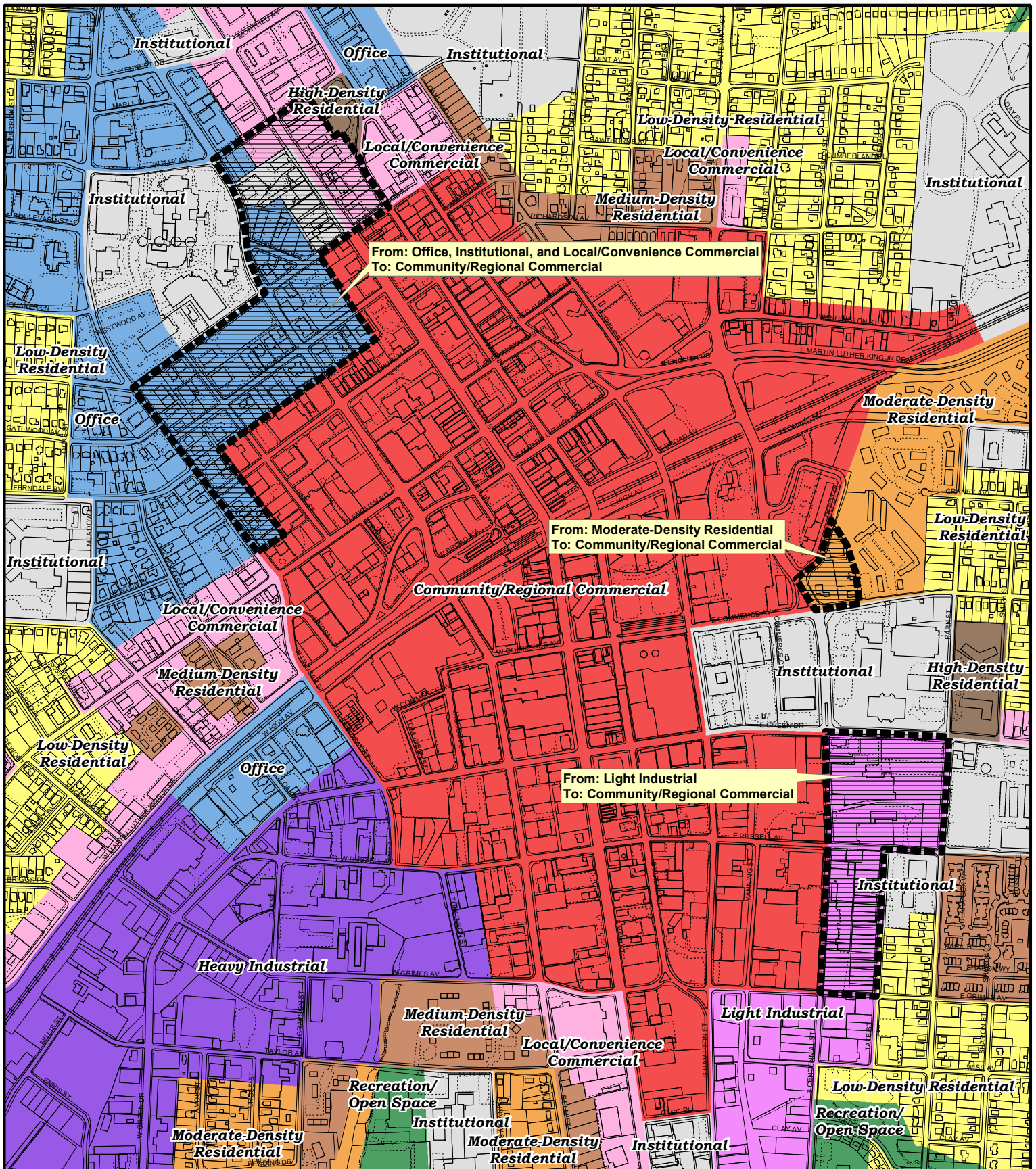
Site

ENGLISH RD

S MAIN ST

BUSINESS I-85





PLAN AMENDMENT PA-17-05

Land Use Plan

Existing Land Use Plan

Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: October 24, 2017



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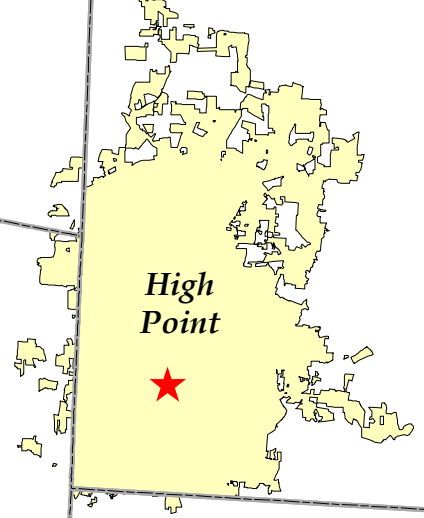
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LOCATION MAP

ZONING MAP AMENDMENT ZA-17-22

Applicant: City of High Point

Vicinity Map



City of High Point

EASTCHESTER DR

N MAIN ST

N CENTENNIAL ST

I-74

Site

Site

Site

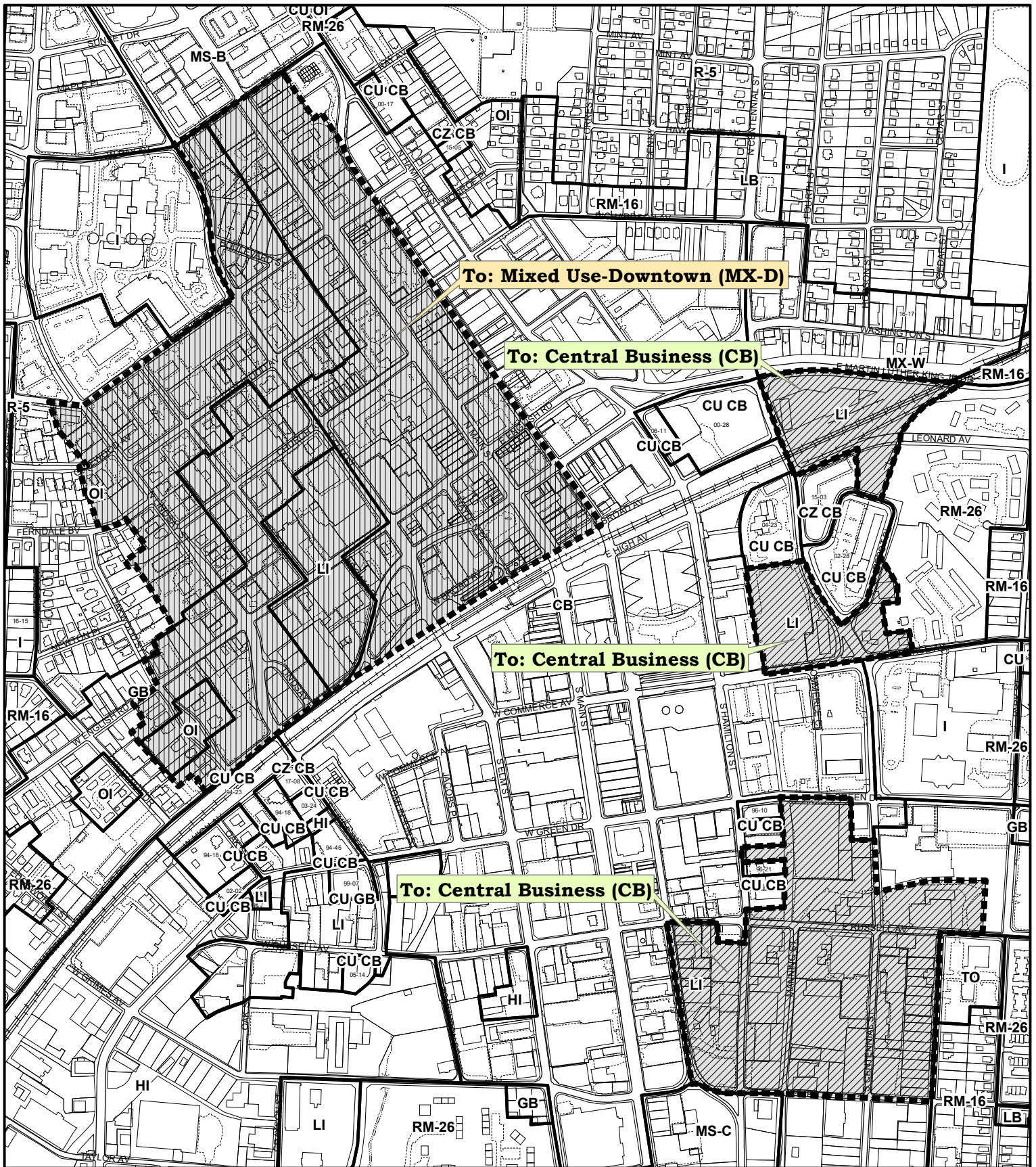
Site

ENGLISH RD

S MAIN ST

BUSINESS I-85





ZONING MAP AMENDMENT ZA-17-22

From: Central Business (CB), General Business (GB),
 Light Industrial (LI), and Office Institutional (OI)
 To: Mixed Use - Downtown (MX-D), and Central Business (CB)

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

Planning & Development
 Department

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-22

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

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

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

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on October 24, 2017 and before the City Council of the City of High Point on November 20, 2017, regarding this proposed amendment (PA 17-05) to said *Land Use Plan for the High Point Planning Area*.

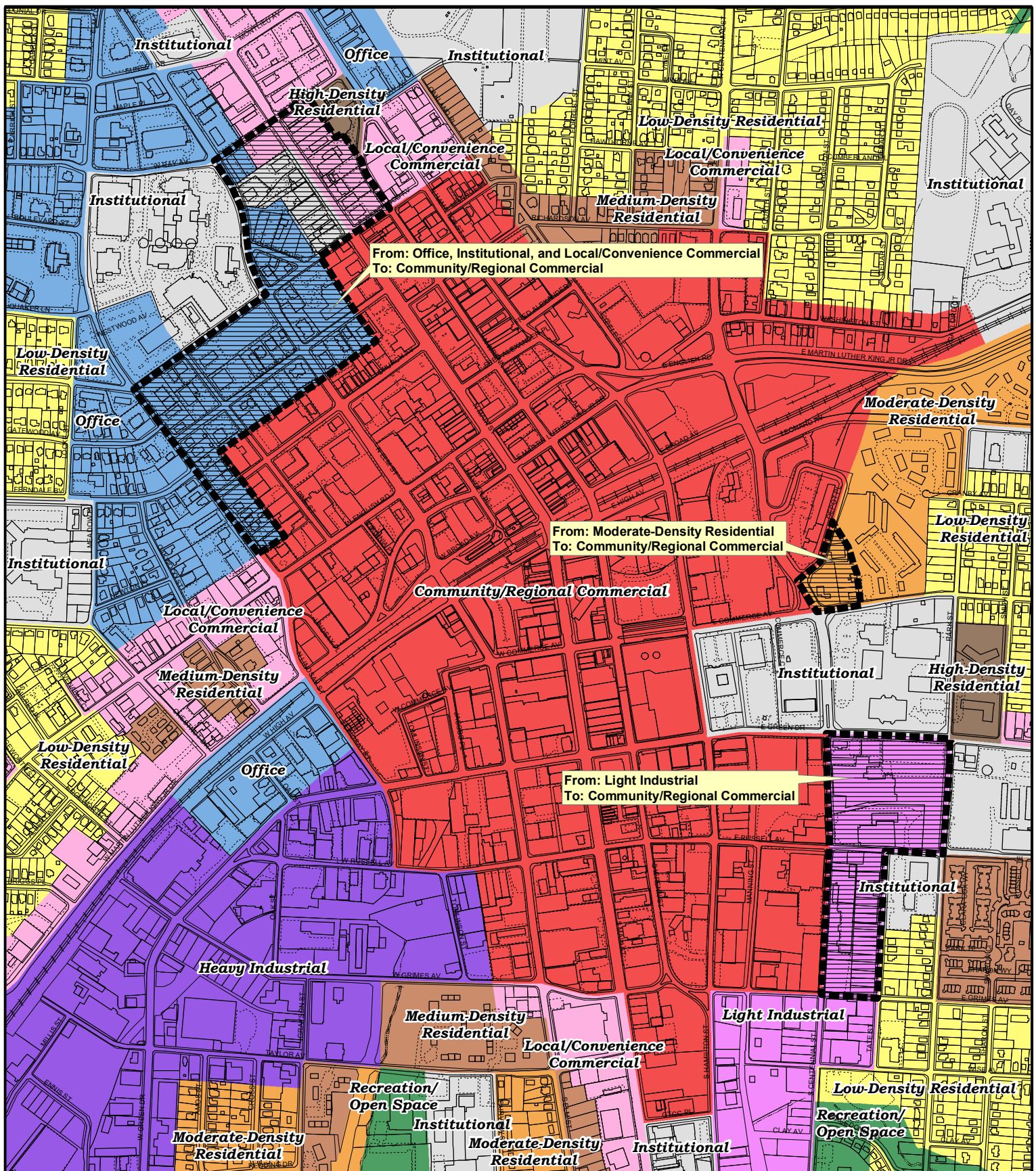
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended by reclassifying approximately 61 acres (as shown on the attached map) from Office, Institutional, Local/Convenience Commercial, Moderate Density Residential, and Light Industrial to Community/Regional Commercial.

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

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

Adopted by City Council
City of High Point, North Carolina
The 20th day of November, 2017
Lisa B. Vierling, City Clerk



PLAN AMENDMENT PA-17-05

Land Use Plan

Existing Land Use Plan

Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: October 24, 2017



Scale: 1"=800'

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2017\pz\za17-05.mxd

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 24, 2017, 2017 and before the City Council of the City of High Point on November 20, 2017 regarding **Zoning Map Amendment Case 17-22 (ZA-17-22)** 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 October 15, 2017, for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 15, 2017, 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 **November 20, 2017.**

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 as shown on the attached maps to establish the following described areas as:

Mixed Use Downtown (MX-D) District. The area is generally bounded by Ray Avenue and Westwood Avenue to the north; Wrenn Street to the east; the railroad tracks to the south; and properties that front on Oakwood Street and Lindsay Street, and North Elm Street to the west.

The zoning map amendment MX-D area is also known as Guilford County Tax Parcels 0186798 through 0186815, 0186817 through 0186823, 0186825 through 0186843, 0186845 through 0186885, 0186887, 0186888, 0186890 through 0186935, 0186938 through 0186940, 0186943 through 0186945, 0187804 through 0187806, 0187902 through 0187911, 0187921, 0187922, 0187927 through 0187933, 0187939 through 0187946, 0187949 through 0187956, 0188308 through 0188325, 0188327, 0188333 through 0188336, 0188340 through 0188346, 0188350 through 0188354, 0188356 through 0188362, 0188364 through 0188367, 0189700 through 0189707, 0189709 through 0189818, 0192374, 0192375, 0192376, 0215641 through 0215655.

Central Business (CB) District: There are three separate areas that are generally located along Centennial Street, South of MLK, Jr. Drive, west of Park Street, north of Grimes Ave., and east of Wrenn and Hamilton Streets.

The zoning map amendment CB area is also known as Guilford County Tax Parcel 0171412, 0171414, 0171513, 0171515, 0171518, 0171519, 0171524, 0171530, 0171531, 0171554, 0171555, 0171558, 0171559, 0171560, 0171563, 0171564, 0171745, 0171757, 0171758, 0171762 through 0171767, 0171769, 0171770, 0171771, 0171808, 0171809, 0171811 through 0171837.

SECTION 2

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 3

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 4

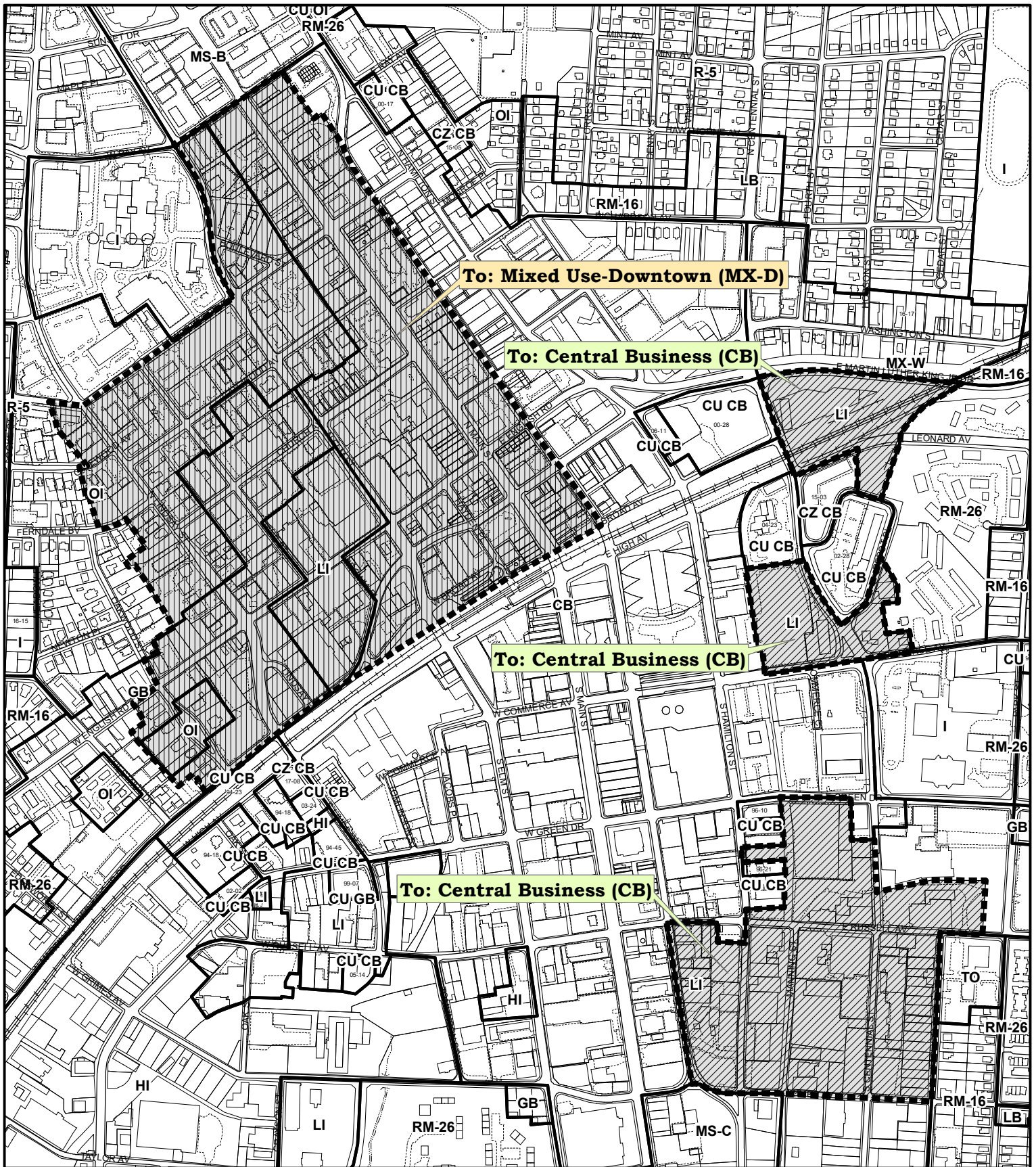
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

This the 20th day of November 2017.

Lisa B. Vierling, City Clerk



ZONING MAP AMENDMENT ZA-17-22

From: Central Business (CB), General Business (GB),
 Light Industrial (LI), and Office Institutional (OI)
 To: Mixed Use - Downtown (MX-D), and Central Business (CB)

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

Planning & Development
 Department

City of High Point

Date: October 24, 2017



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Audit Wrap-up

City of High Point

April Adams, CPA
Partner

November 20, 2017



Your guide forward



Agenda

Client Service Team

Role of External Auditor

Key Highlights

Internal Controls

Significant Audit Areas

Financial Results

Summary

Questions and Comments

Client Service Team



Eddie Burke
Audit Partner



April Adams
Second Audit Partner



Lonnie Keogh
Audit Senior Manager



Andrea King
Audit Senior Accountant

Role of the External Auditor

Actions

Plan & Perform
Procedures

Obtain Reasonable
Assurance

Results

Express Opinions:
- Financial Statements
- Yellow Book
- Federal
- State

Required Communications

Policy Changes

Estimates

Journal Entries

Key Highlights

Results

Opinion

Unmodified Opinion –
Financial Statements

Unmodified Opinion –
Yellow Book

Unmodified Opinion –
Federal & State Single
Audit

Internal Controls

No findings

Single Audit

2017-001 – Nonmaterial
Noncompliance – FTA
FFR submitted late

2017-002 – Nonmaterial
Noncompliance –
Allowable Costs Powell
Bill; Expenditures include
incorrect amounts

No Findings – Library
Grant and CDBG

AU-260

Implemented GASB 73 –
LEOSSA

Annual financial
information (AFIR) filed
late

Invoices being held by
Public Services
Department

Internal Controls

Financial Statements

Significant Cycles

- Payroll
- Cash Receipts
- Cash Disbursements
- Financial Statement Close
- Managing Investments

Testing of Controls

- Budget

Journal Entries

- Active Data

IT Controls

- IT Entity Level
- Backup & Recovery
- Access & Security
- Network Security
- Cyber Security

Significant Audit Areas

Financial Statements

Assets & Revenues

- Accounts Receivable
- Revenues

Liabilities & Expenses

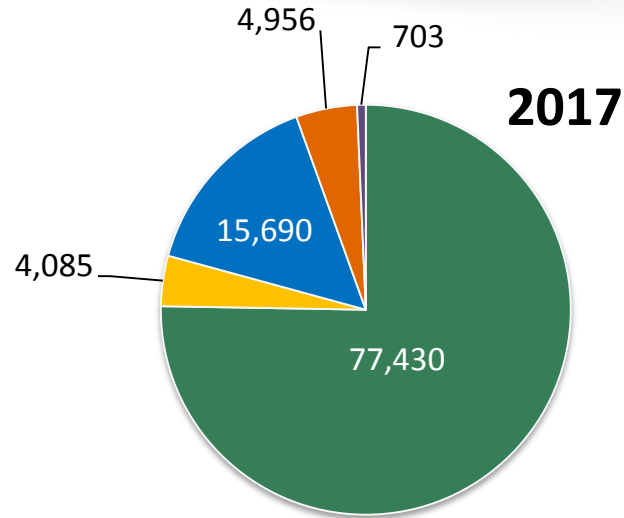
- Expenses
- Payroll and Related Liabilities

Other Items

- Cash and Investments
- Capital Assets
- Accounts Payable and Accrued Liabilities
- Long Term Debt
- Net Position
- Related Parties
- Estimates
- Legal

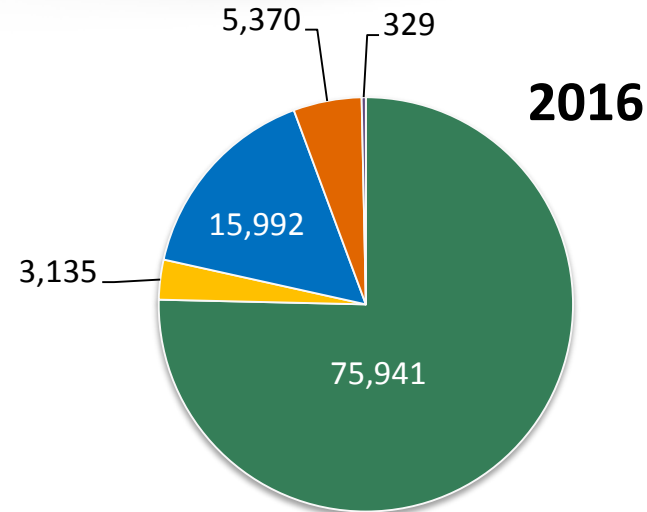
Financial Results

General Fund Revenues (thousands)



2017 Total: \$102,864

- Taxes
- Intergovernmental Services
- Other

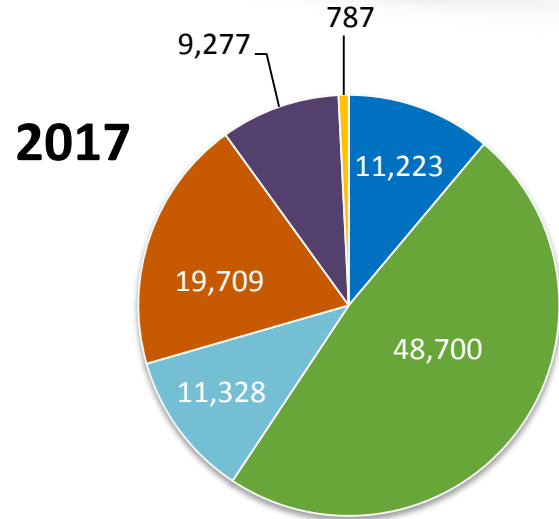


2016 Total: \$100,767

- Licenses and Permits
- Charges for Services

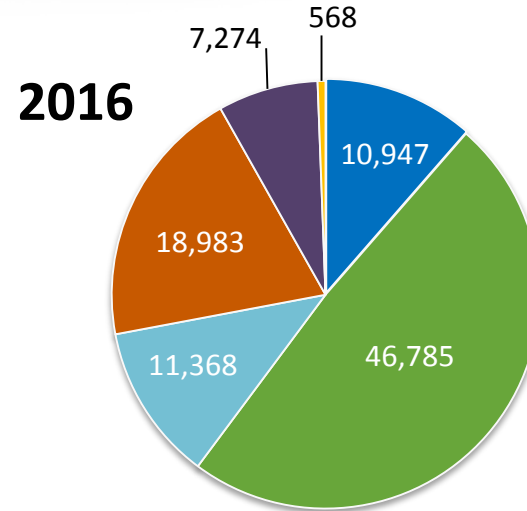
Financial Results

General Fund Expenses (thousands)



2017 Total: \$101,024

- General Government
- Public Services
- Community & Economic Development



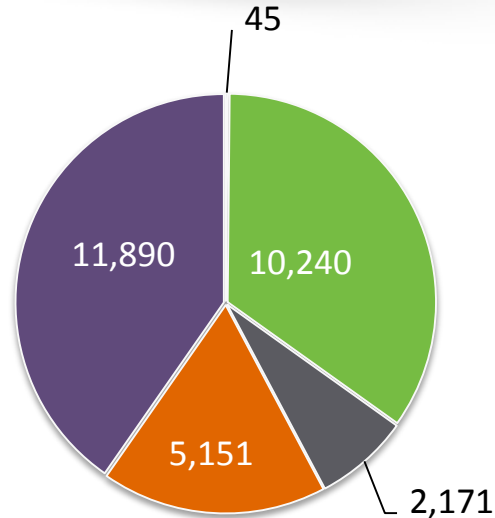
2016 Total: \$95,925

- Public Safety
- Culture and Recreation
- Debt Service

Financial Results

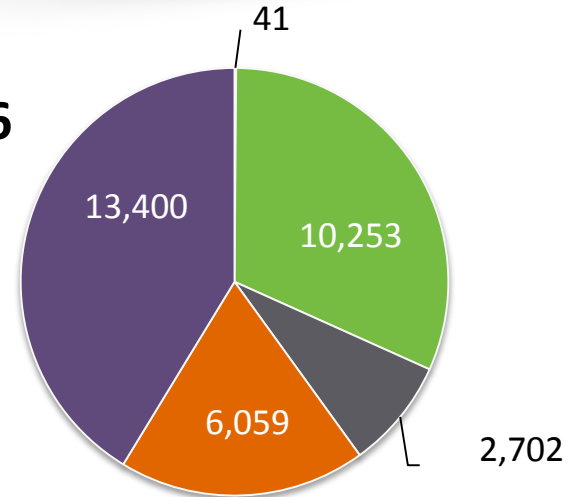
General Fund – Fund Balance (thousands)

2017



2017 Total: \$29,497

2016

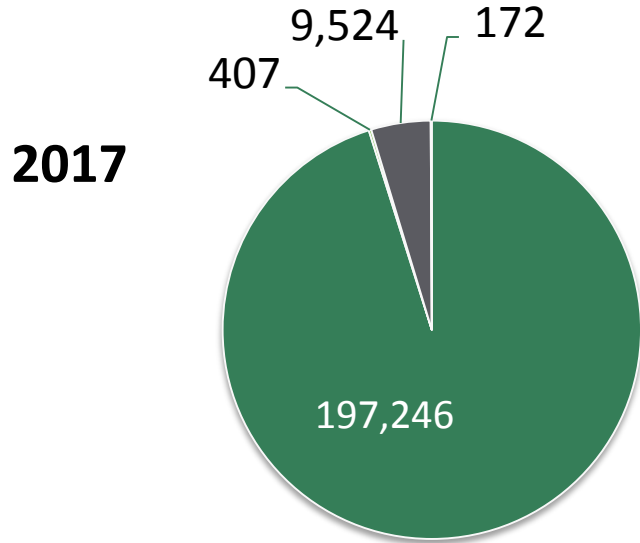


2016 Total: \$32,455

■ Non Spendable ■ Restricted ■ Committed ■ Assigned ■ Unassigned

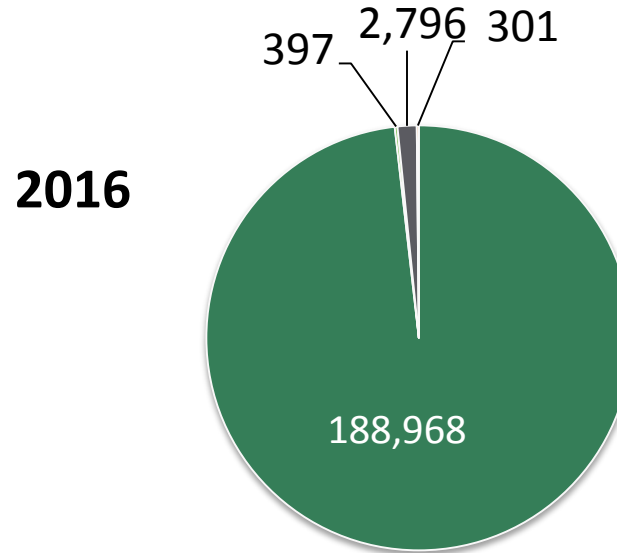
Financial Results

Proprietary Funds Operating Revenues (thousands)



2017 Total: \$207,349

- Charges for Services
- Intergovernmental

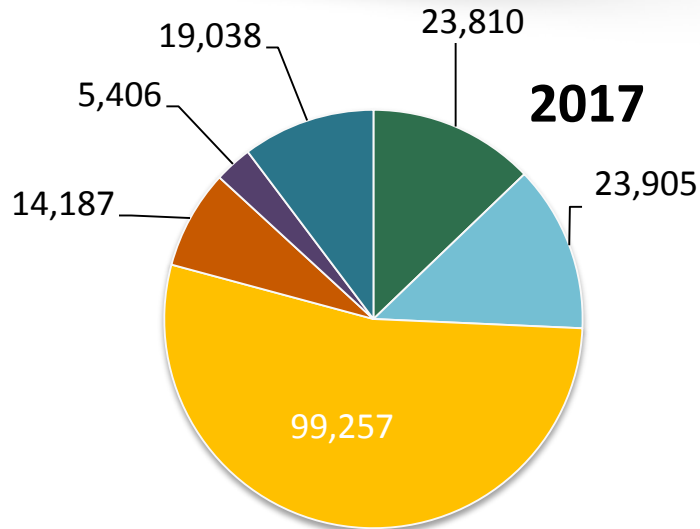


2016 Total: \$192,462

- Licenses and Permits
- Miscellaneous and Other

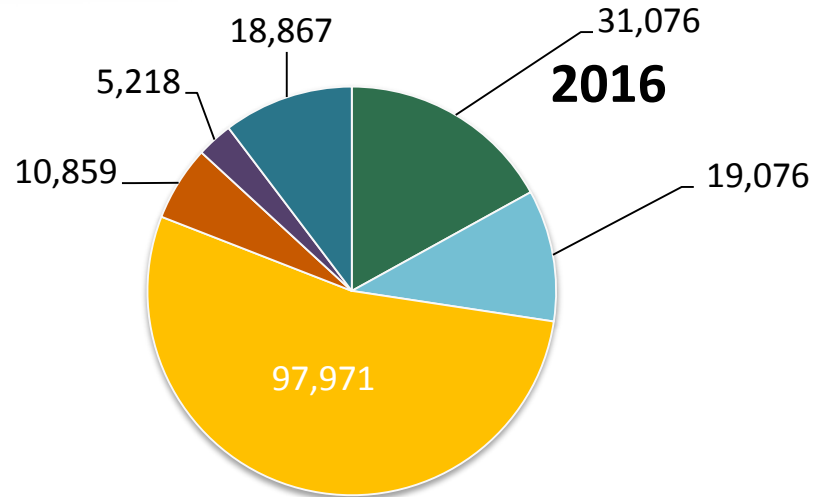
Financial Results

Proprietary Funds Operating Expenses (thousands)



2017 Total: \$185,603

- Management & Administration
- Power Purchases
- Other Services & Charges



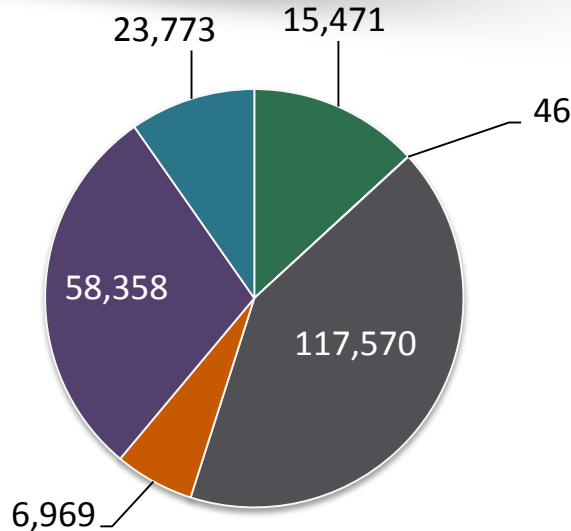
2016 Total: \$183,067

- Maintenance & Distribution
- Treatment Plants
- Depreciation & Amortization

Financial Results

Cash and Investments (thousands)

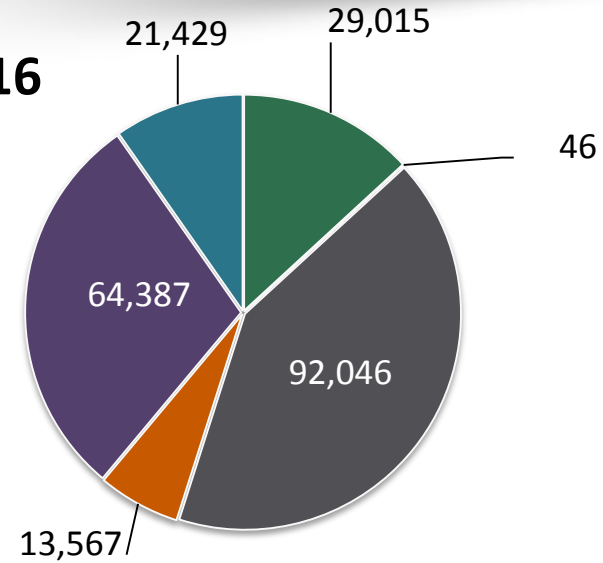
2017



2017 Total: \$222,187

- Cash Carrying Amount
- Government Agencies
- NC Capital Management Trust-Cash Portfolio

2016



2016 Total: \$220,490

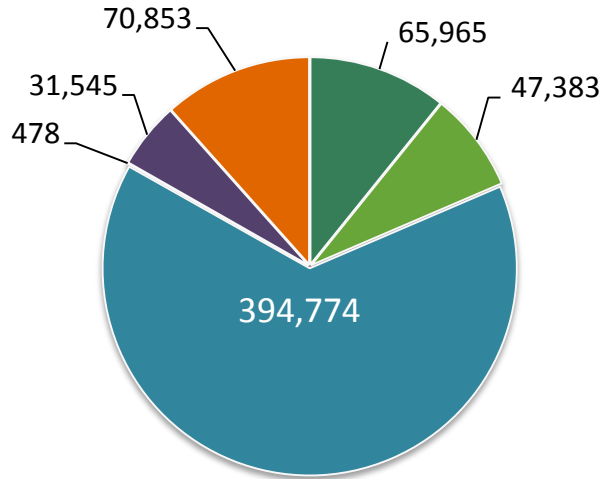
- Petty Cash
- Commercial Paper
- NC Capital Management Trust-Term Portfolio

Financial Results

Capital Assets (thousands)

Government Wide

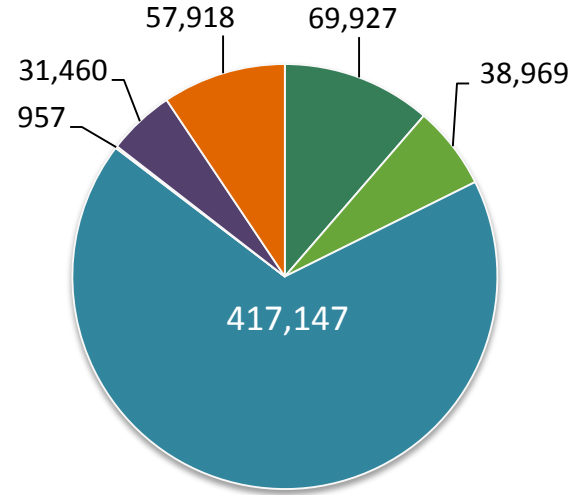
2017



2017 Total: \$610,998

- Buildings & Other Improvements
- Infrastructure
- Land & Other Nondepreciable capital assets

2016



2016 Total: \$616,378

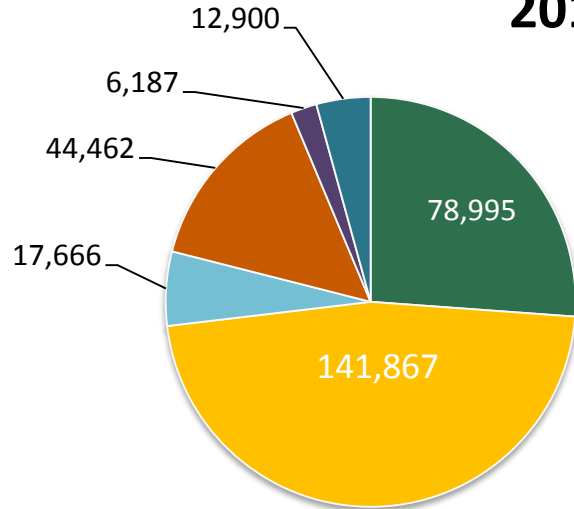
- Equipment
- Intangible Assets
- Construction In Process

Financial Results

Long-Term Debt (thousands)

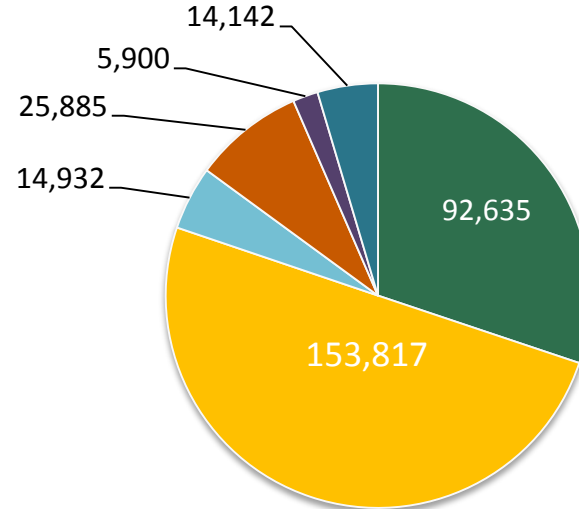
Government Wide

2017



2017 Total: \$302,077

2016

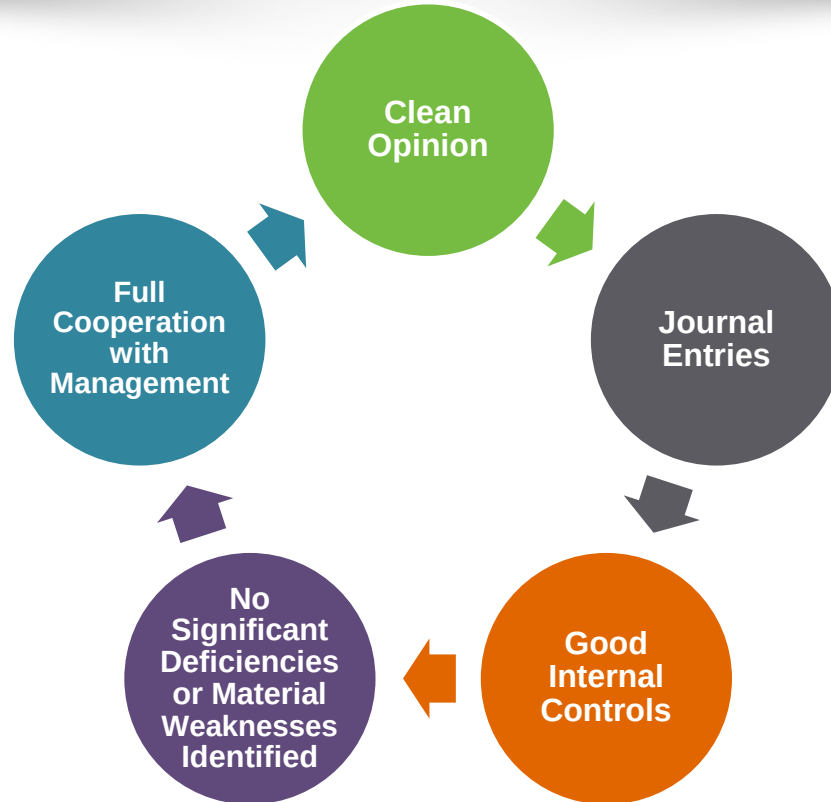


2016 Total: \$307,311

- General Obligation Bonds
- Notes and Loans Payable & Installment Purchase Agreements
- Compensated Absences

- Revenue Bonds
- LEOSSA, LGERS, OPEB, Retirement Stipend
- Landfill Closure & Postclosure

Summary



Questions & Comments?

April Adams, CPA

Audit Partner

aadams@cbh.com

919.782.1040



CITY OF HIGH POINT

AGENDA ITEM



Title: Text Amendment 17-06,
Plan Amendment 17-05, and
Zoning Map Amendment 17-22

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
November 15, 2017

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Text Amendment Ordinance
D. Plan Amendment Resolution
E. Zoning Ordinance

PURPOSE:

1. **City of High Point** **Text Amendment 17-06**
A request by the Planning & Development Department to amend the Development Ordinance to establish the Mixed-Use Downtown (MX-D) District, to make corresponding changes to the standards of the Mixed-Use (MX), Main Street (MS) and Central Business (CB) Districts, and to designate the Central Business (CB) District as the zoning district for new Market Showrooms.
2. **City of High Point** **Plan Amendment 17-05**
A request by the Planning & Development Department to change the Land Use Map classification for approximately 61 acres from the Office, Institutional, Local/Convenience Commercial, Moderate Density Residential and Light Industrial classifications to the Community Regional Commercial classification for a portion of the downtown area.
3. **City of High Point** **Zoning Map Amendment 17-22**
A request by the City Council to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended approval of these requests, as outlined in the attached staff report.
- B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Plan Amendment 17-05 and Zoning Map Amendment 17-22. The Planning & Zoning Commission recommended approval of both requests, as outlined in the staff report and recommended by staff, by a vote of 8-1.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point

Text Amendment 17-06, Plan Amendment 17-05, and Zoning Map Amendment 17-22

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed these requests by the City Council to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan. All members of the Commission were present. As they are related, Ms. Heidi Galanti, Planning Services Administrator, provided a combined presentation of Text Amendment 17-06, Plan Amendment 17-05 and Zoning Map Amendment 17-22. She recommended approval of these requests as outlined in the staff report.

Speaking in favor of the requests:

Speaking in favor of the requests was Judy Stalder, Regulatory Affairs Director for Triad Real Estate and Building Industry Coalition (TREBIC) and Mr. Joel Fingerhut, 308 Oakwood Street. Ms. Stalder stated the proposed changes have been reviewed with TREBIC's members and they do not have any opposition to the proposed text amendment.

In regard to Plan Amendment 17-06, Mr. Fingerhut asked for clarification on the area as they related to his property near the corner of N. Lindsay Street and Ferndale Boulevard. Ms. Galanti explained that the city did not change the referenced area from the office and the local/convenience commercial to send the message that the city wants the intensity of uses to step down as development progresses westward toward the neighborhood. She noted that it is also reflected in the Downtown Mixed-Use Area Plan.

In regard to Text Amendment 17-06, Mr. Peter Freeman of Freeman-Kennett Architects, asked the Commission to consider including a 60-day grace period delaying the exclusion of new market showrooms outside the Central Business District. Mr. Freeman has a client who purchased property, within the proposed MX-D District, with the intent of establishing a new market showroom.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

1. Text Amendment 17-06

a) Consistency Statement

The Planning & Zoning Commission stated that the Text Amendment is consistent with adopted policy guidelines because the Community Growth Vision statement supports making downtown a vibrant, diverse mix of uses, the Land Use Plan supports revitalization of the city's oldest neighborhoods and the Core City Plan calls for a Downtown Mixed-Use District. They also stated that the request is reasonable and in the public interest because the amendment protects existing and future investments, supports and shapes the desired development style, and they are user friendly and manageable. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Mr. Armstrong dissenting.

b) Text Amendment

The Planning & Zoning Commission recommended **approval** of Text Amendment 17-06, as recommended by staff, with the recommendation that there be a grace period of up to 60 days for market showrooms in the new district, by a vote of 8-1, with Mr. Armstrong dissenting.

2. Plan Amendment 17-05

The Planning & Zoning Commission recommended **approval** of Plan Amendment 17-05 as recommended by staff, by a vote of 8-1, with Mr. Armstrong dissenting.

3. Zoning Map Amendment 17-22

a) Consistency Statement

The Commission stated that the request is consistent with adopted policy guidelines because the Community Growth Vision Statement supports making downtown a vibrant, diverse mix of uses; the Land Use Plan supports revitalization of the City's older neighborhoods; the Core City Plan calls for the Downtown Mixed-Use District and for the Showroom District as proposed; and the Downtown Mixed-Use Area Plan calls specifically for the proposed zoning changes. They also stated that the request is reasonable and in the public interest because it supports the creation of a downtown area that all citizens can enjoy, they support the revitalization of areas that are primarily underutilized, and they support the continued growth and viability of Market Showrooms. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Mr. Armstrong dissenting.

b) Zoning Map Amendment

The Planning & Zoning Commission recommended **approval** of Zoning Map Amendment 17-22, as recommended by staff, by a vote of 8-1, with Mr. Armstrong dissenting.

Mr. Armstrong stated that his votes in opposition were due to concerns that sufficient year-round parking is not being provided. He stated there should be plans to add a parking deck to accompany the proposed higher intensity development envisioned by the text amendment and zoning map amendment in the downtown area.

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

STAFF REPORT

PLAN AMENDMENT CASE PA-17-05 AND ZONING MAP AMENDMENT ZA-17-22

October 24, 2017

Requests		
Applicant: City of High Point	Owner: Multiple Owners (See Exhibit A)	
Plan Amendment Proposal: To change the future land use designation for approximately 60.5 acres to the Community/Regional Commercial land use classification.	From:	Office Institutional Local/Convenience Commercial, Moderate Density Residential, and Light Industrial
	To:	Community/Regional Commercial
Zoning Proposal: To rezone approximately 186 acres.	From:	LI Light Industrial District GB General Business District CB Central Business District OI Office Institutional District
	To:	MX-D Mixed Use Downtown District CB Central Business District

Site Information		
Location:	MX-D Area - The area is generally bounded by Ray Avenue and Westwood Avenue to the north; Wrenn Street to the east; the railroad tracks to the south; and properties that front on Oakwood Street and Lindsay Street, and North Elm Street to the west. CB Expansion – There are three separate areas that are generally located along Centennial Street, South of MLK, Jr. Drive, west of Park Street, north of Grimes Ave., and east of Wrenn and Hamilton Streets.	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	0171554, 0171557, 0171558, 0171559, 0171745, 0171746, 0171747, 0171815 through 0171837, 0186798 through 0186813, 0186815, 0186817, 0186818, 0186829 through 0186833, 0186840 through 0186843, 0188308 through 0188327, 0188333 through 0188336, 0188340 through 0188346, 0188350 through 0188354, 0188356, 0188357, 0188362, 0188364, 0188367, 0189700 through 0189709	0171412, 0171414, 0171513, 0171515, 0171518, 0171519, 0171524, 0171530, 0171531, 0171554, 0171555, 0171558, 0171559, 0171560, 0171563, 0171564, 0171745, 0171757, 0171758, 0171762 through 0171767, 0171769, 0171770, 0171771, 0171808, 0171809, 0171811 through 0171837, 0186798 thorough 0186815, 0186817 through 0186823, 0186825 through 0186843, 0186845 through 0186885, 0186887, 0186888, 0186890 through 0186935,

		0186938 through 0186940, 0186943 through 0186945, 0187804 through 0187806, 0187902 through 0187911, 0187921, 0187922, 0187927 through 0187933, 0187939 through 0187946, 0187949 through 0187956, 0188308 through 0188325, 0188327, 0188333 through 0188336, 0188340 through 0188346, 0188350 through 0188354, 0188356 through 0188362, 0188364 through 0188367, 0189700 through 0189707, 0189709 through 0189818, 0192374, 0192375, 0192376, 0215641 through 0215655
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 60.5 acres	Approximately 186 acres
Current Land Use:	Plan Amendment	Zoning Request
	Mix of office, retail, industrial and residential	Same
Physical Characteristics:	The MX-D Area is relatively flat with a gentle slope downward to the northwest. The CB expansion area has a gentle slope downward to the to the south-southeast.	
Water and Sewer Proximity:	The areas are served with water and sewer with lines of varying sizes generally from 6 to 12 inches.	
General Drainage and Watershed:	<u>Yadkin Pee-Dee (non-water supply) watershed</u> That portion of the zoning request lying west of N. Main Street and north of the railroad tracks drains in a southwesterly direction and is within the Yadkin Pee-Dee (non-water supply) watershed. Dependent upon the total acreage and allowable development intensity, stormwater controls may be required.	
	<u>City Lake General Watershed Area (GWA)</u> That portion of the zoning request lying east of N. Main Street and north of the railroad tracks drains in a southeasterly direction and development is subject to the City Lake GWA requirements. Engineered storm water treatment 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.	
	<u>Randleman Lake General Watershed Area (GWA)</u> That portion of the zoning request lying east of N. Main Street and south of the railroad tracks drains in a southeasterly direction, and development is subject to the Randleman Lake GWA requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 12% or more of the site.	
Overlay Districts:	Yadkin Pee-Dee (non-water supply) watershed; City Lake General Watershed Area; and Randleman Lake General Watershed Area	

MX-D Adjacent Property Zoning and Current Land Use			
North:	OI I MS-B	Office Institutional Institutional Main Street Sub-District B	Medical and general offices, hospital, retail uses
South:	CB	Central Business	Market Showrooms, train depot, parking deck
East:	CB	Central Business	Market Showrooms, bank
West:	OI GB	Office Institutional General Business	Residential, office, religious institution, auto repair

CB Expansion Adjacent Property Zoning and Current Land Use			
North:	MX-W	Mixed-Use Washington Street	Residential and office
South:	LI	Light industrial	Warehouse
East:	RM-16 RM-26 LI TO	Residential Multi-family 16 Residential Multi-family 26 Light Industrial Transitional Office	Apartments, manufacturing, recreation center, single-family residential
West:	CB	Central Business	Market Showrooms, motel, office

MX-D Adjacent Land Use Plan Designations	
North:	Institutional, Office, Local/Convenience Commercial
South:	Community/Regional Commercial
East:	Community/Regional Commercial, High Density Residential
West:	Office, Local/Convenience Commercial, Medium Density Residential
CB Expansion Adjacent Land Use Plan Designations	
North:	Community/Regional Commercial
South:	Community/Regional Commercial, Light Industrial
East:	Institutional, Low Density Residential, Moderate Density Residential
West:	Community/Regional Commercial

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	• Moderate-Density Residential: This classification includes a variety of detached or attached dwellings, generally including single family homes, cluster homes, duplexes and townhouses. Development densities shall range from five to eight dwelling units per gross acre. • Office: This classification includes professional, personal and business service uses. • Local/Convenience Commercial: This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods. • Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification. • Light Industrial: Light industrial uses include general manufacturing, wholesaling, warehousing, and research and development uses

Proposed Designation:	Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
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Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	The following goals and objectives of the Community Growth Vision Statement are relevant to this request Goal 4: Make Downtown High Point and its environs a vibrant, diverse and mixed-use environment. <u>Objective 4A:</u> Expand the role of Downtown High Point and its environs as the community’s cultural and institutional hub through a variety of public facilities. <u>Objective 4B:</u> As a supplement or alternative to the existing Downtown core, develop North Main between approximately the main library and Eastchester as “Up- town” to function as a traditional downtown. <u>Objective 4D:</u> Establish more retail shops, services, restaurants, and entertainment through zoning and/or incentives. <u>Objective 4E:</u> Create more rental and for-purchase housing, both as new development and within existing older buildings. <u>Objective 4F:</u> Introduce new uses and creative industries, including artist studios and living space, small business incubators, and live/work units, and support them through zoning. <u>Objective 4G:</u> Improve Downtown High Point’s streetscapes by providing buildings with human-scaled facades and groundfloor transparency, and streetscape furnishings that are attractive, functional, well-located and human-scaled. <u>Objective 4H:</u> Create public spaces with a variety of scales, designs and functions, and couple them with uses that will help to activate them, such as civic uses, retail and housing. <u>Objective 4I:</u> Improve public safety through urban design techniques, security-based programs, and increases in residential, employment and visitor populations.
Land Use Plan Goals, Objectives & Policies:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods; Obj.#4. Protect the City’s older, established neighborhoods, and promote their revitalization through needed infrastructure improvements and new residential investment; Obj.#10. Target appropriate established neighborhoods and areas adjoining the central business district and industrial locations for conservation and revitalization activities including public and private investment; and
Relevant Area Plan(s):	<u>Core City Plan</u> MX-D Area – The Core City Plan shows the area proposed for rezoning as Institutional and Downtown Mixed Mixed-Use. The intent of the

	Institutional District is to recognize that large institutional uses such as the hospital have more of a campus-like setting with an inward orientation and less of a focus on the street. The Downtown Mixed-Use District is intended to function more like a conventional downtown including shopping, dining, entertainment, offices, institutional uses, cultural facilities, and housing where mixed-use buildings are encouraged. The plan also recommends that no new showrooms should be allowed in this district and that it should strive to maintain an urban form with buildings that front the street with parking behind the buildings. CB Expansion Area – The Core City Plan shows the area proposed for rezoning as the Showroom District. The intent of the Showroom District is to protect the economic viability of the furniture showrooms. There are no restrictions to control the degree to which showrooms exist in this area. <u><i>Downtown Mixed-Use Area Plan</i></u> MX-D Area – The Downtown Mixed-Use Area Plan calls for the area to be rezoned to MX-D to create a cohesive downtown area that encourages the desired development style and mix of uses that are typical in traditional downtown areas. By consolidating this area under one zoning district, the City will establish one set of allowed uses and dimensional standards that promote an environment with an increased density and intensity of mixed uses. Because this area is intended for around-the-clock vitality, new Market Showrooms will not be allowed in this district. It is also recommended that this district be exempt from the minimum off-street parking space requirements, which will allow the developer to determine the number and location of the parking that they need to support the use that is being built. CB Expansion Area Because new Market Showrooms will not be allowed in the Mixed-Use-Downtown (MX-D) District, it is recommended that the Central Business (CB) District be expanded. There are some areas south of MLK Drive and adjacent to the eastern boundary of the Central Business District down to Grimes Avenue that are currently zoned Light Industrial (LI). This area was originally developed with manufacturing uses, but now it contains several Market Showrooms, in addition to vacant buildings and undeveloped parcels. Rezoning this area to CB would allow for a better utilization of the land area because the CB district has zero lot line setbacks and it is exempt from parking space requirements. These LI areas consist of approximately 57 acres and they are within a few blocks of the Mendenhall Transportation Center, which is considered the epicenter of the High Point Market. Therefore, it is recommended that the areas currently zoned LI in this area, should be rezoned to CB to encourage the continued growth of Market Showrooms in this area.
Zoning History:	MX-D Area – There have been a few zoning cases in the area over the past 10-15 years and they have all been to zone to a more intense zoning district. Two went from Office to General Business and one went from General Business to Central Business.

	CB Expansion Area – There have been several zoning cases adjacent to the proposed CB expansion areas and the majority of them have been from a lesser intense district to the CB District.
LUPA History:	MX-D Area – none CB Expansion Area – In 2002, approximately 20 acres covering the area in the southeast corner of MLK, Jr. Drive and Centennial Street down to Commerce Avenue was amended from Light Industrial to Community/Regional Commercial.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	N Wrenn St	Major Thoroughfare	2,500 feet
	N Main St	Major Thoroughfare	3,000 feet
	Elm St	Major Thoroughfare	3,000 feet
	Lindsay St	Minor Thoroughfare	2,200 feet
	Westwood Ave	Local	2,100 feet
	Gatewood Ave	Local	1,600 feet
	W English Road	Major Thoroughfare	2,500 feet
	W MLK Jr Dr	Major Thoroughfare	2,700 feet
Traffic Counts: (Average Daily Trips)	N Wrenn St	2,000 (2015 NCDOT AADT)	
	N Main St	16,000 (2015 NCDOT AADT)	
	Elm St	4,100 (2015 NCDOT AADT)	
	Lindsay St	N/A	
	Westwood Ave	2,700 (2015 NCDOT AADT)	
	Gatewood Ave	1,200 (2014 HPDOT 12 Hour Count)	
	W English Road	5,900 (2015 NCDOT AADT)	
	W. MLK Jr Dr.	5,400 (2013 NCDOT AADT)	

School District Comment
Not applicable.

Details of Proposal

1. General Overview:

On September 18, 2017, City Council adopted the *High Point Downtown Mixed-Use Area Plan* that recommended the establishment of the Mixed-Use Downtown (MX-D) District to support the growth and redevelopment of the area in and around the proposed multi-use stadium.

The Plan also recommended the designation of the Central Business (CB) District as the zoning district for new Market Showrooms. Because new Market Showrooms are not allowed in the Mixed-Use-Downtown (MX-D) District, the Plan recommended that the Central Business (CB) District be expanded on the eastern side.

2. Summary of Land Use Plan Amendment Request:

MX-D Area - Areas that are associated with the zoning amendment to MX-D are being amended to the Community/Regional Commercial land use classification to support the mix of uses that are desired for this area. Areas on the west side of Lindsay Street are not being amended so that the intensity of uses is reduced where they are adjacent to the single-family neighborhood to the west.

CB Expansion Area - The CB expansion area is also being amended to the Community/Regional Commercial land use classification to support a higher intensity of uses in this area.

3. Summary of Zoning Request:

MX-D Area - The MX-D rezoning request includes 129 acres that is currently a combination of Office Institutional (OI), General Business (GB), Central business (CB), and Light Industrial (LI).

CB Expansion Area – The expansion of the CB district includes approximately 57 acres that are currently zoned Light Industrial (LI). The areas are located south of MLK Drive and adjacent to the eastern boundary of the Central Business District down to Grimes Avenue.

Staff Analysis

MX-D Area - The Downtown Mixed-Use District identified in the Core City Plan, fits the intent of the Mixed-Use (MX) zoning district. The goal of establishing this district for this area is to create a traditional downtown area that the whole community can enjoy. Rezoning the area to Mixed-Use Downtown (MX-D) will allow for the creation of a cohesive district with one set of permitted uses and dimensional standards that support an increased density and intensity and the mixed-use development style that is called for in the Downtown Mixed-use Area Plan.

CB Expansion Area – Because new Market Showrooms will not be allowed in the Mixed-Use-Downtown (MX-D) District, expanding the CB District to the east and south supports the future growth and expansion of Market Showrooms. This area was originally developed with manufacturing uses, but now it contains several Market Showrooms, in addition to vacant buildings and undeveloped parcels and it is within a few blocks of the Mendenhall Transportation Center, which is considered the epicenter of the High Point Market. Changing the zoning from Light Industrial (LI) to CB would allow for a better utilization of the land area because the CB district has zero lot line setbacks and it is exempt from off-street parking requirements.

Consistency with Adopted Policy Guidance:

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

The Community Growth Vision Statement supports making downtown a vibrant, diverse mix of uses; the Land Use Plan supports revitalization of the City's older neighborhoods; the Core City Plan calls for the Downtown Mixed-Use District and for the Showroom District as proposed; and the Downtown Mixed-Use Area Plan calls specifically for the proposed zoning changes.

Reasonableness/Public Interest:

Whether an approval of the proposed zoning map amendment reasonable and in the public interest.

The proposed zoning districts support the creation of a downtown area that all citizens can enjoy, they support the revitalization of areas that are primarily underutilized, and they support the continued growth and viability of Market Showrooms.

Recommendation

1. Plan Amendment 17-05:

Staff Recommends Approval:

Staff recommends approval of the request to change the future land use designation for approximately 60.5 acres to the Community/Regional Commercial land use classification.

2. Zoning Map Amendment 17-22:

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone 129 acres to MX-D District and 57 acres to CB 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

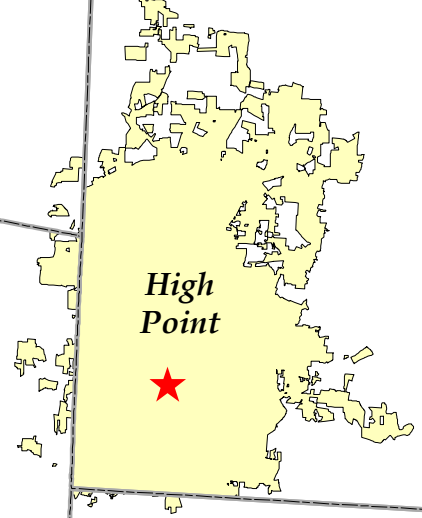
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

LOCATION MAP

PLAN AMENDMENT PA-17-05

Applicant: City of High Point

Vicinity Map



City of High Point

EASTCHESTER DR

N MAIN ST

N CENTENNIAL ST

I-74

Site

Site

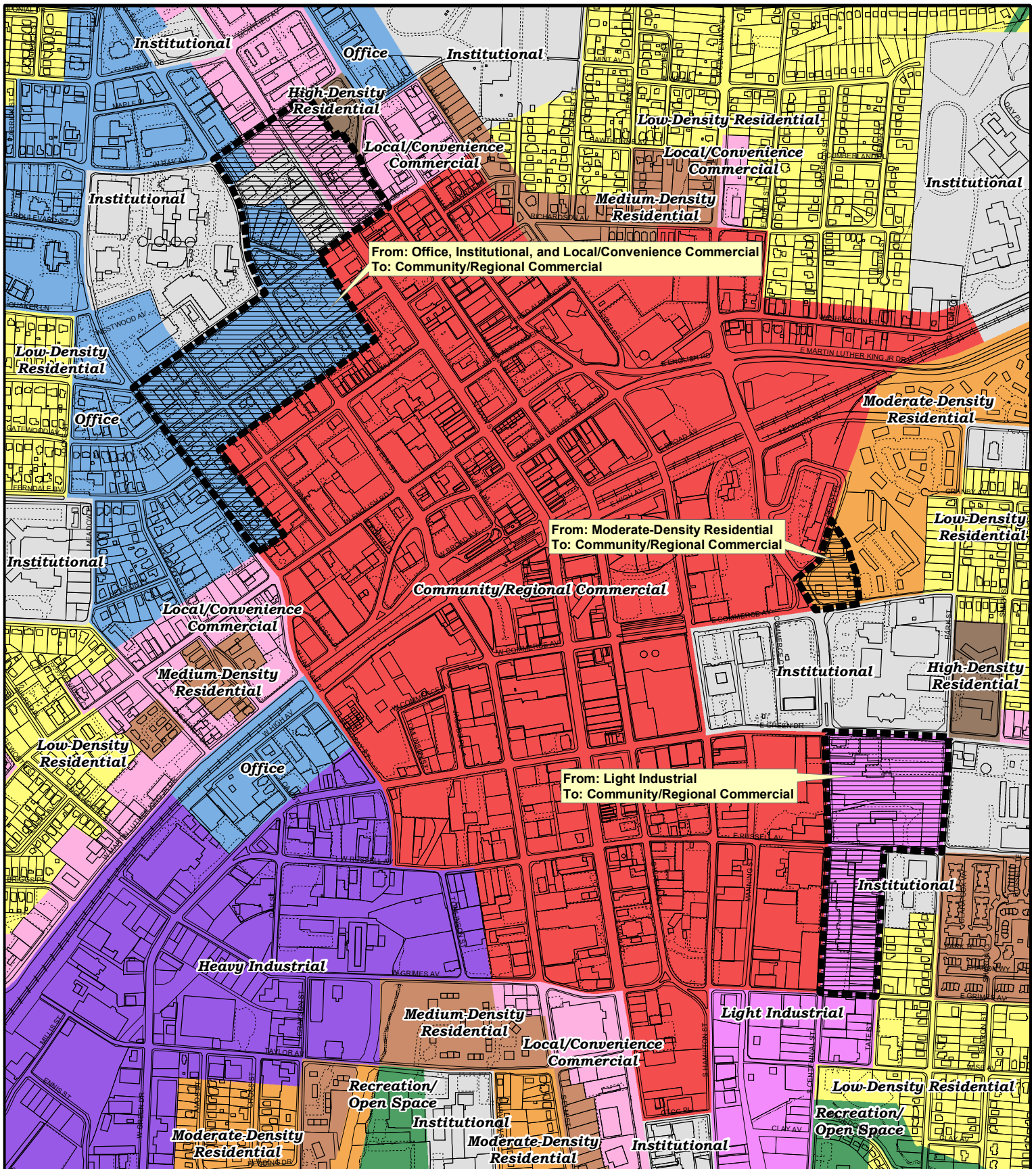
Site

ENGLISH RD

S MAIN ST

BUSINESS I-85





PLAN AMENDMENT PA-17-05

Land Use Plan

Existing Land Use Plan

Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: October 24, 2017



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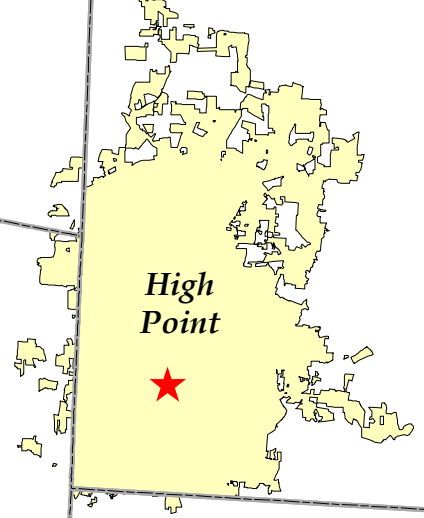
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LOCATION MAP

ZONING MAP AMENDMENT ZA-17-22

Applicant: City of High Point

Vicinity Map



City of High Point

EASTCHESTER DR

N MAIN ST

N CENTENNIAL ST

I-74

Site

Site

Site

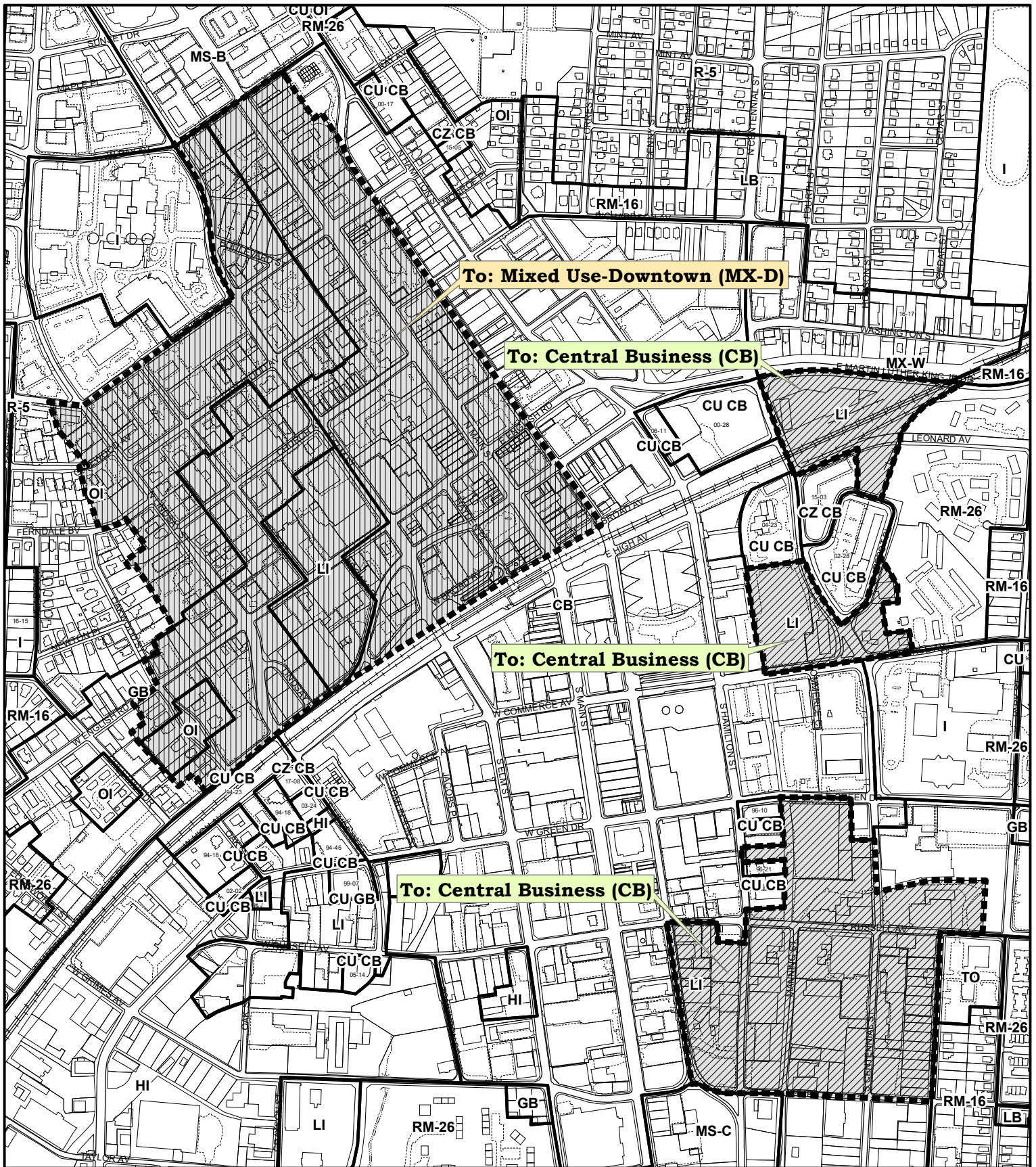
Site

ENGLISH RD

S MAIN ST

BUSINESS I-85





ZONING MAP AMENDMENT ZA-17-22

From: Central Business (CB), General Business (GB),
 Light Industrial (LI), and Office Institutional (OI)
 To: Mixed Use - Downtown (MX-D), and Central Business (CB)

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

Planning & Development
 Department

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-22



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

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

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

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on October 24, 2017 and before the City Council of the City of High Point on November 20, 2017, regarding this proposed amendment (PA 17-05) to said *Land Use Plan for the High Point Planning Area*.

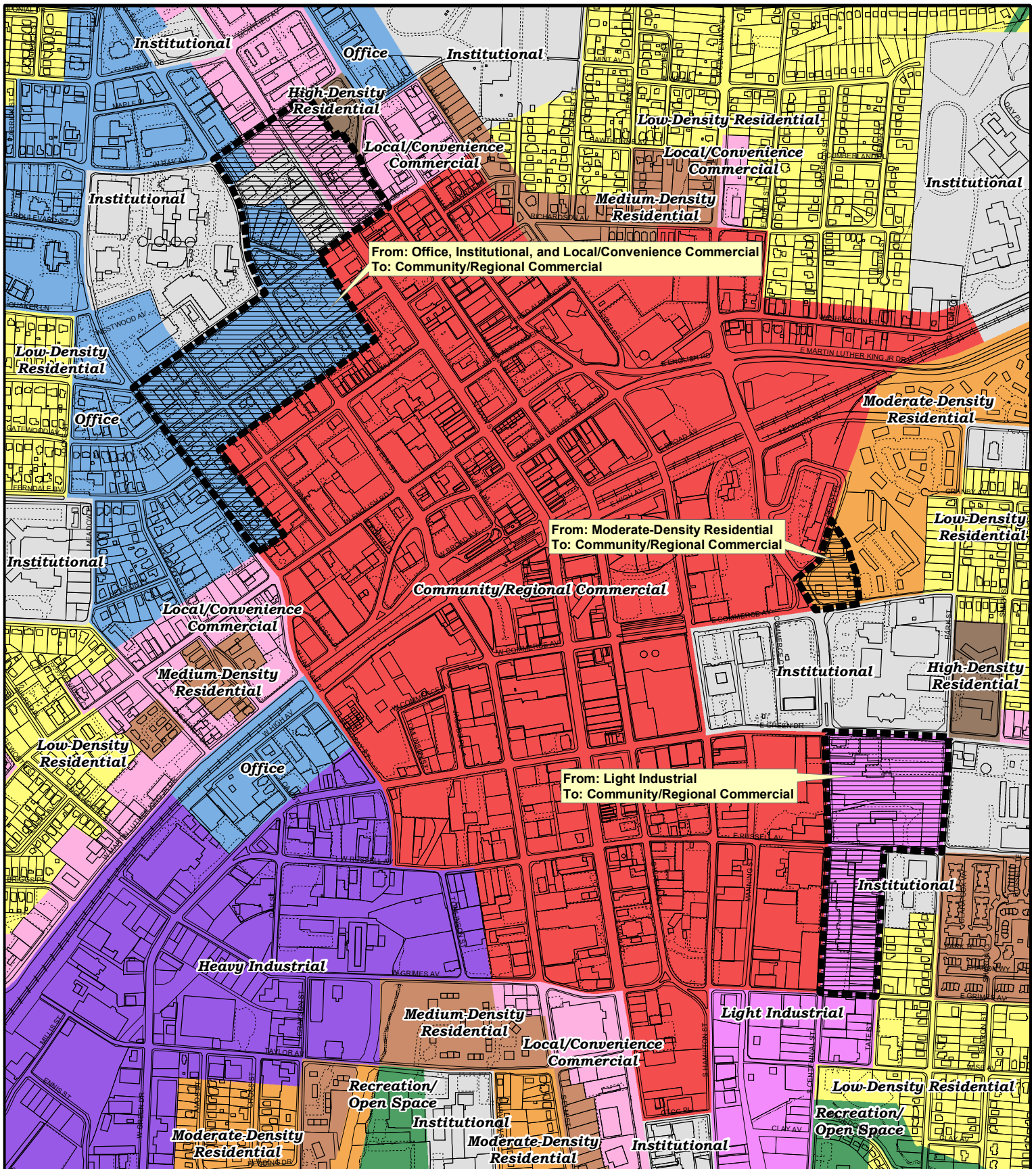
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended by reclassifying approximately 61 acres (as shown on the attached map) from Office, Institutional, Local/Convenience Commercial, Moderate Density Residential, and Light Industrial to Community/Regional Commercial.

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

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

Adopted by City Council
City of High Point, North Carolina
The 20th day of November, 2017
Lisa B. Vierling, City Clerk



PLAN AMENDMENT PA-17-05

Land Use Plan

Existing Land Use Plan

Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: October 24, 2017



Scale: 1"=800'

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2017\pz\za17-05.mxd

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 24, 2017, 2017 and before the City Council of the City of High Point on November 20, 2017 regarding **Zoning Map Amendment Case 17-22 (ZA-17-22)** 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 October 15, 2017, for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 15, 2017, 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 **November 20, 2017.**

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 as shown on the attached maps to establish the following described areas as:

Mixed Use Downtown (MX-D) District. The area is generally bounded by Ray Avenue and Westwood Avenue to the north; Wrenn Street to the east; the railroad tracks to the south; and properties that front on Oakwood Street and Lindsay Street, and North Elm Street to the west.

The zoning map amendment MX-D area is also known as Guilford County Tax Parcels 0186798 through 0186815, 0186817 through 0186823, 0186825 through 0186843, 0186845 through 0186885, 0186887, 0186888, 0186890 through 0186935, 0186938 through 0186940, 0186943 through 0186945, 0187804 through 0187806, 0187902 through 0187911, 0187921, 0187922, 0187927 through 0187933, 0187939 through 0187946, 0187949 through 0187956, 0188308 through 0188325, 0188327, 0188333 through 0188336, 0188340 through 0188346, 0188350 through 0188354, 0188356 through 0188362, 0188364 through 0188367, 0189700 through 0189707, 0189709 through 0189818, 0192374, 0192375, 0192376, 0215641 through 0215655.

Central Business (CB) District: There are three separate areas that are generally located along Centennial Street, South of MLK, Jr. Drive, west of Park Street, north of Grimes Ave., and east of Wrenn and Hamilton Streets.

The zoning map amendment CB area is also known as Guilford County Tax Parcel 0171412, 0171414, 0171513, 0171515, 0171518, 0171519, 0171524, 0171530, 0171531, 0171554, 0171555, 0171558, 0171559, 0171560, 0171563, 0171564, 0171745, 0171757, 0171758, 0171762 through 0171767, 0171769, 0171770, 0171771, 0171808, 0171809, 0171811 through 0171837.

SECTION 2

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 3

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 4

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.

This the 20th day of November 2017.

Lisa B. Vierling, City Clerk

**HIGH POINT CITY COUNCIL SPECIAL MEETING
HIGH POINT MUNICIPAL BUILDING
3RD FLOOR LOBBY CONFERENCE ROOM
November 6, 2017 – 5:00 P.M.**

Present:

William S. Bencini, Jr., Mayor; Mayor Pro Tem Jay Wagner (Ward 4), and Council Members Cynthia Y. Davis (At-Large), Council Members Latimer Alexander (At-Large), Jeffrey Golden (Ward 1), Chris Williams (Ward 2), Alyce Hill (Ward 3), James C. Davis (Ward 5), and Jason Ewing (Ward 6)

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; JoAnne Carlyle, City Attorney; Loren Hill, President- High Point Economic Development Corporation; Sandy Dunbeck, Executive Vice President; and Lisa Vierling, City Clerk

Mayor Bencini called the meeting to order at 5:00 p.m. and announced that the Special Meeting was called for the purpose of holding a Closed Session pursuant to N.C. General Statute 143-318.11(a)(4) for economic development purposes.

Mayor Pro Tem Wagner MOVED to enter into Closed Session pursuant to N.C. General Statute 318.11(a)(4) for economic development purposes. Council Member Williams made a second to the motion, which carried unanimously.

Mayor Bencini announced there would be no action taken as a result of the Closed Session.

Upon reconvening into Open Session at 5:10 p.m., **MOTION was made by Council Member Alexander and SECONDED by Mayor Pro Tem Wagner to adjourn the meeting.**

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Comprehensive Master Plan RFQ – Parks and Recreation

From: Lee Tillery –Parks and Recreation Director

Meeting Date: November 20, 2017

Public Hearing: N/A

Advertising Date: October 2, 2017

Advertised By: HPE

Attachments: Formal Bid Recommendation

PURPOSE:

The Parks and Recreation Department recommends the approval of the RFQ process and selection of McAdams Company to assist with this plan. The purpose of this plan is to review and evaluate the role Parks and Recreation plays in the community, respond to changes in the last decade, and propose a detailed plan on how to address future needs within the Department. The final plan should serve as an active planning document that will guide us in future programming, infrastructure needs, budgeting and meeting citizen expectations for Parks and Recreation at a high level.

BACKGROUND:

On November 3, 2017, seven proposals were received in response to our Request for Qualifications (RFQ) for the Comprehensive Master Plan for the Parks and Recreation Department. A selection team composed of six employees within the Department evaluated all proposals and respectively graded each firm according to our needs. On Friday, November 10, we interviewed the top two firms for a more in-depth evaluation. Our selection committee then recommended McAdams Company to move forward with this Plan. The Parks and Recreation Advisory Commission unanimously endorsed this recommendation as well at their November 13, 2017 meeting.

BUDGET IMPACT:

Funds are included in the 2017-18 Annual budget.

RECOMMENDATION / ACTION REQUESTED:

The Parks and Recreation Department recommends Council endorse the RFQ selection process and authorize the City to move forward with contract negotiations with McAdams Company to execute this Master Plan.

To the Honorable Mayor and
Members of the City Council
City of High Point, North Carolina

We have audited the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of High Point, North Carolina (the "City") for the year ended June 30, 2017. We did not audit the financial statements of the City of High Point ABC Board (the "Board"). Those financial statements were audited by another auditor whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included for the Board, is based solely on the report of another auditor. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards*, the Uniform Guidance and the State Single Audit Implementation Act, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated February 3, 2017. Professional standards also require that we communicate to you the following information related to our audit.

SIGNIFICANT AUDIT FINDINGS

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in the notes to the financial statements. The City adopted and implemented Governmental Accounting Standards Board ("GASB") Statement No. 73, *Accounting and Financial Reporting for Pensions and Related Assets that are not within the Scope of GASB Statement 68*, and *Amendments to Certain provisions of GASB Statements 67 and 68*, in the fiscal year beginning July 1, 2016. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City's financial statements were:

Management's estimate of the investment valuations, the allowance for doubtful accounts, unbilled utility revenue, depreciable lives used for depreciation expense, the High Point Police Officers' Separation Allowance Liability, the Post Employment Healthcare and Death Benefit Plan Liability, the Local Governmental Employees' Retirement System liabilities, and the liability reported for landfill closure costs, post closure costs and risk management. These estimates were based on quoted market prices, payment history, aging of accounts receivable, subsequent utility billings, useful lives of capital assets, actuarial calculations and estimated future costs. We evaluated the key factors and assumptions used to develop these estimates to determine that they seem reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. There were no misstatements noted during the audit.

**To the Honorable Mayor and
Members of the City Council
City of High Point, North Carolina
Page 2**

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 14, 2017.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves an application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditor. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Recommendations

During our audit we noted that the Annual Financial Information Report (AFIR) was not submitted timely for the fiscal year end June 30, 2016. We recommend that management evaluate this situation and make the necessary changes that are required to ensure that this report is filed timely in the future.

During our audit we also noted invoices were being held by the Public Services department which can affect a timely close-out of the general ledger at year end for the finance department. We recommend that management reinforce or update close-out policies and procedures to ensure timely and accurate submission of invoices from the Public Service department.

Other Matters

We applied certain limited procedures to the Management's Discussion and Analysis and other required supplemental financial information as listed in the table of contents, which are required supplementary information ("RSI") that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining and individual fund financial statements and schedules, and the Schedule of Expenditures of Federal and State Awards, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or the financial statements themselves.

**To the Honorable Mayor and
Members of the City Council
City of High Point, North Carolina
Page 3**

We were not engaged to report on the introductory and statistical sections which accompany the financial statements but are not RSI. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the use of members of the City Council, management, federal and State awarding agencies and pass-through entities of the City and is not intended to be, and should not be, used by anyone other than these specified parties.

Channing R. Ricketts LLP

Asheboro, North Carolina
November 14, 2017

**RESOLUTION OF HIGH POINT CITY COUNCIL
APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND
PIEDMONT ELECTRIC REPAIR COMPANY**

WHEREAS, North Carolina General Statutes § 160A-272 authorizes the City to enter into lease agreements of one year or less without public notice, pursuant to a resolution of City Council authorizing the execution of the lease, adopted at a regular meeting; and

WHEREAS, the City Council is convened in regular meeting on the date so noted below;
and

WHEREAS, the City has made a formal offer to purchase the premises located at 211 Pine Street, ("Property") owned by Glenaco, Inc. ("Glenaco") and Glenaco has accepted the City's offer to purchase the Property with an anticipated closing date of November 21, 2017 ("Closing Date");
and

WHEREAS, Piedmont Electric Repair Company ("Piedmont Electric") has a need to lease the Property from the Closing Date through and including December 31, 2017; and

WHEREAS, the City and Piedmont Electric have entered into negotiations for a Lease Agreement for the Property with the term to be effective upon the Closing Date on the Property through and including December 31, 2017; and

WHEREAS, the City and Piedmont Electric have agreed that Piedmont Electric will lease the Property for the term beginning upon Closing Date through December 31, 2017 for considerations received from Glenaco, Inc. and Piedmont Electric, including rental payment of One Dollar (\$1.00) per month; and

WHEREAS, the City Council has determined that the Property will not be needed by the City for the term of the Lease Agreement; and

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the Lease Agreement for the Property located at 211 Pine Street, High Point, North Carolina to Piedmont Electric Repair Company, for a period beginning on the Closing Date, anticipated to be November 21, 2017, through and including December 31, 2017, for considerations received from Glenaco, Inc. and Piedmont Electric including rental payment of One Dollar (\$1.00) per month, and hereby authorizes the City Manager to execute any instruments as necessary.

Adopted this the 20th day of November 2017.

Mayor William S. Bencini, Jr.

ATTEST:

Lisa B. Vierling, City Clerk

DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 24, 2017 and before the City Council of the City of High Point on November 14, 2017 regarding **Zoning Map Amendment Case 17-21 (ZA-17-21)** 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 October 15, 2017, for the Planning and Zoning Commission public hearing and on November 1, 2017 and November 8, 2017, 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 **November 20, 2017**.

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: **Airport Overlay - Zone 3 (ARO – Zone 3)**. The property is approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road. The property is also known as Guilford County Tax Parcels 0169927, 169949, 0169933 and 0169918.

SECTION 2.

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

SECTION 3.

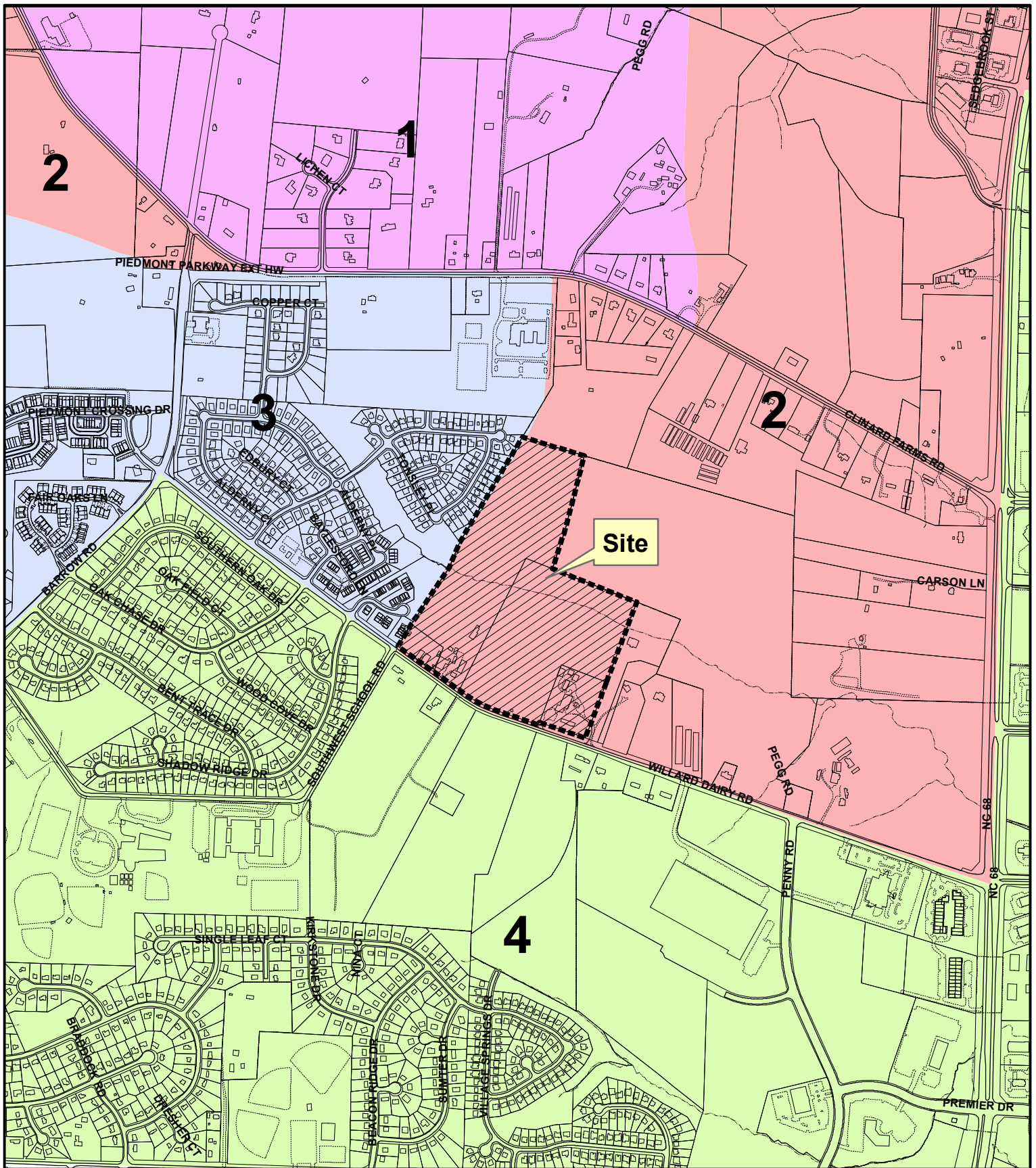
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4.

This ordinance shall become effective upon the date of adoption.

20th day of **November, 2017.**

Lisa B. Vierling, City Clerk



ZONING MAP AMENDMENT ZA-17-21

From: Airport Overlay District 2
To: Airport Overlay District 3

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

**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



Scale: 1"=1,000'

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CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution of Intent for a Voluntary Non-contiguous Annexation
Annexation Case 17-12
(Debbie Tucker Roberson and Martian T. Tucker)

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: No

Advertising Date: Not applicable

Advertised By:

Attachments: A. Resolution of Intent for Annexation Case 17-12
B. Map of property proposed to be annexed

PURPOSE:

Approval of a Resolution of Intent that establishes a public hearing date to consider a voluntary non-contiguous annexation request.

BACKGROUND:

Resolution of Intent for Annexation Case 17-12 is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff requests City Council set a public hearing date of Monday, December 18, 2017, to hear this case.

PUBLISH ONCE: Friday, December 1, 2017

**RESOLUTION TO ESTABLISH A
PUBLIC HEARING DATE FOR
VOLUNTARY NON-CONTIGUOUS ANNEXATION
(Case # AN-17-12)**

WHEREAS, the City Council has been petitioned to annex the property of Debbie Tucker Roberson and Martian T. Tucker. The proposed annexation site is approximately 8.787 acres, and lying along the south side National Service Road, approximately 500 feet west of Tyner Road. The property is known as Guilford County Tax Parcel 0169800.

WHEREAS, the City Clerk is in receipt of said petition and has determined its sufficiency in accordance with G.S. 160A-58.2;

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY COUNCIL establishes Monday, December 18, 2017, at 5:30 p.m., in the Council Chambers in the Municipal Building at 211 South Hamilton Street, High Point, North Carolina, as the date for the public hearing regarding the requested annexation.

Any interested party will be permitted to be heard at the public hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or the TDD# (336) 883-8517.

Following the public hearing, the City Council shall have authority to adopt an ordinance annexing the territory described in the petition. The City Council shall have authority to make the annexing ordinance effective immediately or on any specified date within six (6) months from date of passage of ordinance.

Further information pertaining to this request is available for public inspection upon request at the Planning and Development Department in the Municipal Office Building, 211 South Hamilton Street, Room 316, High Point, North Carolina, (336) 883-3328 or FAX (336) 883-3056.

By order of the City Council,
This the 20th day of November, 2017

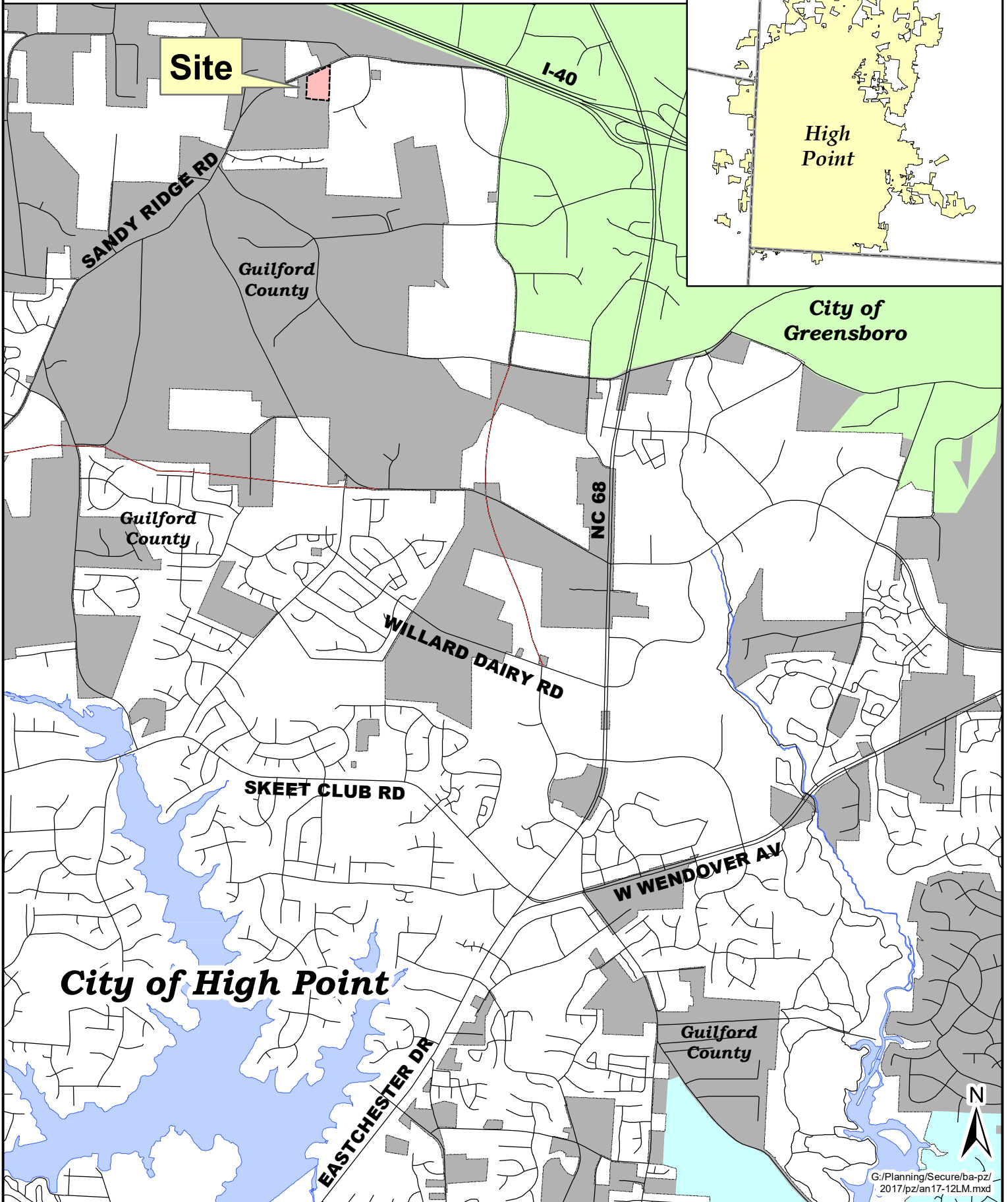
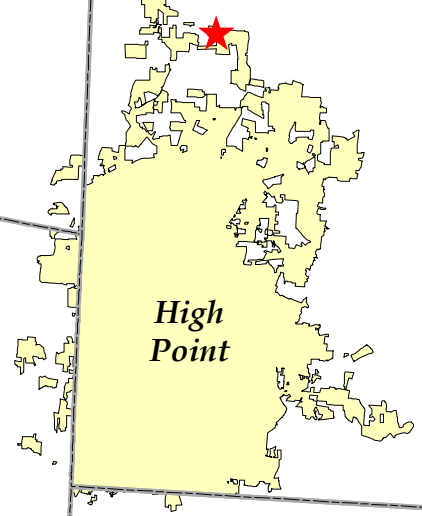
Lisa B. Vierling, City Clerk

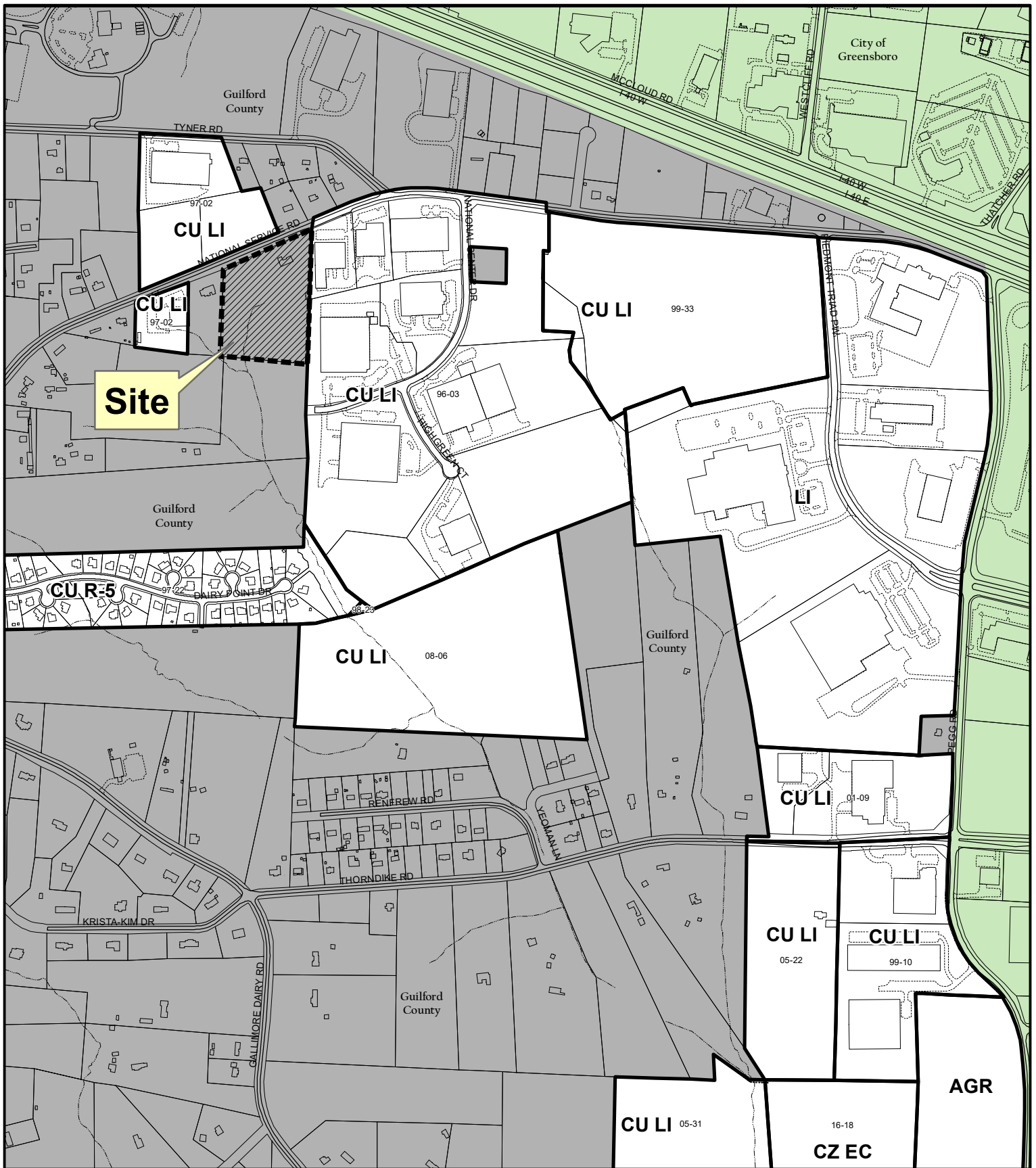
LOCATION MAP

ANNEXATION CASE: AN-17-12

Applicant: Debbie T. Roberson and Martain T. Tucker

Vicinity Map





ANNEXATION REQUEST AN-17-02

Applicant: Debbie T. Roberson and Martain T. Tucker
Area: 8.78 acres (approximate)

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

**Planning & Development
 Department**

City of High Point

Date: October 4, 2017



Scale: 1"=800'
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 2017/pz/an17-12.mxd

CITY OF HIGH POINT

AGENDA ITEM



Title: Lease of City Property

From: Randy Hemann, Assistant City Manager

Meeting Date: Monday, November 20, 2017

Public Hearing: No

Advertising Date:

Advertised By:

Attachments: Resolution – 500 & 504 West English Road
Resolution – 211 Pine Street
Resolution – 201 Church Avenue
Resolution – 303 Gatewood

Purpose/Background:

The City has offers to purchase for the properties listed below with an anticipated closing date of November 21, 2017 for each property. Staff has determined that these properties will not be needed during the terms of these Lease Agreements. The Leases are for the following properties:

500 & 504 West English Avenue to Piedmont Electrical Repair Company; and
211 Pine Street to Piedmont Electrical Repair Company; and
201 Church Avenue to United Way of Greater High Point, Inc.; and
303 Gatewood Avenue to Gatewood Avenue, LLC

Budget Impact:

None.

Recommendation:

Council adopt the four resolutions approving the Lease Agreements as listed above.

**SPECIAL USE 17-01
CITY OF HIGH POINT, NORTH CAROLINA**

November 20, 2017
(Adopted)

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 2.4.11, SPECIAL USE, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

USE:

Major Assembly Use with over 1,000 seats.

CONDITIONS:

Development of the site shall be generally consistent with the attached SUP Sketch Plan.

DESCRIPTION OF PROPERTY:

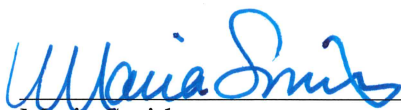
The property is approximately 8.3 acres generally bounded by Gatewood Avenue, N. Elm Street, and S. Lindsay Street. The property is also known as Guilford County Tax Parcels 0186799, 0186800, 0186805, 0186806, 0186807, 0186808, 0186810, 0186811, 0186812, 0186813, 0186815, 0186827, 0186828, 0186828, 0186834, 0186835 and 0186838 0169206 and 0169220.

This Special Use and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use approval shall be null and void and of no effect. If for any reason any condition imposed this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

The issuance of this Special Use authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 17-01 AND THE ACCOMPANYING PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE 20TH DAY OF NOVEMBER, 2017.



Maria Smith
Deputy City Clerk




Date

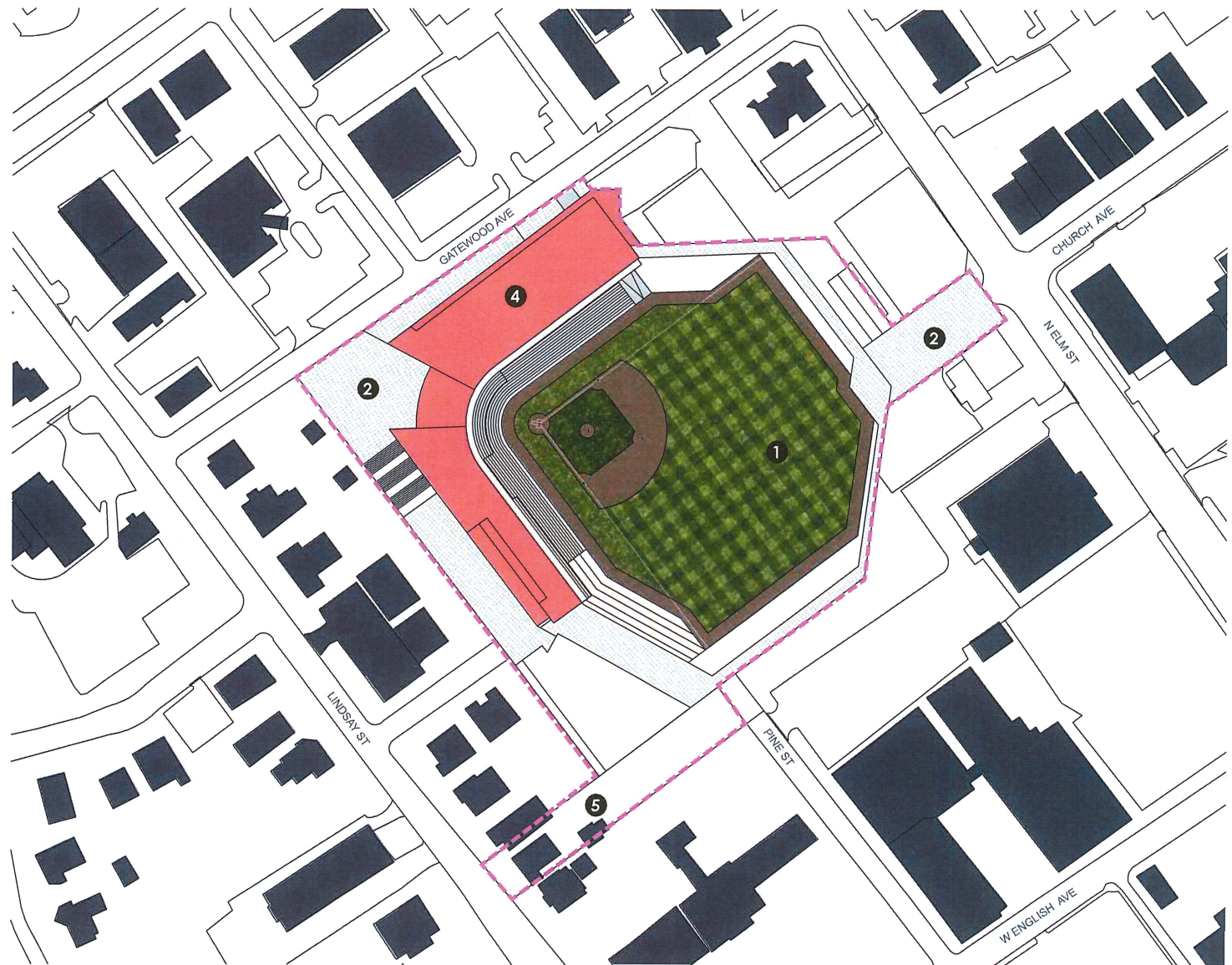
Conceptual Site Plan

Legend

- ① Ballpark
- ② Ballpark Entrance / Plaza
- ④ Ballpark Program Area
- ⑤ Area for Proposed Street to intersect with Pine St.

Ballpark Project area

0' 60' 120' 240'



CITY OF HIGH POINT

AGENDA ITEM



Title: Text Amendment 17-06,
Plan Amendment 17-05, and
Zoning Map Amendment 17-22

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
November 15, 2017

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Text Amendment Ordinance
D. Plan Amendment Resolution
E. Zoning Ordinance

PURPOSE:

1. **City of High Point** **Text Amendment 17-06**
A request by the Planning & Development Department to amend the Development Ordinance to establish the Mixed-Use Downtown (MX-D) District, to make corresponding changes to the standards of the Mixed-Use (MX), Main Street (MS) and Central Business (CB) Districts, and to designate the Central Business (CB) District as the zoning district for new Market Showrooms.
2. **City of High Point** **Plan Amendment 17-05**
A request by the Planning & Development Department to change the Land Use Map classification for approximately 61 acres from the Office, Institutional, Local/Convenience Commercial, Moderate Density Residential and Light Industrial classifications to the Community Regional Commercial classification for a portion of the downtown area.
3. **City of High Point** **Zoning Map Amendment 17-22**
A request by the City Council to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended approval of these requests, as outlined in the attached staff report.
- B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Plan Amendment 17-05 and Zoning Map Amendment 17-22. The Planning & Zoning Commission recommended approval of both requests, as outlined in the staff report and recommended by staff, by a vote of 8-1.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point

Text Amendment 17-06, Plan Amendment 17-05, and Zoning Map Amendment 17-22

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed these requests by the City Council to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan. All members of the Commission were present. As they are related, Ms. Heidi Galanti, Planning Services Administrator, provided a combined presentation of Text Amendment 17-06, Plan Amendment 17-05 and Zoning Map Amendment 17-22. She recommended approval of these requests as outlined in the staff report.

Speaking in favor of the requests:

Speaking in favor of the requests was Judy Stalder, Regulatory Affairs Director for Triad Real Estate and Building Industry Coalition (TREBIC) and Mr. Joel Fingerhut, 308 Oakwood Street. Ms. Stalder stated the proposed changes have been reviewed with TREBIC's members and they do not have any opposition to the proposed text amendment.

In regard to Plan Amendment 17-06, Mr. Fingerhut asked for clarification on the area as they related to his property near the corner of N. Lindsay Street and Ferndale Boulevard. Ms. Galanti explained that the city did not change the referenced area from the office and the local/convenience commercial to send the message that the city wants the intensity of uses to step down as development progresses westward toward the neighborhood. She noted that it is also reflected in the Downtown Mixed-Use Area Plan.

In regard to Text Amendment 17-06, Mr. Peter Freeman of Freeman-Kennett Architects, asked the Commission to consider including a 60-day grace period delaying the exclusion of new market showrooms outside the Central Business District. Mr. Freeman has a client who purchased property, within the proposed MX-D District, with the intent of establishing a new market showroom.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

1. Text Amendment 17-06

a) Consistency Statement

The Planning & Zoning Commission stated that the Text Amendment is consistent with adopted policy guidelines because the Community Growth Vision statement supports making downtown a vibrant, diverse mix of uses, the Land Use Plan supports revitalization of the city's oldest neighborhoods and the Core City Plan calls for a Downtown Mixed-Use District. They also stated that the request is reasonable and in the public interest because the amendment protects existing and future investments, supports and shapes the desired development style, and they are user friendly and manageable. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Mr. Armstrong dissenting.

b) Text Amendment

The Planning & Zoning Commission recommended **approval** of Text Amendment 17-06, as recommended by staff, with the recommendation that there be a grace period of up to 60 days for market showrooms in the new district, by a vote of 8-1, with Mr. Armstrong dissenting.

2. Plan Amendment 17-05

The Planning & Zoning Commission recommended **approval** of Plan Amendment 17-05 as recommended by staff, by a vote of 8-1, with Mr. Armstrong dissenting.

3. Zoning Map Amendment 17-22

a) Consistency Statement

The Commission stated that the request is consistent with adopted policy guidelines because the Community Growth Vision Statement supports making downtown a vibrant, diverse mix of uses; the Land Use Plan supports revitalization of the City's older neighborhoods; the Core City Plan calls for the Downtown Mixed-Use District and for the Showroom District as proposed; and the Downtown Mixed-Use Area Plan calls specifically for the proposed zoning changes. They also stated that the request is reasonable and in the public interest because it supports the creation of a downtown area that all citizens can enjoy, they support the revitalization of areas that are primarily underutilized, and they support the continued growth and viability of Market Showrooms. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Mr. Armstrong dissenting.

b) Zoning Map Amendment

The Planning & Zoning Commission recommended **approval** of Zoning Map Amendment 17-22, as recommended by staff, by a vote of 8-1, with Mr. Armstrong dissenting.

Mr. Armstrong stated that his votes in opposition were due to concerns that sufficient year-round parking is not being provided. He stated there should be plans to add a parking deck to accompany the proposed higher intensity development envisioned by the text amendment and zoning map amendment in the downtown area.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT
TEXT AMENDMENT CASE TA-17-06
October 24, 2017**

Request	
Applicant: City of High Point	Affected Ordinance Sections: Section 3.4.8 Central Business (CB) District Section 3.5.6 Main Street (MS) District Section 3.5.7 Mixed-Use (MX) District Table 4.1.9 Principal Use table Section 4.3.5 Industrial Uses Market Showroom Use Standards Section 5.4.3 Off-Street Parking and Loading Exemptions Section 5.5.3 Landscaping Exemptions Section 5.6.3 Screening Exemptions Section 5.7.8 Signs Not Requiring a Sign Permit Section 8.2.3 Standards Applied to Specific Nonconforming Uses
Proposal: Amend the Development Ordinance to establish the Mixed-Use Downtown (MX-D) District, to make corresponding changes to the standards of the Mixed-Use (MX), Main Street (MS) and Central Business (CB) Districts, and to designate the Central Business (CB) District as the zoning district for new Market Showrooms.	

Background

On September 18, 2017, City Council adopted the Downtown Mixed-Use Area Plan that recommended the establishment of the Mixed-Use Downtown (MX-D) District to support the growth and redevelopment of the area in and around the proposed multi-use stadium. The plan also recommended the designation of the Central Business (CB) District as the zoning district for new Market Showrooms. Additionally, staff is also recommending changes to the Main Street (MS) District and some minor adjustments to the Central Business (CB) District, so that all three districts have consistent language for the site and building design standards.

Details of Proposal

The detailed text amendment is attached to this report. The following is a summary of the proposed text amendment:

- Section 1: 3.5.7.B.3. District Organization – Added statement that if there is a conflict between the general standards for all MX districts and the specific standards for the individual MX districts, the specific standards for the individual MX district shall control.
- Section 2: Section 3.5.7.C. General Standards for All MX Districts – Amended the general standards for clarity and for consistency with the recently adopted standards for the Central Business (CB) District.
- Section 3: Section 3.5.7.D. Specific Standards for the MX-W District – Add a clarity statement about general standards applying as well as specific standards and amended the

- dimensional table for consistency with the other design districts.
- Section 4: Section 3.5.7.E. Specific Standards for the MX-D District - Created dimensional standards and other standards that are unique to the Mixed-Use Downtown (MX-D) District.
 - Section 5: Table 4.1.9 Principal Use Table – Added permitted uses to the MX district and deleted Market Showrooms from General Business (GB) and Light Industrial (LI).
 - Section 6: Section 4.3.5.E.1 Market Showroom – Amended the use standards to eliminate standards in GB and LI districts since they are no longer permitted outside the CB district.
 - Sections 7-9: Sections 5.4.3, 5.5.3, 5.6.3 Exemptions for Development Standards – Added the MX district to the districts that are exempt from off-street parking space requirements, landscaping, and screening of loading docks.
 - Section 10: Table 5.7.8.B. Requirements for a Sign Not Requiring a Sign Permit - Allowed A-frame signs in the MX District.
 - Section 11: Section 8.2.3.A. Standards Applied to Market Showrooms – Reduced the time that a nonconforming showroom can cease operation from 2 years to 1 year.
 - Section 12: Section 3.4.8.B Dimensional Standards – Amended the Central business (CB) District dimensional table for consistency with the other districts.
 - Section 13: Section 3.4.8.G.2(a) Main Street Building Orientation– Amended the CB District building orientation standard for clarity and to be consistent with the other districts.
 - Section 14: Section 3.4.8.G.2(g) Accessory Buildings – Amended the materials requirement for accessory buildings from a shall to a should for consistency with the other districts.
 - Section 15: Section 3.4.8.G.3(c) Façade Transparency – Amended the façade transparency requirements for clarity and consistency with the other districts.
 - Section 16: Section 3.5.6.B. Dimensional Standards – Amended the dimensional standards for the Main Street (MS) District for consistency with the other districts.
 - Section 17: Section 3.5.6.G.2. Building Compliance Due to Expansion - Amended the Main Street (MS) District building compliance section to add an alterations standard to be consistent with the other districts.
 - Section 18: Section 3.5.6.G.3(a) Building Orientation and (b) Exemption from Maximum Setback – Amended the building orientation and exemption from maximum setback standards in the MS District for clarity and consistency with the other districts.
 - Section 19: Section 3.5.6.G.3(e) Fences – Amended the fence standards in the MS District for consistency with the other districts.
 - Section 20: Section 3.5.6.G.3(h) Off-Street Loading – Amended the off-street loading standards in the MS District for consistency with the other districts.
 - Section 21: Section 3.5.6.G.3(l) Accessory Buildings – Amended the accessory buildings standards in the MS District for clarity and consistency with the other districts.
 - Section 22: Section 3.5.6.G.4 Building Standards – Amended the building standards in the MS District for clarity and consistency with the other districts.
 - Section 23: Section 3.5.6.G.6. Multi-family Residential Uses– Deleted this section from the MS District.

Analysis

The area in and around the proposed multi-use stadium currently has four different zoning districts with different dimensional standards and permitted uses. In order to create a cohesive downtown area that encourages the desired development style and mix of uses called for in the Downtown Mixed-Use Area Plan, the establishment of a Mixed-Use (MX) District is needed for this area. As stated in Section 3.5.7 of the Development Ordinance, “The Mixed-Use (MX) district is intended to establish compact, pedestrian-oriented, mixed-use development and redevelopment at key locations in the Core City in accordance with the City's adopted plans. It seeks to revitalize existing neighborhoods by enabling the development of higher intensity neighborhood centers with new housing, shopping, working, and recreational options in close proximity to one another. The proximity of these uses allows nearby residents to meet some of their daily needs without use of an automobile. The district standards address a variety of design elements including building location, off-street parking, access, land use, and visual quality.”

The Development Ordinance allows for the creation of the MX district based on its associated mixed-use area plan, i.e. The Downtown Mixed-Use Area Plan. Each MX district (e.g., Mixed-Use Washington Street (MX-W)) includes boundaries, dimensional standards, and any other standards unique to the district along with the general standards that are applicable to all MX Districts. The text amendment that accompanies this staff report establishes the Mixed-Use Downtown (MX-D) District along with specific standards for the area and Zoning Amendment 17-22 recommends the placement of the district.

Due to the urban nature of MX districts, it is recommended to exempt all MX districts from the minimum off-street parking space requirements; landscaping requirements, except for parking areas; and screening requirements for loading docks. The exemption from parking space requirements will allow the developer to determine the number and location of the parking that they need to support the use that is being built. However, if a parking area is provided then the minimum landscaping requirements for the parking area will need to be provided.

Currently, new Market Showrooms are allowed in the Central Business (CB) District and within the General Business (GB) and Light industrial (LI) districts when they are within 1,000 feet of the CB District. With the expansion of the CB District (Zoning Amendment 17-22) and the desire to create a market for uses other than Market Showrooms outside of the CB District, new Market Showrooms have been removed from the GB and LI districts. They will be allowed only within the CB District.

Additionally, the nonconforming standards that apply to cessation of Market Showrooms currently allow them to be reestablished after ceasing operation for up to two years. If the MX-D District is to become a vibrant downtown, then two years may be too long if the City wants to encourage redevelopment for other uses. Therefore, it is recommended that the time-period for ceasing operation be reduced from two years to one year.

Lastly, minor changes are recommended to the Main Street (MS) District and the CB District for consistency within zoning districts that have similar standards.

Consistency with Adopted Policy Guidance:

Whether and the extent to which the proposed text amendment is appropriate and is consistent with the City's adopted policy guidance.

The Community Growth Vision Statement supports making downtown a vibrant, diverse mix of uses; the Land Use Plan supports revitalization of the City's older neighborhoods; the Core City Plan calls for the Downtown Mixed-Use District; and the Downtown Mixed-Use Area Plan calls for the creation of the Mixed-Use Downtown (MX-D) District.

Reasonableness/Public Interest:

An approval of the proposed text amendment is considered reasonable and in the public interest.

The amendments protect existing and future investments, support and shape the desired development style, and are user-friendly and manageable.

Recommendation

Staff recommends approval

Staff recommends approval of the proposed text amendments to the Development Ordinance.

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 staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with staff's findings, 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. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, by adoption of its own statement.

Report Preparation

This report was prepared by Planning and Development Department staff member Heidi H. Galanti, AICP, Planning Services Administrator, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

AN ORDINANCE AMENDING THE CITY OF HIGH POINT 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; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on October 24, 2017 and before the City Council on November 20, 2017 regarding **Text Amendment 17-06;** and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on October 15, 2017 for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 15, 2017 for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina.

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

SECTION 1.

Amend Section 3.5.7.B.3 District Organization as follows:

- (c) Based on its associated mixed-use area plan, each MX district should, at a minimum, include boundaries, dimensional standards, and any other standards unique to the district. The general standards in Section 3.5.7 C, General Standards for All MX Districts shall also apply. **If there is a conflict between the general standards for all MX districts and the specific standards for the individual MX districts, the specific standards for the individual MX district shall control.**

SECTION 2.

Amend Section 3.5.7.C. General Standards for All MX Districts as follows:

C. General Standards for All MX Districts

Except where otherwise indicated below, the standards in this section shall apply to all development in all MX districts.

1. Building Compliance due to an Expansion **or Exterior Alteration**

- (a) In cases where an existing building is expanded or enlarged by 25 percent or less of its gross floor area as it existed on the effective date of the ordinance establishing the MX district, the expansion of the building shall either maintain the current appearance of the existing building or comply with the standards in Section 3.5.7 C.3, Building Standards.
- (b) In cases where an existing building is expanded or enlarged by more than 25 percent of its gross floor area as it existed on the effective date of the ordinance establishing the MX district, the portion of the front and side building facades associated with

the expansion or enlargement shall comply with the standards in Section 3.5.7 C.3, Building Standards.

- (c) In cases where a building existing on the effective date of the ordinance establishing the MX district, does not comply with the minimum and maximum street setbacks, the building may be enlarged or expanded without complying with ~~any~~ applicable ~~minimum and~~ maximum street setback requirements.

(d) In cases where the exterior of an existing building is altered, the alterations shall conform to the standards of this section, to the maximum extent practicable. Alterations shall not include the removing, filling-in, or placing a false facade over an existing window, or any other physical changes to obstruct the window.

2. Site Standards

(a) Building Orientation

- (1) Single-building developments shall be oriented so that the **primary front** facade faces the street from which the building derives its street address.
- (2) ~~Front building facades located between the minimum and maximum street setbacks shall be oriented to be parallel with the abutting street right-of-way.~~ **For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.**
- (3) Group developments shall configure building walls to frame and enclose the corners of street intersections or entry points into the development, a central pedestrian access corridor within the development site, or other site amenities on at least 3 sides.

(b) Exemption from Maximum Setback

Uses that provide a civic space are exempt from the maximum setback requirement, provided the civic space meets the following requirements:

- (1) The civic space shall be between the front of the principal building and the street;**
- (2) The area shall not be used for parking or loading, exclusive of valet parking and passenger loading;**
- (3) The area shall have landscaping that covers a minimum of 10 percent of the area;**
- (4) It may include pedestrian amenities which include but are not limited to: seating, outdoor play areas, bicycle racks, kiosks, water features, public art, freestanding structures such as a clock tower, or similar amenities;**
- (5) A decorative fence, a hedgerow, or a combination thereof may be provided to provide a boundary between the civic space and the street right-of-way. If provided, the boundary treatment shall meet the following requirements:**
 - (i) Walls and fences are limited to a maximum of 4 feet in height. Decorative fences include, but are not limited to: wrought iron, architectural metal, or other transparent decorative fence. Chain-link fencing is prohibited.**

(ii) Hedges used to establish this boundary shall be a minimum height of 18 inches at planting and shall be maintained at a height between 3 and 4 feet at maturity.

(b)(c) Drive-Throughs

Drive-through lanes and windows are prohibited.

(e)(d) Fences

Fences shall comply with the standards in Section 5.11, Fences, as well as the following:

- (1) Chain link, ~~chain-link panel, slat weave~~, barbed wire fencing, and plain concrete block shall only be permitted behind the rear building line of the principal building and shall not be located within 40 feet of the right-of-way of a public street (excluding alleys).
- (2) Chain link, ~~chain-link panel, slat weave and~~ barbed wire fencing, and plain concrete block walls shall only be permitted along the rear lot line of lots without a principal building.
- (3) Fences located between the minimum and maximum street setback shall be limited to 4 feet in height or less and may not be fully opaque.
- (4) Fences shall be provided along all lot lines that abut a residential zoning district and shall be opaque to a height 6 feet above grade level.

(d)(e) Ground-based Mechanical Equipment Screening

Ground-based mechanical equipment should be located to the rear of the principal building(s), and shall be screened in accordance with Section 5.6, Screening.

(e)(f) Off-Street Loading

If provided, loading areas shall not be ~~located to the rear~~ on the front facade of the principal building and shall be screened in accordance with Section 5.6, Screening.

(f)(g) Outdoor Storage

Outdoor storage of materials, supplies, products, or equipment is prohibited. Nothing shall prohibit the outdoor display of merchandise for sale in accordance with Section 4.4.5.K, Outdoor Display.

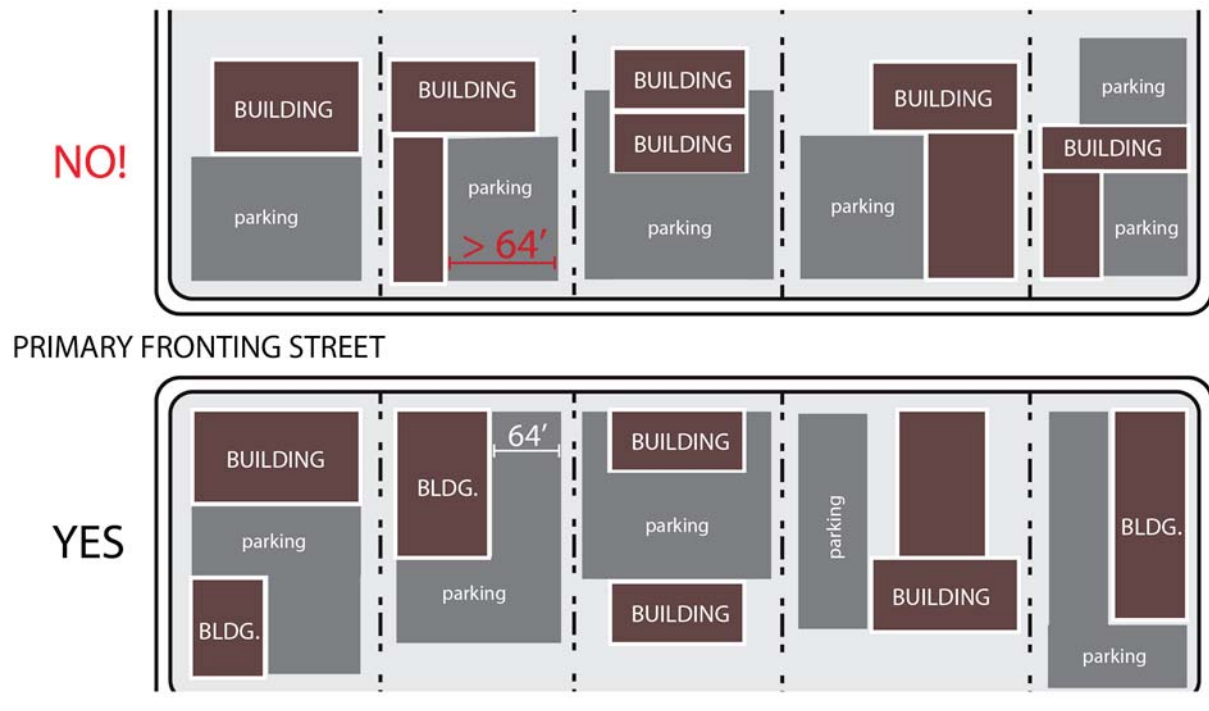
(g)(h) Off-Street Parking

Off-Street Parking Off-Street parking is not required, but when provided, development in the MX district shall comply with the following standards (see Figure 3.5.7.C.2, Parking Lot Configuration) in addition to the applicable standards in Section 5.4, Off-Street Parking and Loading:
~~**In addition to the applicable standards in Section 5.4, Off-Street Parking and Loading, development in the MX district shall comply with the following standards (see Figure 3.5.7.C.2, Parking Lot Configuration):**~~

- (1) Off-street parking areas shall not be located between the front building line and the street it faces.
- (2) Off-street parking areas on corner lots shall not contiguously front more than 1 street.

- (3) When located ~~to along~~ the side of a building, ~~off-street parking spaces vehicular use areas~~ shall not occupy more than 64 linear feet in width as measured along the lot's street frontage.
- ~~(4) Residential uses located within a mixed use building are exempted from the off-street parking requirements in Table 5.4.4.B, Minimum Off Street Parking Standards.~~

FIGURE 3.5.7.C.2, PARKING LOT CONFIGURATION



~~(h)~~(i) Sidewalks

~~In cases where development proposes new streets or applies to all lots along an existing block face, S~~sidewalks shall comply with the standards in Section 5.9, Sidewalks, as well as the following:

- (1) Sidewalks shall be located on both sides of all streets except alleys.
- (2) Sidewalks shall be located at the back of the curb and shall maintain a minimum width of at least ~~8~~ **12** feet or up to the existing building line when less than 12 feet. A width of 12 feet is strongly encouraged.
- (3) Sidewalks may include street tree plantings, street furnishings and sidewalk cafes in accordance with applicable City Codes.

~~Sidewalks shall be configured into 2 zones of at least 4 feet each. The zone closest to the street is intended to accommodate street tree plantings and street furnishings, while the zone closest to building facades is intended for the clear unobstructed movement of pedestrians. Sidewalk dining is encouraged provided it does not encroach into the zone intended for movement of pedestrians.~~

- (4) Sidewalks shall be configured to provide a smooth transition in width between new sidewalks and connections to established sidewalks of a lesser width.

(i) Accessory Buildings

- (1) Accessory buildings shall be located behind the rear building line of the principal building they serve, ~~or located internally in a group development. In no instance shall an accessory building be located between a primary building facade and the street it faces.~~

- ~~(2) Accessory buildings and structures should be similar in materials and architectural style to a principal building.~~

- (2) For group developments, accessory buildings can be located internally to the development. In no instance, shall an accessory building be located between a front building line that is established by a principal building and the street the principal building faces.**

- (3) Multi-family residential and nonresidential accessory buildings and structures should be similar in materials and architectural style to a principal building.**

(j)(k) Group Developments

Additional principal buildings may be built on a site beyond the maximum street setback if there is at least 1 principal building located on the site with a front facade that complies with the street setback requirements and covers a minimum of 50 percent of the lot width.

3. Building Standards

The following standards are applied to all multi-family residential and nonresidential buildings; **except for locally or nationally designated individual historic structures, and contributing structures within a locally or nationally designated historic district, provided such structures comply with the Secretary of Interior's Standards for Rehabilitation or are issued a Certificate of Appropriateness, as applicable:**

(a) Facade Articulation

- (1) Front and side building facades shall include at least 2 or more of the following features at least every 15 feet **measured horizontally and vertically per floor:**

- (i) Recessed **entryways or display windows;**

- ~~(ii) Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of four inches;~~

- (ii) Display windows;**

- ~~(iii) Window indentations that incorporate a differing building material, texture, or color, along with an awning or overhang; Window indentations (such as but not limited to double-hung, stationary, or casement windows) that are regularly spaced and that incorporate a differing building material, texture, color, awnings, window hoods, or canopies. This shall not include a glass curtain wall or flush mounted glass.~~

- (iv) Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of 4 inches;**

- ~~(iv)(v)~~ Differentiated piers, columns, or pilasters;

- ~~(v)(vi)~~ Pedestrian entrances;

~~(vi)~~(vii) Textured materials **(such as but not limited to brick or stone);**

~~(vii)~~(viii) Roofline changes, coupled with correspondingly aligned wall offset or facade material changes, changes in the roof planes, or changes in the height of a parapet wall; or

~~(viii)~~(ix) Changes in wall plane (such as projections or recesses).

(2) Building facades facing a street should achieve vertical orientation by using regularly spaced vertically oriented windows and doors, in conjunction with features such as: ~~roof line~~ **roofline**/parapet variations, window hoods, material changes, columns, pilasters, posts, awnings, canopies, stoops, or facade offsets, to create vertically oriented bays, or divisions of space that are approximately 30 feet wide or less. The rhythm within a building facade should be maintained by making each vertically oriented bay the same width.

(3) Buildings of 2 or more stories are encouraged to have front facades with a clear and distinct base (ground floor), middle, and top (often defined by a decorative cornice). Features such as an increased ground floor height (including a transom window), the use of a frieze, string course or storefront cornice, a bulkhead or kick plate, and differentiated building materials or coloration are similarly encouraged.

~~(4) Buildings with flat roofs or a roof with a pitch of 3/12 or less shall include a parapet wall on the front and side of sufficient height to screen all roof-mounted equipment and should be topped with a 3 dimensional cornice that provides architectural detail.~~

(b) Facade Materials

(1) Where 2 or more materials are proposed to be combined on a facade, the heavier and more massive elements should be located below the lighter elements (e.g., brick shall be located below stucco). ~~It is acceptable to provide the heavier material as a detail on the corner of a building or along cornices or windows. Heavier materials may also be placed as a detail on the corner of a building or along cornices or windows.~~

(2) Primary facade materials ~~shall~~ **should** not change at outside corners, and ~~shall~~ **should** continue around the corner to a logical point of conclusion such as a change in facade plane.

~~(3) Smooth face concrete block shall not be used on a building facade visible from a street.~~

~~(4) Field colors for the main body of a building shall be non-reflective. Metallic or fluorescent paint colors are prohibited.~~

(3) Exterior building materials shall be continued to the finished grade on any elevation.

(4) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets as seen from the public right-of-way at a height of 6 feet.

(c) Facade Transparency

(1) ~~The Front~~ building facades facing a street shall maintain non-reflective, transparent windows on at least ~~50~~ 35 percent of the facade area between 2 and 8 feet above average grade.

~~(2) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area.~~

(2) Ground level side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the facade area between 2 and 8 feet of the floor.

~~(2)(3)~~ Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area per floor as measured between 2 and 8 feet.

~~(3)(4) Residential buildings, locally or nationally designated historic buildings, civic uses, contributing structures within a historic district, civic uses, and institutional uses~~ Civic, religious institution, and utilities use categories are exempt from these transparency requirements.

~~(4)(5)~~ If the transparency requirements cannot be met due to internal configuration of the building, ~~the location of gasoline pumps to the rear of the building,~~ or other conflicting standards of this district, an alternative design ~~that meets the intent can submitted for review by the Planning and Development Director.~~ shall be approved by the Planning and Development Director that meets the purpose and intent of these facade transparency standards through the use of, for example, enclosed window wells supplemented with awnings, false storefront windows, and similar building wall fenestration techniques. Figure 3.5.7.C.3, Facade Transparency Alternatives, below shows some alternative designs that meet the intent of this standard.

FIGURE 3.5.7.C.3, FACADE TRANSPARENCY ALTERNATIVES



(d) Primary Entrance

- (1) Except for corner buildings, the primary entrance of a building shall face the street from which the building derives its street address.
- (2) Primary entrances on corner buildings may be located ~~on to face~~ the corner.
- (3) The primary entrance shall be distinguishable from the balance of the front facade through the use of one or more of any of the following or other similar features:
 - (i) Projecting or recessed entry;
 - (ii) Transom or sidelight windows;
 - (iii) Pediments, columns, or other vertical features; or
 - (iv) Marquees, arcades, or overhangs.

(e) Roof-Mounted Equipment

- (1) Flat roofs shall incorporate parapet walls ~~with 3-dimensional cornice treatments~~ designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building, ~~to the maximum extent practicable. All the parapet walls visible from a street shall be finished and be the same or similar in color and material to the building and any abutting side streets as seen from the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building.~~
- (2) For sloped roofs, ~~roof-mounted~~ equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the ~~street or existing residential uses~~ public right-of-way at a height of 6 feet.
- (3) In cases where complete screening is not practicable, all roof-mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.
- (4) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~permitted as an alternative to the roof forms described in this subsection~~ exempt from the screening requirements described in this subsection.

(f) Service or Vehicular Bays

- (1) Service or vehicular bays and their doors shall not be located so as to face the primary fronting street if the door is located within 50 feet of the primary fronting street right-of-way.
- ~~(2) Public safety facilities are exempt from this requirement.~~
- (2) Other than the primary fronting street, all service or vehicular bay doors that face a street and are within 50 feet of the street right-of-way shall use the same or a similar color as the building so as to blend it in with the building they serve, to the maximum extent practicable.

~~4. Multi-family Residential Uses~~

~~In addition to the standards in Section 4.3.2 B.5, Multi-Family Dwelling, multi-family development shall comply with the following standards:~~

- ~~(a) The finished floor of the ground floor shall be at least 3 feet above the grade of the adjacent street or sidewalk unless the unit is intended for occupancy by persons~~

- ~~with physical disabilities, or subject to an administrative adjustment (see Section 2.5.2, Administrative Adjustment).~~
- ~~(b) Vehicular access to an individual unit shall occur from a common drive or public alley that provides access to the units in the development.~~
- ~~(c) A garage may be located at grade, if it is located at the rear of the building or in a detached structure.~~

SECTION 3.

Amend Section 3.5.7.D Specific Standards for the MX-W District as follows:

Section 3.5.7.D Specific Standards for the MX-W District

1. Applicability

The Mixed-Use Washington Street district was established on March 31, 2008 in accordance with the *Core City Plan* and the *Washington Drive District Plan*. In addition to Section 3.5.7.C General Standards for All MX Districts, the standards in this section apply to all lands within the MX-W district on the Official Zoning Map.

2. Dimensional Requirements

The dimensional requirements in Table 3.5.7.D, Dimensional Requirements in MX-W District, shall apply to all development in the MX-W district.

TABLE 3.5.7.D, DIMENSIONAL REQUIREMENTS IN THE MX-W DISTRICT

REQUIREMENT		STANDARD
Maximum Density (units/acre)		n/a
Minimum Lot Area (square feet)		n/a
Minimum Lot Width [1]		n/a
Minimum Street Setback (feet)		<u>0</u> , 12 from back of curb <u>[2]</u>
Maximum Street Setback (feet) <u>[3][4]</u>		15
Minimum Side and Rear Setback (feet)	Adjacent to Residential District	10
	Adjacent to a Nonresidential District	0/5 <u>[2][5]</u>
Maximum Building Height (feet)		50

NOTES:

[1] All development shall comply with the City's Driveway Ordinance requirements.

[2] All buildings shall be at least 12 feet from the back of curb.

[3] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.

[4] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.5.7.C.2(b) Exemption from Maximum Setback).

[2] [5] No setback is required, but if provided, shall be at least 5 feet.

SECTION 4.

Add new Section 3.5.7.E Specific Standards for the MX-D District to read as follows:

Section 3.5.7.E Specific Standards for the MX-D District

1. Applicability

The Mixed-Use Downtown district was established on November 20, 2017 in accordance with the *High Point Downtown Mixed-Use Area Plan*. In addition to Section 3.5.7.C General Standards for All MX Districts, the standards in this section apply to all lands within the MX-D district on the Official Zoning Map.

2. Dimensional Requirements

The dimensional requirements in Table 3.5.7.E, Dimensional Requirements in the MX-D District, shall apply to all development in the MX-D district.

<u>TABLE 3.5.7.E, DIMENSIONAL REQUIREMENTS IN THE MX-D DISTRICT</u>		
<u>REQUIREMENT</u>		<u>STANDARD</u>
<u>Maximum Density (units/acre)</u>		<u>n/a</u>
<u>Minimum Lot Area (square feet)</u>		<u>n/a</u>
<u>Minimum Lot Width (feet) [1]</u>		<u>n/a</u>
<u>Minimum Street Setback (feet)</u>		<u>0, 12 from back of curb [2]</u>
<u>Maximum Street Setback (Elm and Main Street Only) [3] [4]</u>		<u>20</u>
<u>Minimum Side and Rear Setback (feet)</u>	<u>Adjacent to Residential District</u>	<u>10</u>
	<u>Adjacent to Nonresidential District</u>	<u>0/5 [5]</u>
<u>Maximum Building Height (feet)</u>		<u>n/a</u>
<u>[1] All development shall comply with the City's Driveway Ordinance requirements.</u>		
<u>[2] All buildings shall be at least 12 feet from the back of curb.</u>		
<u>[3] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.</u>		
<u>[4] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.5.7.C.2(b) Exemption from Maximum Setback).</u>		
<u>[5] No setback is required, but if provided, it shall be at least 5 feet.</u>		

3. Service or Vehicular Bays

No service or vehicular bay doors shall face Elm Street or Main Street.

SECTION 5.

Amend Table 4.1.9 Principal Use Table as follows:

USE TYPE	R-3	R-5	R-7	RM-5	RM-16	RM-26	TO	OI	LB	GB	RC	CB	EC	LI	HI	AGR	I	PNR	MS	MX	Additional Standards
Other post-secondary educational										P	P	P	P	P			P		P	<u>P</u>	4.3.3 C.1
Medical care facility, major								P		P	P	P	P	P			P			<u>P</u>	
Personal service, major									P	P	P	P		P*					P	<u>P</u>	4.3.4 D.1
Microbrewery, microdistillery, or microwinery										P		P		P	P	P			P	<u>P</u>	
Market Showroom										<u>P</u>		P		<u>P</u>							4.3.5 E.1

SECTION 6.

Amend Use Standards Section 4.3.5.E.1. Market Showroom as follows:

1. Market Showroom

A market showroom use shall comply with the following standards:

(a) General Exterior Product Display

Exterior product display shall:

- (1) Not take place within the right-of-way,
- (2) Not exceed 2,500 square feet per lot,
- (3) Consist of products from the same vendor or company that owns or leases space within the building, and
- (4) Not be displayed earlier than 2 weeks prior to the official opening of the market, and be removed within 2 weeks of the official end of the market.

(b) In the CB District Structure

- (1) A market showroom shall be located:
 - (i) In a permanent building, or
 - (ii) In a combination of permanent buildings and a membrane structure located on the same lot, or
 - (iii) Entirely in 1 or more membrane structures on the same lot, only if a building permit for a permanent building has been issued.
- (2) If a membrane structure is used as part of a market showroom, it shall:

- (i) Be located on the same lot as a market showroom;
- (ii) Be enclosed on all sides; and
- (iii) Not be in place for more than 120 days in a calendar year.

~~(c) In the GB and LI Districts~~

~~A market showroom shall be:~~

- ~~(1) Located in a permanent building. The use of a membrane structure is prohibited.~~
- ~~(2) No more than 1,000 feet from the boundary of the CB district.~~

SECTION 7.

Amend Off-Street Parking and Loading Section 5.4.3 Exemptions as follows:

A. **CB and MX** Districts

Development on land within the CB **and MX** districts shall comply with the requirements of this section, except that it is exempt from the minimum off-street parking requirements of Table 5.4.4.B, Minimum Off-Street Parking Standards.

SECTION 8.

Amend Landscaping Section 5.5.3 Exemptions as follows:

C. Development in the CB and the MX-~~W~~ districts, except for parking areas;

SECTION 9.

Amend Screening Section 5.6.3 Exemptions as follows:

A. Heavy industrial (HI) District

Solid waste collection, loading facilities, and ground-based mechanical equipment in the HI district are exempted from the requirements of this section, unless the structure or equipment is within 100 feet of a lot with an existing residential use.

B. Loading Docks

- 1. Loading docks and loading bays in the CB **and MX** districts are exempted from the requirements of this section.
- 2. Loading docks and loading bays in the LI district that face an industrial street are exempted from the requirements of this section.

SECTION 10.

Amend Signage Table 5.7.8.B Requirements for a Sign Not Requiring a Sign Permit as follows:

TABLE 5.7.8.B: REQUIREMENTS FOR A SIGN NOT REQUIRING A SIGN PERMIT					
SIGN TYPE	NUMBER PERMITTED	AREA (SQ. FT.)	SETBACK (FEET)	MAXIMUM HEIGHT (FEET)	ILLUMINATION
A-Frame in CB <u>and MX</u> districts, and MS district (sub-district B)	1/building entrance	6	R/W	3	

SECTION 11.

Amend Nonconforming Uses Section 8.2.3.A. Standards Applied to Market Showrooms as follows:

2. Cessation

(a) General

- (1) If a nonconforming market showroom use ceases operation for a continuous period of more than ~~2 years~~ 1 year, any subsequent use of land shall be a use permitted in the district.
- (2) The landowner shall demonstrate that the nonconforming use has not ceased for a continuous period of more than ~~2 years~~ 1 year to maintain its nonconforming status.

SECTION 12.

Amend CB District Section 3.4.8.B. Dimensional Standards as follows:

B. DIMENSIONAL STANDARDS			
STANDARD		REFERENCE #	ALL USES
Maximum Density (units/acre)			n/a
Minimum Lot Area (square feet)		①	n/a
Minimum Lot Width (feet)	Interior lot	②	n/a
	Corner lot	③	n/a
Minimum Street Setback (feet)		④	<u>0</u> , 10 from back of curb <u>[1]</u>
Maximum Street Setback (Main Street Only) [1] [2] <u>[3]</u>			20
Minimum Perimeter Setback (feet)			0/5 [3] <u>[4]</u>
Maximum Building Height (feet)		⑦	n/a
<u>[1] All buildings shall be at least 10 from the back of the curb.</u> <u>[1] [2] At least 60 percent of the front building facade of buildings facing Main Street that are built after June 5, 2017, or the effective date of the district upon the land, shall be located between the minimum and maximum street setbacks. For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.</u> <u>[2] [3] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.4.8.G.2(b) Exemption from Maximum Setback).</u> <u>[3] [4] No setback is required, but if provided, it shall be at least 5 feet.</u>			

SECTION 13.

Amend CB District Section 3.4.8.G.2(a) Main Street Building Orientation as follows:

(a) ~~Main Street~~ Building Orientation

~~Front building facades located between the minimum and maximum street setbacks along Main Street shall be oriented to be parallel with the Main Street right of way. For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.~~

SECTION 14.

Amend CB District Section 3.4.8.G.2(g) Accessory Buildings as follows:

(3) Multi-family residential and nonresidential accessory building facades ~~shall~~ **should** use the same materials as the principal building they serve.

SECTION 15.

Amend CB District Section 3.4.8.G.3(c) Facade Transparency as follows:

(c) Facade Transparency

(1) ~~The Front building facades~~ facing a street shall maintain non-reflective, transparent windows on at least 35 percent of the facade area between 2 and 8 feet above average grade.

(2) Ground level side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the facade area between 2 and 8 feet of the floor.

(3) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area per floor as measured between 2 and 8 feet. The window glazing may be opaque.

(4) Civic, religious institution, and utilities use categories are exempt from these transparency requirements.

SECTION 16.

Amend MS District Section 3.5.6.B. Dimensional Standards as follows:

B. DIMENSIONAL STANDARDS						
STANDARD			SUB-DISTRICT A	SUB-DISTRICT B	SUB-DISTRICT C	SUB-DISTRICT D
Maximum Density (units/acre)			26 [1]			
Minimum Lot Area (square feet)		①	6,000	4,000		6,000
Minimum Lot Width (feet) [2]	Interior lot	②	60	40		60
	Corner lot	③				

Minimum Street Setback (feet)) [3]	4	<u>5, 10 from back of curb [3]</u>	<u>0, 10 from back of curb [3]</u>	<u>5, 10 from back of curb [3]</u>
Maximum Street Setback (feet) <u>(Main Street Only)</u> [4] [5] [6]	5	25	20	25
Minimum Interior Setback (feet)	6	0/5 [7] [6]		
Maximum Building Height (feet)	7	n/a [8] [7]		
[1] Mixed-use development is subject to the maximum density standards. [2] All development shall comply with the City’s Driveway Ordinance requirements. [3] All buildings shall be at least 10 feet from the back of the curb. [4] Applied only to lot lines abutting Main Street. [5] [4] At least 60 percent of the front building facade of buildings facing Main Street built after March 31, 2008 shall be located between the minimum and maximum street setbacks. For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks. [6] [5] Institutional uses (see Table 4.1.9, Principal Use Table) are not subject to the maximum street setbacks along Main Street. Buildings are exempt from the maximum street setback, if they provide a civic space (see section 3.5.6.G.3.(b) Exemption form Maximum Setback). [7] [6] Buildings shall be setback at least 10 feet from lot lines abutting a residential district. [8] [7] When a perimeter setback abuts a single-family residential district, the setback shall be increased by 1 foot for each foot in height beyond 50 feet up to 80 feet.				

SECTION 17.

Amend MS District Section 3.5.6.G.2. Building Compliance Due to Expansion as follows:

2. Building Compliance due to Expansion or Alteration

- (a) In cases where an existing building is expanded or enlarged by 25 percent or less of its gross floor area as it existed on March 31, 2008, the expansion of the building shall either maintain the current appearance of the existing building or comply with the standards in Section 3.5.6 G.4, Building Standards.
- (b) In cases where an existing building is expanded or enlarged by more than 25 percent of its gross floor area as it existed on March 31, 2008, the portion of the front and side building facades associated with the expansion or enlargement shall comply with the standards in Section 3.5.6 G.4, Building Standards.
- (c) In cases where a building existing on March 31, 2008, does not comply with the minimum and maximum street setbacks, the building may be enlarged or expanded without complying with applicable ~~minimum and~~ maximum street setback requirements.
- (d) In cases where the exterior of an existing building is altered, the alterations shall conform to the standards of this section, to the maximum extent practicable.**

Alterations shall not include the removing, filling-in, or placing a false facade over an existing window, or any other physical changes to obstruct the window.

SECTION 18.

Amend MS District Section 3.5.6.G.3.(a) Building Orientation and (b) Exemption from Maximum Setback as follows:

(a) Building Orientation

~~Front building facades located between the minimum and maximum street setbacks along Main Street shall be oriented to be parallel with the Main Street right-of-way.~~

(1) Single-building developments shall be oriented so that the front facade faces the street from which the building derives its street address.

(2) For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.

(3) Group developments shall configure building walls to frame and enclose the corners of street intersections or entry points into the development, a central pedestrian access corridor within the development site, or other site amenities on at least 3 sides.

(b) Exemption from Maximum Setback

~~Uses that are allowed within the Civic, Education, and Religious Institution Use Categories are not required to comply with the maximum setback. In cases where the setback exceeds the maximum, then the use shall provide a civic space meeting the following requirements:~~

Uses that provide a civic space are exempt from the maximum setback requirement, provided the civic space meets the following requirements:

(1) The civic space shall be between the front of the principal building and Main Street or other primary fronting the street;

~~**(2) The area shall not be used for parking or loading and shall have landscaping that covers a minimum of 10 percent of the area;**~~

(2) The area shall not be used for parking or loading, exclusive of valet parking and passenger loading;

(3) The area shall have landscaping that covers a minimum of 10 percent of the area;

~~**(3)(4)**~~ **It may include pedestrian amenities which include but are not limited to: seating, outdoor play areas, bicycle racks, kiosks, water features, public art, freestanding structures such as a clock tower, or similar amenities;**

~~**(4)(5)**~~ **A decorative fence, a hedgerow, or a combination thereof may be provided along Main Street (or other primary fronting street) to provide a boundary between the civic space and the street right-of-way. If provided, the boundary treatment shall meet the following requirements:**

(i) Walls and fences are limited to a maximum of 4 feet in height. Decorative fences include, but are not limited to: split rail, wrought iron, architectural metal, or other transparent decorative fence. Chain-link fencing is prohibited.

- (ii) Hedges used to establish this boundary shall be a minimum height of 18 inches at planting and shall be maintained at a height between 3 and 4 feet at maturity.

SECTION 19.

Amend MS District Section 3.5.6.G.3.(e) Fences as follows:

(e) Fences

Fences shall comply with the standards in Section 5.11, Fences, as well as the following:

- (1) Chain link, ~~chain-link panel, slat weave~~, barbed wire fencing, and plain concrete block shall only be permitted behind the rear building line of the principal building and shall not be located within 40 feet of the right-of-way of a public street (excluding alleys).
- (2) Chain link, ~~chain-link panel, slat weave and~~ barbed wire fencing, ~~as well as and~~ plain concrete block walls shall only be permitted along the rear lot line of lots without a principal building.
- (3) Fences located between the minimum and maximum street setback shall be limited to 4 feet in height or less and may not be fully opaque.
- (4) Fences shall be provided along all lot lines that abut a residential zoning district and be opaque to a height 6 feet above grade level.

SECTION 20.

Amend MS District Section 3.5.6.G.3.(h) Off-Street Loading as follows:

(h) Off-Street Loading

If provided, loading areas shall not be ~~located to the rear on the front facade~~ of the principal building and shall be screened in accordance with Section 5.6, Screening.

SECTION 21.

Amend MS District Section 3.5.6.G.3.(l) Accessory Buildings as follows:

(l) Accessory Buildings

- (1) Accessory buildings shall be located behind the rear building line of the principal building they serve, ~~or located internally in a group development. In no instance shall an accessory building be located between a primary building facade and the street it faces.~~
- ~~(2) Accessory buildings and structures should be similar in materials and architectural style to a principal building.~~
- (2) For group developments, accessory buildings can be located internally to the development. In no instance, shall an accessory building be located between a front building line that is established by a principal building and the street the principal building faces.
- (3) Multi-family residential and nonresidential accessory buildings and structures should be similar in materials and architectural style to a principal building.

SECTION 22.

Amend MS District Section 3.5.6.G.4. Building Standards as follows:

4. Building Standards

The following standards are applied to all multi-family residential and nonresidential buildings; **except for locally or nationally designated individual historic structures, and contributing structures within a locally or nationally designated historic district, provided such structures comply with the Secretary of Interior's Standards for Rehabilitation or are issued a Certificate of Appropriateness, as applicable:**

(a) Facade Articulation

(1) Front and side building facades shall include at least 2 or more of the following features at least every 15 feet **measured horizontally and vertically per floor:**

(i) Recessed ~~entryways or display windows;~~

~~(ii) Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of 4 inches;~~

(ii) Display windows

~~(iii) Window indentations that incorporate a differing building material, texture, or color, along with an awning or overhang~~ **Window indentations (such as but not limited to double-hung, stationary, or casement windows) that are regularly spaced and that incorporate a differing building material, texture, color, awnings, window hoods, or canopies. This shall not include a glass curtain wall or flush mounted glass;**

(iv) Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of 4 inches;

~~(iv)~~**(v) Differentiated piers, columns, or pilasters;**

~~(v)~~**(vi) Pedestrian entrances;**

~~(vi)~~ **(vii) Textured materials (such as but not limited to brick or stone);**

~~(vii)~~ **(viii) Roofline changes, coupled with correspondingly aligned wall offset or facade material changes, changes in the roof planes, or changes in the height of a parapet wall; or**

~~(viii)~~**(ix) Changes in wall plane (such as projections or recesses).**

(2) Building facades facing a street should achieve vertical orientation by using regularly spaced vertically oriented windows and doors, in conjunction with features such as: ~~roof line~~ **roofline**/parapet variations, window hoods, material changes, columns, pilasters, posts, awnings, canopies, stoops, or facade offsets, to create vertically oriented bays, or divisions of space that are approximately 30 feet wide or less. The rhythm within a building facade should be maintained by making each vertically oriented bay the same width.

(3) Buildings of 2 or more stories are encouraged to have front facades that have a clear and distinct base (ground floor), middle, and top (often defined by a decorative cornice). Features such as an increased ground floor height (including a transom window), the use of a frieze, string course or storefront cornice, a

bulkhead or kick plate, and differentiated building materials or coloration are similarly encouraged.

- ~~(4) Buildings with flat roofs or a roof with a pitch of 3/12 or less shall include a parapet wall on the front and side of sufficient height to screen all roof mounted equipment and should be topped with a 3 dimensional cornice that provides architectural detail.~~

(b) Facade Materials

- (1) Where 2 or more materials are proposed to be combined on a facade, the heavier and more massive elements should be located below the lighter elements (e.g., brick shall be located below stucco). ~~It is acceptable to provide the heavier material as a detail on the corner of a building or along cornices or windows.~~ Heavier materials may also be placed as a detail on the corner of a building or along cornices or windows.
- (2) Primary facade materials ~~shall~~ should not change at outside corners, and shall continue around the corner to a logical point of conclusion such as a change in facade plane.
- ~~(3) Smooth face concrete block shall not be used on a building facade visible from a street.~~
- ~~(4) Field colors for the main body of a building shall be non-reflective.~~
- (3) Exterior building materials shall be continued to the finished grade on any elevation.
- (4) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets as seen from the public right-of-way at a height of 6 feet.

(c) Facade Transparency

- (1) ~~The~~ Front building facades facing a street shall maintain non-reflective, transparent windows on at least 50 percent of the facade area between 2 and 8 feet above average grade.
- ~~(2) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area.~~
- (2) Ground level side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the facade area between 2 and 8 feet of the floor.
- ~~(2)(3)~~ Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area per floor as measured between 2 and 8 feet.
- ~~(3)(4) Residential buildings, locally or nationally designated historic buildings, contributing structures within a historic district, civic uses, and institutional uses~~ Civic, religious institution, and utilities use categories are exempt from these transparency requirements.

- (4)(5) If the transparency requirements cannot be met due to internal configuration of the building, the location of gasoline pumps to the rear of the building, or other conflicting standards of this district, an alternative design shall be approved by the Planning and Development Director that meets the purpose and intent of these facade transparency standards through the use of, for example, ~~opaque glass~~, enclosed window wells supplemented with awnings, false storefront windows, and similar building wall fenestration techniques. Figure 3.5.6.G.4, Facade Transparency Alternatives, below shows some alternative designs that comply with the purpose and intent of this standard.

FIGURE 3.5.6.G.4, FACADE TRANSPARENCY ALTERNATIVES



(d) Main Street Entrance

- (1) Every building on Main Street shall have an entrance that faces the Main Street right-of-way.
- (2) A Main Street entrance on corner buildings may be located ~~on to face~~ the corner.
- (3) A Main Street entrance shall be distinguishable from the balance of the front facade through the use of one or more of any of the following or other similar features:
 - (i) Projecting or recessed entry;
 - (ii) Transom or sidelight windows;
 - (iii) Pediments, columns, or other vertical features; or
 - (iv) Marquees, arcades, or overhangs.
- (4) Buildings on lots without a frontage on Main Street shall comply with the standards of this subsection for the street they face.

(e) Roof Mounted Equipment

- (1) Flat roofs shall incorporate parapet walls ~~with 3-dimensional cornice treatments designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building, to the maximum extent practicable. All parapet walls visible from a street shall be finished and be the same or similar in color and material to the building, and any abutting side streets as seen from~~

the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building.

- (2) For sloped roofs, ~~roof-mounted~~ equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from ~~the street or existing adjacent~~ residential uses **and the public right-of-way at a height of 6 feet.**
- (3) In cases where complete screening is not practicable, all roof-mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.
- (4) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~permitted as an alternative to the roof forms described in this subsection~~ **exempt from the screening requirements described in this subsection.**
- (f) Service or Vehicular Bays
 - (1) Service or vehicular bays and their doors shall not be located so as to face Main Street (or the primary fronting street for properties located off of Main Street) if ~~such~~ the door is located within 50 feet of the street right-of-way.
 - ~~(2) Public safety facilities are exempt from this requirement.~~
 - (2) Other than the primary fronting street, all service or vehicular bay doors that face a street and are within 50 feet of the street right-of-way shall use the same or a similar color as the building so as to blend it in with the building they serve, to the maximum extent practicable.**

SECTION 23.

Delete MS District Section 3.5.6.G.6. Multi-family Residential Uses:

6. Multi-family Residential Uses

~~In addition to the standards in Section 4.3.2 B.5, Multi-Family Dwelling, multi-family development shall comply with the following standards.~~

- ~~(a) The finished floor of the ground floor shall be at least 3 feet above the grade of the adjacent street or sidewalk unless the unit is intended for occupancy by persons with physical disabilities, or subject to an administrative adjustment (see Section 2.5.2, Administrative Adjustment).~~
- ~~(b) Vehicular access to an individual unit shall occur from a common drive or public alley that provides access to the units in the development.~~
- ~~(c) A garage may be located at grade, if it is located at the rear of the building or in a detached structure.~~

SECTION 24.

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 25.

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

SECTION 26.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 20th day of November, 2017
Lisa B. Vierling, City Clerk

Change to TA17-06

SECTION 24.

That Section 6 of Ordinance No. 7202/16-26 adopted on May 16, 2016 that pertains to the property owner option to use the previous Development Ordinance until December 31, 2017 instead of the Development Ordinance that went into effect on January 1, 2017 shall not apply to applications submitted for a permit or a land development plan for property located in the Mixed-Use (MX) and Central Business (CB) Districts on or after November 21, 2017; thereby, all approved permits and land development plans in those districts must adhere to the Development Ordinance adopted on May 16, 2016, as subsequently amended.

SECTION 24 25.

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 25 26.

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

SECTION 26 27.

This ordinance shall become effective upon adoption.

Ordinance 7202/16-26

An Ordinance to Adopt a New Development Ordinance

SECTION 6. For a period of one year from the effective date of this ordinance, property owners shall have the option to decline use of the zoning district uses and standards of the new Development Ordinance, specifically Chapter 3 "Zoning Districts", Chapter 4 "Uses", and Chapter 5 "Development Standards", and elect to use the zoning district uses and standards of the existing Development Ordinance, specifically Chapter 4 "Zoning Regulations" and Chapter 5 "Zoning: Other Standards" as it applied to property on the effective date of this ordinance. The property owner's election to use the existing Development Ordinance zoning district uses and standards shall be established in writing at the time an application for a permit or land development plan is submitted and such existing Development Ordinance regulations shall be utilized in whole and not in part for the entire project.

CITY OF HIGH POINT

AGENDA ITEM



Title: Ortho-Imagery and Oblique Aerial View Imagery

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: No

Advertising Date: N/A

Advertised By: N/A

Attachments: Bid Recommendation Form

PURPOSE:

To enter into a contract with Spatial Data Consultants to obtain new high resolution aerial photography and oblique aerial view imagery from flight data that will be obtained in early 2018.

BACKGROUND:

The City has historically updated its base map aerial photography approximately every 4 to 5 years since 1970. The last update was conducted in 2014 and it encompassed the entire planning area and just beyond, a total of 165 square miles. The base map aerial photography is used daily by the various City departments and the public.

In addition to obtaining aerial photography, the City has the opportunity to obtain oblique aerial view imagery (building elevation views) at 2-inch pixel resolution that will provide City departments with information that can be obtained from the office. Some examples of uses of the data are as follows: pre-entry surveys, validating pre-fire conditions, improve efficiencies in investigations, perform incident analysis, improve policing policies, unauthorized constructions, building plan review, etc.

The contract will be a joint project using the State RFQ #41-000001SM for digital photography through a cooperative purchasing agreement with the State Office of Information Technology Services. The City will benefit from cost savings by piggybacking on the State project.

BUDGET IMPACT:

\$168,745.00

RECOMMENDATION / ACTION REQUESTED:

Staff recommends Council **approval** of this contract with Spatial Data Consultants in the amount of \$168,745.00.



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Planning and Development**

COUNCIL AGENDA DATE: **November 20, 2017**

BID NO.: **State RFQ 41-000001SM** CONTRACT NO.: DATE OPENED:

DESCRIPTION:

Ortho-Imagery and Oblique Aerial View Imagery

PURPOSE:

To obtain aerial photography and oblique imagery for the High Point Planning Area.

COMMENTS:

The State of North Carolina Information Technology Services issued RFQ 41-000001SM for these services and negotiated an overall contract. The City will utilize a supplemental agreement to this master agreement in order to contract such services for the City of High point.

RECOMMEND AWARD TO: **Spatial Data Consultants, Inc.** AMOUNT: **\$168,745.00**

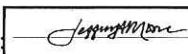
JUSTIFICATION:

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
101521	527101			138,745.00
401520	527101	401001000770	53010	30,000.00
TOTAL BUDGETED AMOUNT				\$168,745.00

DEPARTMENT HEAD: **G. Lee Burnette** Digitally signed by G. Lee Burnette
DN: cn=G. Lee Burnette, o=City of High Point, ou=Planning &
Development Department, email=lee.burnette@highpointnc.gov, c=US
Date: 2017.11.06 11:44:18 -0500 DATE: **Nov 6, 2017**

The Purchasing Division concurs with recommendation submitted by the **Planning & Development** and recommends award to the lowest responsible, responsive bidder **Spatial Data Consultants** in the amount of \$ **168,745.00**.

PURCHASING MANAGER: **Erik Conti** Digitally signed by Erik Conti
DN: cn=Erik Conti, o, ou,
email=erik.conti@highpointnc.gov, c=US
Date: 2017.11.06 12:48:06 -0500 DATE: **Nov 6, 2017**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC,
ou=Financial Services Director,
email=jffmoore@highpointnc.gov, c=US
Date: 2017.11.09 09:42:41 -0500 DATE: **Nov 9, 2017**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o=High Point, ou=High Point,
email=greg.demko@highpointnc.gov, c=US
Date: 2017.11.09 09:44:14 -0500 DATE: **Nov 9, 2017**

CITY OF HIGH POINT

AGENDA ITEM



Title: **Zoning Map Amendment 17-21**
 Plan Amendment 17-04
 Zoning Map Amendment 17-20

From: Lee Burnette, Planning & Development
 Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
 November 15, 2017

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
 B. Staff Report
 C. Plan Amendment Resolution
 D. Zoning Ordinances

PURPOSE:

1. Zoning Map Amendment 17-21

A request by the City Council to amend the boundary of the Airport Overlay (ARO) District as it pertains to approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road.

2. Plan Amendment 17-04

A request by Keystone Homes and the City of High Point to change the Land Use Map classification for approximately 286.06 acres. The request pertains to land lying along the north and south side of Willard Dairy Road, east of the intersection of Southwest School Road, and along the east and west side of Barrow Road, north of the intersection of Willard Dairy Road.

3. Zoning Map Amendment 17-20

A request by Keystone Homes to rezone an approximate 22.2-acre parcel from the Agricultural District, within Guilford County's jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ-RM-16) District. The site is lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff recommended **approval** of these request, as outlined in the attached staff reports.

B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-24, Plan Amendment 17-04 and Zoning Map Amendment 17-20. The Planning & Zoning Commission recommended **approval** of these request, by a vote of 8-1, as outlined in the staff reports and as recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

At their October 24, 2017 public hearing, the Planning & Zoning Commission reviewed Zoning Map Amendment 17-21, Plan Amendment 17-04 and Zoning Map Amendment 17-20. Mr. Herbert Shannon, Senior Planner, and Mr. Andy Piper, Senior Planner, conducted a combined presentation of these three cases as they are related. Staff recommended approval of the requests as outlined in the staff reports.

Speaking in favor of the requests:

Speaking in favor of these requests were Ms. Judy Stalder, 665 N. Main Street, High Point and Mr. Scott Wallace, president of Keystone Homes, 3708 Alliance Drive, Greensboro. Ms. Stalder explained that the physical features of the property, including two streams and challenging topography, would not support industrial development. Ms. Stalder also noted that the projected PTIA flight patterns have changed since the last study, and more closely follow the Eastchester Drive corridor, which is further away from this property. Mr. Wallace stated that this rezoning is intended to facilitate the development of 86-unit townhome subdivision. They are not ignoring the airport and potential for noise, the dwellings will be constructed using City-required measures to mitigate noise impact.

Speaking in opposition of the requests:

Speaking in opposition to these requests were Tanya Stewart, 3616 Cottesmore Drive and Danny Clegg, 2531 Willard Dairy Road. These speakers expressed the following concerns:

- Air traffic noise: The residents of the proposed development will not be aware the property was rezoned from Zone 2 to Zone 3 and may be subject to a lot of air traffic noise.
- Inconsistent with neighboring uses: This is an agricultural area that includes a dairy farm. The request for townhomes is inconsistent with the land uses and development density already established in the area.
- Overcrowded schools: The development would put undue strain on already overcrowded schools.
- Traffic and safety: The access point for the development is located in an unsafe bend in the road on Willard Dairy Road. The development will add more traffic to an already busy Southwest School Road where traffic is heavy due to the location of the elementary, middle and high schools. The additional traffic poses safety concerns, especially as traffic continues to increase.

Planning & Zoning Commission Action

1. Zoning Map Amendment 17-21: (Amending the boundary of the Airport Overlay District)

a) Consistency Statement

The Commission stated that the request is consistent with adopted policy guidance and appropriate for this location. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Ms. Stone dissenting.

b) Zoning Map Amendment

The Commission recommended **approval** of Zoning Map Amendment 17-21, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

2. Plan Amendment 17-04: (Land Use Map classification change for approximately 286.06 acres)

The Commission recommended **approval** of Plan Amendment 17-04, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

3. **Zoning Map Amendment 17-20:** (A request to establish a CZ-RM-16) District)

a) Consistency Statement

Based upon action taken on the previous two cases (ZA-17-21 and PA-17-04), the Commission stated that the request is appropriate for its proposed location, is consistent with the City's adopted policy guidance documents, consistent with the Land Use Plan and the Airport Overlay District, and compatible with the surrounding land use pattern. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Ms. Stone dissenting.

b) Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 17-20, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

Ms. Stone noted that her votes in opposition were due to concerns with allowing additional residential uses in this area based on the proximity of the site to the NC 68 corridor and associated airplane noise impacts, school overcrowding and traffic safety concerns.

**STAFF REPORT
ZONING MAP AMENDMENT 17-21
October 24, 2017**

Request		
Applicant: City of High Point City Council	Owners: Nina H. Willard Family Trust (Edward L. Willard Trustee) James Willard Clegg and Amy P. Clegg Willard Family Trust and Willard Survivors (Ruth S. Willard, Brenda Wood, John M. Willard)	
Zoning Proposal: To amend the Airport Overlay District for approximately 50.94 acres.	From:	ARO – 2 Airport Overlay District (Zone 2)
	To:	ARO – 3 Airport Overlay District (Zone 3)

Site Information	
Location:	This map amendment request pertains to approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road.
Tax Parcel Numbers:	Guilford County Tax Parcels 0169927, 169949, 0169933 and 0169918
Site Acreage:	Approximately 50.94 acres
Current Land Use:	Single family dwelling, agricultural use with multiple accessory structures, industrial use, and undeveloped parcel.
Physical Characteristics:	This 50.94-acre area is mostly wooded with a moderate to severely sloping terrain. A perennial stream runs in a west to east direction through the middle of the site and an intermittent stream runs in a south to north direction from Willard Dairy Road to the perennial stream.
Water and Sewer Proximity:	A 12-inch City water line terminates to the west at the intersection of Willard Dairy Road and Southwest School Road. A separate water line terminates approximately 1,200 feet to the east near the intersection of Willard Dairy Road and Penny Road. An 8-inch City Sewer line runs along the northern portion of the site along the stream corridor.
General Drainage and Watershed:	The terrain drains toward the middle of this 50.94 acres into the perennial stream that bisects the site. Development is subject to the City Lake General Watershed Area (GWA) requirements. Engineered storm water treatment 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 Districts:	City Lake General Watershed Area (GWA) Airport Overlay (Zone 2)

Adjacent Property Zoning and Current Land Use			
North:	CU-LI AG	Conditional Use Light Industrial District Agricultural District (<i>Guilford County</i>)	Nursery & undeveloped parcels
South:	AG	Agricultural District (<i>Guilford County</i>)	Single-family dwellings, FAA navigational aid & undeveloped parcels
East:	AG	Agricultural District (<i>Guilford County</i>)	Grading contractor & single-family dwellings
West:	PDR	Planned Development – Residential District	Single family detached dwellings and single family attached dwellings (townhomes)

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This Community Growth Vision Statement does not speak to this type of zoning map amendment.
Land Use Plan Map Classification:	The subject site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research & development, distribution, and light manufacturing or assembly uses on larger sites in unified developments. A plan amendment request (Plan Amendment 17-04) has been submitted to change the land use classification of this 50.94-acre area to a Medium-Density Residential Classification.
Land Use Plan Goals, Objectives & Policies:	The Land Use Plan's goals and objectives do not address this type of zoning map amendment.
Relevant Area Plan:	Not applicable
Zoning History:	The ARO District was adopted by City Council in 2003. The district is based upon a noise analysis by Wyle Laboratories of the Piedmont Triad International Airport (PTIA) cargo hub and runway expansion. In 2012, the City Council approved revisions to the ARO District based on a noise analysis of the PTIA Part 150 Airport Noise Compatibility Study.

Transportation Information
Not applicable to this zoning case.

School District Comment
Not applicable to this zoning case.

Details of Proposal

In April 1998, Federal Express (Fed Ex) selected the Piedmont Triad International Airport (PTIA) as the location for an air cargo hub facility. The airport improvements made to accommodate the air cargo facility included the construction of a new runway parallel to the existing main runway.

In October 1998, the staff began an area plan for the northwest portion of the planning area, which included evaluating the impact from the PTIA expansion. The adopted Johnson Street/Sandy Ridge Road Area Plan identified an area of concern due to the potential nighttime aircraft noise impacts and recommended that additional analysis of potential noise impacts was needed.

Based on the area plan recommendations, the City retained the services of Wyle Laboratories to assess potential aircraft noise impacts from PTIA flight arrivals and departures, and to assist in developing land use policy and standards that mitigate those impacts on noise sensitive land uses. Wylie's noise analysis was based upon data from the approved Environmental Impact Statement for the airport expansion.

The ARO District was adopted by City Council in 2003 and later revised in 2012 in response to the PTIA Part 150 Airport Noise Compatibility Study, which reflected changes in the aircraft used on the runways and their flight tracks. The ARO is an overlay district that is applied onto underlying zoning districts and to property when it is annexed into the city. It is divided into 4 different zones that have different noise mitigation standards. The 4 zones are based upon specific noise metrics and the zones utilize physical features such as streets and streams as boundaries. Property lines are used as boundaries when such physical features are not practical or feasible.

Zone 1: The intent of Zone 1 is to prevent the development of land uses sensitive to objectionable noise resulting from daytime and nighttime aircraft flights. No new residences are allowed, new daytime noise sensitive uses like schools are prohibited, and certain land uses presenting safety concerns are barred. Notification of potential aircraft over-flight noise is required.

Zone 2: The intent of Zone 2 is to prevent the development of land uses sensitive to objectionable noise resulting from nighttime aircraft flights. No new residences are allowed. Notification of potential aircraft over-flight noise is required.

Zone 3: The intent of Zone 3 is to protect residents by reducing the interior level of objectionable noise resulting from nighttime aircraft flights. New residences within new subdivisions are required to meet design standards that reduce interior sound levels by 30 dB. Notification of potential aircraft over-flight noise is required.

Zone 4: The intent of Zone 4, along with the other three zones, is to provide public notification of potential night time aircraft noise impacts.

All 4 zones require that the owner of a new subdivision provide a waiver of claim to protect the City against actions resulting from aircraft noise impacts to properties or from other consequences of the district's noise mitigation requirements.

The applicant for ZA-17-20 requested department staff review the potential for changing a tract of land within Zone 2 of the ARO District to allow residential development. After the staff concluded it was feasible to amend the district for a specific area and continue to maintain effective noise mitigation, the request was presented to the City Council for discussion at a briefing session. Later at their September 18th regular meeting, the City Council initiated this zoning map amendment.

Staff Analysis

Staff reviewed the noise metrics and the basis for the zone boundaries near the subject site. It was determined that the noise metrics would support properties within the subject site being reclassified to Zone 3. Zone 3 allows residential development provided new residential dwellings meet a 30 dB noise level reduction design standard. The potential aircraft noise impacts for the subject site are comparable to the area that adjoins to the west with residential development, which is within Zone 3. Property lines were utilized when this portion of the boundary between Zone 2 and 3 was originally created because there are no physical features in this portion of the district that align with the noise metric analysis.

The staff inquired with the executive director of PTIA to gather comments and concerns regarding this proposed change to allow residential development within this specific site. The airport executive director does not object to this change on condition that an aviation easement is provided to the airport by the property owner. That issue can be addressed as part of the conditional zoning of property within this subject site.

Property to the north and east is sparsely developed with nonresidential uses but is planned for industrial development. The area immediately to the west is fully developed with residential dwellings and a FAA navigational aid prevents development to the south. Because of the existing and planned industrial land use to the east, the staff strongly advises against extending Zone 3 further eastward than proposed under this map amendment. More importantly, daytime and nighttime aircraft flights departing PTIA from the main runway fly along the Eastchester Drive (NC 68) corridor. The potential noise impact is greater to the east along the corridor.

The ARO District is based upon the noise analysis of aircraft flight data from first the EIS and later the more detailed Part 150 study. Amendments to the district should not be made without consideration and support of the noise metrics and analysis on which the district is based. Otherwise, such district amendments would be arbitrary and without a basis in the data that created the district. PTIA is planning to update their Part 150 study in the future and revisions to the ARO District may be warranted after that study is complete.

Consistency with Adopted Policy Guidance:

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

The proposed amendment does not conflict with the Land Use Plan or other adopted plans. More specifically, the City does not have adopted plans or policies that address this type of zoning map amendment.

Reasonableness/Public Interest:

Whether an approval of the zoning map amendment is reasonable and in the public interest.

The change of the subject site from Zone 2 to Zone 3 will continue to provide sufficient noise mitigation protection measures. Specifically:

- 1) The noise metrics and analysis on which the ARO District is designed will support a reclassification of the subject site from Zone 2 to Zone 3.

- 2) ARO District Zone 3 provides aircraft noise mitigation protection to homeowners by requiring owner notification and a 30 dB noise level reduction standards for new residential dwellings.
- 3) And, City interests are protected through the district's waiver of claim requirement and PTIA can be protected through a grant of an aviation easement by the property owner through conditional zoning.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommend approval of the request to change this 50.94-acre subject site from Zone 2 to Zone 3 of the ARO 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 statement 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 statements.

Report Preparation

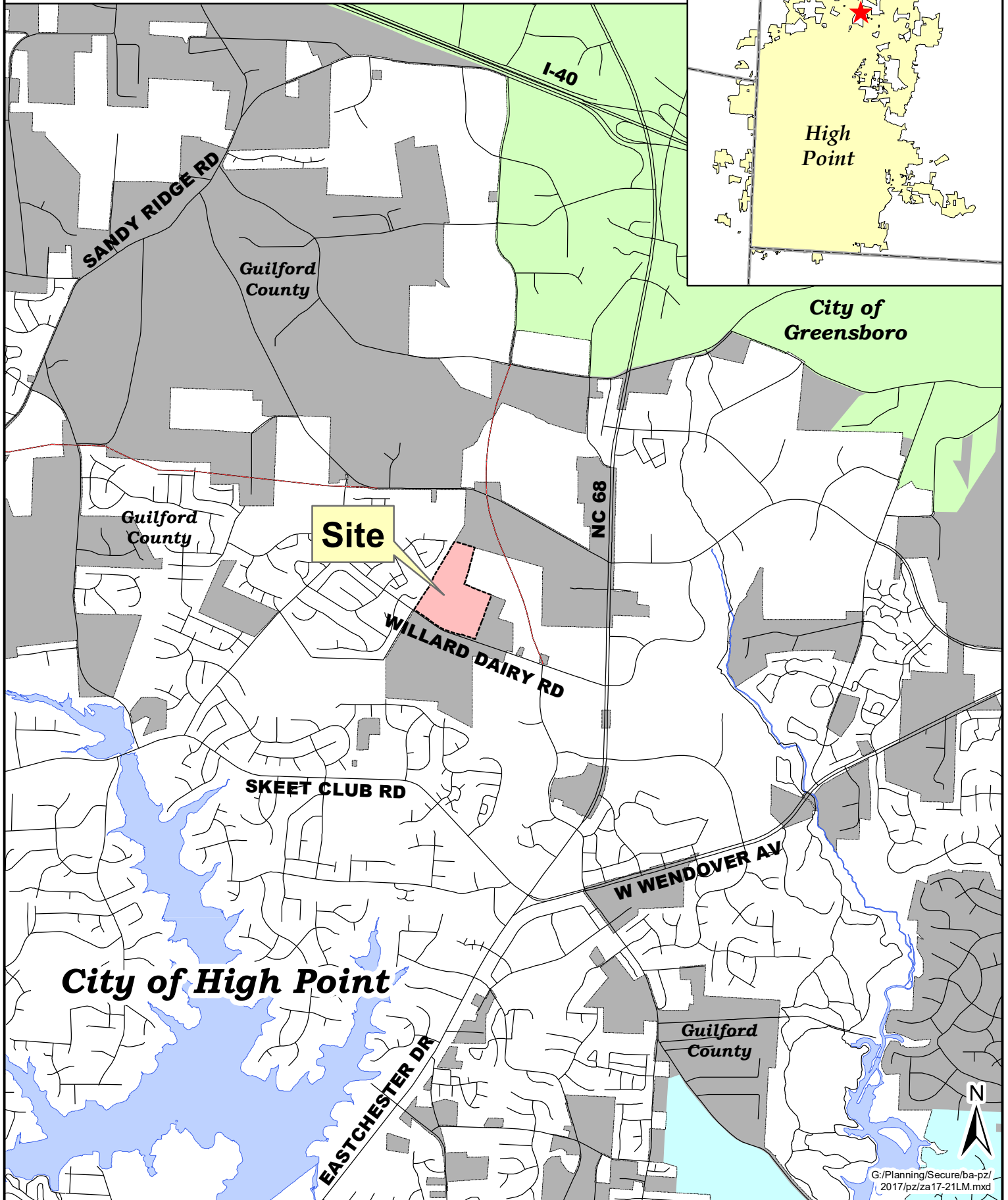
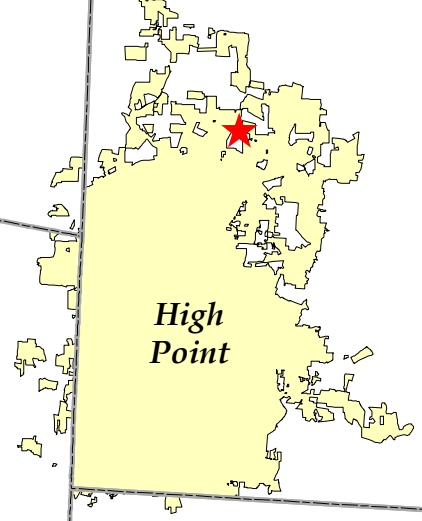
This report was prepared by Planning and Development Director G. Lee Burnette, AICP, and reviewed by Robert Robbins, AICP, Development Administrator.

LOCATION MAP

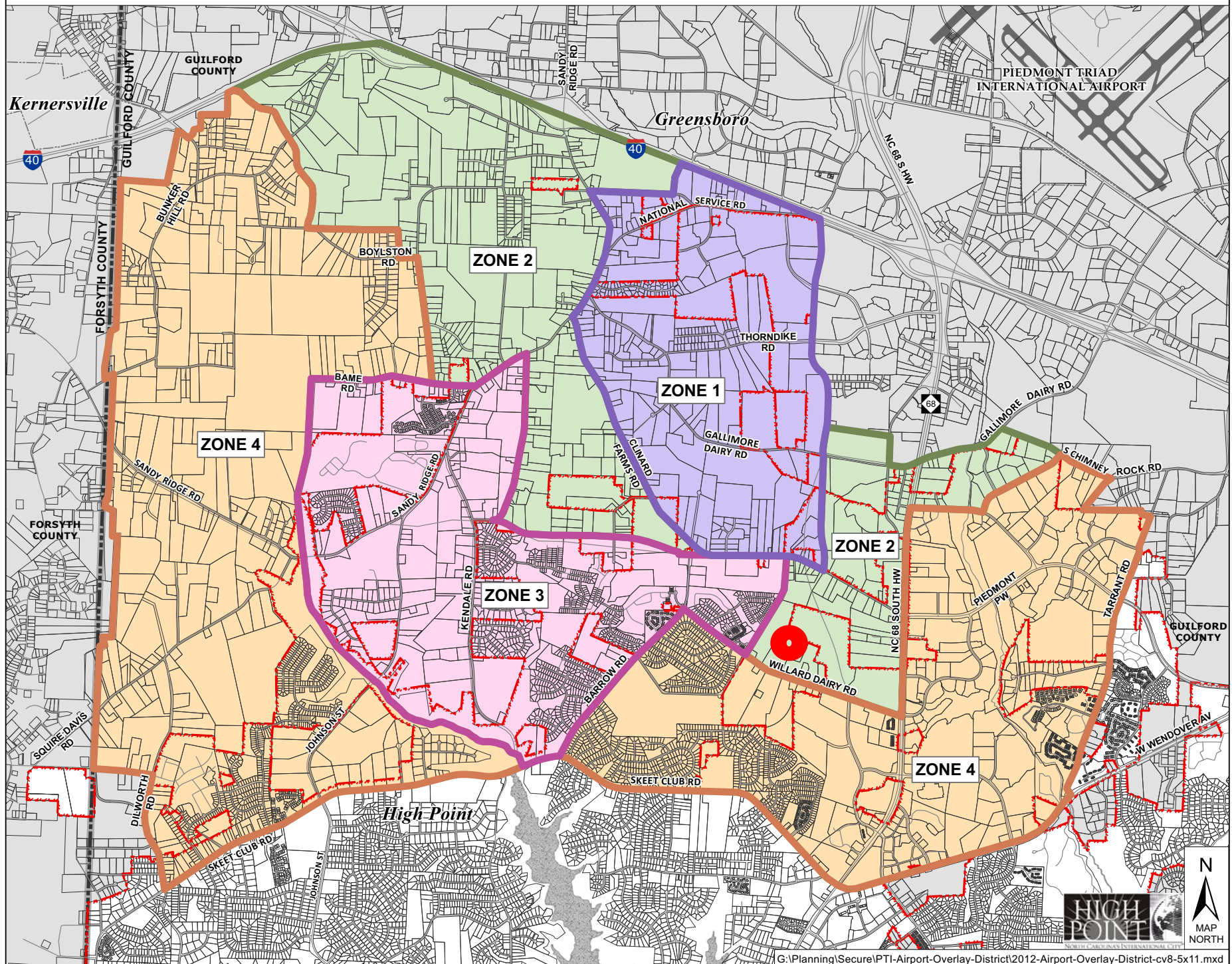
ZONING MAP AMENDMENT ZA-17-21

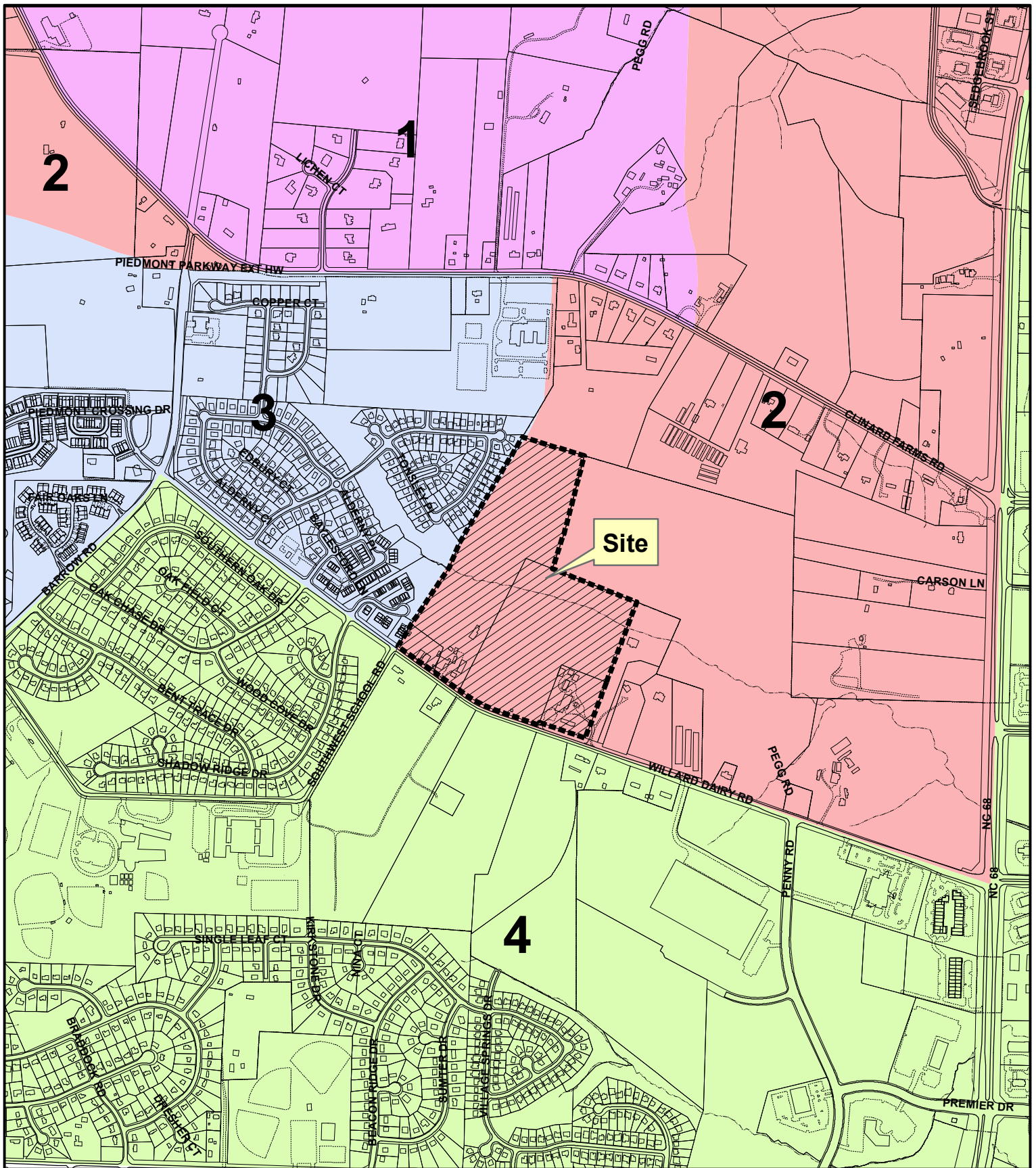
Applicant: City of High Point

Vicinity Map



AIRPORT OVERLAY DISTRICT





ZONING MAP AMENDMENT ZA-17-21

**From: Airport Overlay District 2
To: Airport Overlay District 3**

Existing Zoning Boundary
Subject Property Boundary

**Planning & Development
Department**

City of High Point

Date: October 24, 2017



Scale: 1"=1,000'
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NORTH CAROLINA'S INTERNATIONAL CITY™

**MANAGER'S BRIEFING SESSION
HIGH POINT MUNICIPAL BUILDING**

November 6, 2017 – 4:00 P.M.

3RD FLOOR LOBBY CONFERENCE ROOM

Present:

Mayor William S. Bencini, Jr.; Mayor Pro Tem Wagner (Ward 4); and Council Members; Latimer Alexander (At-Large); Cynthia Davis (At-Large); Jeff Golden (Ward 1); Chris Williams (Ward 2), and Alyce Hill (Ward 3)

Absent:

Council Members Jim Davis (Ward 5) and Jason Ewing (Ward 6)

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Kenneth Shultz, Police Chief; Tommy Reid, Fire Chief; Loren Hill, President-High Point Economic Development Corporation; Eric Olmedo, Budget and Administrative Manager; Mike McNair, Director of Community Development & Housing; Reggie Hucks, Inspections Administrator; Lori Loosemore, Local Codes Enforcement Supervisor; Jeron Hollis, Director of Communications and Public Engagement, JoAnne Carlyle, City Attorney; and Lisa Vierling, City Clerk

News Media:

Pat Kimbrough, *High Point Enterprise*

City Manager Greg Demko called the meeting to order at 4:00 p.m.

Due to some recent violence at some of the High Point hotels, City Manager Demko asked staff to brief Council.

Deputy City Manager Randy McCaslin reminded Council of a shooting that took place at a hotel on N. Main Street several weeks ago that generated some questions from Council, as well as from several citizens. Additionally, the city has received other numerous complaints regarding other hotels in the area over the last six months. As a result, staff was asked to take a harder look at the issues and talk about the calls for service at these hotels.

Police Department Perspective

Police Chief Kenneth Shultz noted they have seen some on-going issues with heroin overdoses at some of these hotels and they continue to get complaints from the community. As a result, they continue to look at the issues from an efficiency standpoint and how to better prevent these issues from happening. Chief Shultz advised that the Police Department looked at most of the hotels/motels in the city to figure out how widespread the issues are. He reported on the results as follows:

Hotel	Location	Calls for Service	# of Crimes Reported	
Hotel NC	Brentwood Street	540	78	
In Town Suites	2760 N. Main St.	354	38	
Travel Inn Express	W. Green Drive	291	56	
Motel 6	SW Cloverleaf	195	29	

Chief Shultz then shared that the statistics show that these four hotels are driving the majority of calls for service and have a vast amount of crime and numerous charges at each of those locations. He also pointed out consistency of the location of 29/70 with three of the four hotels. Some of the crimes reported at these hotels include public disturbances, homicide, drug related incidents, domestic disturbances, overdoses requiring EMS assistance, fights, robberies, armed robberies, assault with a deadly weapon, child neglect, sexual assaults, prostitution, etc....

He reported there are four things the Police Department can do as a typical response to these areas of crime:

1. Control focus. As time allows, officers are in the area doing drive throughs, foot patrols, things to be noticeable.
2. Street crimes. This includes surveillance, jump outs, etc.... and is a blend between patrol officers and vice/narcotics.
3. Vice/Narcotics. They continue to work with informances and review complaints as they come in whether they are from Crime Stoppers calls, whether or not they are generated by patrol officers or street crimes. They also conduct searches with search warrants and execute the search warrants. Chief Shultz explained that vice/narcotics is now part of the Police Department's response plan for overdose deaths and they investigate these very similar to the homicides.
4. Public Nuisance. The nuisance abatement laws have been used on occasion in High Point and have resulted in a few seizures of private properties, mores specifically located at 708 Hendricks in 2008 and a couple of houses on Hobson Street in 2009 and 2010.

Chief Shultz further explained there is an opportunity to come in and do nuisance abatement against specific properties and these hotels could fall under that. However, the following things would be required:

1. Five years' worth of court records would have to be produced;
2. Interviews would have to be conducted with neighbors;
3. Affidavits would need to be secured showing that the property is a nuisance, or has a bad reputation;
4. Officers need to be interviewed about the calls for service

He advised once the preceding things are done, they then go in a do single affidavits that are compiled for a court ruling, which are presented in court. In the case of violations, the court could order the businesses closed and could order civil fines as well, but if they order the businesses closed, there is always the possibility that the owners could re-petition the court, which results in further complications.

Chief Shultz explained that the Police Department hired outside legal counsel to assist with the seizure of private property in 2008 at 708 Hendricks, but the police attorney assisted with the seizures in 2009 and 2010 on Hobson Street, which resulted in a drain on their resources because of the time that was involved. He noted that it pretty much took about a year, but could have taken longer. Because the property was turned over by the property owners and they entered a guilty plea, the Police Department did not have to actually go through the court system which would take more time.

Another thing that Chief Shultz pointed out is that any changes in ownership for any of these hotels would zero everything out and there are strict requirements about how the ownership has to be put on written notice and the owners of these properties could claim they did not receive any kind of notification, which could result in a defensive action in court.

Mr. McCaslin explained that the ownership tends to change between family members, and pointed out some of these facilities are owned by the same owners.

Council Member Alexander asked what kind of code enforcement could be done. Chief Shultz noted it could be done by the public nuisance abatement, but his request would be that the Police Department hire outside legal counsel because of the anticipated time it would take. They would review the information prioritize and pick the worst one going forward.

Mayor Pro Tem Wagner asked about the franchised hotels and if there might be any way to reach out to their corporate headquarters. Chief Shultz replied that they did this recently with Motel 6 after not getting much of a response from the local management. Once they reached out to their corporate headquarters, they ended up getting cooperation and have seen a big turnaround in terms of reaction and results with the local management staff.

At this time, Mr. Demko asked if there were any questions for Police Chief Shultz.

Council Member Golden asked if civil fines are a consideration

Chief Shultz advised that one of the things they discovered while doing this was that 68 people who were arrested at these specific hotels gave the hotel address as their permanent address on the paperwork. So the rest of the conversation will capitalize on discussion about other civil fines and opportunities regarding the inspection aspect.

At this time, Lee Burnette, Director of Planning, provided some definitions and regulations relating to hotel and motels as contained in the Development Ordinance. He noted these terms are generally interchangeable.

A hotel is considered a commercial use and visitor accommodation uses whereby you have sleeping accommodations that are offered to the public and are intended for temporary occupancy, overnight, or on a short-term basis. Mr. Burnette reported that the Development Ordinance allows hotels and motels as a permitted use in the commercial zones and some industrial zones, as well as in mixed use districts. All of the hotels that have been the focus of discussion at the meeting today were permitted either as a hotel or motel. However, there may be some of these that are acting as single room occupancies (SROs), which are basically a building that provides rental accommodations to tenants and more than five individual rooms for a period of one week or longer and rooms may have cooking facilities and private baths. SROs are only allowed in the high density, multi-family districts and office districts and are not allowed in commercial zones. There are specific standards that go along with an SRO, and they must be permitted only by special use permits.

Council Member Alexander asked about what is considered an “extended period of time” for these. Mr. Burnette explained that it is typically a month or longer, but it would have to be determined by the inspection folks upon review of the records for them to see what is occurring there. Mayor Pro Tem Wagner asked if staff could obtain a log of each of the hotels’ tenants.

Mr. McCaslin replied the extended stay is really meant for contractors coming in from out of town anticipating a 2-3-month project, and they have a permanent address elsewhere. Council Member Alexander pointed out in many of these instances, there is commerce taking place in the rooms and he was curious as to where they would go when they are made to leave the hotel. He felt they would just move on and carry the problems to neighboring communities.

Council Member C. Davis inquired as to if the Minimum Housing Code would come into play for the extended stay or longer. City Attorney Carlyle replied that it would not.

Fire Department Perspective

Fire Chief Tommy Reid stated that the Inspections and Fire Department have the most leeway in these situations because they have the right to enter a business anytime. He entitled his portion of the presentation as “Stay Safe Initiative in High Point” because their role is to preserve and protect public health and safety, address complaints by visitors/citizens, enforce compliance with NC Fire Code, and address the growing problem of resource use with non-compliant businesses. He recommended that the city institute a fee-based compliance program and suggested sending a letter to all hoteliers informing them of the initiative. All hotels would be inspected in accordance to the NC Fire Code and none would be singled out this way.

He mentioned the In Town Suites and the drain of resources it is on the Fire Department. He explained that the Fire Department responds to this location month after month and continuously writes them up for violations, but nothing with teeth in it is in place to get them to correct the violations without using the manpower to go to the District Attorney or find a judge that is willing to charge them criminally, which they do not have the time or manpower for that. He further advised that complaints and hazardous environments would continue to be inspected based on reasonable cause, which means if they believe unsafe, unsanitary, or otherwise hazardous/unlawful conditions exist in a structure, they have the right to take care of that.

Chief Reid further reiterated the drain on resources and shared that:

- Incidents/call volume increased 100% at In Town Suites on N. Main Street since last year;
- Incidents/call volume is up 96% from last year at Hotel NC on Brentwood Street;
- Spent 182 man hours at Hotel NC on Brentwood Street, which is equivalent to 7.6 continuous days;
- Spent 549.5 man hours at In Town Suites on N. Main Street, which is equivalent to 22.9 continuous days.

Chief Reid explained the fee-based system would increase as the number of offenses escalate. He advised one of the issues they face is with the ownership and transferring the ownership to somebody else in the family. With the amount of fees that would be placed on them and the likelihood that the fees would not be paid, he felt there are other avenues that would make it easier to collect the fees. Council Member Alexander asked levying fines or fees against them and recording the lien at the courthouse. Mayor Pro Tem Wagner advised that if it is clocked in as a Judgment, and they do transfer ownership, it would still be a lien on the property that would have to be satisfied.

Mayor Pro Tem Wagner asked Police Chief Shultz if he felt there was a direct correlation between these properties and the increase in drug traffic. Chief Shultz agreed there is a lot of drug activity taking place at these hotels, but he did not know that it is necessarily drug trafficking.

Inspections Perspective

Reggie Hucks, Inspections Administrator, talked about how the Police Department, Fire Department, and Inspections Department work in tandem with one another in these cases. He stated the State Building Code certainly helps in most instances and he shared how they have the right to go in and approach property when they observe something that may need to be condemned. However, to get inside the structure, they do have to have a reasonable cause to go in. The Fire Department can go in and do maintenance inspections on buildings at any time, but the Inspections Department can only go in if there is an obvious problem or defective construction. Once the Fire Department does go in for an inspection and reports back the findings to Inspections, then inspections could make a condemnation case out of it. Another alternative would be to issue an order to the property owner to take corrective action, but this is not as enforceable as a condemnation.

Mr. Hucks then gave a brief history on the fire that occurred at one of the modular units outside of the structure on W. Green Drive. He explained that the fire allowed them an opportunity to inspect the other modular units as well, but not the building itself. As a result, the modular units were condemned. He reported that staff has been persistently working with the property owner and the property owner is in the process of demolishing the units, but is working at a very slow pace.

He explained if they do go into these hotels and observe obvious life-safety problems, they can close it down and get the people out.

Mr. McCaslin advised that staff is relaying the message that it is not going to be easy to take care of these issues, but the departments will work in tandem on the police, fire, and inspections side to attack what needs to be done to address the issues in these areas. He noted there is no simple way of accomplishing this under the current state law.

Mayor Pro Tem Wagner suggested creating a working committee between the three departments to help with these efforts and the committee could pass along recommendations to Council for any regulatory changes that may need to be made legally to do that. Mr. McCaslin agreed and mentioned the recommendation from Chief Reid for instituting an escalating fee because it is a serious drain on the city's resources when they have to make numerous trips to these locations.

Council Member C. Davis mentioned that she spoke to the city attorney about this and was told that it might be possible to have the newly seated Council look at something in the near future.

Mr. Demko asked Chief Reid about the possibility of sending the letters out to the hoteliers where there are known issues and treat it similar to what the Police Department does with the focused deterrence. Chief Reid noted it is a campaign and they thought it best to address and inspect all hotels in High Point.

Mr. McCaslin pointed out another area of concern is that the Convention & Visitors Bureau does collect money from some of these hotels, so they feel an obligation to advertise for them, and this contributes to out of town people unknowingly booking a room at one of these hotels.

Council Member Golden asked for clarity regarding the top two floors at the In Town Suites operating illegally (long term stays) and questioned why the city has not investigated this already. Mr. McCaslin explained that it sometimes it is difficult to prove whether it is a permanent address or not. Council Member Golden asked if it might be possible for the city to go in and ask for the entire registry and Ms. Carlyle advised that there would have to be a good reason to access those records. Council Member Golden felt the sign itself would be a give-away because they advertise for extended stays and have monthly rates. Council Member Hill felt the question is not the duration of the stay, but whether or not they have another residence.

Email from Daniel Kirkman

Chief Shultz mentioned the email from Daniel Kirkman regarding Juanita Hills and noted he has historically filed complaints. He is requesting installation of a fence with security guards and cameras around Juanita Hills, but the Police Department is not in support of this. He welcomed any suggestions.

Mr. McCaslin asked if there were any additional questions. There being none, he reminded Council about the Closed Session for economic development purposes that is scheduled at 5:00 p.m.

There being no further business, the meeting adjourned at 4:52 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: **Zoning Map Amendment 17-21**
 Plan Amendment 17-04
 Zoning Map Amendment 17-20

From: Lee Burnette, Planning & Development
 Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
 November 15, 2017

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
 B. Staff Report
 C. Plan Amendment Resolution
 D. Zoning Ordinances

PURPOSE:

1. Zoning Map Amendment 17-21

A request by the City Council to amend the boundary of the Airport Overlay (ARO) District as it pertains to approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road.

2. Plan Amendment 17-04

A request by Keystone Homes and the City of High Point to change the Land Use Map classification for approximately 286.06 acres. The request pertains to land lying along the north and south side of Willard Dairy Road, east of the intersection of Southwest School Road, and along the east and west side of Barrow Road, north of the intersection of Willard Dairy Road.

3. Zoning Map Amendment 17-20

A request by Keystone Homes to rezone an approximate 22.2-acre parcel from the Agricultural District, within Guilford County's jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ-RM-16) District. The site is lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff recommended **approval** of these request, as outlined in the attached staff reports.

B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-24, Plan Amendment 17-04 and Zoning Map Amendment 17-20. The Planning & Zoning Commission recommended **approval** of these request, by a vote of 8-1, as outlined in the staff reports and as recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

At their October 24, 2017 public hearing, the Planning & Zoning Commission reviewed Zoning Map Amendment 17-21, Plan Amendment 17-04 and Zoning Map Amendment 17-20. Mr. Herbert Shannon, Senior Planner, and Mr. Andy Piper, Senior Planner, conducted a combined presentation of these three cases as they are related. Staff recommended approval of the requests as outlined in the staff reports.

Speaking in favor of the requests:

Speaking in favor of these requests were Ms. Judy Stalder, 665 N. Main Street, High Point and Mr. Scott Wallace, president of Keystone Homes, 3708 Alliance Drive, Greensboro. Ms. Stalder explained that the physical features of the property, including two streams and challenging topography, would not support industrial development. Ms. Stalder also noted that the projected PTIA flight patterns have changed since the last study, and more closely follow the Eastchester Drive corridor, which is further away from this property. Mr. Wallace stated that this rezoning is intended to facilitate the development of 86-unit townhome subdivision. They are not ignoring the airport and potential for noise, the dwellings will be constructed using City-required measures to mitigate noise impact.

Speaking in opposition of the requests:

Speaking in opposition to these requests were Tanya Stewart, 3616 Cottesmore Drive and Danny Clegg, 2531 Willard Dairy Road. These speakers expressed the following concerns:

- Air traffic noise: The residents of the proposed development will not be aware the property was rezoned from Zone 2 to Zone 3 and may be subject to a lot of air traffic noise.
- Inconsistent with neighboring uses: This is an agricultural area that includes a dairy farm. The request for townhomes is inconsistent with the land uses and development density already established in the area.
- Overcrowded schools: The development would put undue strain on already overcrowded schools.
- Traffic and safety: The access point for the development is located in an unsafe bend in the road on Willard Dairy Road. The development will add more traffic to an already busy Southwest School Road where traffic is heavy due to the location of the elementary, middle and high schools. The additional traffic poses safety concerns, especially as traffic continues to increase.

Planning & Zoning Commission Action

1. Zoning Map Amendment 17-21: (Amending the boundary of the Airport Overlay District)

a) Consistency Statement

The Commission stated that the request is consistent with adopted policy guidance and appropriate for this location. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Ms. Stone dissenting.

b) Zoning Map Amendment

The Commission recommended **approval** of Zoning Map Amendment 17-21, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

2. Plan Amendment 17-04: (Land Use Map classification change for approximately 286.06 acres)

The Commission recommended **approval** of Plan Amendment 17-04, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

3. **Zoning Map Amendment 17-20:** (A request to establish a CZ-RM-16) District)

a) Consistency Statement

Based upon action taken on the previous two cases (ZA-17-21 and PA-17-04), the Commission stated that the request is appropriate for its proposed location, is consistent with the City's adopted policy guidance documents, consistent with the Land Use Plan and the Airport Overlay District, and compatible with the surrounding land use pattern. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Ms. Stone dissenting.

b) Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 17-20, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

Ms. Stone noted that her votes in opposition were due to concerns with allowing additional residential uses in this area based on the proximity of the site to the NC 68 corridor and associated airplane noise impacts, school overcrowding and traffic safety concerns.

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

**STAFF REPORT
PLAN AMENDMENT PA-17-04 AND ZONING MAP AMENDMENT ZA-17-20
October 24, 2017**

Request		
Applicant: Keystone Homes	Owners: Willard Family Trust and Willard Survivors (Ruth S. Willard, Brenda Wood, John M. Willard)	
Plan Amendment Proposal: To change the Land Use Plan Map designation for approximately 50.94 acres to a Medium-Density Residential land use designation, and to change approximately 235.1 acres to a Low Density Residential land use designation.	From:	Restricted Industrial, and Mixed-Use Development
	To:	Medium-Density Residential, and Low Density Residential
Zoning Proposal: To annex and apply initial City zoning to a 22.2-acre parcel.	From:	AG Agricultural District (Guilford County)
	To:	CZ RM-16 Conditional Zoning Residential Multifamily-16 District

Site Information		
Location:	The site is lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road.	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	The amendment covers 434 parcels.	Guilford County Tax Parcel 0169933
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 286.06 acres	Approximately 22.2 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family detached and single family attached dwellings, agricultural use, industrial use and undeveloped parcels.	Undeveloped parcel
Physical Characteristics:	The zoning site is wooded with a moderate to severely sloping terrain. A perennial stream runs in a west to east direction along the northern portion of the property and an intermittent stream runs in a south to north direction through the middle of the site.	
Water and Sewer Proximity:	As it relates to the zoning site, a 12-inch City water line terminates approximately 640 feet to the west at the intersection of Willard Dairy Road and Southwest School Road, and a separate water line terminates approximately 1,200 feet to the east near the intersection of Willard Dairy Road and Penny Road. An 8-inch City sewer line runs along the northern portion of the site following the perennial stream corridor.	
General Drainage and Watershed:	As it relates to the zoning site, the property drains in a general northerly direction and development is subject to the City Lake General Watershed Area (GWA) requirements. Engineered storm water treatment measures are	

	required for multi-family 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 Districts:	City Lake General Watershed Area (GWA) Airport Overlay (Zone 2)

Adjacent Property Zoning and Current Land Use			
North:	CU-LI	Conditional Use Light Industrial District	Undeveloped parcels
South:	AG	Agricultural District (<i>Guilford County</i>)	Undeveloped parcels
East:	AG	Agricultural District (<i>Guilford County</i>)	Single family dwelling, agricultural use with multiple accessory structures and a warehouse building
West:	PDR	Planned Development – Residential District	Single family dwelling and agricultural use with multiple accessory structures

Adjacent Land Use Plan Designations	
North:	Restricted Industrial and Local/Convenience Commercial
South:	Low Density Residential
East:	Restricted Industrial
West:	Low Density Residential

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	• Restricted Industrial: This classification accommodates office, warehouse, research and development, distribution, and light manufacturing or assembly uses on larger sites in unified developments. • Mixed Use Development: This classification provides for the siting of a variety of land uses in close proximity to each other where this is desirable due to existing land use patterns, environmental constraints, the need to preserve open space, the opportunity to provide alternative modes of transit and other factors.
Proposed Designation:	• Medium-Density Residential: This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwellings units per gross acre. • Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	Obj. 5E: Require that street systems connect with one another whenever possible to move all modes of traffic efficiently, to avoid congestion along key corridors, to improve traffic and pedestrian safety, and to enhance emergency management access.

Land Use Plan Goals, Objectives & Policies:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #1: Ensure that development respects the natural environment. Goal #3: Provide a wide range of housing opportunities for families of all income levels. Goal #4: Ensure that all required public services and facilities are sequenced to meet demands of development. Obj. #3: Provide opportunities for an adequate supply of affordable housing at appropriate locations convenient to employment, shopping and service areas. Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area. Obj. #5: Maintain an appropriate balance between the size, location and density of new development and the availability and demands upon the public services and facilities required to serve that development. Obj. #8: Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations. Obj. #9: Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.
Relevant Area Plan:	Not applicable
Zoning History:	There have been no recent zoning changes in this area. West of the site, at the intersection of Willard Dairy Road and Southwest School Road, is the Cottesmore Subdivision which was annexed and granted PDR District zoning in 2004 to permit a mixture of single family detached and single family attached (townhome) dwellings. South of the Cottesmore development is the Bent Tree Subdivision, which was annexed and granted City zoning in 1995 to allow a single family detached subdivision To the east of the site, along the north and south side of Willard Dairy Road, are Conditional Use Light Industrial (CU-LI) Districts that were established in 1989 and 2005.
LUPA History:	There were two notable Land Use Plan Amendments in the area: • Plan Amendment 03-02 implemented recommendations of the former Johnson Street/Sandy Ridge Road Area Plan and the 2003 Wyle Report, which analyzed the impact of anticipated noise from the third runway at PTIA. It resulted in the area between Willard Dairy Rd. and Clinard Farms Rd. from Southwest School Rd. to Barrow Rd. being designated Mixed Development. • Plan Amendment 05-01 resulted in the portion of the area west of Barrow Rd. being designated Mixed Development due to development plans at the time that envisioned a mix of residential, commercial and open space uses.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Willard Dairy Road		Minor Thoroughfare	600 feet
Vehicular Access:	Access will be taken from Willard Dairy Road.			
Traffic Counts: (Average Daily Trips)	Willard Dairy Road		7,881 (HPDOT 2017 - 24 Hour Traffic Count)	
Estimated Trip Generation:	Using the development data provided by the applicant, its estimated an 82-unit townhome development will generate 482 average daily trips.			
Traffic Impact Analysis:	Required		Comment	
	<u>Yes</u>	<u>No</u> X	None	
Conditions:	Right-of-Way Dedication: The property owner shall dedicate a minimum of forty-two (42) feet of right-of-way as measured from the existing centerline along Willard Dairy Road. Access: Two points of access shall be required to Willard Dairy Road. A street stub shall be required to the western property boundary. Improvements: Turn lanes are required at access points to Willard Dairy Road. The City of High Point Transportation Director and the North Carolina Department of Transportation (NCDOT) shall approve the exact location and design of all access points and improvements.			

School District Comment					
Guilford County School District					
Local Schools:	Maximum Built Capacity:		Enrollment (20 th Day) 2017 - 18:	Mobile Classrooms:	Projected Additional Students:
	2017-18	2018-19			
Southwest Elementary	935	882	900	6	28 – 30
Southwest Middle	1,223	1,223	1,196	10	14 – 16
Southwest High	1,597	1,597	1,606	11	13 - 15
<u>School District Remarks:</u> Statutory teacher allotments and class size maximums may result in changes to the capacity calculations provided in the above chart. Southwest Elementary enrollment is nearing maximum built capacity in the 2017-18 school year. With the implementation of G.S. 115C-301, which mandates reduced class size, enrollment will exceed capacity for the 2018-19 school year. This statutory requirement will reduce the capacity of Southwest Elementary from 935 students to 882 students between 2017-18 and 2018-19. Approximately 782 lots have been submitted for rezoning and approved since 2015 within the Southwest Elementary attendance boundary. Additional residential development will cause capacity hardship on Southwest Elementary School. Southwest Middle School is nearing capacity and Southwest High School is over capacity. Approximately 496 lots have been submitted for rezoning and approved in the Southwest Middle and Southwest High School attendance boundary. This is in addition to the 782 lots in the Southwest					

Elementary attendance boundary, totaling 1278 residential lots. Further development in the Southwest Middle/High School assignment boundary will continue to place capacity hardships on these schools.

Details of Proposal

1. General Overview:

The City Council has initiated a zoning map amendment application (ZA-17-21) to amend the Airport Overlay District (ARO) zone designation for the applicant's 22.20-acre site and an additional 30.44 acres abutting the site to the west and southeast. If approved, the change from ARO Zone 2 to ARO Zone 3 will permit residential development on the total 50.94-acre tract. Hence, the applicant has submitted voluntary annexation, plan amendment and zoning map amendment applications to facilitate the development of a single family attached (townhome) subdivision on the 22.20-acre parcel.

2. Summary of Land Use Plan Amendment Request:

The existing Land Use Plan Map designation for the applicant's 22.20-acre site is Restricted Industrial, which is not appropriate for residential development. The applicant has therefore requested the Land Use Plan Map designation be changed to the Medium-Density Residential designation. In looking at the surrounding area, Planning & Development Department staff identified several other tracts that should be considered for amendment given their proximity to the applicant's site and areas designated Low Density Residential, or due to existing and ongoing development. Staff has amended the request to include approximately 30.44 acres to the southeast and west of the applicant's site to be changed from Restricted Industrial to Medium-Density Residential, approximately 35.12 acres to the south across Willard Dairy Road to be changed from Restricted Industrial to Low Density Residential, and approximately 200 acres located farther west between Willard Dairy Road and Clinard Farms Road, including area on the west side of Barrow Road, to be changed from Mixed Development to Low Density Residential.

3. Summary of Zoning Request:

Because the applicant has requested annexation of the 22.2 acre site to be developed, the site must also be zoned by the City. The applicant has requested a CZ-RM-16 District, which will allow the townhome development proposed. In conjunction with this application, a conditional zoning ordinance has been prepared with conditions offered by the applicant limiting density to five dwelling units per acre (maximum of 102 dwelling units) and requiring that an avigation easement be granted to PTIA. An avigation easement is an airspace easement over the development that helps protect PTIA against liability claims arising from aircraft noise.

Staff Analysis

Section 2.4.5.(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. 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.

<u>Review Factors:</u> Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:	
Factor #1	Results in a development that is compatible with surrounding development character and land uses; ❖ The site is lying between single family and townhome developments to the west and undeveloped land to the east designated for Restricted Industrial uses by the Land Use Map. This site is in essence a transition area, and the allowance of higher density residential uses, will serve as a compatible transitional development between higher and lower intensity uses. ❖ The City Council has initiated a separated zoning map amendment application to change the ARO District covering this site from ARO Zone 2 to Zone 3. The Development Ordinance requires new residential development in ARO Zone 3 be designed and constructed in a manner that achieves an outside to inside noise reduction level of at least 30 decibels.
Factor #2	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; Staff has not identified any adverse impacts that the requested CZ-RM-16 District, or its allowable uses, would impose on adjacent lands. Surrounding lands consist mostly of large undeveloped parcels and agricultural or industrial uses as permitted under Guilford County's zoning regulations. Additionally, the requested district requires single family attached developments to maintain a minimum 15-foot wide setback around its perimeter.
Factor #3	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat; The site is within the City Lake General Watershed Area. Environmental standards of the Development Ordinance address watershed and stream buffer requirements to minimize land disturbance.
Factor #4	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and; 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.
Factor #5	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent lands. Adjacent property to the north and east are currently slated by the City's Land Use Map for Restricted Industrial uses, which are intended to accommodate office, warehouse, research and development, and light manufacturing uses on larger sites. Subject to approval of the Plan Amendment, medium-density residential uses would be allowed on the zoning site and on parcels west of the site. The requested RM-16 Districts allows a mixture of housing types and a variety of institutional uses at a intensity similar to or less than those permitted on adjacent lands. If the Plan Amendment is adopted, the requested CZ-RM-16 District would not adversely impact the use and enjoyment of adjacent lands.

Changes in the Area:

There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.

The land development pattern in this area has changed significantly over the past fifteen to twenty years as more and more residential subdivisions have been constructed. The proximity of larger subdivision development, particularly to the west and south of the applicant's site, supports the request for a similar use of land.

Development Patterns:

The proposed Conditional Zoning District results in development that promotes a logical, preferred and orderly development pattern.

Large scale residential development to the west and south of the zoning site is indicative of the development pattern in the area, which has been shaped by the boundary of the Airport Overlay District Zone 2, which prohibits new residential uses. If approved, the change in the ARO from Zone 2 to Zone 3 on the 22.2 acre zoning site and adjacent 30.44 acres will allow a logical and orderly continuation of residential growth, and as conditioned the proposed CZ-RM-16 will result in an extension of this preferred residential development pattern.

Consistency with Adopted Policy Guidance:

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

Subject to the approval of Plan Amendment PA-17-04, the request is consistent with the Land Use Plan Map and several stated goals and objectives of the Land Use Plan, including encouraging a variety of housing types and providing a land use transition between more and less intensive uses.

Reasonableness/Public Interest:

Whether an approval of the Conditional Zoning is reasonable and in the public interest.

Subject to the approval of Plan Amendment PA-17-04 and Zoning Map Amendment ZA-17-21, the request is consistent with the Land Use Plan and the Airport Overlay District and compatible with the surrounding land use pattern.

Recommendation

1. Plan Amendment 17-04:

Staff Recommends Approval:

Staff recommends approval of the request to change the land use designation for this 287.98 acres area as it more accurately reflects the manner in which this area has developed and it will be in harmony with the land use pattern of the surrounding area.

2. Zoning Map Amendment 17-20:

Staff Recommends:

Subject to approval of Plan Amendment 17-04 and Zoning Map Amendment 17-21, the Planning & Development Department recommends approval of the request to rezone this 22.2-acre parcel to the CZ RM-16 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

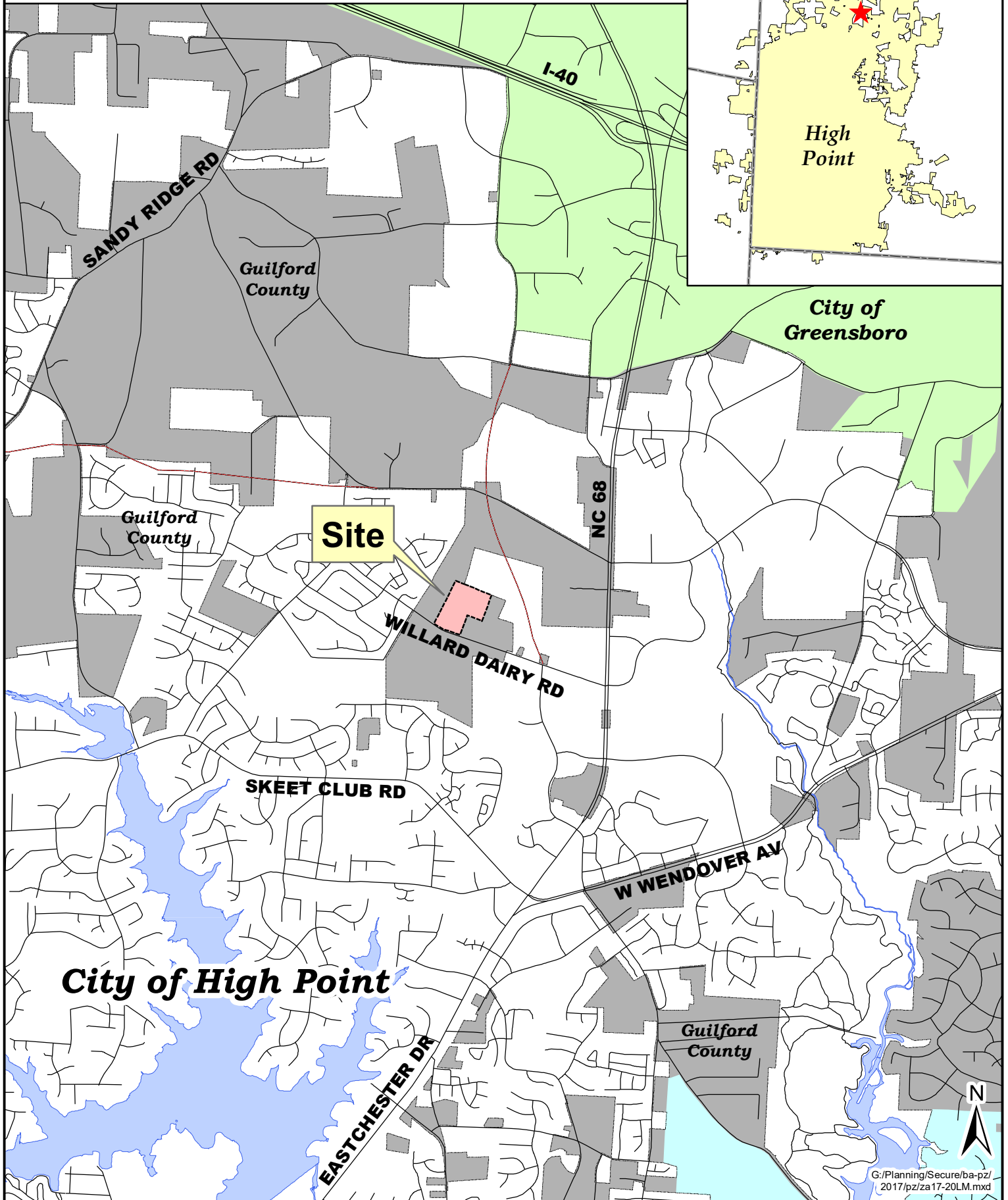
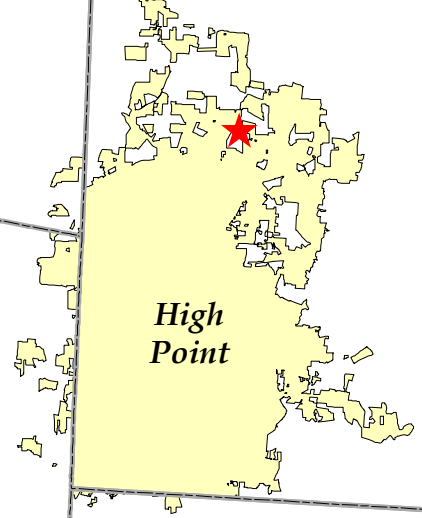
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

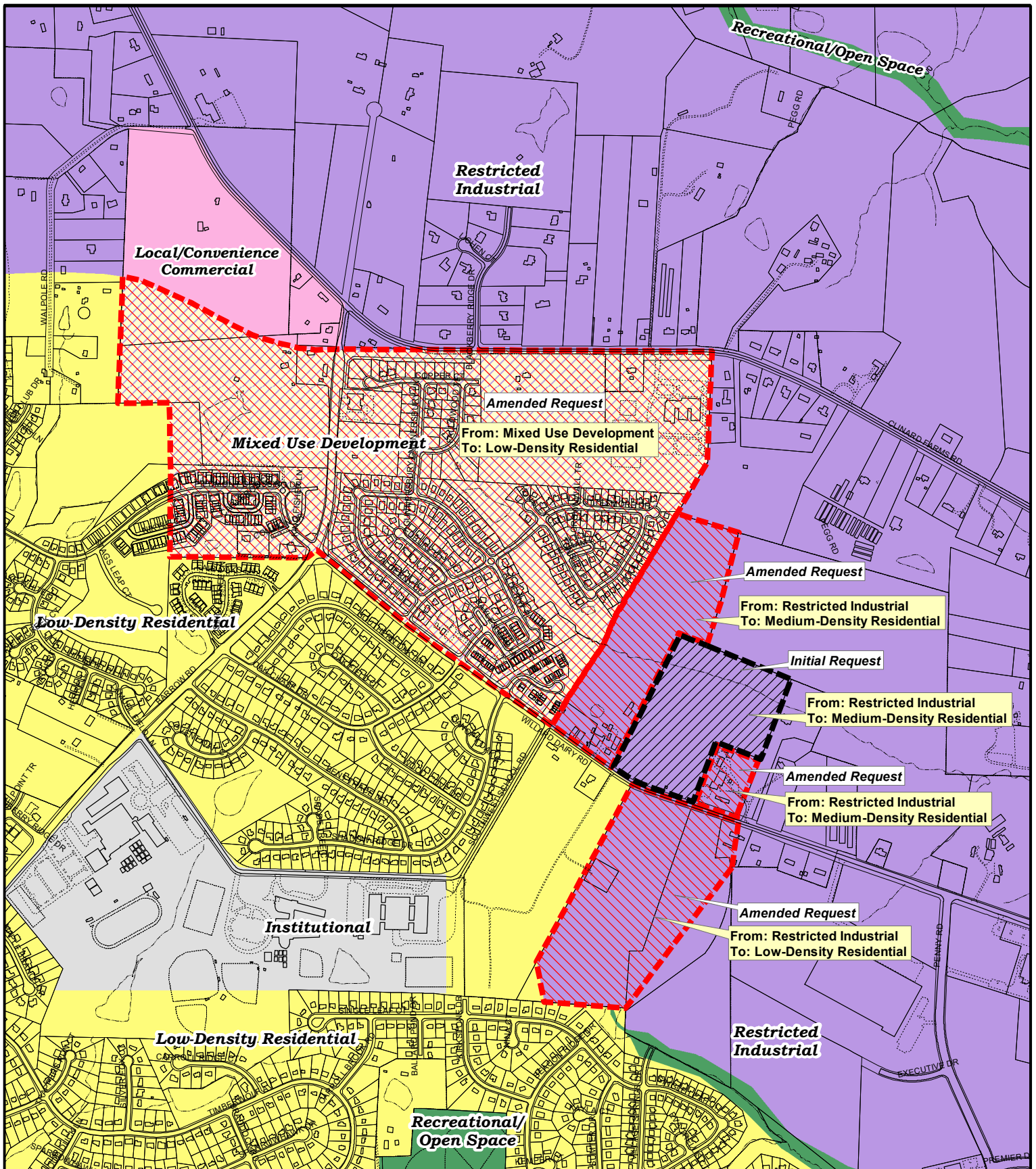
LOCATION MAP

ZONING MAP AMENDMENT ZA-17-20

Applicant: Keystone Homes

Vicinity Map





PLAN AMENDMENT PA-17-04

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

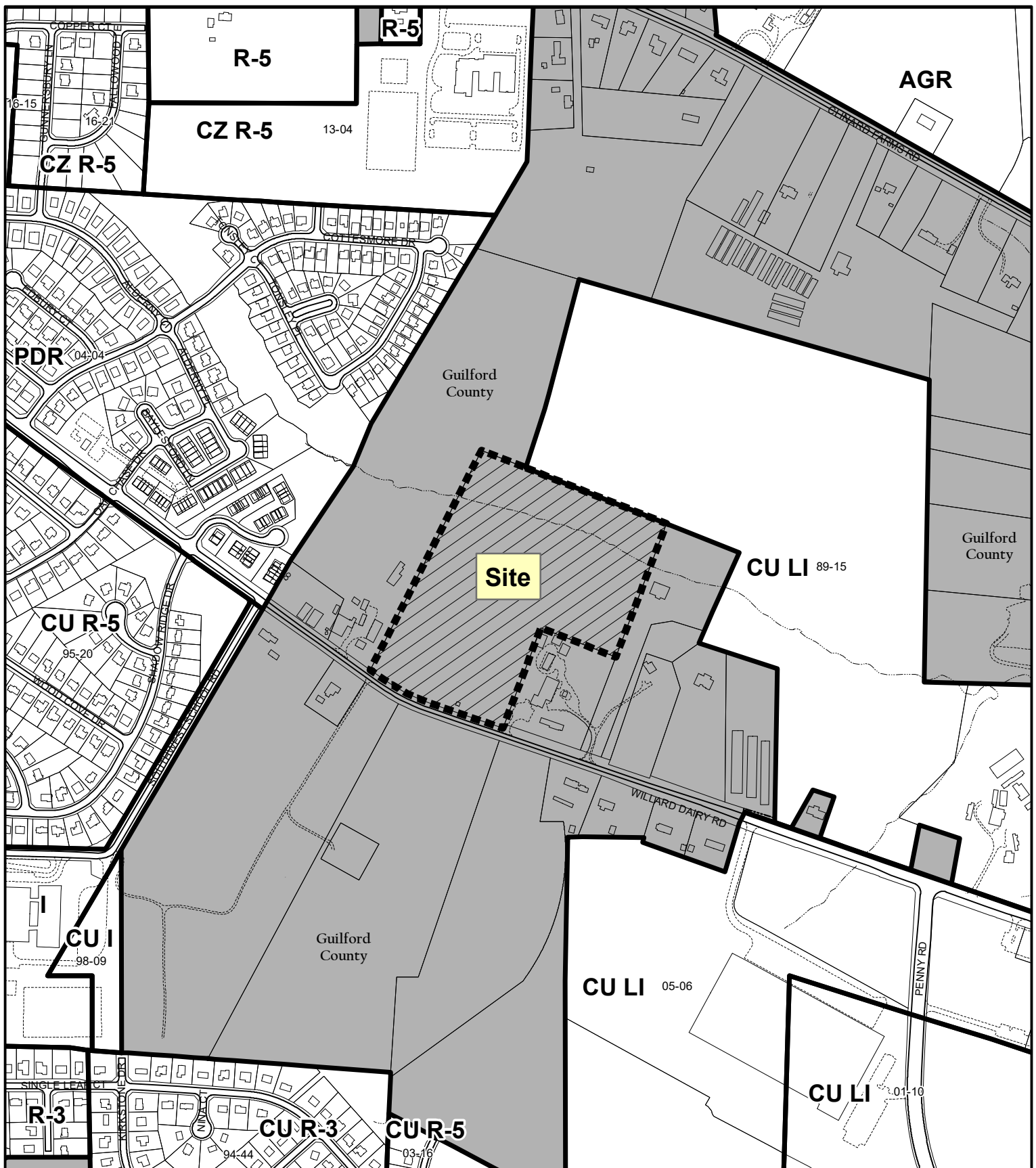
City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-20

From: Agricultural (AG - Guilford County)
To: Conditional Zoning Residential Multifamily-16 (CZ RM-16)

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

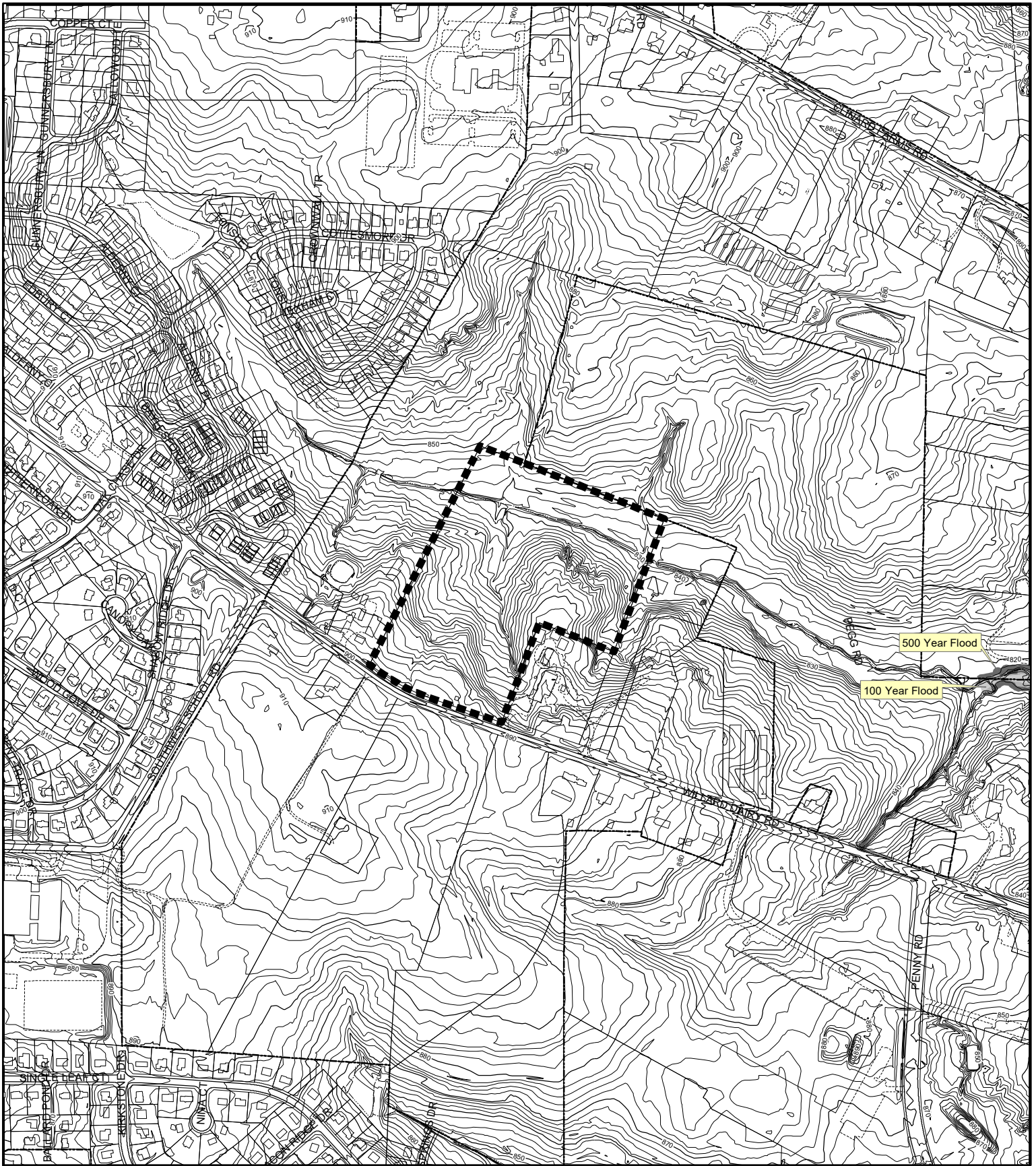
**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-20

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

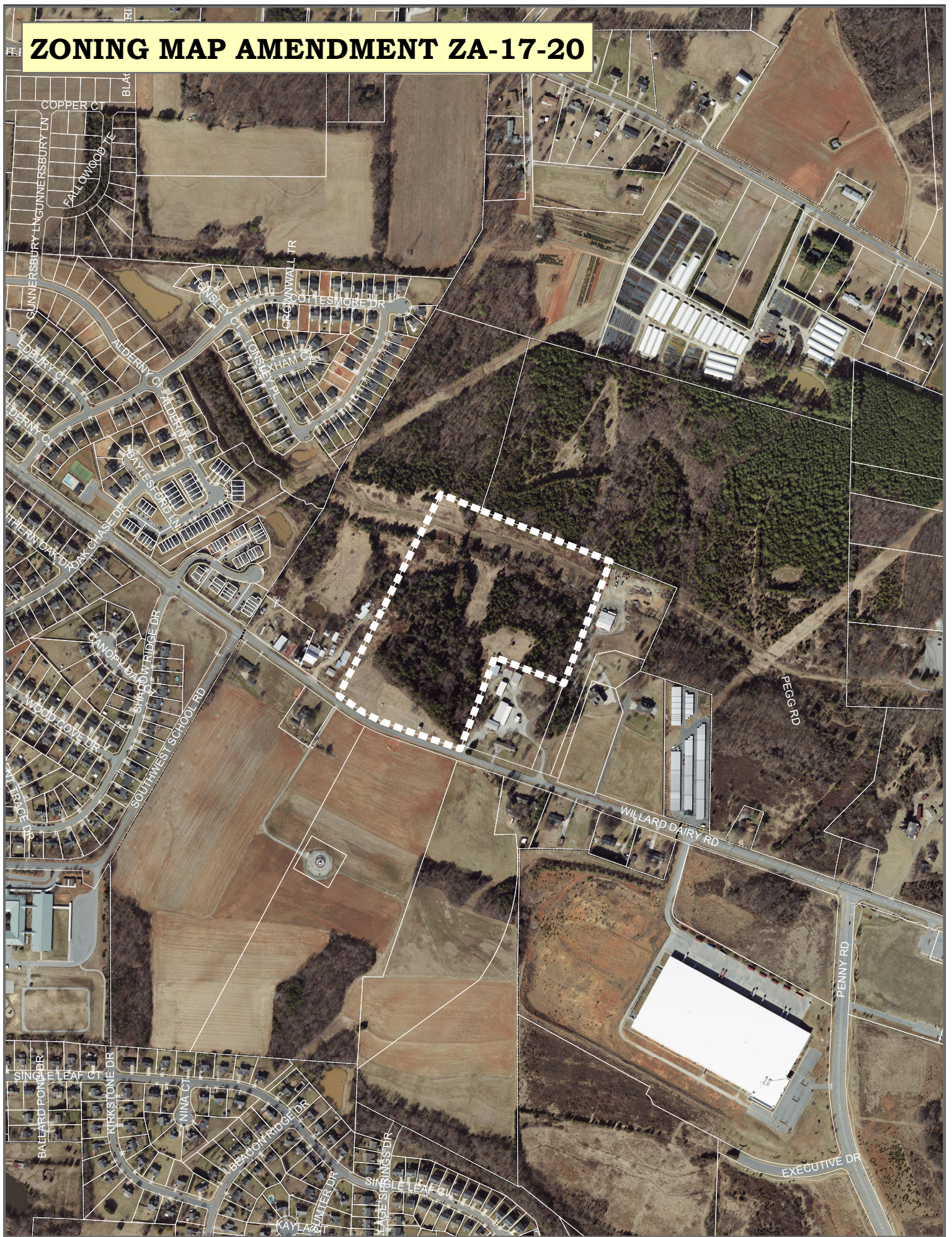
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ZONING MAP AMENDMENT ZA-17-20



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

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

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

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on October 24, 2017 and before the City Council of the City of High Point on November 20, 2017, regarding this proposed amendment (PA 17-04) to said *Land Use Plan for the High Point Planning Area*.

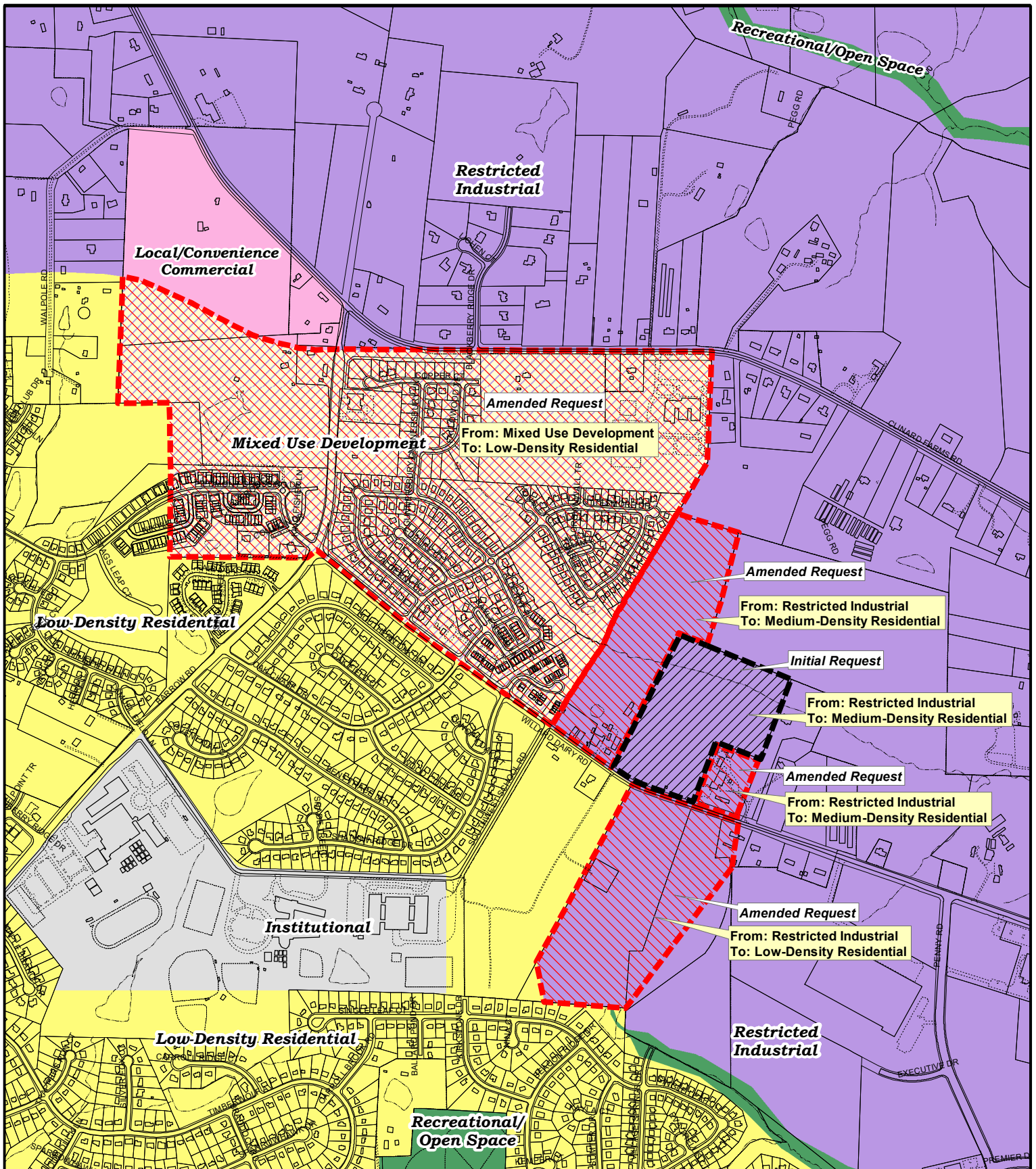
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended by reclassifying approximately 286 acres (as shown on the attached map) from Restricted Industrial and Mixed-Use Development to Medium-Density Residential and Low-Density Residential.

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

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

Adopted by City Council
City of High Point, North Carolina
The 20th day of November, 2017
Lisa B. Vierling, City Clerk



PLAN AMENDMENT PA-17-04

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



Scale: 1"=1,000'

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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 24, 2017 and before the City Council of the City of High Point on November 14, 2017 regarding **Zoning Map Amendment Case 17-20 (ZA-17-20)** 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 October 15, 2017, for the Planning and Zoning Commission public hearing and on November 1, 2017 and November 8, 2017, 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 **November 20, 2017**.

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 Residential Multifamily-16 (CZ RM-16) District**. The property is approximately 22.209 acres lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. The property is also known as Guilford County Tax Parcel 0169933.

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:**

Any uses allowed in the **Residential Multifamily-16 (CZ RM-16) District** subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. **CONDITIONS:**

A. **Avigation Easement:**

Prior to site plan, preliminary plat or group development plan approval, the property owner shall grant an Avigation Easement to the Piedmont Triad International Airport (PTIA) that covers the entire property.

B. Development Density:

Development shall be restricted to a maximum density of five (5) dwellings units per acre.

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.

____th day of XXXXXXXXXX xx, 20XX.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report Zoning Map Amendment 17-20

Submitted by: Ms. Judy Stalder, on behalf of
Keystone Homes

THE STALDER GROUP LLC

665 North Main Street
High Point North Carolina 27262
336.688.2204
jstalder@northstate.net

September 26, 2017

Dear Neighbor,

The Willard Family Trust and Keystone Homes have applied to the City of High Point to annex and rezone property located at 2431 Willard Dairy Road. You are invited to a Citizen Information Meeting to learn more about the request. The meeting will be held on Thursday, October 5 from 6:00 pm until 7:00 pm at the Trellises, 747 Piedmont Crossing Drive, High Point NC 27265. Scott Wallace from Keystone Homes and I will be available to answer your questions. Please refer to the enclosed statement from the High Point Planning and Development Department concerning Citizen Information Meetings.

The requested zoning is CZ-RM-16. Conditions of the zoning will limit the development to townhomes built at a maximum density of 5 units per acre. The development will include planted buffers around the perimeter of the property, protected buffers along existing streams, open space and other amenities. A preliminary site plan will be presented at the meeting. The proposed development will be similar to our Trellises community. All homes will be for individual sale.

If you are unable to attend or you have questions prior to the meeting, you may contact me at 336.688.2204 or jstalder@northstate.net.

Sincerely,

Judy Stalder
Development Consultant

Willard Dairy Road Citizen Information Meeting Report

Citizen Information Meeting: Thursday, October 5, 2017 from 6:00 pm to 7:00 pm at 747 Piedmont Crossing Drive.

A letter of invitation and explanation of the request was sent by US Mail (see attached). The letter was sent to those names provided by the Department of Planning and Development (see attached). The City's Citizen Meeting Information statement was included in the letter (see attached).

Meeting attendees (see attached). Three of the four attendees--Danny Clegg, Jimmy Clegg and Fran Marshall--are owners of adjacent property and are related to the subject property owners.

Meeting Presentation: The applicant proposes 86 townhouses on 22.2 acres located on the north side of Willard Dairy Road. The property is currently zoned Guilford Country Agriculture and is shown on the Land Use Plan as appropriate for Restricted Industrial Development. The applicant is asking for an RM-16 multifamily residential zoning district with a condition that limits density to a maximum of 5 units per acres. The sketch plan has been reviewed by the City's Technical Review Committee and comments will be incorporated into the plan.

The request will require annexation of the property. No other properties will be subject to annexation as a result of this request.

The request will also require modification of the Land Use Plan from Restricted Industrial to Residential.

The property is located in the City of High Point's Airport Overlay District and an amendment to the Airport Overlay District to allow residential development is required. The regulations of this district apply only to this property and other similarly located properties within the corporate limits of High Point. The developer will meet all Airport Overlay District notification and building material requirements. The project may be required to grant an aviation easement to the airport, which protects the use of airspace above a specified height, and imposes limitations on use of the land subject to the easement--generally, uses that attract birds or interfere with pilot visibility and instrumentation.

A public hearing by the Planning and Zoning Commission will be held on Tuesday, October 24, 2017 at 6:00 at 211 South Hamilton Street. The Commissioners will make a recommendation that will be considered by City Council in a second public hearing on Monday, November 20, 2017 at 5:30 in the same location. The request may change slightly between now and final approval based on comments, questions and concerns heard at the Citizen Meeting, the Planning and Zoning Commission public hearing and the City Council public hearing, as well as, upon further review by the Technical Review Committee.

Comments from those attending:

1. What is the square foot area of the proposed townhomes? *1700 square feet to 2100 square feet. Units will be all brick.*
2. What is the projected price of the proposed townhomes units? *\$230,000 to \$290,000*
3. What is the proposed density? *5 units per acre or less. Our current plan shows 86 units, a density of 4.2 units per acre.*
4. What kind of people will buy these units? *Our clientele is mainly age 55 and older for any unit with a main floor bedroom. Other units are typically purchase by single professionals.*
5. The traffic is terrible on Willard Dairy Road. What road improvements will you make? *We have applied to NCDOT for a permit to access Willard Dairy Road. It is our understanding that NCDOT will determine the necessary improvements.*
6. The access point should be in another location. *The point of access was determined by our engineer and provisionally approved by TRC.*
7. Is there a required buffer around the development? *Yes. A type B buffer is required around the perimeter.*
8. Will there be a fence around the property? *No. However, the privately owned yard behind each unit will be fenced or walled.*
9. May we have a copy of the site plan? *We are happy to share our current site plan. However, this plan has not been approved and is subject to change as we move through the approval process.*
10. You should notify residents that there will be some noise as late as 9:00 in the evening and in the early morning from the Kenmar machine shop on the Clegg property adjacent to the east. *Thank you for the information.*
11. Also, the farm on the west side has some noise from animals. *Thank you, noted.*
12. The grade of streets in the Cottesmore development creates issues with snow and ice. *Thank you for letting us know.*
13. May we have a full set of site plan and street plans when available? *Yes.*
14. Will area north of the creek remain in a natural state? *Yes. This development will not cross the creek running east-west on the north side of the property.*
15. Can the creek be crossed? *Yes. However, because the area across the creek is small and topographically challenged, it is not practical to build a crossing.*

16. Can the creek be crossed on the property to the west? *Yes. Because there is considerable property to the north, it may be practical to cross the creek and develop on both sides.*
17. The farm road across Willard Dairy Road from the entrance is used often. *Thank you for letting us know.*
18. What is the target date for starting work? *First quarter of 2018.*
19. Is there enough dirt to do what you want on the property? *Possibly. We may need to bring in some dirt from the outside.*
20. Will the City annex our property as a result of your request? *We have only requested annexation for the 22.2 acres of this property. Most likely your property will only be annexed if you petition the City. The City must follow precise rules set up by the state to annex your property involuntarily.*
21. Will the City assess my property for the extension of water? *Only if you annex your property.*
22. It looks like the new water line will be on my side (south side of Willard Dairy Road) of the road. *Yes, that is where the engineer is showing it on this plan.*
23. The Duke Energy power line running through the middle of the property is often down after a storm. *We will be working with Duke Energy, Northstate and the City of High Point to relocate lines to the street right of way. We understand from the TRC review that changes are already being considered.*
24. The power lines are located where they are now because of past aviation tower rules. We believe those rules have changed now. *Thank you for that information.*
25. We need a traffic signal at the Southwest School exit. *The need for a traffic signal is determined by NCDOT. We will convey your concern.*
26. Will a sidewalk be built on Willard Dairy Road? *Yes.*
27. A sidewalk to nowhere? *Yes.*
28. When will the project be completed? *2 1/2 to 3 years.*
29. We just want certain protections from the development. We do not want people taking liberties. *That is understandable. Our experience with the Trellises is that our residents are respectful of their neighbors.*
30. Will there be children in the townhomes? *In the 100 units at the Trellises, a similar community, we have approximately 15 residents under the age of 18.*

31. Farms are particularly attractive and dangerous for young children. *Thank you. We understand.*
32. We find it presumptuous that you have extended roads to our properties on the east and west. *The road stubs are a requirement of TRC and provide connection if/when you decide to develop your property.*
33. We heard that items have been stolen from the garages in the Trellises. *We are not aware of a problem at the Trellises. There is a foreign resident living in a nearby single family neighborhood that does not understand boundaries with leftover construction materials. We are addressing the problem.*

[illegible]

Email Address

jimmy@kenmarprecision.com

"

diggenterprises@gmail.com

rneuhard@qmail.com

AHMAD, IFTIKHAR ; AHMAD, RAHEELA
3757 COTTESMORE DR
HIGH POINT NC 27265

AMH NC PROPERTIES LP
30601 AGOURA RD STE 200
AGOURA HILLS CA 91301

BARKSDALE, FRANITA B ; II, THOMAS LEROY
3748 COTTESMORE DR
HIGH POINT NC 27265

BEE JAY REAL ESTATE LIMITED PARTNERSHIP
7026 BALLENTYNE CT
CHARLOTTE NC 28210

BEGUM, TASNEEM ; ZAEEM, BILAL
3652 VILLAGE SPRINGS DR
HIGH POINT NC 27265

BLEAKNEY, KATHRYN ; BLEAKNEY, MARK F
3845 TONSLEY PL
HIGH POINT NC 27265

BOOKOUT, ERIC
3766 SHADOW RIDGE DR
HIGH POINT NC 27265

CAPPARA, ALLEETHEA S ; CAPPARA, MICHAEL J
3857 TONSLEY PL
HIGH POINT NC 27265

CARDILLO, MARK EDWARD ; CARDILLO, LEAH
MARIE
7319 FOX CHASE DR
TRINITY NC 27370

CARRANZA, NELSON O ; CARRANZA, TERESA
FLORES
35 LLOYD DR
BRENTWOOD NY 11717

CARSON, JOEL W
3777 SHADOW RIDGE DR
HIGH POINT NC 27265

CHEFFY, STEVEN KARL
3809 COTTESMORE DR
HIGH POINT NC 27265

CLARKE, DERRICK W ; CLARKE, LYNDIA A
3840 TONSLEY PL
HIGH POINT NC 27265

CLEGG, DANIEL C
2531 WILLARD DAIRY RD
HIGH POINT NC 27265

CLEGG, DEBORAH ELAINE
2543 WILLARD DAIRY RD
HIGH POINT NC 27265

CLEGG, JAMES WILLARD ; CLEGG, AMY P
2539 WILLARD DAIRY RD
HIGH POINT NC 27265

COLUNGA, JOSEPH E
3873 TONSLEY PL
HIGH POINT NC 27265

CORTEZ, SALVADOR SALAZAR ; CORTEZ, REINA
SALAZAR
2536 WILLARD DAIRY RD
HIGH POINT NC 27265

COTTESMORE MASTER HOMEOWNERS
ASSOCIATION INC
3929 TINSLEY DR SUITE 104
HIGH POINT NC 27265

COTTESMORE TOWNHOME OWNERS
ASSOCIATION INC
4310 REGENCY DR STE 100
HIGH POINT NC 27265

CRAVEN, REBECCA CAROLINE
108 HUNDRED OAKS LN
HOLLY SPRINGS NC 27540

DELATORRE, JAMES ; DELATORRE, VIRGINIA
3740 SHADOW RIDGE DR
HIGH POINT NC 27265

DILLON, JONATHAN
3771 SHADOW RIDGE DR
HIGH POINT NC 27265

EDGINGTON, CONNIE M ; EDGINGTON, DWIGHT I
3832 TONSLEY PL
HIGH POINT NC 27265

EL, AYESHA K ; EL, DELMAS STAMP
3753 COTTESMORE DR
HIGH POINT NC 27265

GASKINS, ANDREW W
3797 SHADOW RIDGE DR
HIGH POINT NC 27265

GHANEI, HAMID
3836 TONSLEY PL
HIGH POINT NC 27265

GOSSETT, J ROLAND ; GOSSETT, GAYNELLE R
7841 CLINARD FARMS RD
HIGH POINT NC 27265

GRAHAM, JAMES FRANKLIN ; GRAHAM, SHELLEE
NICOLE
3825 TONSLEY PL
HIGH POINT NC 27265

HAGGARD, ALLISON B
3780 SHADOW RIDGE DR
HIGH POINT NC 27265

HANSLEY, STACIE LEE
3779 SHADOW RIDGE DR
HIGH POINT NC 27265

HAVELIWALA, MURTUZA ; HAVELIWALA, SAJEDA
7525 HENSON FOREST DR
SUMMERFIELD NC 27358

HIGH POINT GENERAL CONTRACTORS
4481 BARROW RD
HIGH POINT NC 27265

HOLDEN, ROBERT E ; HOLDEN, ANGELA L
3833 TONSLEY PL
HIGH POINT NC 27265

HPA BORROWER 2016-1 LLC
180 N STETSON AVE SUITE 3650
CHICAGO IL 60601

ILLIKKAL, SALEEM ; KARAKULANAGARA, JASEELA
3861 TONSLEY PL
HIGH POINT NC 27265

JACKSON, TAMARA L
3795 SHADOW RIDGE DR
HIGH POINT NC 27265

JOHNSON, CORY
3773 SHADOW RIDGE DR
HIGH POINT NC 27265

K HOVNANIAN HOMES OF NC INC
3333 REGENCY PKWY SUITE 100
CARY NC 27518

KAUR, NAVNEET ; KAUR, JAGDEEP SINGH
3841 TONSLEY PL
HIGH POINT NC 27265

KEYSTONE GROUP INC
3705 ALLIANCE DR
GREENSBORO NC 27407

KILBOURN, SHAWN M
3787 SHADOW RIDGE DR
HIGH POINT NC 27265

KIM, KANNITHA ; TOUCH, VIBOL
3762 SHADOW RIDGE DR
HIGH POINT NC 27265

LOPEZ, JAIRO A ; NEWMAN, MEAGAN L
3786 SHADOW RIDGE DR
HIGH POINT NC 27265

MARSHALL, BARNEY G JR ; MARSHALL, FRANCES W
2514 WILLARD DAIRY RD
HIGH POINT NC 27265

MARTIN, PEILAN C
4517 RIVER BROOK ST
HIGH POINT NC 27265

MCDONALD, MARGARET M
3767 SHADOW RIDGE DR
HIGH POINT NC 27265

MEHR, SAADIA ; ZAEEM, ABU BAKER
3772 SHADOW RIDGE DR
HIGH POINT NC 27265

MERHAI, BEDIESH P ; MERHAI, DEOMATIE
3856 TONSLEY PL
HIGH POINT NC 27265

MUDRI, LAURIE ; MUDRI, ROBERT JR
3829 TONSLEY PL
HIGH POINT NC 27265

MULLEN, KIMBERLY L
3769 SHADOW RIDGE DR
HIGH POINT NC 27265

NEUHARDT, ANGELLE VIOLA ; NEUHARDT, ROBERT GEORGE JR
3763 SHADOW RIDGE DR
HIGH POINT NC 27265

NGUYEN, THAO T ; PHAM, DAT T
3848 TONSLEY PL
HIGH POINT NC 27265

NINA H WILLIARD FAMILY TRUST ; WILLIARD, EDWARD L TRUSTEE
2500 WILLARD DAIRY RD
HIGH POINT NC 27265

PATEL, NARENDRAKUMAR AMRUTLAL ; PATEL, SARIKA PRAVIN
3813 TONSLEY PL
HIGH POINT NC 27265

PATEL, RAJESH ; PATEL, SMITA
3816 TONSLEY PL
HIGH POINT NC 27265

PHILLIPS, TONYA BAILEY
3793 SHADOW RIDGE DR
HIGH POINT NC 27265

PHOENIX ACADEMY FOUNDATION INC
4020 MEETING WAY ST
HIGH POINT NC 27265

POL, HARSHAL ; POL, VAIBHAVI
3744 COTTESMORE DR
HIGH POINT NC 27265

PRINCE, BRANDON S
565 CROSS CREEK DR
MOUNT AIRY NC 27030

RAY, JAMES M ; RAY, JENNIFER S
3805 COTTESMORE DR
HIGH POINT NC 27265

ROBERTS, BRITTANY K
3791 SHADOW RIDGE DR
HIGH POINT NC 27265

ROCKWELL, BRYAN A ; ROCKWELL, BREANNA M
3849 TONSLEY PL
HIGH POINT NC 27265

ROSS, ANITA G ; ROSS, CAMMY L ; ROSS, CARL G
JR
3788 SHADOW RIDGE DR
HIGH POINT NC 27265

SHAH, RONAK DHIRUBHAI ; SHAH, LOPA SHAH
3853 TONSLEY PL
HIGH POINT NC 27265

SHARMA, CHIRAG ; SHARMA, SHWETA
3852 TONSLEY PL
HIGH POINT NC 27265

SMITH, DAVE S ; SMITH, DENISE M
3817 TONSLEY PL
HIGH POINT NC 27265

SMITH, DAVID W ; SMITH, SHARON L
3736 SHADOW RIDGE DR
HIGH POINT NC 27265

SOUTHERN CHASE AT BENT TREE
HOMEOWNERS ASSOCIATION INC
1400 BATTLEGROUND AVE SUIT 122
GREENSBORO NC 27408

STUTTS, JASON ROBERT ; STUTTS, NATALIE JEAN
3837 TONSLEY PL
HIGH POINT NC 27265

SUNDERLAND, KERRY A
3783 SHADOW RIDGE DR
HIGH POINT NC 27265

THADURI, MADAN M ; THADURI, TRIVENI THADURI
3824 TONSLEY PL
HIGH POINT NC 27265

THOMPSON, ANDREW NEAL
3784 SHADOW RIDGE DR
HIGH POINT NC 27265

THOMPSON, JEFFERY C ; THOMPSON, TIFFANY L
3801 COTTESMORE DR
HIGH POINT NC 27265

TIGANUS, ANDREEA ; TIGANUS, DAN
3781 SHADOW RIDGE DR
HIGH POINT NC 27265

UNITED STATES OF AMERICA FEDERAL AVIATION
ADMINISTRATION
PO BOX 20636
ATLANTA GA 30320

VALLIAPPAN, KANNAMMAI ; VEERAPPAN,
ANNAMAIAI
3828 TONSLEY PL
HIGH POINT NC 27265

VAN DEN BERG, JAN L ; VAN DEN BERG, SUSARA
M
3871 TONSLEY PL
HIGH POINT NC 27265

VAUGHN, JASON A
2544 WILLARD DAIRY RD
HIGH POINT NC 27265

WILLIARD FAMILY TRUST ; WILLIARD SURVIVORS
TRUST ; WILLIARD, RUTH S TR ; WOOD, BRENDA
TR ; WILLIARD, JOHN M TR
1175 PLEASANT RIDGE RD
GREENSBORO NC 27409

WILLIARD, EDWARD L
2500 WILLARD DAIRY RD
HIGH POINT NC 27265

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

CITY OF HIGH POINT

AGENDA ITEM



Title: Paratransit Vehicle Replacement Order

From: Mark McDonald, PE

Public Hearing: No

Attachments: Formal Bid Recommendation

Meeting Date: November 20, 2017

Advertising Date /

Advertised By:

PURPOSE:

Award a contract in the amount of \$334,386 to Creative Bus Sales for the purchase of three low floor light transit vehicles to replace 3 of the current paratransit vehicles that have met their useful life.

BACKGROUND:

Two companies submitted a total of three bids for three different makes and models of vehicles. These vehicles are low floor like the large buses to make entry for passengers easier as there are no stairs at the front entrance. The slightly larger vehicle provides more seating capacity to enable the paratransit system to group more trips together.

BUDGET IMPACT:

Funds are available in the 2017-2018 Annual Budget. The newer vehicles with warranty coverage will reduce the cost of maintenance significantly for the first three years of the buses.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends awarding Creative Bus Sales a contract for the purchase of three light transit vehicles in the amount of \$334,386; and declare the old equipment as surplus and authorize staff to dispose of through the on-line auction process.





**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: Transportation/Transit

COUNCIL AGENDA DATE: 11/20/2017

BID NO.: 03-071217 CONTRACT NO.: DATE OPENED: Jul 12, 2017

DESCRIPTION:

Three (3) low floor light transit vehicles for the paratransit service.

PURPOSE:

These three (3) vehicles will be replacing three (3) vehicles that have exceeded their useful life in age and mileage.

COMMENTS:

RECOMMEND AWARD TO: Creative Bus Sales AMOUNT: \$334,386

JUSTIFICATION:

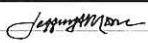
Creative Bus Sales was the lowest, responsive, responsible bidder.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
641622	532302	641163358345	R1204	\$365,000
TOTAL BUDGETED AMOUNT				\$365,000

DEPARTMENT HEAD: Mark V. McDonald, P.E. Digitally signed by Mark V. McDonald, P.E.
DN: cn=Mark V. McDonald, P.E., o=City of High Point, ou=Transportation
Dept., email=mark.mcdonald@highpointnc.gov, c=US
Date: 2017.11.06 14:40:36 -0500 DATE: Nov 6, 2017

The Purchasing Division concurs with recommendation submitted by the Transportation and recommends award to the lowest responsible, responsive bidder Creative Bus Sales in the amount of \$ 334,386.00.

PURCHASING MANAGER: Erik Conti Digitally signed by Erik Conti
DN: cn=Erik Conti, o=City of High Point, ou=City of High Point, NC,
email=erik.conti@highpointnc.gov, c=US
Date: 2017.11.06 15:54:47 -0500 DATE: Nov 6, 2017

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC,
ou=Financial Services Director,
email=jeff.moore@highpointnc.gov, c=US
Date: 2017.11.09 09:47:22 -0500 DATE: Nov 9, 2017

CITY MANAGER: Greg Demko Digitally signed by Greg Demko
DN: cn=Greg Demko, o=High Point, ou=High Point,
email=greg.demko@highpointnc.gov, c=US
Date: 2017.11.09 09:47:22 -0500 DATE: Nov 9, 2017

CITY OF HIGH POINT

AGENDA ITEM

**Title: Receipt and Presentation of FY2016-2017 Audit Report****From:** Jeffrey A Moore, Financial Services Director**Meeting Date:** November 20, 2017**Public Hearing:** No**Advertising Date** N/A**Advertised By:** N/A**Attachments:** To Be Provided at Council's Dais

PURPOSE: The City Council has the statutory responsibility under G.S. 159-34 to engage an auditor for the financial and compliance audit of the City's budgets, accounts, and grants. The presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017 will be presented by the audit firm Cherry Bekaert LLP.

BACKGROUND: City Council approved the contract with Cherry Bekaert LLP for the financial and compliance audit of the City of High Point for the Fiscal Year July 1, 2016 to June 30, 2017 at its meeting of March 20, 2017. The auditors substantially completed their audit procedures in October 2017, and the Comprehensive Annual Financial Report was prepared by members of the City's Accounting Division and myself during the months of October and November 2017.

BUDGET IMPACT: None.

RECOMMENDATION / ACTIONS REQUESTED:

City Council is requested to acknowledge receipt of the City of High Point Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017 and related required communications from the City's auditors, Cherry Bekaert LLP.

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish –812 Westchester Drive

From: Michael McNair, Director
Community Development & Housing

Meeting Date: 11/20/17

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Demolish
- C. Photos
- D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 812 Westchester Drive.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 8/30/17. No action occurred by the compliance date of 10/4/17. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling.

PENDING ACTION:

The ordinance becomes effective from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.



812 Westchester Drive

Ordinance to Demolish



Location of subject property

Community Development
and Housing

City of High Point

Date: Novver 7, 2017



Scale: 1"=200'
G:/Planning/Secure/ba-pz/
Inspections/ord-demo.mxd

**COMMUNITY DEVELOPMENT AND HOUSING
CODE ENFORCEMENT
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

812 Westchester Drive

OWNER:

Doris J. Austin (deceased)

**REASON FOR
INSPECTION:**

Fire occurred at house June 30, 2015

**FIRST
INSPECTION:**
11/18/16

Summary of Major Violations

1. Repair or replace roof framing, sheathing, covering
2. Repair or replace electrical system throughout
3. Repair or replace heating heating system throughout
4. Repair or replace plumbing system throughout

**HEARING
RESULTS:**
8/30/17

No one appeared for the Hearing. During the Hearing it was determined there are several violations of the Minimum Housing Code. There are multiple violations of the minimum housing code in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 65% of the value of the structure.

**ORDER(S)
ISSUED:**
8/30/17

Order to Repair or Demolish
Date of Compliance 10/4/17

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

None

ADDITIONAL:

Dana McKittrick (daughter of owner) did speak with the inspector prior to the Hearing and stated that no one in the family is interested in repairing or demolishing the house. She stated she would reach out to owners on each side to see if they are interested in purchasing the property. The property taxes are delinquent in the amount of \$7,191.50. The owner is deceased, therefore we had to advertise notices in the newspaper for proper service per NC General Statutes.



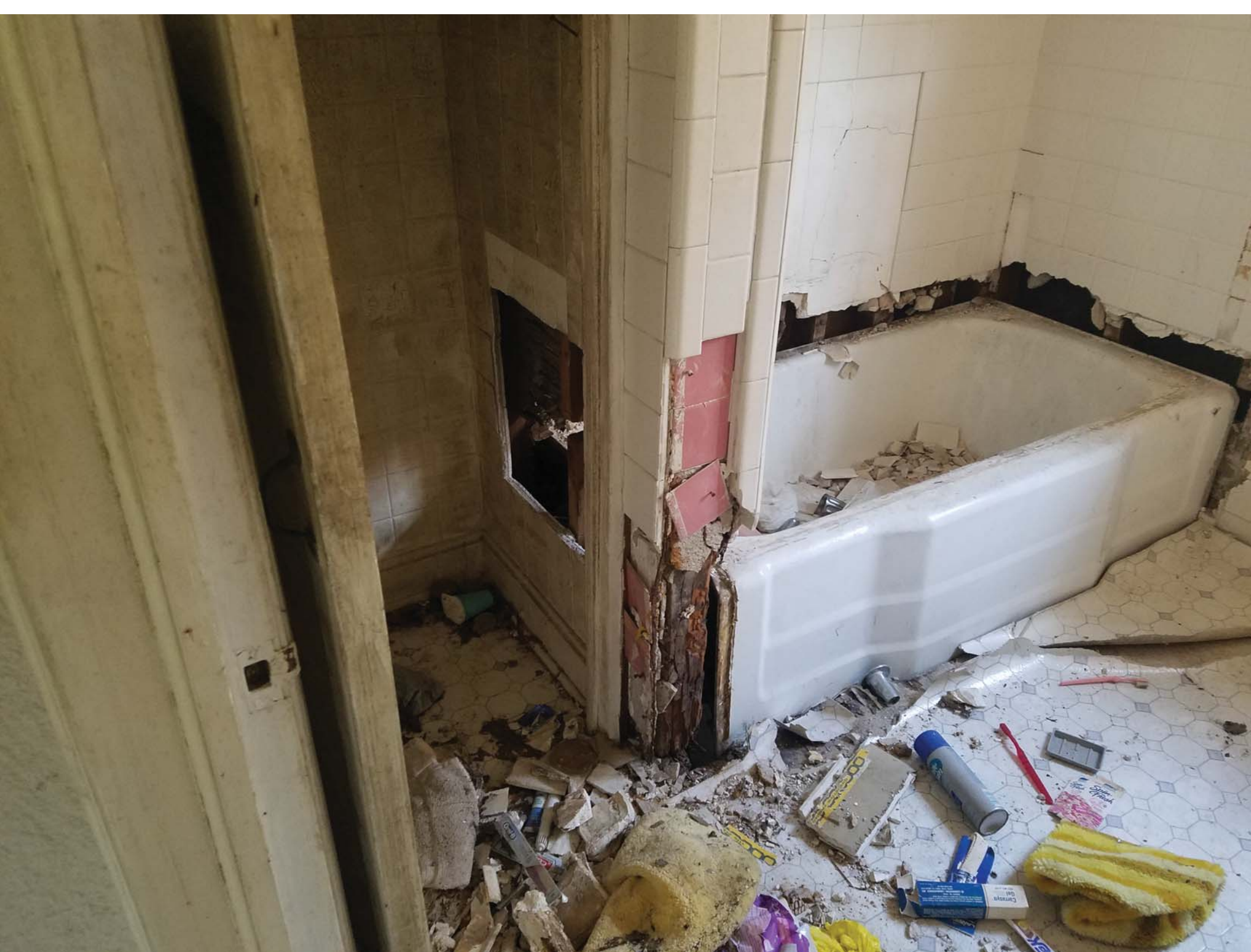




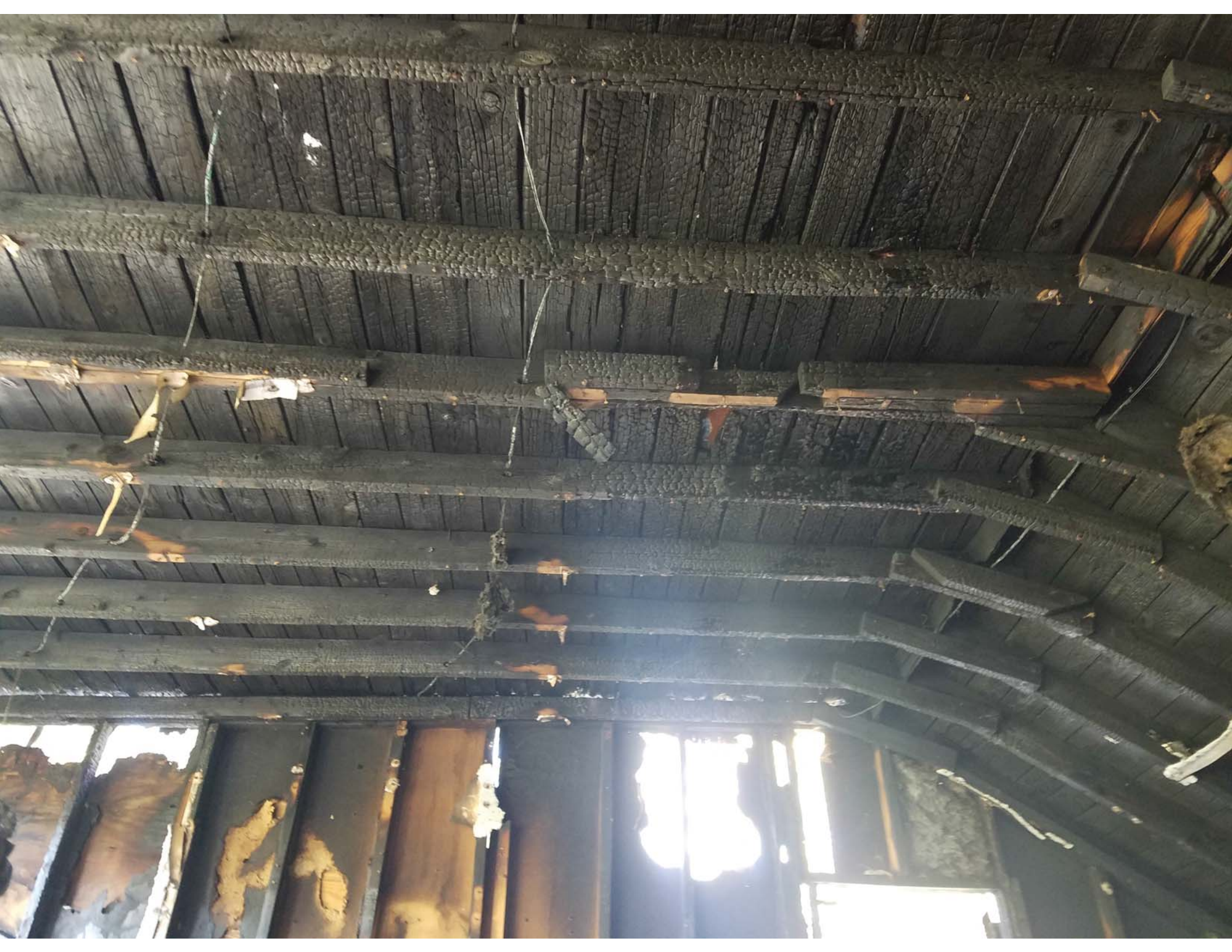


















CITY OF HIGH POINT

AGENDA ITEM



Title: **Zoning Map Amendment 17-21**
 Plan Amendment 17-04
 Zoning Map Amendment 17-20

From: Lee Burnette, Planning & Development
 Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
 November 15, 2017

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
 B. Staff Report
 C. Plan Amendment Resolution
 D. Zoning Ordinances

PURPOSE:

1. **Zoning Map Amendment 17-21**

A request by the City Council to amend the boundary of the Airport Overlay (ARO) District as it pertains to approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road.

2. **Plan Amendment 17-04**

A request by Keystone Homes and the City of High Point to change the Land Use Map classification for approximately 286.06 acres. The request pertains to land lying along the north and south side of Willard Dairy Road, east of the intersection of Southwest School Road, and along the east and west side of Barrow Road, north of the intersection of Willard Dairy Road.

3. **Zoning Map Amendment 17-20**

A request by Keystone Homes to rezone an approximate 22.2-acre parcel from the Agricultural District, within Guilford County's jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ-RM-16) District. The site is lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff recommended **approval** of these request, as outlined in the attached staff reports.

B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 17-24, Plan Amendment 17-04 and Zoning Map Amendment 17-20. The Planning & Zoning Commission recommended **approval** of these request, by a vote of 8-1, as outlined in the staff reports and as recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

At their October 24, 2017 public hearing, the Planning & Zoning Commission reviewed Zoning Map Amendment 17-21, Plan Amendment 17-04 and Zoning Map Amendment 17-20. Mr. Herbert Shannon, Senior Planner, and Mr. Andy Piper, Senior Planner, conducted a combined presentation of these three cases as they are related. Staff recommended approval of the requests as outlined in the staff reports.

Speaking in favor of the requests:

Speaking in favor of these requests were Ms. Judy Stalder, 665 N. Main Street, High Point and Mr. Scott Wallace, president of Keystone Homes, 3708 Alliance Drive, Greensboro. Ms. Stalder explained that the physical features of the property, including two streams and challenging topography, would not support industrial development. Ms. Stalder also noted that the projected PTIA flight patterns have changed since the last study, and more closely follow the Eastchester Drive corridor, which is further away from this property. Mr. Wallace stated that this rezoning is intended to facilitate the development of 86-unit townhome subdivision. They are not ignoring the airport and potential for noise, the dwellings will be constructed using City-required measures to mitigate noise impact.

Speaking in opposition of the requests:

Speaking in opposition to these requests were Tanya Stewart, 3616 Cottesmore Drive and Danny Clegg, 2531 Willard Dairy Road. These speakers expressed the following concerns:

- Air traffic noise: The residents of the proposed development will not be aware the property was rezoned from Zone 2 to Zone 3 and may be subject to a lot of air traffic noise.
- Inconsistent with neighboring uses: This is an agricultural area that includes a dairy farm. The request for townhomes is inconsistent with the land uses and development density already established in the area.
- Overcrowded schools: The development would put undue strain on already overcrowded schools.
- Traffic and safety: The access point for the development is located in an unsafe bend in the road on Willard Dairy Road. The development will add more traffic to an already busy Southwest School Road where traffic is heavy due to the location of the elementary, middle and high schools. The additional traffic poses safety concerns, especially as traffic continues to increase.

Planning & Zoning Commission Action

1. Zoning Map Amendment 17-21: (Amending the boundary of the Airport Overlay District)

a) Consistency Statement

The Commission stated that the request is consistent with adopted policy guidance and appropriate for this location. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Ms. Stone dissenting.

b) Zoning Map Amendment

The Commission recommended **approval** of Zoning Map Amendment 17-21, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

2. Plan Amendment 17-04: (Land Use Map classification change for approximately 286.06 acres)

The Commission recommended **approval** of Plan Amendment 17-04, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

3. **Zoning Map Amendment 17-20:** (A request to establish a CZ-RM-16) District)

a) Consistency Statement

Based upon action taken on the previous two cases (ZA-17-21 and PA-17-04), the Commission stated that the request is appropriate for its proposed location, is consistent with the City's adopted policy guidance documents, consistent with the Land Use Plan and the Airport Overlay District, and compatible with the surrounding land use pattern. The Planning & Zoning Commission **adopted this statement** by a vote of 8-1, with Ms. Stone dissenting.

b) Zoning Map Amendment

The Commission recommended ***approval*** of Zoning Map Amendment 17-20, as recommended by staff, by a vote of 8-1, with Ms. Stone dissenting.

Ms. Stone noted that her votes in opposition were due to concerns with allowing additional residential uses in this area based on the proximity of the site to the NC 68 corridor and associated airplane noise impacts, school overcrowding and traffic safety concerns.

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

**STAFF REPORT
PLAN AMENDMENT PA-17-04 AND ZONING MAP AMENDMENT ZA-17-20
October 24, 2017**

Request		
Applicant: Keystone Homes	Owners: Willard Family Trust and Willard Survivors (Ruth S. Willard, Brenda Wood, John M. Willard)	
Plan Amendment Proposal: To change the Land Use Plan Map designation for approximately 50.94 acres to a Medium-Density Residential land use designation, and to change approximately 235.1 acres to a Low Density Residential land use designation.	From:	Restricted Industrial, and Mixed-Use Development
	To:	Medium-Density Residential, and Low Density Residential
Zoning Proposal: To annex and apply initial City zoning to a 22.2-acre parcel.	From:	AG Agricultural District (Guilford County)
	To:	CZ RM-16 Conditional Zoning Residential Multifamily-16 District

Site Information		
Location:	The site is lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road.	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	The amendment covers 434 parcels.	Guilford County Tax Parcel 0169933
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 286.06 acres	Approximately 22.2 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family detached and single family attached dwellings, agricultural use, industrial use and undeveloped parcels.	Undeveloped parcel
Physical Characteristics:	The zoning site is wooded with a moderate to severely sloping terrain. A perennial stream runs in a west to east direction along the northern portion of the property and an intermittent stream runs in a south to north direction through the middle of the site.	
Water and Sewer Proximity:	As it relates to the zoning site, a 12-inch City water line terminates approximately 640 feet to the west at the intersection of Willard Dairy Road and Southwest School Road, and a separate water line terminates approximately 1,200 feet to the east near the intersection of Willard Dairy Road and Penny Road. An 8-inch City sewer line runs along the northern portion of the site following the perennial stream corridor.	
General Drainage and Watershed:	As it relates to the zoning site, the property drains in a general northerly direction and development is subject to the City Lake General Watershed Area (GWA) requirements. Engineered storm water treatment measures are	

	required for multi-family 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 Districts:	City Lake General Watershed Area (GWA) Airport Overlay (Zone 2)

Adjacent Property Zoning and Current Land Use			
North:	CU-LI	Conditional Use Light Industrial District	Undeveloped parcels
South:	AG	Agricultural District (<i>Guilford County</i>)	Undeveloped parcels
East:	AG	Agricultural District (<i>Guilford County</i>)	Single family dwelling, agricultural use with multiple accessory structures and a warehouse building
West:	PDR	Planned Development – Residential District	Single family dwelling and agricultural use with multiple accessory structures

Adjacent Land Use Plan Designations	
North:	Restricted Industrial and Local/Convenience Commercial
South:	Low Density Residential
East:	Restricted Industrial
West:	Low Density Residential

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	• Restricted Industrial: This classification accommodates office, warehouse, research and development, distribution, and light manufacturing or assembly uses on larger sites in unified developments. • Mixed Use Development: This classification provides for the siting of a variety of land uses in close proximity to each other where this is desirable due to existing land use patterns, environmental constraints, the need to preserve open space, the opportunity to provide alternative modes of transit and other factors.
Proposed Designation:	• Medium-Density Residential: This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwellings units per gross acre. • Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	Obj. 5E: Require that street systems connect with one another whenever possible to move all modes of traffic efficiently, to avoid congestion along key corridors, to improve traffic and pedestrian safety, and to enhance emergency management access.

Land Use Plan Goals, Objectives & Policies:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #1: Ensure that development respects the natural environment. Goal #3: Provide a wide range of housing opportunities for families of all income levels. Goal #4: Ensure that all required public services and facilities are sequenced to meet demands of development. Obj. #3: Provide opportunities for an adequate supply of affordable housing at appropriate locations convenient to employment, shopping and service areas. Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area. Obj. #5: Maintain an appropriate balance between the size, location and density of new development and the availability and demands upon the public services and facilities required to serve that development. Obj. #8: Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations. Obj. #9: Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.
Relevant Area Plan:	Not applicable
Zoning History:	There have been no recent zoning changes in this area. West of the site, at the intersection of Willard Dairy Road and Southwest School Road, is the Cottesmore Subdivision which was annexed and granted PDR District zoning in 2004 to permit a mixture of single family detached and single family attached (townhome) dwellings. South of the Cottesmore development is the Bent Tree Subdivision, which was annexed and granted City zoning in 1995 to allow a single family detached subdivision To the east of the site, along the north and south side of Willard Dairy Road, are Conditional Use Light Industrial (CU-LI) Districts that were established in 1989 and 2005.
LUPA History:	There were two notable Land Use Plan Amendments in the area: • Plan Amendment 03-02 implemented recommendations of the former Johnson Street/Sandy Ridge Road Area Plan and the 2003 Wyle Report, which analyzed the impact of anticipated noise from the third runway at PTIA. It resulted in the area between Willard Dairy Rd. and Clinard Farms Rd. from Southwest School Rd. to Barrow Rd. being designated Mixed Development. • Plan Amendment 05-01 resulted in the portion of the area west of Barrow Rd. being designated Mixed Development due to development plans at the time that envisioned a mix of residential, commercial and open space uses.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Willard Dairy Road		Minor Thoroughfare	600 feet
Vehicular Access:	Access will be taken from Willard Dairy Road.			
Traffic Counts: (Average Daily Trips)	Willard Dairy Road		7,881 (HPDOT 2017 - 24 Hour Traffic Count)	
Estimated Trip Generation:	Using the development data provided by the applicant, its estimated an 82-unit townhome development will generate 482 average daily trips.			
Traffic Impact Analysis:	Required		Comment	
	<u>Yes</u>	<u>No</u> X	None	
Conditions:	Right-of-Way Dedication: The property owner shall dedicate a minimum of forty-two (42) feet of right-of-way as measured from the existing centerline along Willard Dairy Road. Access: Two points of access shall be required to Willard Dairy Road. A street stub shall be required to the western property boundary. Improvements: Turn lanes are required at access points to Willard Dairy Road. The City of High Point Transportation Director and the North Carolina Department of Transportation (NCDOT) shall approve the exact location and design of all access points and improvements.			

School District Comment					
Guilford County School District					
Local Schools:	Maximum Built Capacity:		Enrollment (20th Day) 2017 - 18:	Mobile Classrooms:	Projected Additional Students:
	2017-18	2018-19			
Southwest Elementary	935	882	900	6	28 – 30
Southwest Middle	1,223	1,223	1,196	10	14 – 16
Southwest High	1,597	1,597	1,606	11	13 - 15
<u>School District Remarks:</u> Statutory teacher allotments and class size maximums may result in changes to the capacity calculations provided in the above chart. Southwest Elementary enrollment is nearing maximum built capacity in the 2017-18 school year. With the implementation of G.S. 115C-301, which mandates reduced class size, enrollment will exceed capacity for the 2018-19 school year. This statutory requirement will reduce the capacity of Southwest Elementary from 935 students to 882 students between 2017-18 and 2018-19. Approximately 782 lots have been submitted for rezoning and approved since 2015 within the Southwest Elementary attendance boundary. Additional residential development will cause capacity hardship on Southwest Elementary School. Southwest Middle School is nearing capacity and Southwest High School is over capacity. Approximately 496 lots have been submitted for rezoning and approved in the Southwest Middle and Southwest High School attendance boundary. This is in addition to the 782 lots in the Southwest					

Elementary attendance boundary, totaling 1278 residential lots. Further development in the Southwest Middle/High School assignment boundary will continue to place capacity hardships on these schools.

Details of Proposal

1. General Overview:

The City Council has initiated a zoning map amendment application (ZA-17-21) to amend the Airport Overlay District (ARO) zone designation for the applicant's 22.20-acre site and an additional 30.44 acres abutting the site to the west and southeast. If approved, the change from ARO Zone 2 to ARO Zone 3 will permit residential development on the total 50.94-acre tract. Hence, the applicant has submitted voluntary annexation, plan amendment and zoning map amendment applications to facilitate the development of a single family attached (townhome) subdivision on the 22.20-acre parcel.

2. Summary of Land Use Plan Amendment Request:

The existing Land Use Plan Map designation for the applicant's 22.20-acre site is Restricted Industrial, which is not appropriate for residential development. The applicant has therefore requested the Land Use Plan Map designation be changed to the Medium-Density Residential designation. In looking at the surrounding area, Planning & Development Department staff identified several other tracts that should be considered for amendment given their proximity to the applicant's site and areas designated Low Density Residential, or due to existing and ongoing development. Staff has amended the request to include approximately 30.44 acres to the southeast and west of the applicant's site to be changed from Restricted Industrial to Medium-Density Residential, approximately 35.12 acres to the south across Willard Dairy Road to be changed from Restricted Industrial to Low Density Residential, and approximately 200 acres located farther west between Willard Dairy Road and Clinard Farms Road, including area on the west side of Barrow Road, to be changed from Mixed Development to Low Density Residential.

3. Summary of Zoning Request:

Because the applicant has requested annexation of the 22.2 acre site to be developed, the site must also be zoned by the City. The applicant has requested a CZ-RM-16 District, which will allow the townhome development proposed. In conjunction with this application, a conditional zoning ordinance has been prepared with conditions offered by the applicant limiting density to five dwelling units per acre (maximum of 102 dwelling units) and requiring that an avigation easement be granted to PTIA. An avigation easement is an airspace easement over the development that helps protect PTIA against liability claims arising from aircraft noise.

Staff Analysis

Section 2.4.5.(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. 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.

<u>Review Factors:</u> Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:	
Factor #1	Results in a development that is compatible with surrounding development character and land uses; ❖ The site is lying between single family and townhome developments to the west and undeveloped land to the east designated for Restricted Industrial uses by the Land Use Map. This site is in essence a transition area, and the allowance of higher density residential uses, will serve as a compatible transitional development between higher and lower intensity uses. ❖ The City Council has initiated a separated zoning map amendment application to change the ARO District covering this site from ARO Zone 2 to Zone 3. The Development Ordinance requires new residential development in ARO Zone 3 be designed and constructed in a manner that achieves an outside to inside noise reduction level of at least 30 decibels.
Factor #2	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; Staff has not identified any adverse impacts that the requested CZ-RM-16 District, or its allowable uses, would impose on adjacent lands. Surrounding lands consist mostly of large undeveloped parcels and agricultural or industrial uses as permitted under Guilford County's zoning regulations. Additionally, the requested district requires single family attached developments to maintain a minimum 15-foot wide setback around its perimeter.
Factor #3	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat; The site is within the City Lake General Watershed Area. Environmental standards of the Development Ordinance address watershed and stream buffer requirements to minimize land disturbance.
Factor #4	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and; 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.
Factor #5	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent lands. Adjacent property to the north and east are currently slated by the City's Land Use Map for Restricted Industrial uses, which are intended to accommodate office, warehouse, research and development, and light manufacturing uses on larger sites. Subject to approval of the Plan Amendment, medium-density residential uses would be allowed on the zoning site and on parcels west of the site. The requested RM-16 Districts allows a mixture of housing types and a variety of institutional uses at a intensity similar to or less than those permitted on adjacent lands. If the Plan Amendment is adopted, the requested CZ-RM-16 District would not adversely impact the use and enjoyment of adjacent lands.

Changes in the Area:

There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.

The land development pattern in this area has changed significantly over the past fifteen to twenty years as more and more residential subdivisions have been constructed. The proximity of larger subdivision development, particularly to the west and south of the applicant's site, supports the request for a similar use of land.

Development Patterns:

The proposed Conditional Zoning District results in development that promotes a logical, preferred and orderly development pattern.

Large scale residential development to the west and south of the zoning site is indicative of the development pattern in the area, which has been shaped by the boundary of the Airport Overlay District Zone 2, which prohibits new residential uses. If approved, the change in the ARO from Zone 2 to Zone 3 on the 22.2 acre zoning site and adjacent 30.44 acres will allow a logical and orderly continuation of residential growth, and as conditioned the proposed CZ-RM-16 will result in an extension of this preferred residential development pattern.

Consistency with Adopted Policy Guidance:

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

Subject to the approval of Plan Amendment PA-17-04, the request is consistent with the Land Use Plan Map and several stated goals and objectives of the Land Use Plan, including encouraging a variety of housing types and providing a land use transition between more and less intensive uses.

Reasonableness/Public Interest:

Whether an approval of the Conditional Zoning is reasonable and in the public interest.

Subject to the approval of Plan Amendment PA-17-04 and Zoning Map Amendment ZA-17-21, the request is consistent with the Land Use Plan and the Airport Overlay District and compatible with the surrounding land use pattern.

Recommendation

1. Plan Amendment 17-04:

Staff Recommends Approval:

Staff recommends approval of the request to change the land use designation for this 287.98 acres area as it more accurately reflects the manner in which this area has developed and it will be in harmony with the land use pattern of the surrounding area.

2. Zoning Map Amendment 17-20:

Staff Recommends:

Subject to approval of Plan Amendment 17-04 and Zoning Map Amendment 17-21, the Planning & Development Department recommends approval of the request to rezone this 22.2-acre parcel to the CZ RM-16 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

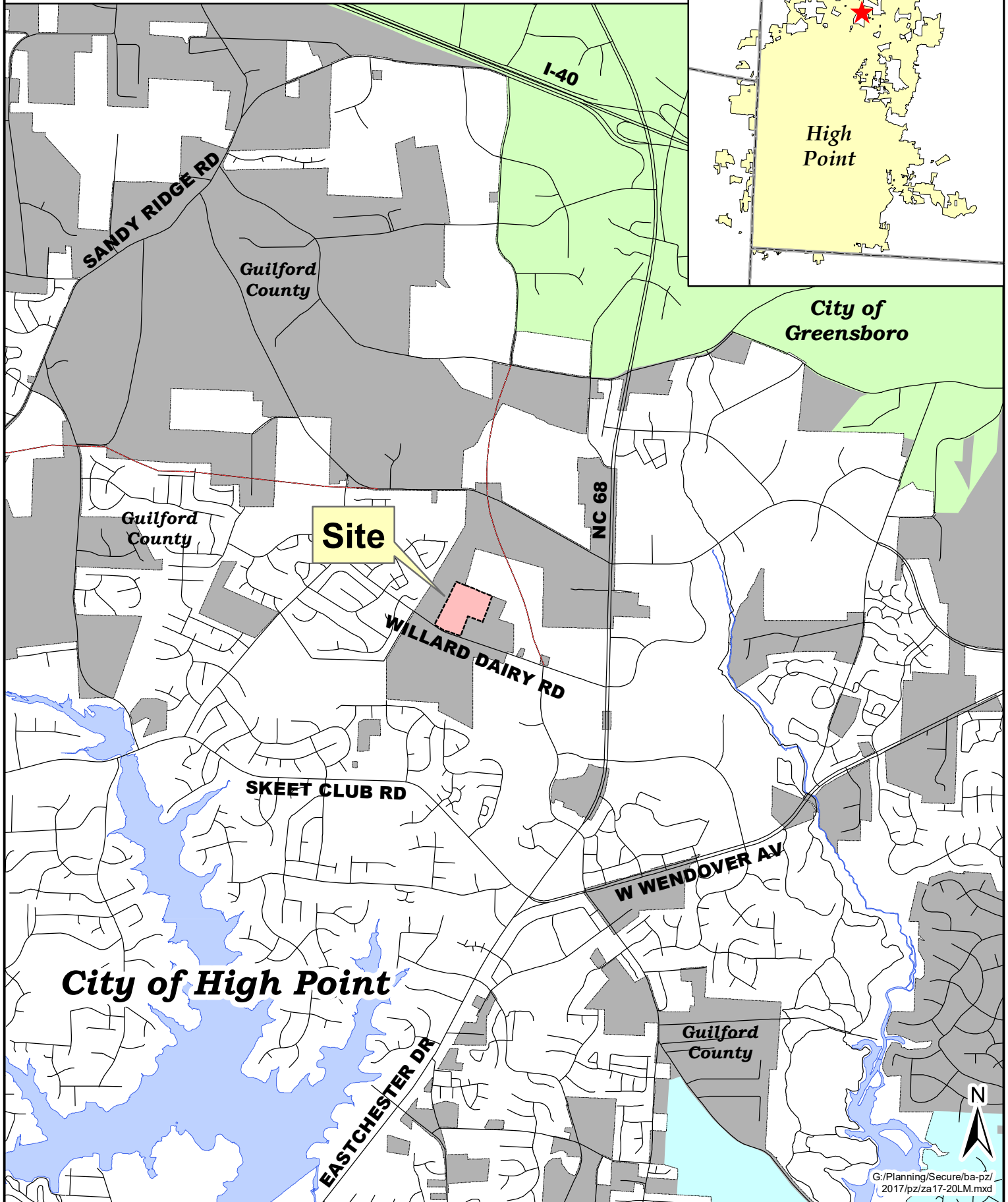
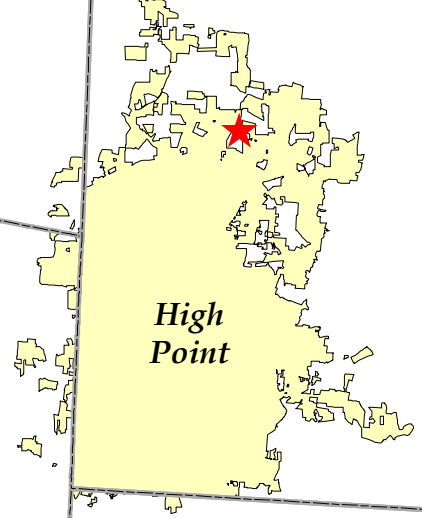
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

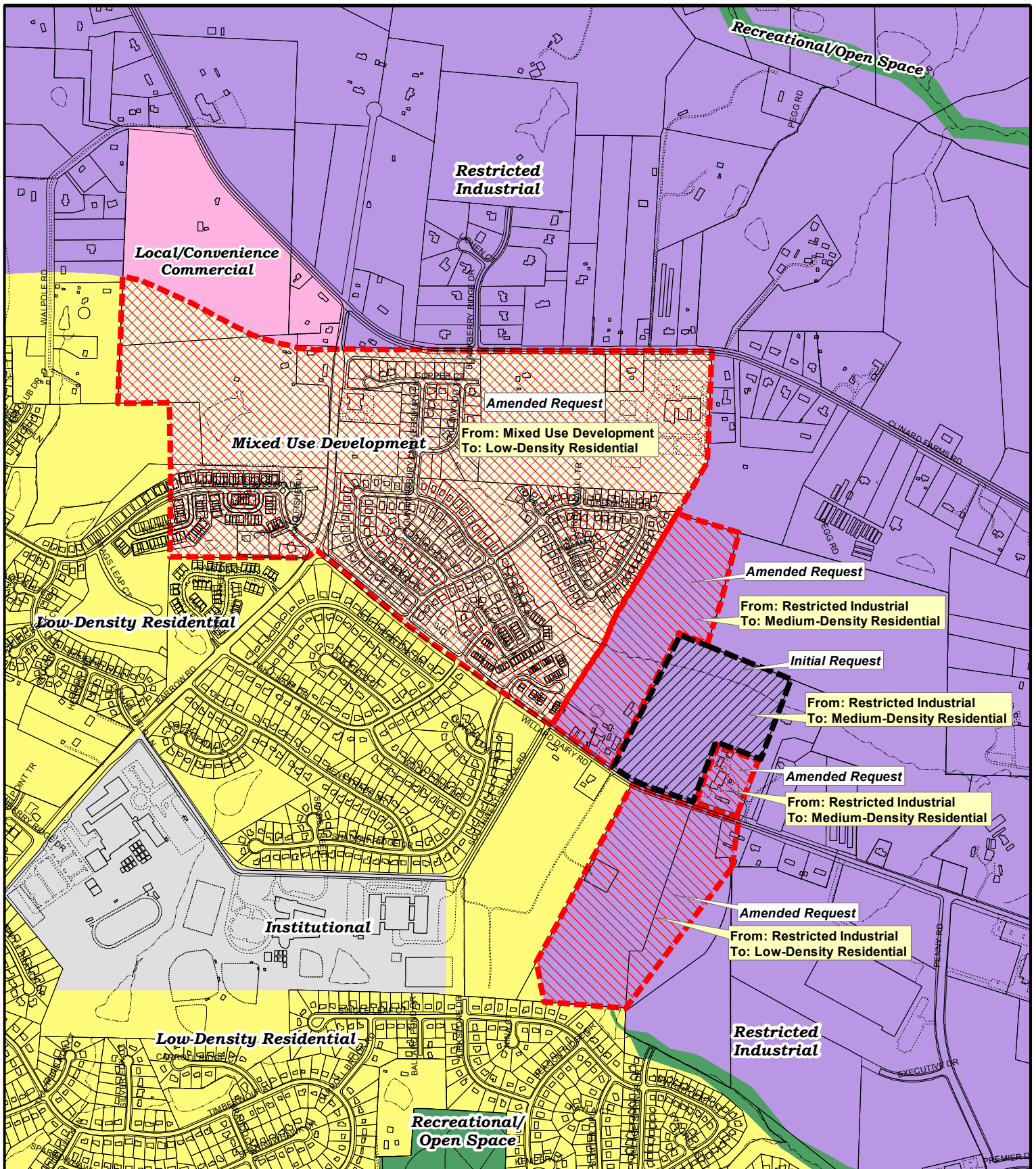
LOCATION MAP

ZONING MAP AMENDMENT ZA-17-20

Applicant: Keystone Homes

Vicinity Map





PLAN AMENDMENT PA-17-04

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

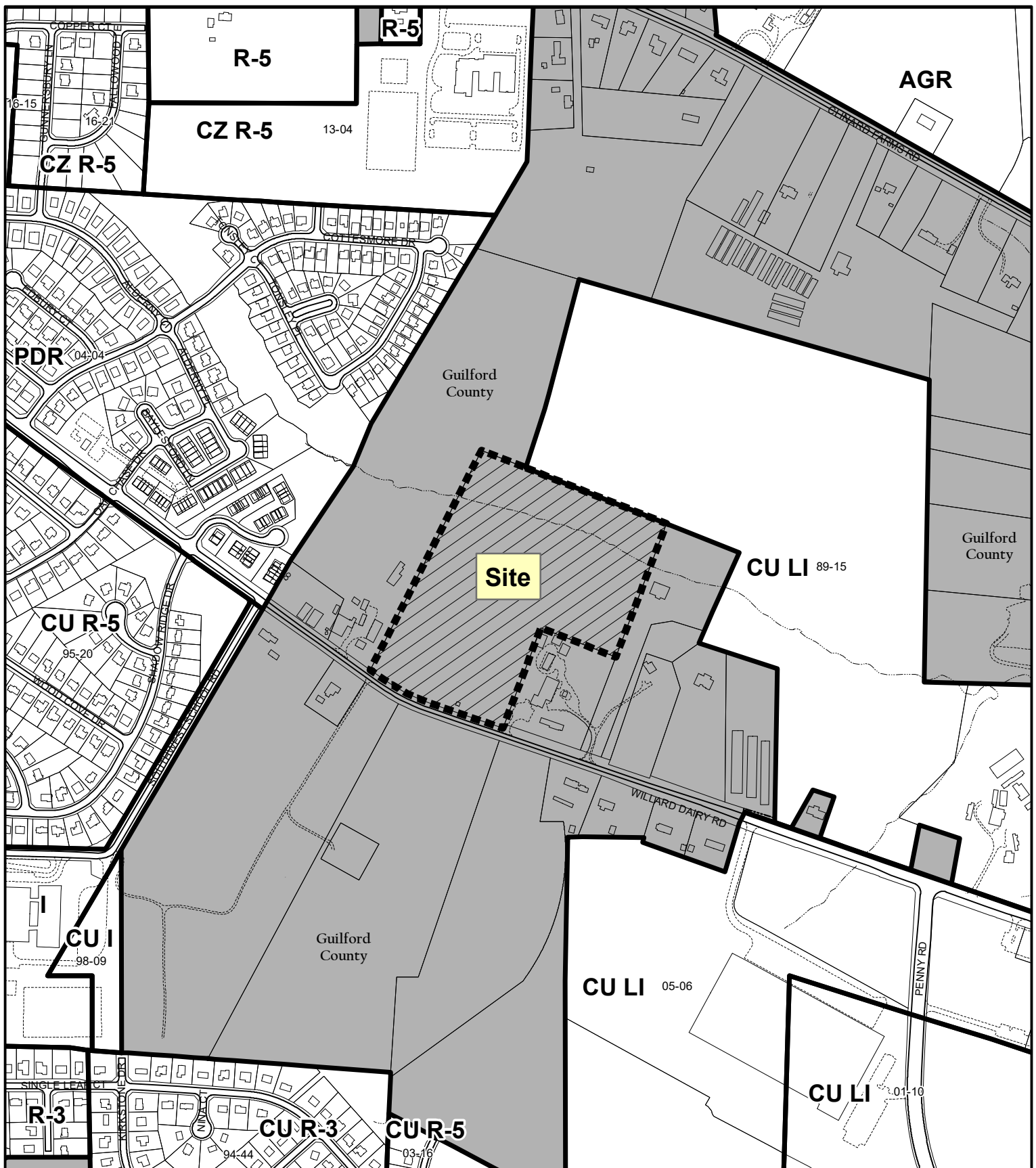
City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-20

From: Agricultural (AG - Guilford County)
To: Conditional Zoning Residential Multifamily-16 (CZ RM-16)

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

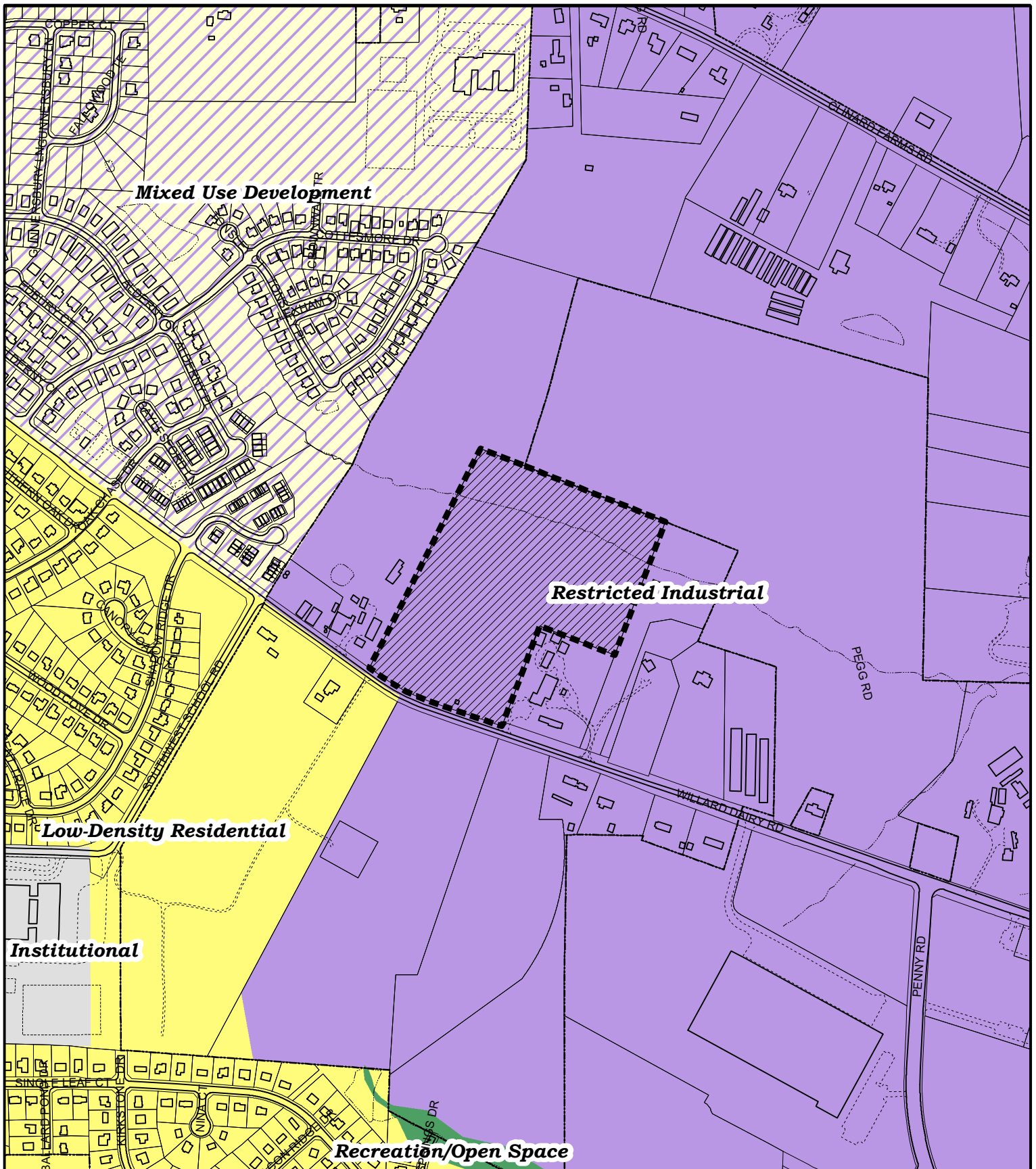
**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-20

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



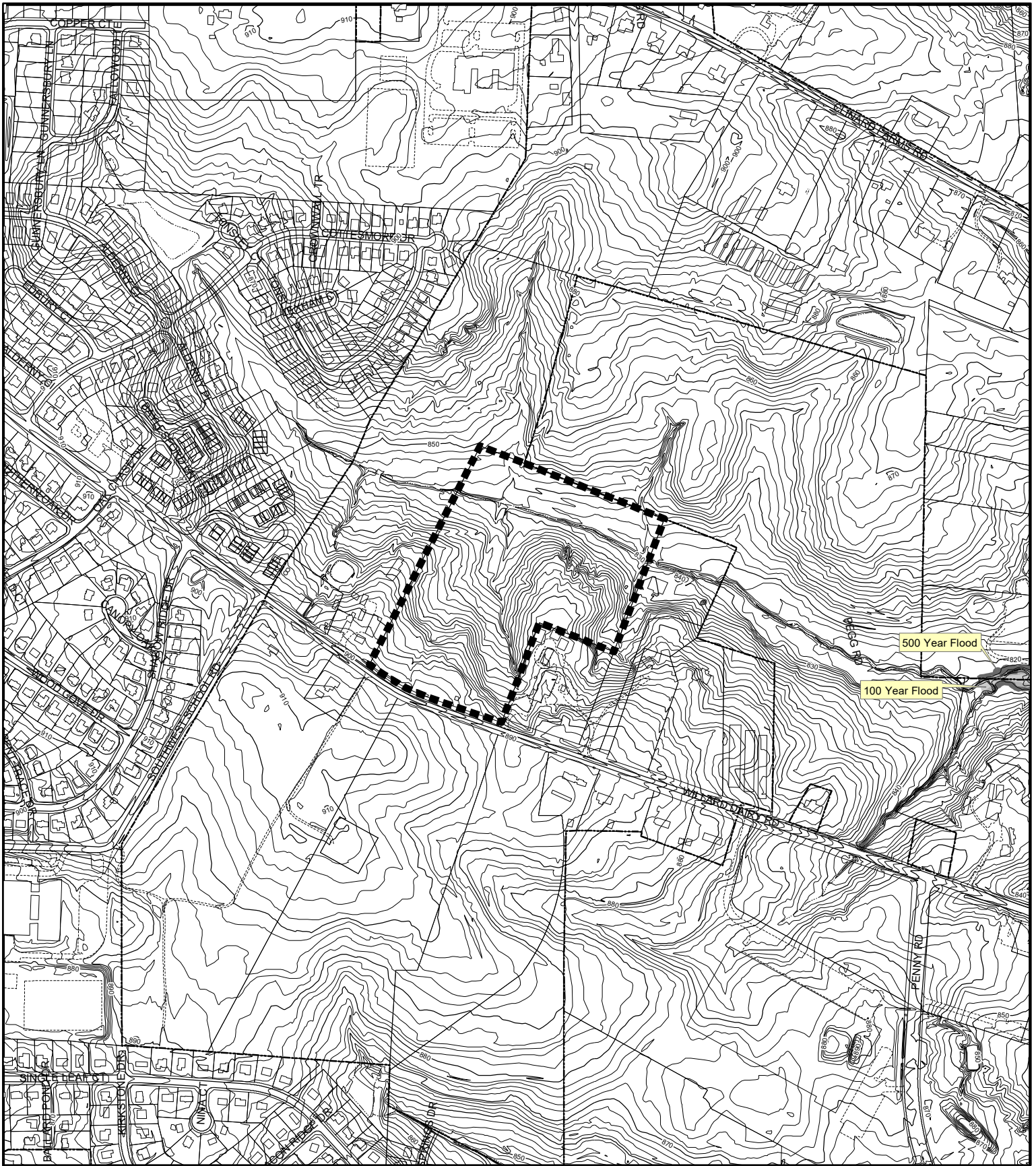
Planning & Development
Department

City of High Point

Date: October 24, 2017



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ZONING MAP AMENDMENT ZA-17-20

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: October 24, 2017



Scale: 1"=400'

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

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

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

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on October 24, 2017 and before the City Council of the City of High Point on November 20, 2017, regarding this proposed amendment (PA 17-04) to said *Land Use Plan for the High Point Planning Area*.

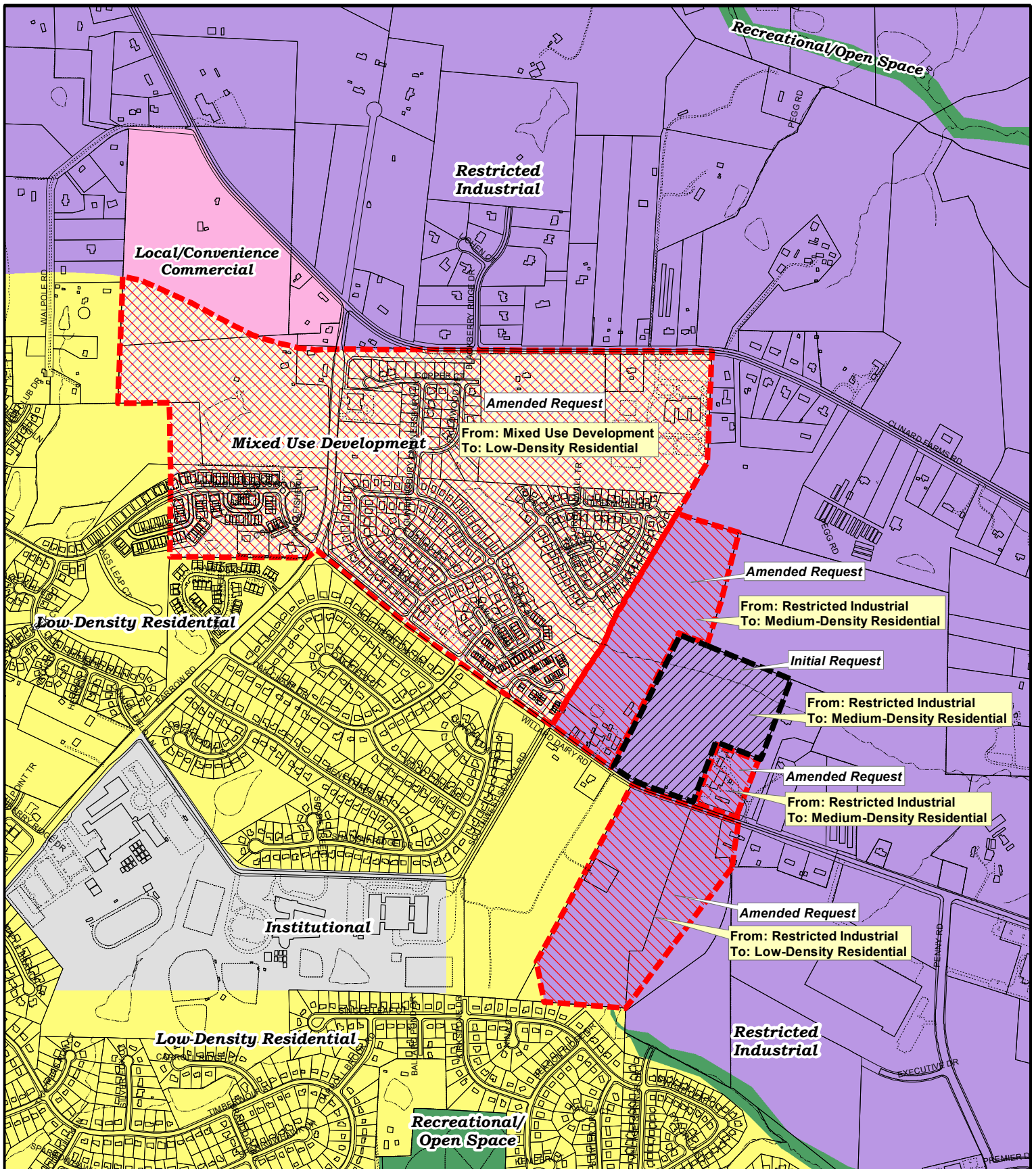
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended by reclassifying approximately 286 acres (as shown on the attached map) from Restricted Industrial and Mixed-Use Development to Medium-Density Residential and Low-Density Residential.

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

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

Adopted by City Council
City of High Point, North Carolina
The 20th day of November, 2017
Lisa B. Vierling, City Clerk



PLAN AMENDMENT PA-17-04

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



Scale: 1"=1,000'

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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 24, 2017 and before the City Council of the City of High Point on November 14, 2017 regarding **Zoning Map Amendment Case 17-20 (ZA-17-20)** 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 October 15, 2017, for the Planning and Zoning Commission public hearing and on November 1, 2017 and November 8, 2017, 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 **November 20, 2017**.

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 Residential Multifamily-16 (CZ RM-16) District**. The property is approximately 22.209 acres lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. The property is also known as Guilford County Tax Parcel 0169933.

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:**

Any uses allowed in the **Residential Multifamily-16 (CZ RM-16) District** subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. **CONDITIONS:**

A. **Avigation Easement:**

Prior to site plan, preliminary plat or group development plan approval, the property owner shall grant an Avigation Easement to the Piedmont Triad International Airport (PTIA) that covers the entire property.

B. Development Density:

Development shall be restricted to a maximum density of five (5) dwellings units per acre.

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.

____th day of XXXXXXXXXX xx, 20XX.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report Zoning Map Amendment 17-20

Submitted by: Ms. Judy Stalder, on behalf of
Keystone Homes

THE STALDER GROUP LLC

665 North Main Street
High Point North Carolina 27262
336.688.2204
jstalder@northstate.net

September 26, 2017

Dear Neighbor,

The Willard Family Trust and Keystone Homes have applied to the City of High Point to annex and rezone property located at 2431 Willard Dairy Road. You are invited to a Citizen Information Meeting to learn more about the request. The meeting will be held on Thursday, October 5 from 6:00 pm until 7:00 pm at the Trellises, 747 Piedmont Crossing Drive, High Point NC 27265. Scott Wallace from Keystone Homes and I will be available to answer your questions. Please refer to the enclosed statement from the High Point Planning and Development Department concerning Citizen Information Meetings.

The requested zoning is CZ-RM-16. Conditions of the zoning will limit the development to townhomes built at a maximum density of 5 units per acre. The development will include planted buffers around the perimeter of the property, protected buffers along existing streams, open space and other amenities. A preliminary site plan will be presented at the meeting. The proposed development will be similar to our Trellises community. All homes will be for individual sale.

If you are unable to attend or you have questions prior to the meeting, you may contact me at 336.688.2204 or jstalder@northstate.net.

Sincerely,

Judy Stalder
Development Consultant

Willard Dairy Road Citizen Information Meeting Report

Citizen Information Meeting: Thursday, October 5, 2017 from 6:00 pm to 7:00 pm at 747 Piedmont Crossing Drive.

A letter of invitation and explanation of the request was sent by US Mail (see attached). The letter was sent to those names provided by the Department of Planning and Development (see attached). The City's Citizen Meeting Information statement was included in the letter (see attached).

Meeting attendees (see attached). Three of the four attendees--Danny Clegg, Jimmy Clegg and Fran Marshall--are owners of adjacent property and are related to the subject property owners.

Meeting Presentation: The applicant proposes 86 townhouses on 22.2 acres located on the north side of Willard Dairy Road. The property is currently zoned Guilford Country Agriculture and is shown on the Land Use Plan as appropriate for Restricted Industrial Development. The applicant is asking for an RM-16 multifamily residential zoning district with a condition that limits density to a maximum of 5 units per acres. The sketch plan has been reviewed by the City's Technical Review Committee and comments will be incorporated into the plan.

The request will require annexation of the property. No other properties will be subject to annexation as a result of this request.

The request will also require modification of the Land Use Plan from Restricted Industrial to Residential.

The property is located in the City of High Point's Airport Overlay District and an amendment to the Airport Overlay District to allow residential development is required. The regulations of this district apply only to this property and other similarly located properties within the corporate limits of High Point. The developer will meet all Airport Overlay District notification and building material requirements. The project may be required to grant an aviation easement to the airport, which protects the use of airspace above a specified height, and imposes limitations on use of the land subject to the easement--generally, uses that attract birds or interfere with pilot visibility and instrumentation.

A public hearing by the Planning and Zoning Commission will be held on Tuesday, October 24, 2017 at 6:00 at 211 South Hamilton Street. The Commissioners will make a recommendation that will be considered by City Council in a second public hearing on Monday, November 20, 2017 at 5:30 in the same location. The request may change slightly between now and final approval based on comments, questions and concerns heard at the Citizen Meeting, the Planning and Zoning Commission public hearing and the City Council public hearing, as well as, upon further review by the Technical Review Committee.

Comments from those attending:

1. What is the square foot area of the proposed townhomes? *1700 square feet to 2100 square feet. Units will be all brick.*
2. What is the projected price of the proposed townhomes units? *\$230,000 to \$290,000*
3. What is the proposed density? *5 units per acre or less. Our current plan shows 86 units, a density of 4.2 units per acre.*
4. What kind of people will buy these units? *Our clientele is mainly age 55 and older for any unit with a main floor bedroom. Other units are typically purchase by single professionals.*
5. The traffic is terrible on Willard Dairy Road. What road improvements will you make? *We have applied to NCDOT for a permit to access Willard Dairy Road. It is our understanding that NCDOT will determine the necessary improvements.*
6. The access point should be in another location. *The point of access was determined by our engineer and provisionally approved by TRC.*
7. Is there a required buffer around the development? *Yes. A type B buffer is required around the perimeter.*
8. Will there be a fence around the property? *No. However, the privately owned yard behind each unit will be fenced or walled.*
9. May we have a copy of the site plan? *We are happy to share our current site plan. However, this plan has not been approved and is subject to change as we move through the approval process.*
10. You should notify residents that there will be some noise as late as 9:00 in the evening and in the early morning from the Kenmar machine shop on the Clegg property adjacent to the east. *Thank you for the information.*
11. Also, the farm on the west side has some noise from animals. *Thank you, noted.*
12. The grade of streets in the Cottesmore development creates issues with snow and ice. *Thank you for letting us know.*
13. May we have a full set of site plan and street plans when available? *Yes.*
14. Will area north of the creek remain in a natural state? *Yes. This development will not cross the creek running east-west on the north side of the property.*
15. Can the creek be crossed? *Yes. However, because the area across the creek is small and topographically challenged, it is not practical to build a crossing.*

16. Can the creek be crossed on the property to the west? *Yes. Because there is considerable property to the north, it may be practical to cross the creek and develop on both sides.*
17. The farm road across Willard Dairy Road from the entrance is used often. *Thank you for letting us know.*
18. What is the target date for starting work? *First quarter of 2018.*
19. Is there enough dirt to do what you want on the property? *Possibly. We may need to bring in some dirt from the outside.*
20. Will the City annex our property as a result of your request? *We have only requested annexation for the 22.2 acres of this property. Most likely your property will only be annexed if you petition the City. The City must follow precise rules set up by the state to annex your property involuntarily.*
21. Will the City assess my property for the extension of water? *Only if you annex your property.*
22. It looks like the new water line will be on my side (south side of Willard Dairy Road) of the road. *Yes, that is where the engineer is showing it on this plan.*
23. The Duke Energy power line running through the middle of the property is often down after a storm. *We will be working with Duke Energy, Northstate and the City of High Point to relocate lines to the street right of way. We understand from the TRC review that changes are already being considered.*
24. The power lines are located where they are now because of past aviation tower rules. We believe those rules have changed now. *Thank you for that information.*
25. We need a traffic signal at the Southwest School exit. *The need for a traffic signal is determined by NCDOT. We will convey your concern.*
26. Will a sidewalk be built on Willard Dairy Road? *Yes.*
27. A sidewalk to nowhere? *Yes.*
28. When will the project be completed? *2 1/2 to 3 years.*
29. We just want certain protections from the development. We do not want people taking liberties. *That is understandable. Our experience with the Trellises is that our residents are respectful of their neighbors.*
30. Will there be children in the townhomes? *In the 100 units at the Trellises, a similar community, we have approximately 15 residents under the age of 18.*

31. Farms are particularly attractive and dangerous for young children. *Thank you. We understand.*
32. We find it presumptuous that you have extended roads to our properties on the east and west. *The road stubs are a requirement of TRC and provide connection if/when you decide to develop your property.*
33. We heard that items have been stolen from the garages in the Trellises. *We are not aware of a problem at the Trellises. There is a foreign resident living in a nearby single family neighborhood that does not understand boundaries with leftover construction materials. We are addressing the problem.*

Name	Address	Telephone	Email Address
FRANCES MARSHALL	2514 Willard Park Rd 336	454-1421	
Jimmy Clegg	2531		
Danny Clegg	2531		
Robert Newhardt	3763 Shadow Ridge Dr	336-706-7253	newhardt@gmail.com

AHMAD, IFTIKHAR ; AHMAD, RAHEELA
3757 COTTESMORE DR
HIGH POINT NC 27265

AMH NC PROPERTIES LP
30601 AGOURA RD STE 200
AGOURA HILLS CA 91301

BARKSDALE, FRANITA B ; II, THOMAS LEROY
3748 COTTESMORE DR
HIGH POINT NC 27265

BEE JAY REAL ESTATE LIMITED PARTNERSHIP
7026 BALLENTYNE CT
CHARLOTTE NC 28210

BEGUM, TASNEEM ; ZAEEM, BILAL
3652 VILLAGE SPRINGS DR
HIGH POINT NC 27265

BLEAKNEY, KATHRYN ; BLEAKNEY, MARK F
3845 TONSLEY PL
HIGH POINT NC 27265

BOOKOUT, ERIC
3766 SHADOW RIDGE DR
HIGH POINT NC 27265

CAPPARA, ALLEETHEA S ; CAPPARA, MICHAEL J
3857 TONSLEY PL
HIGH POINT NC 27265

CARDILLO, MARK EDWARD ; CARDILLO, LEAH
MARIE
7319 FOX CHASE DR
TRINITY NC 27370

CARRANZA, NELSON O ; CARRANZA, TERESA
FLORES
35 LLOYD DR
BRENTWOOD NY 11717

CARSON, JOEL W
3777 SHADOW RIDGE DR
HIGH POINT NC 27265

CHEFFY, STEVEN KARL
3809 COTTESMORE DR
HIGH POINT NC 27265

CLARKE, DERRICK W ; CLARKE, LYNDIA A
3840 TONSLEY PL
HIGH POINT NC 27265

CLEGG, DANIEL C
2531 WILLARD DAIRY RD
HIGH POINT NC 27265

CLEGG, DEBORAH ELAINE
2543 WILLARD DAIRY RD
HIGH POINT NC 27265

CLEGG, JAMES WILLARD ; CLEGG, AMY P
2539 WILLARD DAIRY RD
HIGH POINT NC 27265

COLUNGA, JOSEPH E
3873 TONSLEY PL
HIGH POINT NC 27265

CORTEZ, SALVADOR SALAZAR ; CORTEZ, REINA
SALAZAR
2536 WILLARD DAIRY RD
HIGH POINT NC 27265

COTTESMORE MASTER HOMEOWNERS
ASSOCIATION INC
3929 TINSLEY DR SUITE 104
HIGH POINT NC 27265

COTTESMORE TOWNHOME OWNERS
ASSOCIATION INC
4310 REGENCY DR STE 100
HIGH POINT NC 27265

CRAVEN, REBECCA CAROLINE
108 HUNDRED OAKS LN
HOLLY SPRINGS NC 27540

DELATORRE, JAMES ; DELATORRE, VIRGINIA
3740 SHADOW RIDGE DR
HIGH POINT NC 27265

DILLON, JONATHAN
3771 SHADOW RIDGE DR
HIGH POINT NC 27265

EDGINGTON, CONNIE M ; EDGINGTON, DWIGHT I
3832 TONSLEY PL
HIGH POINT NC 27265

EL, AYESHA K ; EL, DELMAS STAMP
3753 COTTESMORE DR
HIGH POINT NC 27265

GASKINS, ANDREW W
3797 SHADOW RIDGE DR
HIGH POINT NC 27265

GHANEI, HAMID
3836 TONSLEY PL
HIGH POINT NC 27265

GOSSETT, J ROLAND ; GOSSETT, GAYNELLE R
7841 CLINARD FARMS RD
HIGH POINT NC 27265

GRAHAM, JAMES FRANKLIN ; GRAHAM, SHELLEE
NICOLE
3825 TONSLEY PL
HIGH POINT NC 27265

HAGGARD, ALLISON B
3780 SHADOW RIDGE DR
HIGH POINT NC 27265

HANSLEY, STACIE LEE
3779 SHADOW RIDGE DR
HIGH POINT NC 27265

HAVELIWALA, MURTUZA ; HAVELIWALA, SAJEDA
7525 HENSON FOREST DR
SUMMERFIELD NC 27358

HIGH POINT GENERAL CONTRACTORS
4481 BARROW RD
HIGH POINT NC 27265

HOLDEN, ROBERT E ; HOLDEN, ANGELA L
3833 TONSLEY PL
HIGH POINT NC 27265

HPA BORROWER 2016-1 LLC
180 N STETSON AVE SUITE 3650
CHICAGO IL 60601

ILLIKKAL, SALEEM ; KARAKULANAGARA, JASEELA
3861 TONSLEY PL
HIGH POINT NC 27265

JACKSON, TAMARA L
3795 SHADOW RIDGE DR
HIGH POINT NC 27265

JOHNSON, CORY
3773 SHADOW RIDGE DR
HIGH POINT NC 27265

K HOVNANIAN HOMES OF NC INC
3333 REGENCY PKWY SUITE 100
CARY NC 27518

KAUR, NAVNEET ; KAUR, JAGDEEP SINGH
3841 TONSLEY PL
HIGH POINT NC 27265

KEYSTONE GROUP INC
3705 ALLIANCE DR
GREENSBORO NC 27407

KILBOURN, SHAWN M
3787 SHADOW RIDGE DR
HIGH POINT NC 27265

KIM, KANNITHA ; TOUCH, VIBOL
3762 SHADOW RIDGE DR
HIGH POINT NC 27265

LOPEZ, JAIRO A ; NEWMAN, MEAGAN L
3786 SHADOW RIDGE DR
HIGH POINT NC 27265

MARSHALL, BARNEY G JR ; MARSHALL, FRANCES W
2514 WILLARD DAIRY RD
HIGH POINT NC 27265

MARTIN, PEILAN C
4517 RIVER BROOK ST
HIGH POINT NC 27265

MCDONALD, MARGARET M
3767 SHADOW RIDGE DR
HIGH POINT NC 27265

MEHR, SAADIA ; ZAEEM, ABU BAKER
3772 SHADOW RIDGE DR
HIGH POINT NC 27265

MERHAI, BEDIESH P ; MERHAI, DEOMATIE
3856 TONSLEY PL
HIGH POINT NC 27265

MUDRI, LAURIE ; MUDRI, ROBERT JR
3829 TONSLEY PL
HIGH POINT NC 27265

MULLEN, KIMBERLY L
3769 SHADOW RIDGE DR
HIGH POINT NC 27265

NEUHARDT, ANGELLE VIOLA ; NEUHARDT, ROBERT GEORGE JR
3763 SHADOW RIDGE DR
HIGH POINT NC 27265

NGUYEN, THAO T ; PHAM, DAT T
3848 TONSLEY PL
HIGH POINT NC 27265

NINA H WILLIARD FAMILY TRUST ; WILLIARD, EDWARD L TRUSTEE
2500 WILLARD DAIRY RD
HIGH POINT NC 27265

PATEL, NARENDRAKUMAR AMRUTLAL ; PATEL, SARIKA PRAVIN
3813 TONSLEY PL
HIGH POINT NC 27265

PATEL, RAJESH ; PATEL, SMITA
3816 TONSLEY PL
HIGH POINT NC 27265

PHILLIPS, TONYA BAILEY
3793 SHADOW RIDGE DR
HIGH POINT NC 27265

PHOENIX ACADEMY FOUNDATION INC
4020 MEETING WAY ST
HIGH POINT NC 27265

POL, HARSHAL ; POL, VAIBHAVI
3744 COTTESMORE DR
HIGH POINT NC 27265

PRINCE, BRANDON S
565 CROSS CREEK DR
MOUNT AIRY NC 27030

RAY, JAMES M ; RAY, JENNIFER S
3805 COTTESMORE DR
HIGH POINT NC 27265

ROBERTS, BRITTANY K
3791 SHADOW RIDGE DR
HIGH POINT NC 27265

ROCKWELL, BRYAN A ; ROCKWELL, BREANNA M
3849 TONSLEY PL
HIGH POINT NC 27265

ROSS, ANITA G ; ROSS, CAMMY L ; ROSS, CARL G
JR
3788 SHADOW RIDGE DR
HIGH POINT NC 27265

SHAH, RONAK DHIRUBHAI ; SHAH, LOPA SHAH
3853 TONSLEY PL
HIGH POINT NC 27265

SHARMA, CHIRAG ; SHARMA, SHWETA
3852 TONSLEY PL
HIGH POINT NC 27265

SMITH, DAVE S ; SMITH, DENISE M
3817 TONSLEY PL
HIGH POINT NC 27265

SMITH, DAVID W ; SMITH, SHARON L
3736 SHADOW RIDGE DR
HIGH POINT NC 27265

SOUTHERN CHASE AT BENT TREE
HOMEOWNERS ASSOCIATION INC
1400 BATTLEGROUND AVE SUIT 122
GREENSBORO NC 27408

STUTTS, JASON ROBERT ; STUTTS, NATALIE JEAN
3837 TONSLEY PL
HIGH POINT NC 27265

SUNDERLAND, KERRY A
3783 SHADOW RIDGE DR
HIGH POINT NC 27265

THADURI, MADAN M ; THADURI, TRIVENI THADURI
3824 TONSLEY PL
HIGH POINT NC 27265

THOMPSON, ANDREW NEAL
3784 SHADOW RIDGE DR
HIGH POINT NC 27265

THOMPSON, JEFFERY C ; THOMPSON, TIFFANY L
3801 COTTESMORE DR
HIGH POINT NC 27265

TIGANUS, ANDREEA ; TIGANUS, DAN
3781 SHADOW RIDGE DR
HIGH POINT NC 27265

UNITED STATES OF AMERICA FEDERAL AVIATION
ADMINISTRATION
PO BOX 20636
ATLANTA GA 30320

VALLIAPPAN, KANNAMMAI ; VEERAPPAN,
ANNAMAIAI
3828 TONSLEY PL
HIGH POINT NC 27265

VAN DEN BERG, JAN L ; VAN DEN BERG, SUSARA
M
3871 TONSLEY PL
HIGH POINT NC 27265

VAUGHN, JASON A
2544 WILLARD DAIRY RD
HIGH POINT NC 27265

WILLIARD FAMILY TRUST ; WILLIARD SURVIVORS
TRUST ; WILLIARD, RUTH S TR ; WOOD, BRENDA
TR ; WILLIARD, JOHN M TR
1175 PLEASANT RIDGE RD
GREENSBORO NC 27409

WILLIARD, EDWARD L
2500 WILLARD DAIRY RD
HIGH POINT NC 27265

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

BK: R 8001

PG: 2727-2736

RECORDED:
12-04-2017

03:52:26 PM

BY: SHERRY W FARMER
DEPUTY-HP



2017068335

GUILFORD COUNTY, NC

JEFF L. THIGPEN

REGISTER OF DEEDS

NC FEE \$26.00

Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. 1735 / 17-82

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 2nd DAY OF OCTOBER, 2017, AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

104
Street Abandonment (Closure) Case 17-04

(abandonment of five separate public street right-of-way's within a four-block area bounded by Gatewood Avenue, N. Elm Street, N. Lindsay Street and W. English Road)

WHEREAS, The City Manager's Office has petitioned the City Council of the City of High Point to permanently abandon (close) the following right-of-way's:

- a) Abandonment #1 (portion of Pine Street): That portion of the Pine Street right-of-way lying between Gatewood Avenue and the northern property line of Guilford County Tax Parcel 0186826 (209 Pine Street). More specifically described as that portion of the Pine Street right-of-way, running in a general north-south direction for a length of approximately 633 feet (more or less), from the southern right-of-way line of Gatewood Street to the northeastern corner of Guilford County Tax parcel 0186826 and the northwestern corner of Guilford County Tax parcel 0186839; and contains approximately 0.69 acres.
- b) Abandonment #2 (portion of Church Avenue): That portion of the Church Avenue right-of-way lying between N. Elm Street and N. Lindsay Street. More specifically described as that portion of the

Church Avenue right-of-way, running in a general east-west direction for a length of approximately 906 feet (more or less), from the western right-of-way of N. Elm Street to the eastern right-of-way of N. Lindsay Street; and containing approximately 1.09 acres.

- c) Abandonment #3 (alley): An unnamed alley lying south of Church Avenue, between Pine Street and N. Lindsay Street (lying approximately 165 feet west of Pine Street). More specifically described as an alley, running in a general north-south direction for a length of approximately 342 feet (more or less), from the southern right-of-way line of Church Avenue to the northern property line of Guilford County Tax Parcel 0186833. This alley is lying along the eastern property lines of Guilford County Tax Parcels 0186817, 0186818, 186829, 0186830, 0186831 & 0186832 and lying along the western property lines of Guilford County Tax Parcels 0186825, 0186826, 0186827 & 0186828; and contains approximately 0.12 acres.
- d) Abandonment #4 (alley): An unnamed alley lying approximately 150 feet north of W. English Road, between Pine Street and N. Lindsay Street. More specifically described as an alley, running in a general east-west direction for a length of approximately 334 feet (more or less), from the western right-of-way of Pine Street to the eastern right-of-way line of N. Lindsay Street. This alley is lying along the northern property lines of Guilford County Tax Parcels 0186819, 0186820, 186821, 0186822 & 0186823 and lying along the southern property line of Guilford County Tax Parcel 0186833; and contains approximately 0.08 acres.
- e) Abandonment #5 (alley): An unnamed alley lying west of N. Elm Street, between Gatewood Avenue and Church Avenue (lying approximately 140 feet west of N. Elm Street). More specifically described as a portion of an alley, running in a general east-west direction for a length of approximately 70 feet (more or less), and lying west of Guilford County Tax Parcel 0186810 and contains approximately 0.02 acres.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 2nd day of October, 2017, at 5:30 p.m. setting the 20th day of November, 2017 at 5:30 p.m., in the Council Chambers of the Municipal Building, as the time and place for a public hearing before said Council on said petition, and public notice of said time and place was ordered given, all pursuant to North Carolina G.S. 160A-299; and

WHEREAS, due and proper notice of said hearing to be heard on the petition at this meeting of the City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning October 20, 2017 and October 27, 2017, November 3, 2017 and November 10, 2017; and,

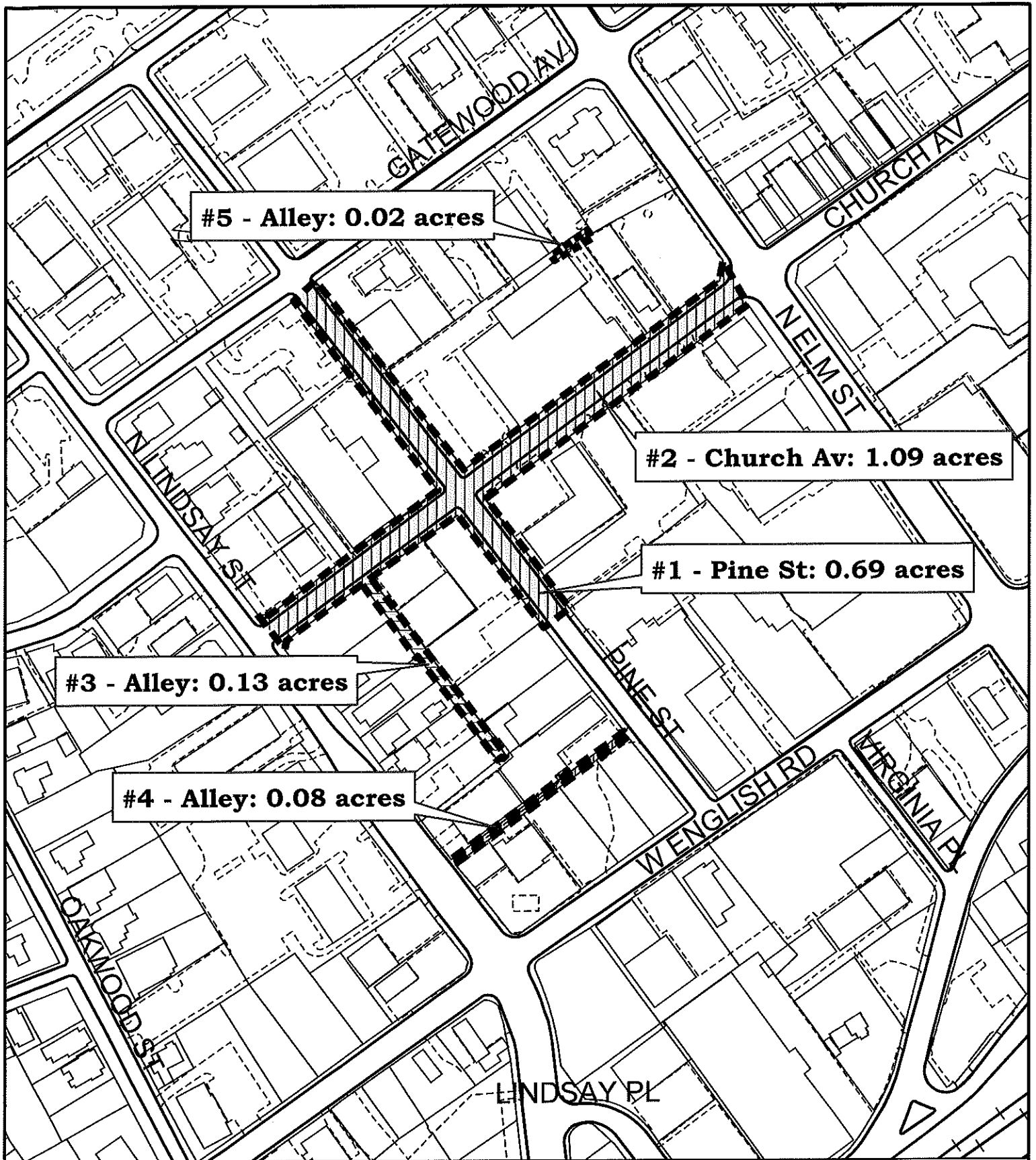
WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to abandon (closure) of the above described right-of-ways; and

WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right-of-way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other individual, firm or corporation owning property in the vicinity of said street, or in the subdivision in which said street is located, will be deprived of reasonable means of ingress or egress to this property.

NOW THEREFORE BE IT RESOLVED:

1. The five right-of-ways, as described above, be closed pursuant to North Carolina G.S. 160A-299;
2. That within the above described five right-of-ways, the City of High Point shall retain a 30-foot wide City of High Point electrical easement centered over the existing City of High Point electrical pole and service lines within and crossing these right-of-ways;
3. That within the above described five right-of-ways, the City of High Point shall retain a 20-foot wide sewer line easement centered over existing sewer lines within or crossing the right-of-way;
4. That within the above described five right-of-ways, the City of High Point shall retain a 20-foot wide stormwater line easement centered over existing stormwater lines within or crossing these right-of-ways;
5. That within the above described five right-of-ways, the City of High Point shall retain a 20-foot wide Piedmont Natural Gas easement centered over existing gas lines within or crossing these right-of-ways;
6. That within the above described five right-of-ways, the City of High Point shall retain a 30-foot wide Duke Energy easement centered over existing Duke Power lines (overhead and underground) within or crossing these right-of-ways; and
7. That a copy of this resolution be filed in the Office of the Register of Deeds for Guilford County, North Carolina.

By order of the City Council,
this the 20th day of November, 2017
Lisa B. Vierling, City Clerk



STREET ABANDONMENT SA-17-04

Applicant: City of High Point
Area: 2.01 acres (total)



Location of requested street abandonment

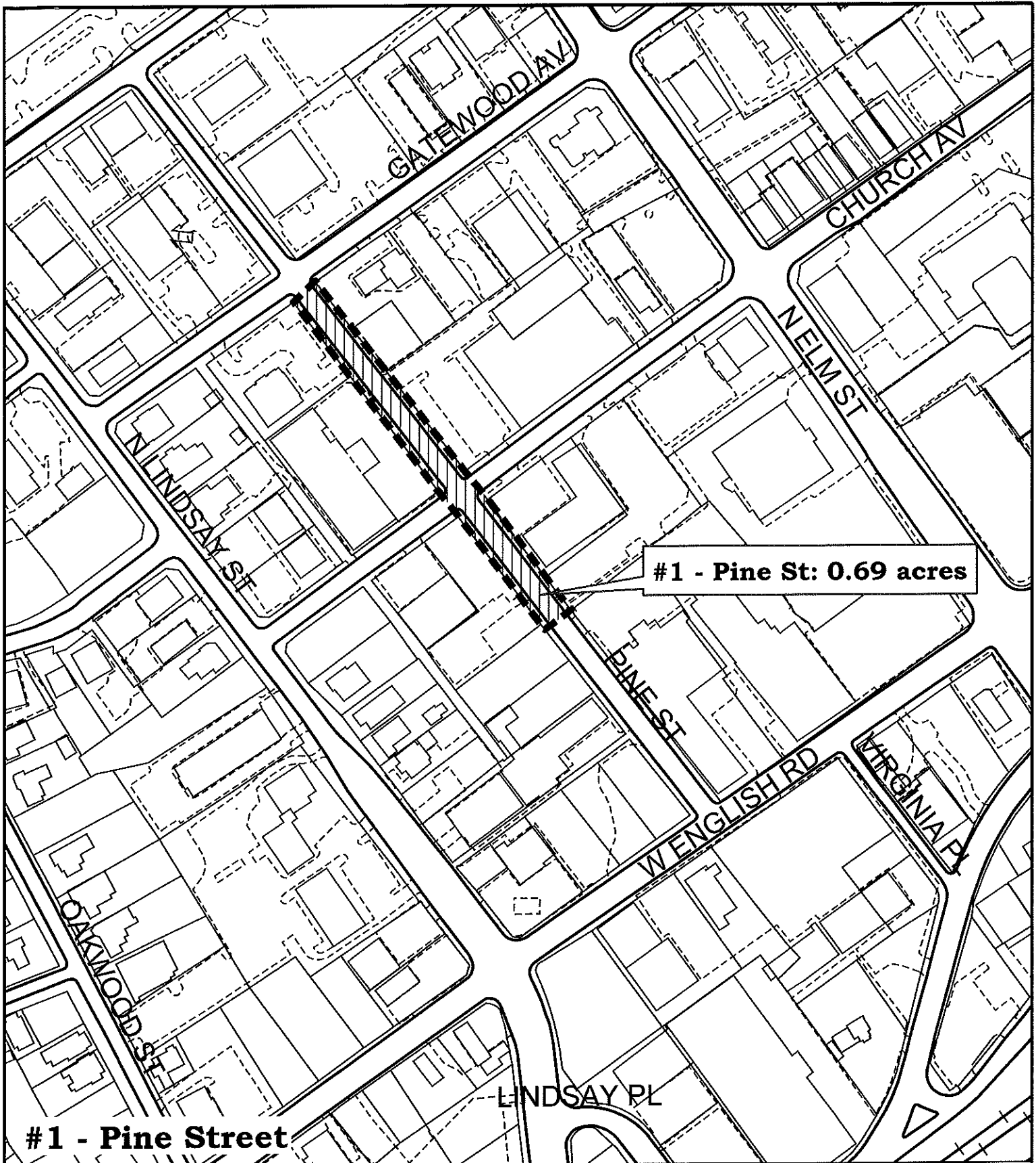
Planning & Development
Department

City of High Point

Date: November 29, 2017



Scale: 1"=200'
G:/Planning/Secure/ba-pz/
2017/pz/sa17-04Record.mxd



#1 - Pine St: 0.69 acres

#1 - Pine Street

STREET ABANDONMENT SA-17-04

Applicant: City of High Point
Area: 2.01 acres (total)



Location of requested street abandonment

Planning & Development
Department

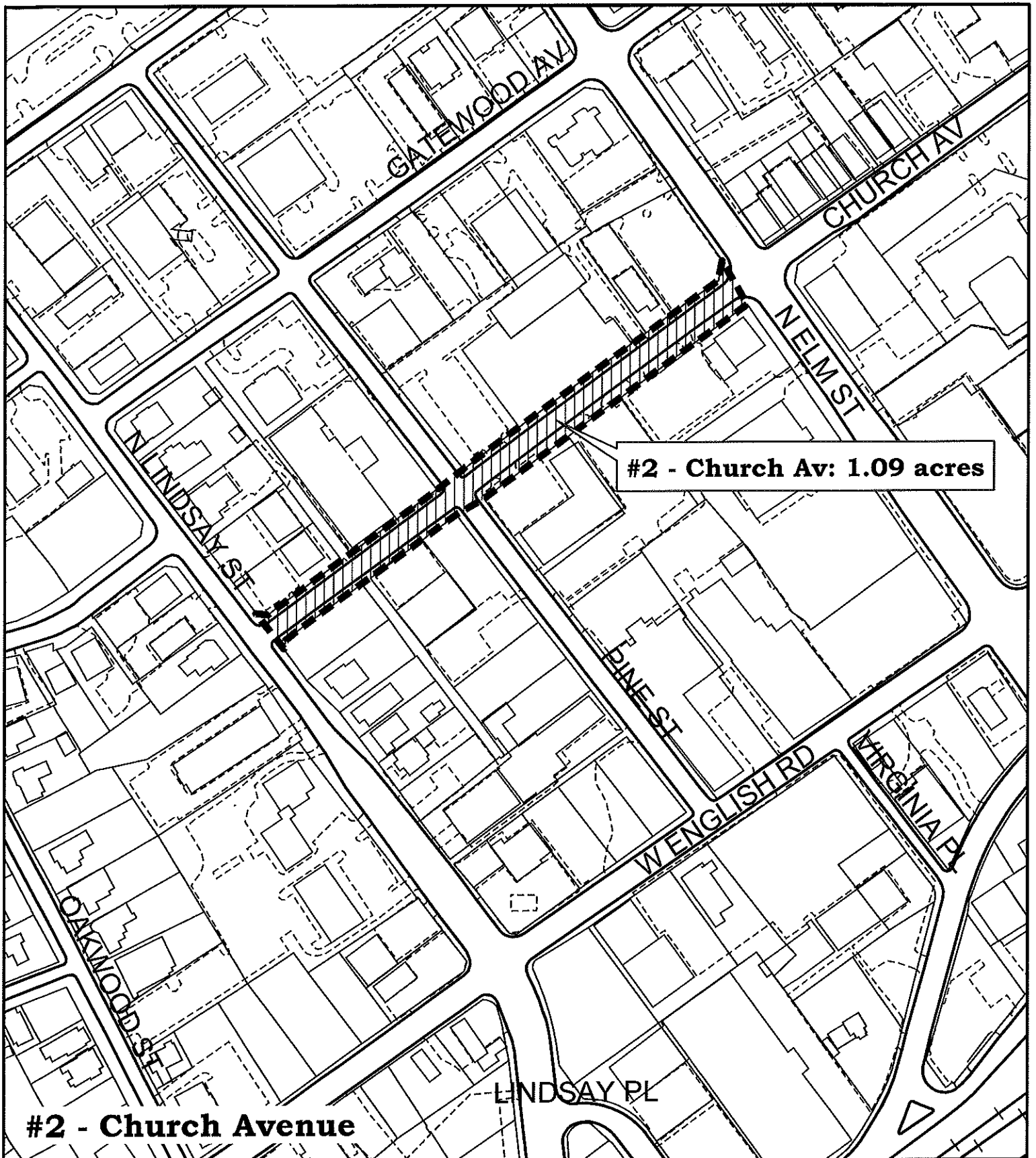
City of High Point

Date: November 29, 2017



Scale: 1"=200'

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2017\pz\sa17-04Record-1.mxd



#2 - Church Avenue

STREET ABANDONMENT SA-17-04

Applicant: City of High Point
Area: 2.01 acres (total)



Location of requested street abandonment

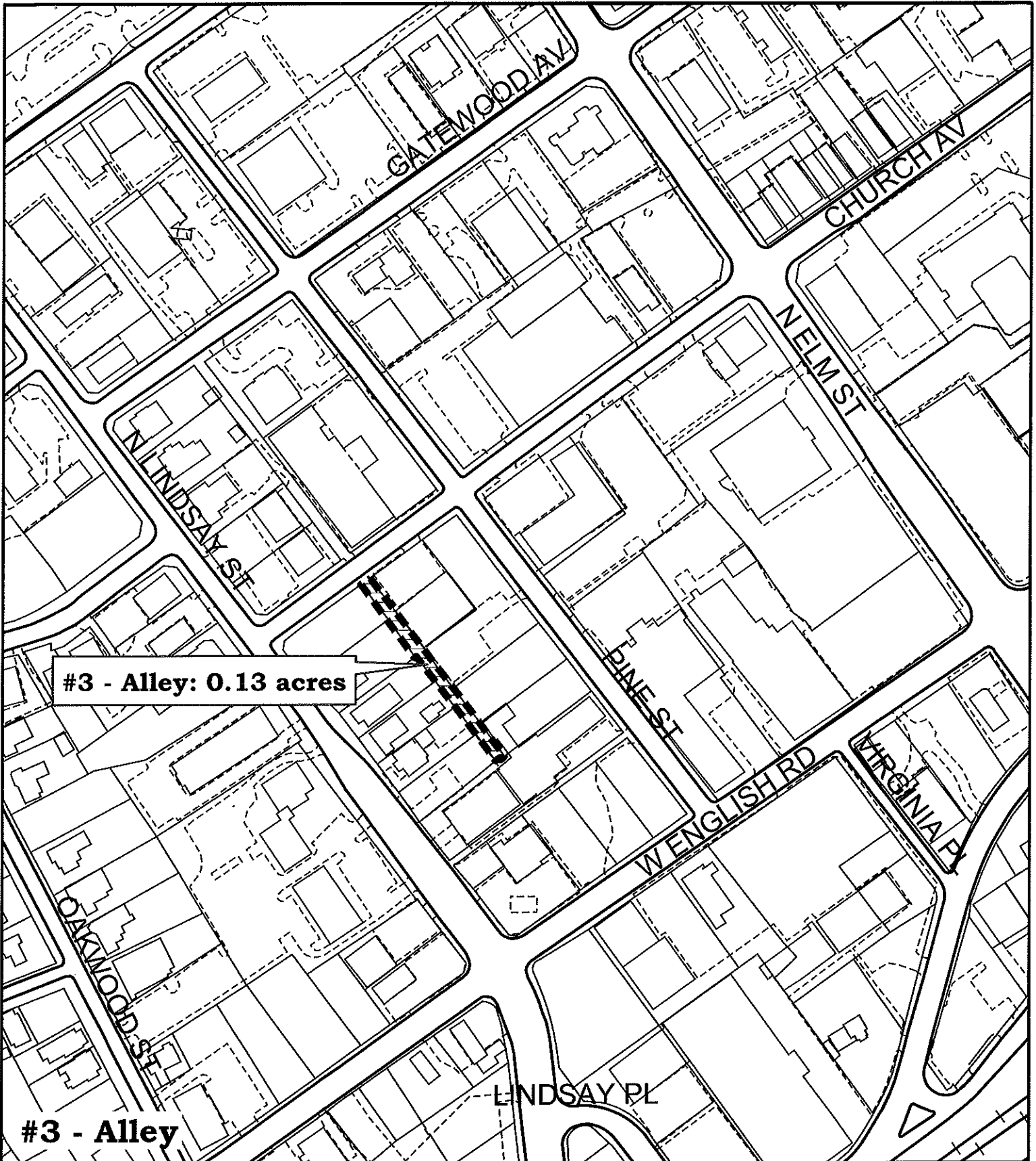
Planning & Development
Department

City of High Point

Date: November 29, 2017



Scale: 1"=200'
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2017\pz\sa17-04Record-2.mxd



STREET ABANDONMENT SA-17-04

Applicant: City of High Point
Area: 2.01 acres (total)



Location of requested street abandonment

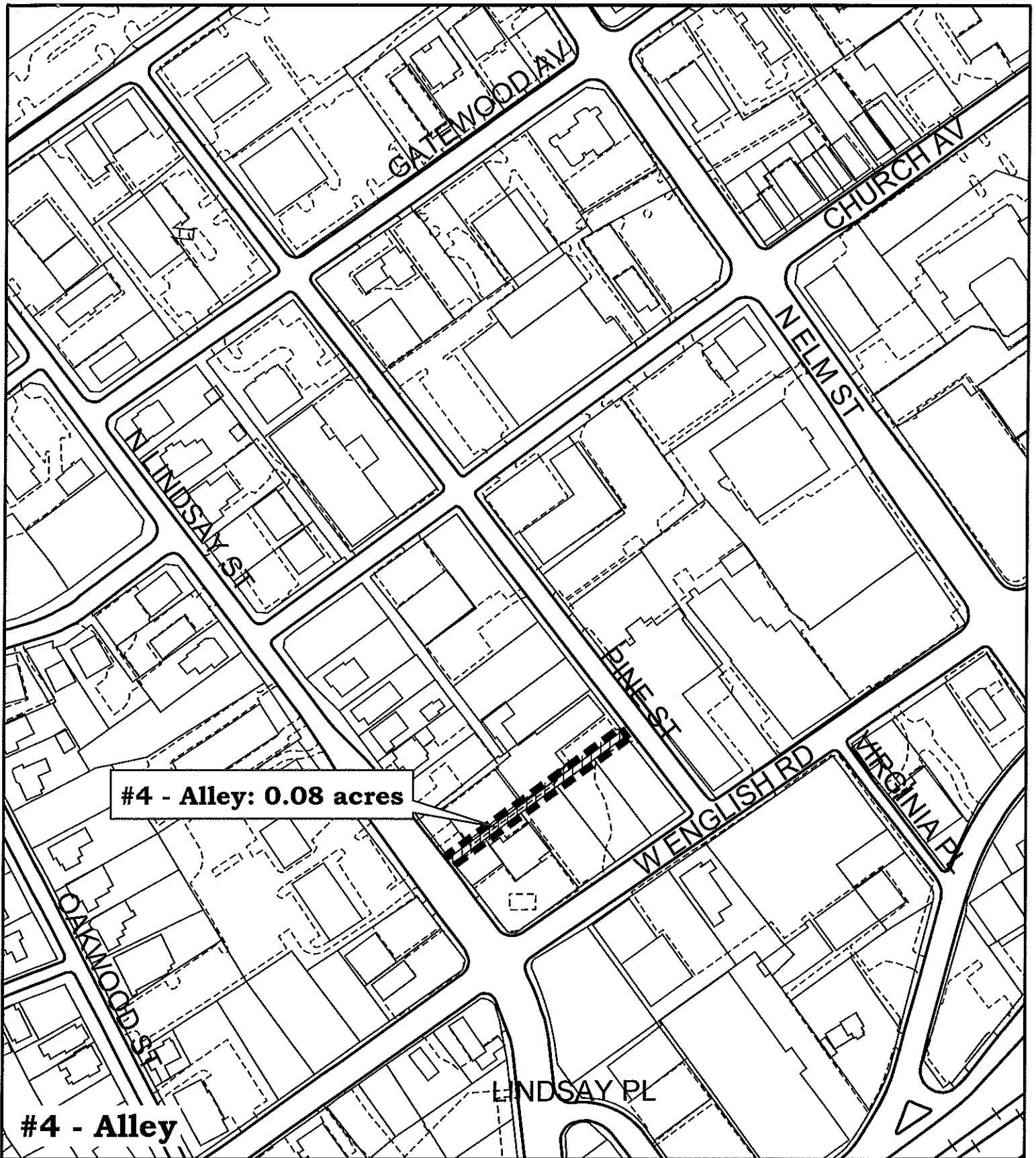
Planning & Development
Department

City of High Point

Date: November 29, 2017



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2017/pz/sa17-04Record-3.mxd



STREET ABANDONMENT SA-17-04

Applicant: City of High Point
Area: 2.01 acres (total)



Location of requested street abandonment

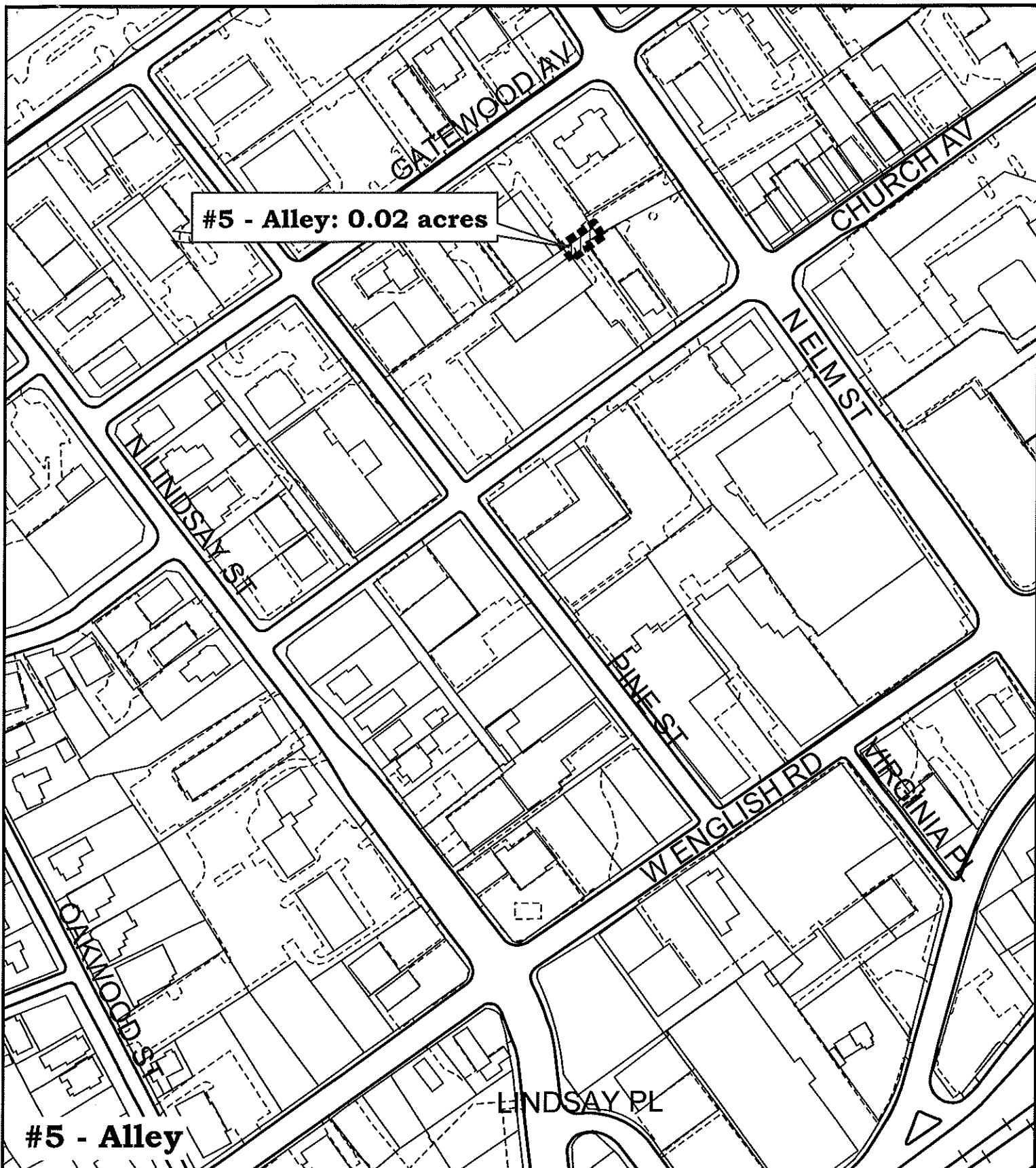
Planning & Development
Department

City of High Point

Date: November 29, 2017



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2017/pz/sa17-04Record-4.mxd



STREET ABANDONMENT SA-17-04

Applicant: City of High Point
Area: 2.01 acres (total)



Location of requested street abandonment

**Planning & Development
Department**

City of High Point

Date: November 29, 2017



Scale: 1"=200'

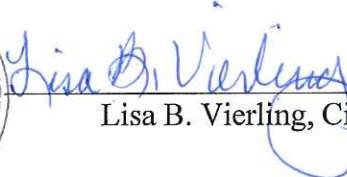
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2017\pz\sa17-04Record-5.mxd

City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Resolution adopted by the City Council in official Session on November 20, 2017 and upon approval by City Council will be recorded in Book 92 of the Official Minute Books and Resolution Book XIX of this City, under my care, custody and control. As of this date, action to adopt said Resolution has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, this 4th day of December 2017.

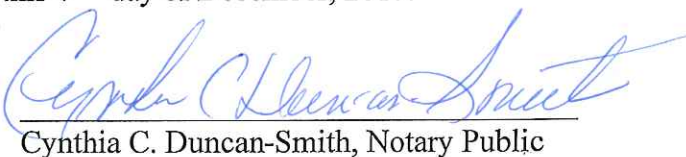
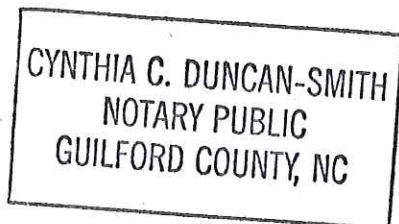


Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 4th day of December, 2017.



Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2020

North Carolina Water and Wastewater Agency Response Network

Mutual Aid and Assistance Agreement For Water and Wastewater Utilities

This Agreement is made and entered into by public and private Water and Wastewater Utilities in North Carolina that have, by executing this Agreement, manifested their intent to participate in an Intrastate Program for Mutual Aid and Assistance.

This Agreement is authorized under Section 160A-318 of the North Carolina General Statutes which provides that public and private Water and Wastewater Utilities may contract with each other to provide mutual aid and assistance in restoring water and sewer in the event of natural disasters or other emergencies.

ARTICLE I. PURPOSE

Recognizing that emergencies may require assistance in the form of personnel, equipment, materials, and supplies from outside the area of impact, the signatory utilities established an Intrastate Program for Mutual Aid and Assistance. Through the Mutual Aid and Assistance Program, Members coordinate response activities and share resources during emergencies whether localized to the utilities or a declared disaster. This Agreement sets forth the procedures and standards for the administration of the Intrastate Mutual Aid and Assistance Program.

ARTICLE II. DEFINITIONS

A. Authorized Official— An employee or officer of a Member that is authorized by the Member's governing board or management to:

- request assistance;
- offer assistance;
- Refuse to offer assistance or;
- Withdraw assistance under this Agreement.

B. Disaster – An emergency event that reaches a specific financial threshold related to magnitude of loss and property damage.

C. Confidential Information – Information defined NCGS 132-1.2 as confidential information or NCGS 132-1.7 as sensitive public security information.

D. Emergency— An unanticipated and/or sudden natural or manmade event that requires immediate action and is, or is likely to be, beyond the control of the services, personnel, equipment, and facilities of a Mutual Aid and Assistance Program Member.

E. Incident Command System (ICS) – A standardized on-scene emergency management system designed for use for all kinds of emergencies and is applicable to small as well as large and complex incidents. ICS is the combination of facilities, equipment, personnel procedures, and communications operating within a common organization structure, designed to aid in the management of resources during incidents.

F. Indemnity – Security against hurt, loss, or damage. An exemption from incurred penalties or liabilities.¹

G. Indemintee – A party to this Agreement that is entitled to be indemnified by another party to this Agreement pursuant to the terms of Article X.

H. Indemnitor – A part to this Agreement that is obligated to indemnify another party to this Agreement pursuant to the terms of Article X.

I. Large water and or wastewater utility— A utility that is represented with a population in excess of 10,000.

J. Member— Any public or private Water or Wastewater Utility that manifests intent to participate in the Mutual Aid and Assistance Program by executing this Agreement.

K. Mutual Aid and Assistance Agreement – A formal agreement among emergency responders to lend assistance across jurisdictional boundaries when required; either by an emergency that exceeds local resources or a disaster

L. National Incident Management System (NIMS) — A national, standardized approach to incident management and response that sets uniform processes and procedures for emergency response operations.

M. The North Carolina Water and Wastewater Agency Response Network (NCWaterWARN) - A network of public and private water and wastewater utilities united under an agreement to provide and receive mutual aid and assistance to signatories to the agreement during emergencies ranging from those that may arise from declared disasters or are specific to a single utility.

N. Period of Assistance — A specified period of time when a Provider assists a Recipient. The period commences when personnel, equipment, materials, or supplies depart from a Provider's facility and ends when the resources return to their facility (portal to portal). All protections identified in the agreement apply during this period. The specified Period of Assistance may occur during response to or recovery from an emergency, as previously defined.

O. Provider — A Member that responds to a request for assistance under the Mutual Aid and Assistance Program.

P. Recipient — A Member who requests assistance under the Mutual Aid and Assistance Program.

¹ Merriam-Webster. Retrieved August 22, 2007, from Merriam -Webster.com website:
<http://www.merriam-webster.com/>

Q. Small water and or wastewater Utility— A utility is represented with a population less than 10,000.

R. Private Water Utility— An entity that is not a unit of government that owns or operates a water and/or wastewater utility, whether on a for-profit or not-for-profit basis.

S. Public Utility— A unit of government that owns or operates a water and/ or wastewater utility.

ARTICLE III. ADMINISTRATION

The Mutual Aid and Assistance Program shall be administered through the North Carolina Water and Wastewater Agency Response Network (NCWaterWARN) Committee. The purpose of the NC WARN Committee is to provide coordination of the Mutual Aid and Assistance Program before, during, and after an emergency. The NcWaterWARN Committee, under the leadership of an elected Chairperson, shall meet quarterly as deemed necessary by the Chair to address Mutual Aid and Assistance Program issues.

The administration of NcWaterWARN will be through the NcWaterWARN Committee. The committee shall consist of a chair and vice chair, an eastern regional section, a western regional section, and (3) At-Large members. The NC WARN Committee shall consist of an eastern regional section with three (3) seats representing large and small public water and wastewater utilities and private water systems. The western regional section shall consist of three (3) seats representing large and small public water and wastewater utilities and private water systems. Also, there shall be three (3) At-Large seats for additional representatives from either large and small public water and wastewater utilities or private water systems.

NcWaterWARN regional sections are divided along the NC Department of Environment and Natural Resources (NCDENR) regional office areas. A map of the regional sections is included in Appendix A of this agreement.

Representatives from large and small public water and wastewater utilities and private utilities shall be elected at the NC WARN Annual Meeting. Election and voting procedures will be described in the NC WARN Operational Procedures.

Under the leadership of the NcWaterWARN Committee Chair, NcWaterWARN Committee Members shall plan and coordinate emergency preparedness and response activities for the Mutual Aid and Assistance Program. The NcWaterWARN Committee Chair (or his/her designee) shall maintain a master list of all members of the Mutual Aid and Assistance Program.

The NcWaterWARN Committee shall elect a Chair and a Vice Chair. The first Chair and Vice Chair will serve a two (2) year term and subsequent Chairs and Vice Chairs will serve one (1) year thereafter.

The NcWaterWARN Committee shall:

- A. Convene an annual meeting for members.
- B. Provide for the development and maintenance of a database of all participating utilities through one of the members, sponsor agencies, or participating agencies or associations.

- C. Meet as a NCWaterWARN Committee at least quarterly, as needed and at the discretion of the Chair, to address and resolve concerns, create and modify procedures and any additional policy or legal issues related to NCWaterWARN.
- D. Provide for the development and maintenance of a secure website.
- E. Include an advisory board in its meetings to provide input based on the expertise of their agency.

The additional responsibilities of the Chair are described throughout the agreement. Those duties will be highlighted in the agreement for review by the NCWaterWARN Committee and the Sponsors. Those duties will be listed together in the protocols.

The NCWaterWARN shall have an advisory board that consists of representatives from partner agencies and stakeholders. Representatives to the advisory board from the respective agencies shall be named by those agencies. The advisory board is not a voting member. NCWaterWARN Advisory Board may include at least one representative from the following agencies:

- North Carolina Department of Environment and Natural Resources Public Water Supply Section
- North Carolina Department of Environment and Natural Resources Division of Water Quality
- North Carolina Section of the American Water Works Association and Water Environment Association
- North Carolina Rural Water Association
- North Carolina Waterworks Operators Association
- North Carolina Emergency Management
- North Carolina League of Municipalities
- Eastern Water and Wastewater Network
- Environmental Protection Agency Region IV
- Department of Homeland Security Protective Security Advisor

Other agencies may be invited to join or have representation on the advisory board at the discretion of the NCWaterWARN Committee.

ARTICLE IV. PROCEDURES

In coordination with other response partner agencies, *the* NCWaterWARN Committee shall develop operational and planning procedures for the Mutual Aid and Assistance Program. These procedures shall be reviewed at least annually and updated as necessary.

ARTICLE V.

PRE-EVENT PLANNING

Members shall identify resources available for deployment and develop plans for housing and providing for the necessities and maintenance of personnel and equipment deployed to provide mutual aid and assistance when a request for assistance is made by the member.

In addition, Members shall provide training to their response personnel related to:

- NIMS compliance
- Mutual aid response protocols
- Required documentation for providing mutual aid and assistance and for receiving mutual aid and assistance

ARTICLE VI.

REQUESTS FOR ASSISTANCE

Member Responsibility: Members shall identify an Authorized Official and alternates, provide contact information including 24-hour access, and maintain resource information made available by the utility for mutual aid and assistance response.

In the event of an Emergency, a Member's Authorized Official may request mutual aid and assistance from a participating Member. Requests for assistance can be made orally or in writing. When made orally, the request for personnel, equipment, materials, and supplies shall be prepared in writing as soon as practicable. Requests for assistance shall be directed to the Authorized Official of the participating Member. The Chair will be notified of all activations of the agreement. Specific protocols for requesting aid shall be provided in the required procedures (Article IV).

Response to a Request for Assistance: After a Member receives a request for assistance, the Authorized Official evaluates whether resources are available to respond to the request for assistance. Following the evaluation, the Authorized Representative shall inform, as soon as possible, the Recipient whether it has the resources to respond. If the Member is willing and able to provide assistance, the Member shall inform the Recipient about the type of available resources and the approximate arrival time of such assistance.

Discretion of Provider's Authorized Official: Execution of this Agreement does not create any duty to respond to a request for assistance. When a Member receives a request for assistance, the Authorized Official shall have absolute discretion as to the willingness to respond and/or availability of resources. An Authorized Member's decisions on the availability of resources shall be final.

ARTICLE VII.

PROVIDER PERSONNEL

National Incident Management System: When providing assistance under this Agreement, the Requesting Utility and Responding Utility shall be organized and shall function under the National Incident Management System if State or Federal preparedness funding is desired.

Control: Provider personnel shall remain under the direction and control of the Provider. The Recipient's Authorized Official shall coordinate response activities with the designated supervisor(s) of the Provider(s). Whenever practical, Provider personnel must be self sufficient for up to 72 hours.

Food and Shelter: The Recipient shall supply reasonable food and shelter for Provider personnel. If the Recipient is unable to or fails to provide food and shelter for Responding personnel, the Provider's designated supervisor is authorized to secure the resources necessary to meet the needs of its personnel. The cost for such resources should not exceed the State per diem rates for that area without further justification of good faith efforts to secure accommodations within the per diem. The Recipient remains responsible for reimbursing the Provider for all costs associated with providing food and shelter, if such resources are not provided.

Communication: The Recipient shall provide Provider personnel with radio equipment as available, or radio frequency information to program existing radio, in order to facilitate communications with local responders and utility personnel.

Status: Unless otherwise provided by law, the Provider's officers and employees retain the same privileges, immunities, rights, duties, and benefits as provided in their respective jurisdictions.

Licenses and Permits: To the extent permitted by law, Provider personnel who hold licenses, certificates, or permits evidencing professional, mechanical, or other skills shall be allowed to carry out activities and tasks relevant and related to their respective credentials during the specified Period of Assistance. Members should comply with NIMS credentialing where applicable.

Right to Withdraw: The Provider's Authorized Official retains the right to withdraw some or all of its resources at any time. Notice of intention to withdraw must be communicated to the Recipient's Authorized Official as soon as possible.

ARTICLE VIII.

COST REIMBURSEMENT

Unless otherwise mutually agreed in whole or in part, the Recipient shall reimburse the Provider for each of the following categories of costs incurred while providing aid and assistance during the specified Period of Assistance. Such cost may include damage or loss to equipment.

Personnel: Provider personnel are to be paid for assigned duty during a specified Period of Assistance (refer to definition of period of assistance in Article II) according to the terms provided in their employment contracts or other conditions of employment. Either Member may require Provider's personnel to observe a rest period prior to travel back to the Provider's base of operations to ensure safety of personnel. The Provider designated supervisor(s) must keep accurate records of work performed by personnel during the specified Period of Assistance. Recipient reimbursement to the Provider must consider all personnel costs, including salaries or hourly wages, costs for fringe benefits, and indirect costs.

Equipment: The Recipient shall reimburse the Provider for the use of equipment during a specified Period of Assistance, including but not limited to, reasonable rental rates, all fuel,

lubrication, maintenance, transportation, and loading/unloading of loaned equipment. All equipment shall be returned to the Provider in similar condition to its condition at the time of the request for mutual aid and assistance. As a minimum, rates for equipment use must be based on the Federal Emergency Management Agency's (FEMA) Schedule of Equipment Rates. If a Provider uses rates different from those in the FEMA Schedule of Equipment Rates, the Provider must provide such rates in writing to the Recipient prior to supplying resources. Mutual agreement on rates other than FEMA Schedule of Equipment Rates must be reached in writing prior to dispatch of the equipment. Reimbursement for equipment not referenced on the FEMA Schedule of Equipment Rates must be developed based on actual recovery of costs. If Provider must lease a piece of equipment while its equipment is being repaired, Recipient shall reimburse Provider for such rental costs.

Materials and Supplies: The Recipient must reimburse the Provider in kind or at actual replacement cost, plus handling charges, for use of expendable or non-returnable supplies. The Provider must not charge direct fees or rental charges to the Recipient for other supplies and reusable items that are returned to the Provider in a clean, damage-free condition. Reusable supplies that are returned to the Provider with damage must be treated as expendable supplies for purposes of cost reimbursement.

Payment Period: The Provider must provide an itemized bill to the Recipient for all expenses it incurred as a result of providing assistance under this Agreement. The Provider must send the itemized bill to the authorized official not later than ninety (90) days following the end of the Period of Assistance. The Recipient must pay the bill in full on or before the one hundred eightieth (180th) day following the billing date. Unpaid bills become delinquent upon the one hundred eighty-first (181st) day following the billing date, and, once delinquent, the bill accrues interest at the rate of prime, as reported by the *Wall Street Journal*, plus two percent (2%) per annum.

Records – Each Provider and their duly authorized representatives shall have access to a Recipient's books, documents, notes, reports, papers, and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance, or regulatory audit. Each Recipient and their duly authorized representatives shall have access to a Provider's books, documents, notes, reports, papers, and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance, or regulatory audit. Such records shall be maintained and made accessible for at least three (3) years or longer where required by law.

ARTICLE IX.
DISPUTES

Any claim arising out of or relating to this agreement shall be subject to mediation as a condition precedent to the institution of legal or equitable proceedings by any Member. The parties shall share the mediator's fee and any filing fees equally. Mediation shall be held in the County of the Providing Member if a place has not been mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court of competent jurisdiction. Claims not resolved by mediation shall be decided by a court of competent jurisdiction unless the parties mutually agree otherwise.

ARTICLE X.
LIABILITY

Each Member shall be responsible for any and all claims, demand, suits, actions, damages and causes of action related to or arising out of or in any way connected with its own actions, and the actions of its personnel, in providing mutual aid and assistance rendered or performed pursuant to the terms and conditions of this Agreement.

ARTICLE XI.
INDEMNIFICATION

In the event of a liability, claim, demand, action, or proceeding of whatever kind or nature arises out of a specified Period of Assistance, the Members who receive and provide assistance during said Period of Assistance shall indemnify and hold harmless those other Members, NCWaterWARN Committee and Sponsor Agencies, but had no involvement with the transaction or occurrence that is the subject of the aforementioned claim, action, demand, or other proceeding of whatever kind or nature is limited to execution of this Agreement.

ARTICLE XII.
WORKERS' COMPENSATION CLAIMS

Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's employees under the terms of the North Carolina Workers' Compensation Act, Chapter 97 of the General Statutes, due to personal injury or death occurring during the period of time such employees are engaged in the rendering of aid and assistance under this Agreement. It is mutually understood that Recipient and Provider shall be responsible for payment of such workers' compensation benefits only to their own respective employees. Further, it is mutually understood that Provider will be entirely responsible for the payment of workers' compensation benefits to its own respective employees pursuant to G.S. 97-51.

ARTICLE XIII.
NOTICE

A Member who becomes aware of a claim or suit that in any way, directly or indirectly, contingently or otherwise, affects or might affect other Members of this Agreement shall provide prompt and timely notice to the Members who may be affected by the suit or claim. Each Member reserves the right to participate in the defense of such claims or suits as necessary to protect its own interests.

ARTICLE XIV.
CONFIDENTIAL INFORMATION

Pursuant to NCGS 132-1.7, any Member shall maintain in the strictest confidence and shall take all reasonable steps necessary to prevent the disclosure of any confidential information shared between Members under this Agreement. If any Member, third party, or other entity requests or demands, by subpoena or otherwise, that a Member disclose any confidential information disclosed under this Agreement, the Member shall immediately notify the owner of the confidential information and shall take all reasonable steps necessary to prevent the disclosure of any confidential information by asserting all applicable rights and privileges with respect to such information and shall cooperate fully in any judicial or administrative proceeding relating thereto.

ARTICLE XV.
EFFECTIVE DATE

This Agreement shall be effective after the Water and/or Wastewater Utility's authorized representative executes the Agreement. An executed copy will be provided to the NCWaterWARN Committee Chair as soon as possible.

ARTICLE XVI.
WITHDRAWAL

A Member may withdraw from this Agreement by providing written notice of its intent to withdraw to NCWaterWARN Committee Chair. Withdrawal takes effect sixty (60) days after the NCWaterWARN Committee Chair receives notice.

Membership may be suspended or revoked by the NCWaterWARN Committee for failure to comply with the Articles of this Agreement.

**ARTICLE XVII.
MODIFICATION**

Modifications to this Agreement may be made to incorporate programmatic operational changes to support the Agreement. Modifications require a two-thirds majority vote of Members. The NCWaterWARN Committee Chair must provide written notice to all Members of proposed modifications to this Agreement sixty (60) days in advance of the vote. The NCWaterWARN Committee Chair must provide written notice to all members of approved modifications to this Agreement. Approved modifications take effect sixty (60) days after the date upon which notice of the approved modifications are sent to the Members.

No provision of this Agreement may be modified, altered, or rescinded by individual parties to the Agreement.

**ARTICLE XVIII.
SEVERABILITY**

The Members agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

**ARTICLE XIX
PRIOR AGREEMENTS**

This Agreement supersedes all prior Agreements between Members to the extent that such prior Agreements are inconsistent with this Agreement.

**ARTICLE XX.
MULTIPLE AGREEMENTS**

When multiple mutual aid and assistance agreements exist between two Members, if inconsistencies exist between the agreements, the conditions of this Agreement take precedence except by mutual written acceptance of an alternate agreement of both Members for that specific event.

**ARTICLE XXI.
PROHIBITION ON THIRD PARTIES AND ASSIGNMENT OF RIGHTS/DUTIES**

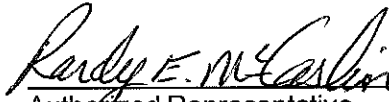
This Agreement is for the sole benefit of the Members and no person or entity must have any rights under this Agreement as a third-party beneficiary. Assignments of benefits and delegations of duties created by this Agreement are prohibited and must be without effect.

ARTICLE XXII.
INTRASTATE AND INTERSTATE MUTUAL AID AND ASSISTANCE PROGRAMS

To the extent practicable, Members of this Agreement shall participate in Mutual Aid and Assistance activities conducted under the North Carolina Statewide Mutual Aid and Assistance Agreement and the Interstate Emergency Management Assistance Compact (EMAC). Members may voluntarily agree to participate in an interstate Mutual Aid and Assistance Program for water and wastewater utilities through this Agreement if such a Program were established.

Now, therefore, in consideration of the covenants and obligations set forth in this Agreement, the Water and Wastewater Utility listed here manifests its intent to be a Member of the Intrastate Mutual Aid and Assistance Program for Water and Wastewater Utilities by executing this Agreement on this 20 day of November year of 2017.

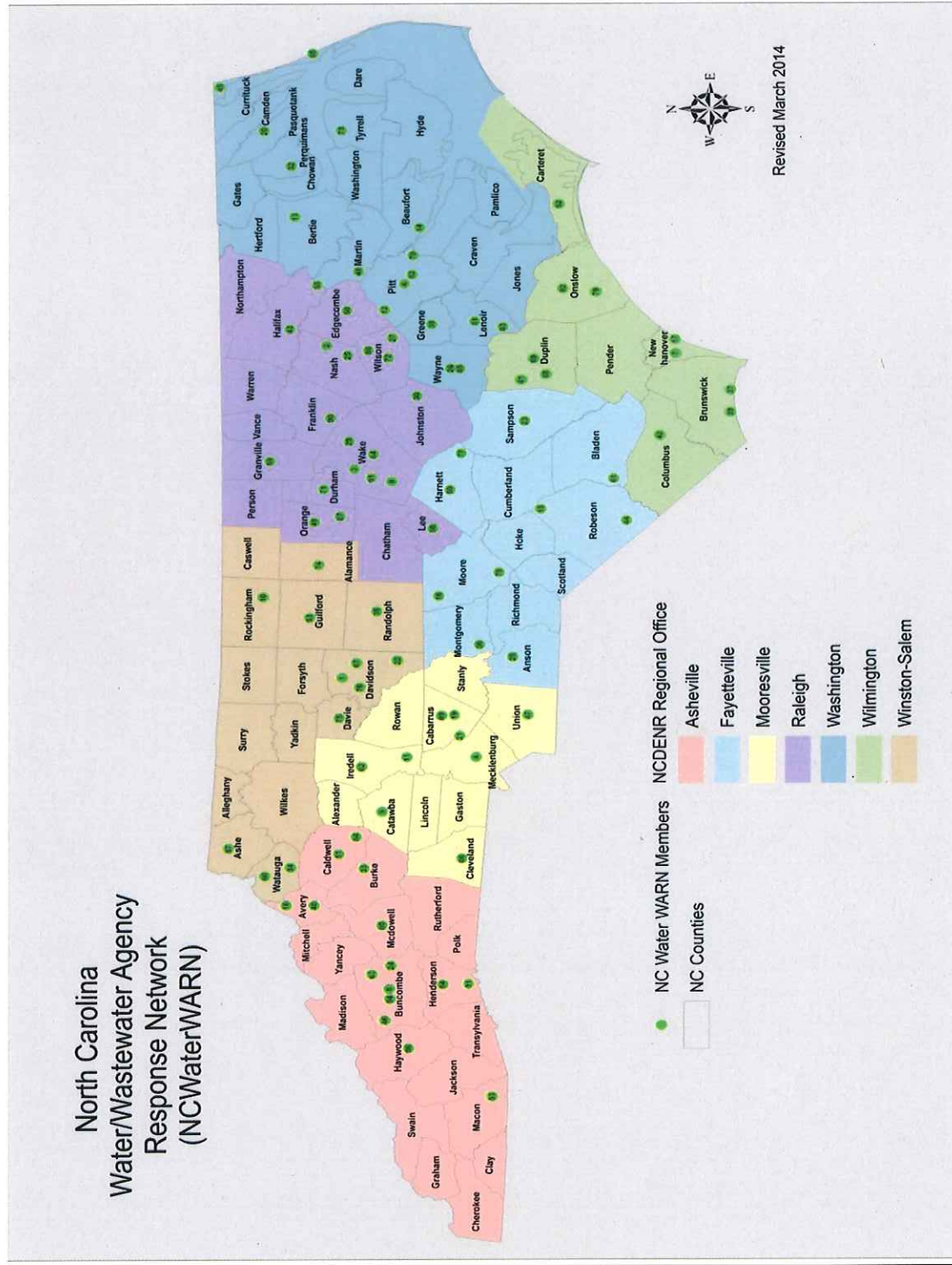
Legal Name of Water/Wastewater Utility: City of High Point


Authorized Representative

Deputy City Manager
Title

Randy E. McCaslin
Please Print Name

APPENDIX A - NCWaterWARN REGIONAL MAP





Parks & Recreation Fees and Charges Recommendations

November 15, 2017

Summary



- Budget 17/18 : Revenue - \$2,958,760 Expense - \$12,031,888
- 10.8% - General Fund
- Fees and Charges reviewed every 3- 4 years
- Recommendations include fee changes, fee structure amendments and new charges with Athletics
- No significant impact on budget, however fee adjustments with Athletic tournaments is important as we are hosting more tournaments and the cost to manage these events increase with more play (Turf, extended hours, utilities, trash, restrooms, man hours, etc.)

Athletic Field Reservations



Athletic Facilities

Current: \$75 per game

Proposed: \$100 per game

High Point Athletic Complex

Current: \$100 day game, \$125 night game

Proposed: \$125 anytime

Johnson Street Complex:

Proposed: \$125 anytime

Athletic Tournament Fees



Current: \$200 1st field
 \$175 2nd field
 \$150 3rd field

Proposed: \$250 1st field
 \$200 2nd field
 \$150 3rd field

New Athletic Fees



- **Track Equipment Fee:** \$250 per month
- **Gate Fee:** \$50 per tournament at all fields
- **Concession Fee:** \$50 per tournament at all fields
- **Merchandise Fee:** \$50 per tournament at all fields
- **Attendant Fee:** \$20 hr., 2-hour minimum
- **West End Cross Country Course:** \$100 per meet

Facility Rental Fees

Current Structure



Recreation Centers

(Allen Jay, Deep River, Morehead, Oakview and Southside)

Area	1 hour	2 hour	4 hours	6 hours	8 hours	12 hours
Gym - Type A (Non Profit)	\$50	\$70	\$100	\$145	\$190	\$290
Gym - Type B (For Profit, Ticket sales)	\$75	\$100	\$150	\$200	\$250	\$400
Activity Room		\$50	\$65	\$75	\$80	
Large Activity Room (Oakview, Deep River, Allen Jay, Morehead)		\$85	\$100	\$125	\$135	
Entire Center		\$210	\$275	\$345	\$385	
City Holidays		\$150 additional fee for events on approved City Holidays				
Staff Fee for events that run past their end time		\$25 per hour/ per employee				

Facility Rental Fees Proposed Structure



Recreation Centers

(Allen Jay, Deep River, Morehead, Oakview and Southside)

Area	Per hour
Gym - Type A	\$35
Gym - Type B	\$50
Activity Room	\$25
Large Activity Room (Oakview, Deep River, Allen Jay, Morehead)	\$35
Entire Center	\$110
City Holidays	\$150 additional fee for events on approved City Holidays
Staff Fee for events that run past their end time	\$25 per hour/ per employee

Golf Course Rates



Play & Ride- Weekdays	Blair Park	Oak Hollow
Juniors (must be licensed and 16 years of age to drive cart)	\$ 22.00	\$ 24.00
College Student Rate	\$ 20.00	\$ 22.00
Junior Special- (after 12 pm) playing with an adult who paid the Regular 18-hole fee	\$ 12.00	\$ 15.00
Junior Special- (after 12 pm) playing with an adult who paid the Regular 9-hole fee	\$ 9.00	\$ 10.00
Grillroom Voucher for \$3 given to Regular 18 hole customers from 12-3 pm		
Play & Ride- Weekends	Blair Park	Oak Hollow
Twilight Rate (based on time of year, could be 1pm, 2pm or 3 pm.)	\$ 21.00	\$ 25.00
Super Twilight (after 5 pm)	\$ 18.00	\$ 22.00
Walking – Weekends	Blair Park	Oak Hollow
18 holes From 8 am-12 noon	\$ 30.00	\$ 39.00
Juniors (after 2 pm)	\$ 10.00	\$ 13.00
College Student (after 12 pm)	\$ 13.00	\$ 20.00

Golf Now



- Point of sale system used at Oak Hollow and Blair Park Golf Courses.
- Golf Now is the world's leading tee time platform.
- Allows golfers to find our golf courses and book tee times online.
 - 9,000 course partners
 - 2 Million unique golfers in their system
- Uses vast email database and social media platforms to market the courses.
- Golf Now Plus also manages the Dynamic Pricing model.

The screenshot shows the Windows 10 taskbar. On the left, the Start button is visible. To its right is the taskbar pinning area, which contains icons for the Calendar, Mail, Photos, and File Explorer. The Calendar icon is highlighted with a green box. On the right side of the taskbar is the system tray, which includes the system clock showing '10:10 AM' and the date '11/10/2017'.

Customer List					
	Name &	Address	City	State	Postal Code
New	Whitaker, Justin				
Modify	Whitaker, Lonnie				
	Whitaker, Mark				
	Whitaker, Mark	3728 Deerfield St	High Point	NC	27265
	Whitaker, Mark			NC	
	Whitaker, Robbie				
Merge	Whitaker, Rodney				

Shopping Cart

By Description

By Item

Reprint / Tips

Customer

0 Open Tickets

Pay

Tab

Touch

Swipe

Manual

Delete

Qty	Description	%	Unit Price	Total Price

Internal Note

Receipt Note

Subtotal:

\$0.00

Taxes:

☒

\$0.00

Total:

\$0.00

☒ WDay GF

☐ WEnd GF

☐ Misc

☐ Vending

☐ Winter GF

☐ Balls

☐ Open Price

☐ Comp Rds.

GF-Wd 18 Hole \$17.00	18 Hole Cart Fee \$15.00	Senior 18 Hole GF \$13.00	Tuesday Ladies \$13.00	Twilight With Cart \$25.00	Range Extra Large	Range Small
GF-Wd 9 Hole \$13.00	9 Hole Cart Fee \$9.00	Senior GF / Cart \$24.00	Tues Lad GF / Cart \$24.00	Wd Twilight \$16.00	Range Large	Rg Discount Open Key
DC 18 GF / Cart \$27.00	DC Senior 18 GF / Cart \$19.00	Senior 9 Hole GF \$10.00	GF-Wd Extra 9	GF-Wd DC Twilight With Cart	Range Medium	Golf Now

📍 Oak Hollow Golf Course

📅 Nov 15, 2017

Any Golfers ▾

Search

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🔥 Hot Deals

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📅 Nov 15, 2017

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Price

\$0 - \$130+

Golfers

Any

1

2

3

4

Holes

Any

9

18

Rate Types

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Oak Hollow Golf Course

3400 N Centennial St High Point, NC 27265

Holes: 18 Par: 72 Length: 6483 yards Slope: 131 Rating: 72.1

[View Ratings, Reviews and more](#)

91% of golfers recommend this course

★★★★☆ 161 Golfer Reviews

Played this course? [Write a Review](#)

View By: **Tee Times**

Sort By: **Time ▾**

Showing Tee Times for: Oak Hollow Golf Course on [Nov 15, 2017](#)

🔥 Hot Deals

12:08 PM

\$24

12:24 PM

\$24

8:00 AM Tee Time

Golfers: 1 - 4 Holes: 18 Cart: Included

Online Rate

\$32.00

~~\$39.00~~

Book Now

8:32 AM Tee Time

Golfers: 1 - 4 Holes: 18 Cart: Included

Online Rate

\$32.00

~~\$39.00~~

Book Now

8:48 AM Tee Time

Golfers: 1 - 4 Holes: 18 Cart: Included

Senior

\$24.00

Book Now

Dynamic Pricing



- Adjust online pricing using parameters set by the golf course and known demand for tee times.
- 3-4 price points per day
- Daily/ Weekly adjustments based on utilization
- Courses that use the Dynamic Pricing program book 58% more rounds and collect 79% more revenue

AN ORDINANCE AMENDING THE CITY OF HIGH POINT 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; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on October 24, 2017 and before the City Council on November 20, 2017 regarding **Text Amendment 17-06**; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on October 15, 2017 for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 15, 2017 for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina.

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

SECTION 1.

Amend Section 3.5.7.B.3 District Organization as follows:

- (c) Based on its associated mixed-use area plan, each MX district should, at a minimum, include boundaries, dimensional standards, and any other standards unique to the district. The general standards in Section 3.5.7 C, General Standards for All MX Districts shall also apply. **If there is a conflict between the general standards for all MX districts and the specific standards for the individual MX districts, the specific standards for the individual MX district shall control.**

SECTION 2.

Amend Section 3.5.7.C. General Standards for All MX Districts as follows:

C. General Standards for All MX Districts

Except where otherwise indicated below, the standards in this section shall apply to all development in all MX districts.

1. Building Compliance due to an Expansion **or Exterior Alteration**

- (a) In cases where an existing building is expanded or enlarged by 25 percent or less of its gross floor area as it existed on the effective date of the ordinance establishing the MX district, the expansion of the building shall either maintain the current appearance of the existing building or comply with the standards in Section 3.5.7 C.3, Building Standards.
- (b) In cases where an existing building is expanded or enlarged by more than 25 percent of its gross floor area as it existed on the effective date of the ordinance establishing the MX district, the portion of the front and side building facades associated with

the expansion or enlargement shall comply with the standards in Section 3.5.7 C.3, Building Standards.

- (c) In cases where a building existing on the effective date of the ordinance establishing the MX district, does not comply with the minimum and maximum street setbacks, the building may be enlarged or expanded without complying with ~~any~~ applicable ~~minimum and~~ maximum street setback requirements.

(d) In cases where the exterior of an existing building is altered, the alterations shall conform to the standards of this section, to the maximum extent practicable. Alterations shall not include the removing, filling-in, or placing a false facade over an existing window, or any other physical changes to obstruct the window.

2. Site Standards

(a) Building Orientation

- (1) Single-building developments shall be oriented so that the ~~primary front~~ facade faces the street from which the building derives its street address.
- (2) ~~Front building facades located between the minimum and maximum street setbacks shall be oriented to be parallel with the abutting street right-of-way.~~ **For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.**
- (3) Group developments shall configure building walls to frame and enclose the corners of street intersections or entry points into the development, a central pedestrian access corridor within the development site, or other site amenities on at least 3 sides.

(b) Exemption from Maximum Setback

Uses that provide a civic space are exempt from the maximum setback requirement, provided the civic space meets the following requirements:

- (1) The civic space shall be between the front of the principal building and the street;**
- (2) The area shall not be used for parking or loading, exclusive of valet parking and passenger loading;**
- (3) The area shall have landscaping that covers a minimum of 10 percent of the area;**
- (4) It may include pedestrian amenities which include but are not limited to: seating, outdoor play areas, bicycle racks, kiosks, water features, public art, freestanding structures such as a clock tower, or similar amenities;**
- (5) A decorative fence, a hedgerow, or a combination thereof may be provided to provide a boundary between the civic space and the street right-of-way. If provided, the boundary treatment shall meet the following requirements:**
- (i) Walls and fences are limited to a maximum of 4 feet in height. Decorative fences include, but are not limited to: wrought iron, architectural metal, or other transparent decorative fence. Chain-link fencing is prohibited.**

(ii) Hedges used to establish this boundary shall be a minimum height of 18 inches at planting and shall be maintained at a height between 3 and 4 feet at maturity.

(b)(c) Drive-Throughs

Drive-through lanes and windows are prohibited.

(e)(d) Fences

Fences shall comply with the standards in Section 5.11, Fences, as well as the following:

- (1) Chain link, ~~chain-link panel, slat weave~~, barbed wire fencing, and plain concrete block shall only be permitted behind the rear building line of the principal building and shall not be located within 40 feet of the right-of-way of a public street (excluding alleys).
- (2) Chain link, ~~chain-link panel, slat weave and~~ barbed wire fencing, and plain concrete block walls shall only be permitted along the rear lot line of lots without a principal building.
- (3) Fences located between the minimum and maximum street setback shall be limited to 4 feet in height or less and may not be fully opaque.
- (4) Fences shall be provided along all lot lines that abut a residential zoning district and shall be opaque to a height 6 feet above grade level.

(d)(e) Ground-based Mechanical Equipment Screening

Ground-based mechanical equipment should be located to the rear of the principal building(s), and shall be screened in accordance with Section 5.6, Screening.

(e)(f) Off-Street Loading

If provided, loading areas shall not be ~~located to the rear~~ on the front facade of the principal building and shall be screened in accordance with Section 5.6, Screening.

(f)(g) Outdoor Storage

Outdoor storage of materials, supplies, products, or equipment is prohibited. Nothing shall prohibit the outdoor display of merchandise for sale in accordance with Section 4.4.5.K, Outdoor Display.

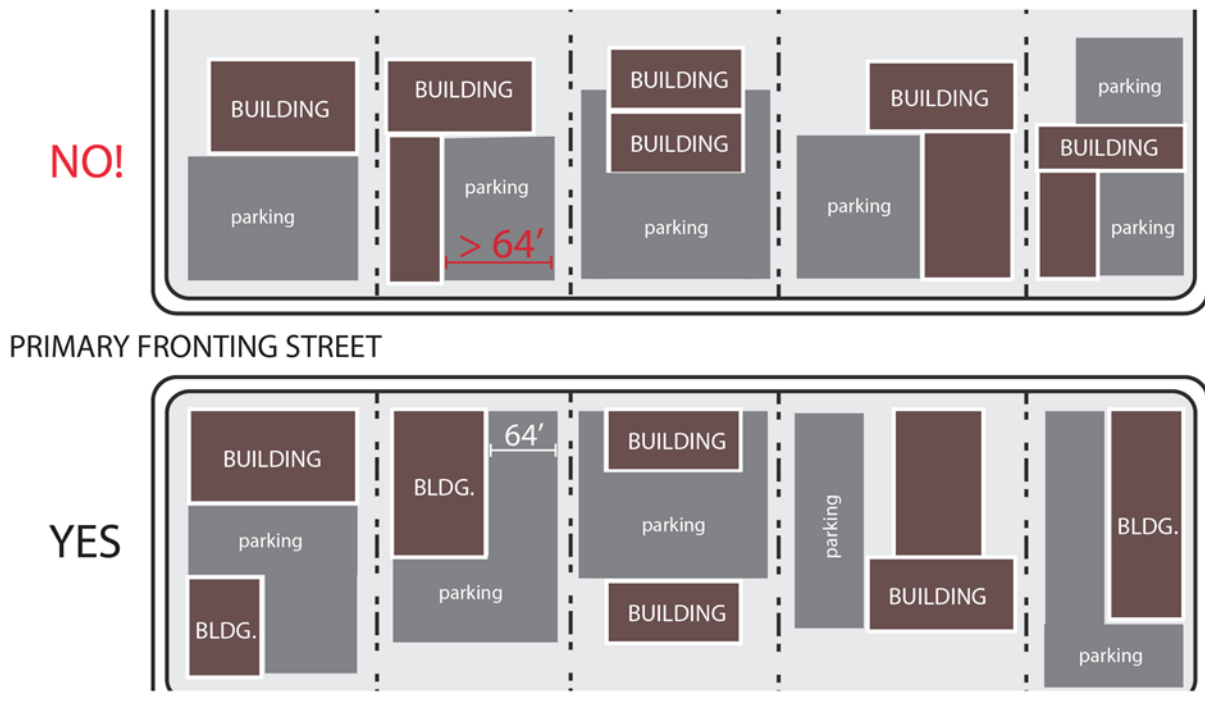
(g)(h) Off-Street Parking

Off-Street Parking Off-Street parking is not required, but when provided, development in the MX district shall comply with the following standards (see Figure 3.5.7.C.2, Parking Lot Configuration) in addition to the applicable standards in Section 5.4, Off-Street Parking and Loading:
~~**In addition to the applicable standards in Section 5.4, Off-Street Parking and Loading, development in the MX district shall comply with the following standards (see Figure 3.5.7.C.2, Parking Lot Configuration):**~~

- (1) Off-street parking areas shall not be located between the front building line and the street it faces.
- (2) Off-street parking areas on corner lots shall not contiguously front more than 1 street.

- (3) When located ~~to along~~ the side of a building, ~~off-street parking spaces vehicular use areas~~ shall not occupy more than 64 linear feet in width as measured along the lot's street frontage.
- ~~(4) Residential uses located within a mixed-use building are exempted from the off-street parking requirements in Table 5.4.4.B, Minimum Off-Street Parking Standards.~~

FIGURE 3.5.7.C.2, PARKING LOT CONFIGURATION



~~(h)~~(i) Sidewalks

~~In cases where development proposes new streets or applies to all lots along an existing block face, S~~sidewalks shall comply with the standards in Section 5.9, Sidewalks, as well as the following:

- (1) Sidewalks shall be located on both sides of all streets except alleys.
- (2) Sidewalks shall be located at the back of the curb and shall maintain a minimum width of at least ~~8~~ **12** feet or up to the existing building line when less than 12 feet. A width of 12 feet is strongly encouraged.
- (3) Sidewalks may include street tree plantings, street furnishings and sidewalk cafes in accordance with applicable City Codes.

~~Sidewalks shall be configured into 2 zones of at least 4 feet each. The zone closest to the street is intended to accommodate street tree plantings and street furnishings, while the zone closest to building facades is intended for the clear unobstructed movement of pedestrians. Sidewalk dining is encouraged provided it does not encroach into the zone intended for movement of pedestrians.~~

- (4) Sidewalks shall be configured to provide a smooth transition in width between new sidewalks and connections to established sidewalks of a lesser width.

(i)(i) Accessory Buildings

- (1) Accessory buildings shall be located behind the rear building line of the principal building they serve, ~~or located internally in a group development. In no instance shall an accessory building be located between a primary building facade and the street it faces.~~

- ~~(2) Accessory buildings and structures should be similar in materials and architectural style to a principal building.~~

- (2) For group developments, accessory buildings can be located internally to the development. In no instance, shall an accessory building be located between a front building line that is established by a principal building and the street the principal building faces.**

- (3) Multi-family residential and nonresidential accessory buildings and structures should be similar in materials and architectural style to a principal building.**

(j)(k) Group Developments

Additional principal buildings may be built on a site beyond the maximum street setback if there is at least 1 principal building located on the site with a front facade that complies with the street setback requirements and covers a minimum of 50 percent of the lot width.

3. Building Standards

The following standards are applied to all multi-family residential and nonresidential buildings; **except for locally or nationally designated individual historic structures, and contributing structures within a locally or nationally designated historic district, provided such structures comply with the Secretary of Interior's Standards for Rehabilitation or are issued a Certificate of Appropriateness, as applicable:**

(a) Facade Articulation

- (1) Front and side building facades shall include at least 2 or more of the following features at least every 15 feet **measured horizontally and vertically per floor:**

- (i) Recessed **entryways or display windows;**

- ~~(ii) Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of four inches;~~

- (ii) Display windows;**

- ~~(iii) Window indentations that incorporate a differing building material, texture, or color, along with an awning or overhang; Window indentations (such as but not limited to double-hung, stationary, or casement windows) that are regularly spaced and that incorporate a differing building material, texture, color, awnings, window hoods, or canopies. This shall not include a glass curtain wall or flush mounted glass.~~

- (iv) Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of 4 inches;**

- ~~(iv)~~**(v) Differentiated piers, columns, or pilasters;**

- ~~(v)~~**(vi) Pedestrian entrances;**

- ~~(vi)~~(vii) Textured materials **(such as but not limited to brick or stone);**
 - ~~(vii)~~(viii) Roofline changes, coupled with correspondingly aligned wall offset or facade material changes, changes in the roof planes, or changes in the height of a parapet wall; or
 - ~~(viii)~~(ix) Changes in wall plane (such as projections or recesses).
 - (2) Building facades facing a street should achieve vertical orientation by using regularly spaced vertically oriented windows and doors, in conjunction with features such as: ~~roof line~~ **roofline**/parapet variations, window hoods, material changes, columns, pilasters, posts, awnings, canopies, stoops, or facade offsets, to create vertically oriented bays, or divisions of space that are approximately 30 feet wide or less. The rhythm within a building facade should be maintained by making each vertically oriented bay the same width.
 - (3) Buildings of 2 or more stories are encouraged to have front facades with a clear and distinct base (ground floor), middle, and top (often defined by a decorative cornice). Features such as an increased ground floor height (including a transom window), the use of a frieze, string course or storefront cornice, a bulkhead or kick plate, and differentiated building materials or coloration are similarly encouraged.
 - ~~(4) Buildings with flat roofs or a roof with a pitch of 3/12 or less shall include a parapet wall on the front and side of sufficient height to screen all roof-mounted equipment and should be topped with a 3-dimensional cornice that provides architectural detail.~~
- (b) Facade Materials
- (1) Where 2 or more materials are proposed to be combined on a facade, the heavier and more massive elements should be located below the lighter elements (e.g., brick shall be located below stucco). ~~It is acceptable to provide the heavier material as a detail on the corner of a building or along cornices or windows. Heavier materials may also be placed as a detail on the corner of a building or along cornices or windows.~~
 - (2) Primary facade materials ~~shall~~ **should** not change at outside corners, and ~~shall~~ **should** continue around the corner to a logical point of conclusion such as a change in facade plane.
 - ~~(3) Smooth face concrete block shall not be used on a building facade visible from a street.~~
 - ~~(4) Field colors for the main body of a building shall be non-reflective. Metallic or fluorescent paint colors are prohibited.~~
 - (3) Exterior building materials shall be continued to the finished grade on any elevation.**
 - (4) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets as seen from the public right-of-way at a height of 6 feet.**

(c) Facade Transparency

- (1) ~~The Front~~ building facades facing a street shall maintain non-reflective, transparent windows on at least ~~50~~ 35 percent of the facade area between 2 and 8 feet above average grade.

~~(2) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area.~~

(2) Ground level side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the facade area between 2 and 8 feet of the floor.

~~(2)(3)~~ Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area per floor as measured between 2 and 8 feet.

~~(3)(4) Residential buildings, locally or nationally designated historic buildings, civic uses, contributing structures within a historic district, civic uses, and institutional uses~~ Civic, religious institution, and utilities use categories are exempt from these transparency requirements.

~~(4)(5)~~ If the transparency requirements cannot be met due to internal configuration of the building, ~~the location of gasoline pumps to the rear of the building,~~ or other conflicting standards of this district, an alternative design ~~that meets the intent can submitted for review by the Planning and Development Director.~~ shall be approved by the Planning and Development Director that meets the purpose and intent of these facade transparency standards through the use of, for example, enclosed window wells supplemented with awnings, false storefront windows, and similar building wall fenestration techniques. Figure 3.5.7.C.3, Facade Transparency Alternatives, below shows some alternative designs that meet the intent of this standard.

FIGURE 3.5.7.C.3, FACADE TRANSPARENCY ALTERNATIVES



(d) Primary Entrance

- (1) Except for corner buildings, the primary entrance of a building shall face the street from which the building derives its street address.
- (2) Primary entrances on corner buildings may be located ~~on to face~~ the corner.
- (3) The primary entrance shall be distinguishable from the balance of the front facade through the use of one or more of any of the following or other similar features:
 - (i) Projecting or recessed entry;
 - (ii) Transom or sidelight windows;
 - (iii) Pediments, columns, or other vertical features; or
 - (iv) Marquees, arcades, or overhangs.

(e) Roof-Mounted Equipment

- (1) Flat roofs shall incorporate parapet walls ~~with 3-dimensional cornice treatments designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building, to the maximum extent practicable. All the parapet walls visible from a street shall be finished and be the same or similar in color and material to the building and any abutting side streets as seen from the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building.~~
- (2) For sloped roofs, ~~roof-mounted~~ equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the ~~street or existing residential uses~~ public right-of-way at a height of 6 feet.
- (3) In cases where complete screening is not practicable, all roof-mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.
- (4) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~permitted as an alternative to the roof forms described in this subsection~~ exempt from the screening requirements described in this subsection.

(f) Service or Vehicular Bays

- (1) Service or vehicular bays and their doors shall not be located so as to face the primary fronting street if the door is located within 50 feet of the primary fronting street right-of-way.
- ~~(2) Public safety facilities are exempt from this requirement.~~
- (2) Other than the primary fronting street, all service or vehicular bay doors that face a street and are within 50 feet of the street right-of-way shall use the same or a similar color as the building so as to blend it in with the building they serve, to the maximum extent practicable.

~~4. Multi-family Residential Uses~~

~~In addition to the standards in Section 4.3.2 B.5, Multi-Family Dwelling, multi-family development shall comply with the following standards:~~

- ~~(a) The finished floor of the ground floor shall be at least 3 feet above the grade of the adjacent street or sidewalk unless the unit is intended for occupancy by persons~~

- ~~with physical disabilities, or subject to an administrative adjustment (see Section 2.5.2, Administrative Adjustment).~~
- ~~(b) Vehicular access to an individual unit shall occur from a common drive or public alley that provides access to the units in the development.~~
- ~~(c) A garage may be located at grade, if it is located at the rear of the building or in a detached structure.~~

SECTION 3.

Amend Section 3.5.7.D Specific Standards for the MX-W District as follows:

Section 3.5.7.D Specific Standards for the MX-W District

1. Applicability

The Mixed-Use Washington Street district was established on March 31, 2008 in accordance with the *Core City Plan* and the Washington Drive District Plan. **In addition to Section 3.5.7.C General Standards for All MX Districts, the** standards in this section apply to all lands within the MX-W district on the Official Zoning Map.

2. Dimensional Requirements

The dimensional requirements in Table 3.5.7.D, Dimensional Requirements in MX-W District, shall apply to all development in the MX-W district.

TABLE 3.5.7.D, DIMENSIONAL REQUIREMENTS IN THE MX-W DISTRICT

REQUIREMENT		STANDARD
Maximum Density (units/acre)		n/a
Minimum Lot Area (square feet)		n/a
Minimum Lot Width [1]		n/a
Minimum Street Setback (feet)		<u>0</u> , 12 from back of curb <u>[2]</u>
Maximum Street Setback (feet) <u>[3][4]</u>		15
Minimum Side and Rear Setback (feet)	Adjacent to Residential District	10
	Adjacent to a Nonresidential District	0/5 <u>[2][5]</u>
Maximum Building Height (feet)		50

NOTES:

[1] All development shall comply with the City's Driveway Ordinance requirements.

[2] All buildings shall be at least 12 feet from the back of curb.

[3] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.

[4] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.5.7.C.2(b) Exemption from Maximum Setback).

[2] [5] No setback is required, but if provided, shall be at least 5 feet.

SECTION 4.

Add new Section 3.5.7.E Specific Standards for the MX-D District to read as follows:

Section 3.5.7.E Specific Standards for the MX-D District

1. Applicability

The Mixed-Use Downtown district was established on November 20, 2017 in accordance with the High Point Downtown Mixed-Use Area Plan. In addition to Section 3.5.7.C General Standards for All MX Districts, the standards in this section apply to all lands within the MX-D district on the Official Zoning Map.

2. Dimensional Requirements

The dimensional requirements in Table 3.5.7.E, Dimensional Requirements in the MX-D District, shall apply to all development in the MX-D district.

<u>TABLE 3.5.7.E, DIMENSIONAL REQUIREMENTS IN THE MX-D DISTRICT</u>		
<u>REQUIREMENT</u>		<u>STANDARD</u>
<u>Maximum Density (units/acre)</u>		<u>n/a</u>
<u>Minimum Lot Area (square feet)</u>		<u>n/a</u>
<u>Minimum Lot Width (feet) [1]</u>		<u>n/a</u>
<u>Minimum Street Setback (feet)</u>		<u>0, 12 from back of curb [2]</u>
<u>Maximum Street Setback (Elm and Main Street Only) [3] [4]</u>		<u>20</u>
<u>Minimum Side and Rear Setback (feet)</u>	<u>Adjacent to Residential District</u>	<u>10</u>
	<u>Adjacent to Nonresidential District</u>	<u>0/5 [5]</u>
<u>Maximum Building Height (feet)</u>		<u>n/a</u>
<u>[1] All development shall comply with the City's Driveway Ordinance requirements.</u> <u>[2] All buildings shall be at least 12 feet from the back of curb.</u> <u>[3] For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.</u> <u>[4] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.5.7.C.2(b) Exemption from Maximum Setback).</u> <u>[5] No setback is required, but if provided, it shall be at least 5 feet.</u>		

3. Service or Vehicular Bays

No service or vehicular bay doors shall face Elm Street or Main Street.

SECTION 5.

Amend Table 4.1.9 Principal Use Table as follows:

USE TYPE	R-3	R-5	R-7	RM-5	RM-16	RM-26	TO	OI	LB	GB	RC	CB	EC	LI	HI	AGR	I	PNR	MS	MX	Additional Standards
Other post-secondary educational										P	P	P	P	P			P		P	<u>P</u>	4.3.3 C.1
Medical care facility, major								P		P	P	P	P	P			P			<u>P</u>	
Personal service, major									P	P	P	P		P*					P	<u>P</u>	4.3.4 D.1
Microbrewery, microdistillery, or microwinery										P		P		P	P	P			P	<u>P</u>	
Market Showroom										<u>P</u>		P		<u>P</u>							4.3.5 E.1

SECTION 6.

Amend Use Standards Section 4.3.5.E.1. Market Showroom as follows:

1. Market Showroom

A market showroom use shall comply with the following standards:

(a) General Exterior Product Display

Exterior product display shall:

- (1) Not take place within the right-of-way,
- (2) Not exceed 2,500 square feet per lot,
- (3) Consist of products from the same vendor or company that owns or leases space within the building, and
- (4) Not be displayed earlier than 2 weeks prior to the official opening of the market, and be removed within 2 weeks of the official end of the market.

(b) In the CB District Structure

- (1) A market showroom shall be located:
 - (i) In a permanent building, or
 - (ii) In a combination of permanent buildings and a membrane structure located on the same lot, or
 - (iii) Entirely in 1 or more membrane structures on the same lot, only if a building permit for a permanent building has been issued.
- (2) If a membrane structure is used as part of a market showroom, it shall:

- (i) Be located on the same lot as a market showroom;
- (ii) Be enclosed on all sides; and
- (iii) Not be in place for more than 120 days in a calendar year.

~~(c) In the GB and LI Districts~~

~~A market showroom shall be:~~

- ~~(1) Located in a permanent building. The use of a membrane structure is prohibited.~~
- ~~(2) No more than 1,000 feet from the boundary of the CB district.~~

SECTION 7.

Amend Off-Street Parking and Loading Section 5.4.3 Exemptions as follows:

A. **CB and MX** Districts

Development on land within the CB **and MX** districts shall comply with the requirements of this section, except that it is exempt from the minimum off-street parking requirements of Table 5.4.4.B, Minimum Off-Street Parking Standards.

SECTION 8.

Amend Landscaping Section 5.5.3 Exemptions as follows:

C. Development in the CB and the MX-~~W~~ districts, except for parking areas;

SECTION 9.

Amend Screening Section 5.6.3 Exemptions as follows:

A. Heavy industrial (HI) District

Solid waste collection, loading facilities, and ground-based mechanical equipment in the HI district are exempted from the requirements of this section, unless the structure or equipment is within 100 feet of a lot with an existing residential use.

B. Loading Docks

- 1. Loading docks and loading bays in the CB **and MX** districts are exempted from the requirements of this section.
- 2. Loading docks and loading bays in the LI district that face an industrial street are exempted from the requirements of this section.

SECTION 10.

Amend Signage Table 5.7.8.B Requirements for a Sign Not Requiring a Sign Permit as follows:

TABLE 5.7.8.B: REQUIREMENTS FOR A SIGN NOT REQUIRING A SIGN PERMIT					
SIGN TYPE	NUMBER PERMITTED	AREA (SQ. FT.)	SETBACK (FEET)	MAXIMUM HEIGHT (FEET)	ILLUMINATION
A-Frame in CB <u>and MX</u> districts, and MS district (sub-district B)	1/building entrance	6	R/W	3	

SECTION 11.

Amend Nonconforming Uses Section 8.2.3.A. Standards Applied to Market Showrooms as follows:

2. Cessation

(a) General

- (1) If a nonconforming market showroom use ceases operation for a continuous period of more than ~~2 years~~ 1 year, any subsequent use of land shall be a use permitted in the district.
- (2) The landowner shall demonstrate that the nonconforming use has not ceased for a continuous period of more than ~~2 years~~ 1 year to maintain its nonconforming status.

SECTION 12.

Amend CB District Section 3.4.8.B. Dimensional Standards as follows:

B. DIMENSIONAL STANDARDS			
STANDARD		REFERENCE #	ALL USES
Maximum Density (units/acre)			n/a
Minimum Lot Area (square feet)		①	n/a
Minimum Lot Width (feet)	Interior lot	②	n/a
	Corner lot	③	n/a
Minimum Street Setback (feet)		④	<u>0</u> , 10 from back of curb <u>[1]</u>
Maximum Street Setback (Main Street Only) [1] [2] <u>[3]</u>			20
Minimum Perimeter Setback (feet)			0/5 [3] <u>[4]</u>
Maximum Building Height (feet)		⑦	n/a
<u>[1] All buildings shall be at least 10 from the back of the curb.</u> <u>[1] [2] At least 60 percent of the front building facade of buildings facing Main Street that are built after June 5, 2017, or the effective date of the district upon the land, shall be located between the minimum and maximum street setbacks. For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.</u> <u>[2] [3] Buildings are exempt from the maximum street setback, if they provide a civic space (see Section 3.4.8.G.2(b) Exemption from Maximum Setback).</u> <u>[3] [4] No setback is required, but if provided, it shall be at least 5 feet.</u>			

SECTION 13.

Amend CB District Section 3.4.8.G.2(a) Main Street Building Orientation as follows:

(a) ~~Main Street~~ Building Orientation

Front building facades located between the minimum and maximum street setbacks along Main Street shall be oriented to be parallel with the Main Street right-of-way. For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.

SECTION 14.

Amend CB District Section 3.4.8.G.2(g) Accessory Buildings as follows:

(3) Multi-family residential and nonresidential accessory building facades ~~shall~~ **should** use the same materials as the principal building they serve.

SECTION 15.

Amend CB District Section 3.4.8.G.3(c) Facade Transparency as follows:

(c) Facade Transparency

(1) ~~The Front~~ building facades facing a street shall maintain non-reflective, transparent windows on at least 35 percent of the facade area between 2 and 8 feet above average grade.

(2) Ground level side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the facade area between 2 and 8 feet of the floor.

(3) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area per floor as measured between 2 and 8 feet. The window glazing may be opaque.

(4) Civic, religious institution, and utilities use categories are exempt from these transparency requirements.

SECTION 16.

Amend MS District Section 3.5.6.B. Dimensional Standards as follows:

B. DIMENSIONAL STANDARDS						
STANDARD			SUB-DISTRICT A	SUB-DISTRICT B	SUB-DISTRICT C	SUB-DISTRICT D
Maximum Density (units/acre)			26 [1]			
Minimum Lot Area (square feet)		①	6,000	4,000		6,000
Minimum Lot Width (feet) [2]	Interior lot	②	60	40		60
	Corner lot	③				

Minimum Street Setback (feet)) [3]	4	5, <u>10 from back of curb</u> [3]	0, <u>10 from back of curb</u> [3]	5, <u>10 from back of curb</u> [3]
Maximum Street Setback (feet) <u>(Main Street Only)</u> [4] [5] [6]	5	25	20	25
Minimum Interior Setback (feet)	6	0/5 [7] [6]		
Maximum Building Height (feet)	7	n/a [8] [7]		

[1] Mixed-use development is subject to the maximum density standards.
 [2] All development shall comply with the City's Driveway Ordinance requirements.
 [3] All buildings shall be at least 10 feet from the back of the curb.
~~[4] Applied only to lot lines abutting Main Street.~~
~~[5] [4] At least 60 percent of the front building facade of buildings facing Main Street built after March 31, 2008 shall be located between the minimum and maximum street setbacks. For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.~~
~~[6] [5] Institutional uses (see Table 4.1.9, Principal Use Table) are not subject to the maximum street setbacks along Main Street. Buildings are exempt from the maximum street setback, if they provide a civic space (see section 3.5.6.G.3.(b) Exemption from Maximum Setback).~~
~~[7] [6] Buildings shall be setback at least 10 feet from lot lines abutting a residential district.~~
~~[8] [7] When a perimeter setback abuts a single-family residential district, the setback shall be increased by 1 foot for each foot in height beyond 50 feet up to 80 feet.~~

SECTION 17.

Amend MS District Section 3.5.6.G.2. Building Compliance Due to Expansion as follows:

2. Building Compliance due to Expansion or Alteration

- (a) In cases where an existing building is expanded or enlarged by 25 percent or less of its gross floor area as it existed on March 31, 2008, the expansion of the building shall either maintain the current appearance of the existing building or comply with the standards in Section 3.5.6 G.4, Building Standards.
- (b) In cases where an existing building is expanded or enlarged by more than 25 percent of its gross floor area as it existed on March 31, 2008, the portion of the front and side building facades associated with the expansion or enlargement shall comply with the standards in Section 3.5.6 G.4, Building Standards.
- (c) In cases where a building existing on March 31, 2008, does not comply with the minimum and maximum street setbacks, the building may be enlarged or expanded without complying with applicable ~~minimum and~~ maximum street setback requirements.
- (d) In cases where the exterior of an existing building is altered, the alterations shall conform to the standards of this section, to the maximum extent practicable.**

Alterations shall not include the removing, filling-in, or placing a false facade over an existing window, or any other physical changes to obstruct the window.

SECTION 18.

Amend MS District Section 3.5.6.G.3.(a) Building Orientation and (b) Exemption from Maximum Setback as follows:

(a) Building Orientation

~~Front building facades located between the minimum and maximum street setbacks along Main Street shall be oriented to be parallel with the Main Street right-of-way.~~

(1) Single-building developments shall be oriented so that the front facade faces the street from which the building derives its street address.

(2) For all new buildings subject to a maximum street setback, at least 60% of the front building facade shall be located parallel to and within the required setbacks.

(3) Group developments shall configure building walls to frame and enclose the corners of street intersections or entry points into the development, a central pedestrian access corridor within the development site, or other site amenities on at least 3 sides.

(b) Exemption from Maximum Setback

~~Uses that are allowed within the Civic, Education, and Religious Institution Use Categories are not required to comply with the maximum setback. In cases where the setback exceeds the maximum, then the use shall provide a civic space meeting the following requirements:~~

Uses that provide a civic space are exempt from the maximum setback requirement, provided the civic space meets the following requirements:

(1) The civic space shall be between the front of the principal building and ~~Main Street or other primary fronting the~~ street;

~~**(2) The area shall not be used for parking or loading and shall have landscaping that covers a minimum of 10 percent of the area;**~~

(2) The area shall not be used for parking or loading, exclusive of valet parking and passenger loading;

(3) The area shall have landscaping that covers a minimum of 10 percent of the area;

~~**(3)(4) It may include pedestrian amenities which include but are not limited to: seating, outdoor play areas, bicycle racks, kiosks, water features, public art, freestanding structures such as a clock tower, or similar amenities;**~~

(4)(5) A decorative fence, a hedgerow, or a combination thereof may be provided ~~along Main Street (or other primary fronting street)~~ to provide a boundary between the civic space and the street right-of-way. If provided, the boundary treatment shall meet the following requirements:

(i) Walls and fences are limited to a maximum of 4 feet in height. Decorative fences include, but are not limited to: ~~split rail~~, wrought iron, architectural metal, or other transparent decorative fence. Chain-link fencing is prohibited.

- (ii) Hedges used to establish this boundary shall be a minimum height of 18 inches at planting and shall be maintained at a height between 3 and 4 feet at maturity.

SECTION 19.

Amend MS District Section 3.5.6.G.3.(e) Fences as follows:

(e) Fences

Fences shall comply with the standards in Section 5.11, Fences, as well as the following:

- (1) Chain link, ~~chain-link panel, slat weave~~, barbed wire fencing, and plain concrete block shall only be permitted behind the rear building line of the principal building and shall not be located within 40 feet of the right-of-way of a public street (excluding alleys).
- (2) Chain link, ~~chain-link panel, slat weave and~~ barbed wire fencing, ~~as well as and~~ plain concrete block walls shall only be permitted along the rear lot line of lots without a principal building.
- (3) Fences located between the minimum and maximum street setback shall be limited to 4 feet in height or less and may not be fully opaque.
- (4) Fences shall be provided along all lot lines that abut a residential zoning district and be opaque to a height 6 feet above grade level.

SECTION 20.

Amend MS District Section 3.5.6.G.3.(h) Off-Street Loading as follows:

(h) Off-Street Loading

If provided, loading areas shall not be ~~located to the rear on the front facade~~ of the principal building and shall be screened in accordance with Section 5.6, Screening.

SECTION 21.

Amend MS District Section 3.5.6.G.3.(l) Accessory Buildings as follows:

(l) Accessory Buildings

- (1) Accessory buildings shall be located behind the rear building line of the principal building they serve, ~~or located internally in a group development. In no instance shall an accessory building be located between a primary building facade and the street it faces.~~
- ~~(2) Accessory buildings and structures should be similar in materials and architectural style to a principal building.~~
- (2) For group developments, accessory buildings can be located internally to the development. In no instance, shall an accessory building be located between a front building line that is established by a principal building and the street the principal building faces.
- (3) Multi-family residential and nonresidential accessory buildings and structures should be similar in materials and architectural style to a principal building.

SECTION 22.

Amend MS District Section 3.5.6.G.4. Building Standards as follows:

4. Building Standards

The following standards are applied to all multi-family residential and nonresidential buildings; **except for locally or nationally designated individual historic structures, and contributing structures within a locally or nationally designated historic district, provided such structures comply with the Secretary of Interior's Standards for Rehabilitation or are issued a Certificate of Appropriateness, as applicable:**

(a) Facade Articulation

(1) Front and side building facades shall include at least 2 or more of the following features at least every 15 feet **measured horizontally and vertically per floor:**

(i) Recessed ~~entryways or display windows;~~

~~(ii) Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of 4 inches;~~

(ii) Display windows

~~(iii) Window indentations that incorporate a differing building material, texture, or color, along with an awning or overhang~~ **Window indentations (such as but not limited to double-hung, stationary, or casement windows) that are regularly spaced and that incorporate a differing building material, texture, color, awnings, window hoods, or canopies. This shall not include a glass curtain wall or flush mounted glass;**

(iv) Offset surfaces, niches, insets, projections, or bas-relief with a minimum depth of 4 inches;

~~(iv)~~**(v) Differentiated piers, columns, or pilasters;**

~~(v)~~**(vi) Pedestrian entrances;**

~~(vi)~~ **(vii) Textured materials (such as but not limited to brick or stone);**

~~(vii)~~ **(viii) Roofline changes, coupled with correspondingly aligned wall offset or facade material changes, changes in the roof planes, or changes in the height of a parapet wall; or**

~~(viii)~~**(ix) Changes in wall plane (such as projections or recesses).**

(2) Building facades facing a street should achieve vertical orientation by using regularly spaced vertically oriented windows and doors, in conjunction with features such as: ~~roof line~~ **roofline**/parapet variations, window hoods, material changes, columns, pilasters, posts, awnings, canopies, stoops, or facade offsets, to create vertically oriented bays, or divisions of space that are approximately 30 feet wide or less. The rhythm within a building facade should be maintained by making each vertically oriented bay the same width.

(3) Buildings of 2 or more stories are encouraged to have front facades that have a clear and distinct base (ground floor), middle, and top (often defined by a decorative cornice). Features such as an increased ground floor height (including a transom window), the use of a frieze, string course or storefront cornice, a

bulkhead or kick plate, and differentiated building materials or coloration are similarly encouraged.

~~(4) Buildings with flat roofs or a roof with a pitch of 3/12 or less shall include a parapet wall on the front and side of sufficient height to screen all roof-mounted equipment and should be topped with a 3-dimensional cornice that provides architectural detail.~~

(b) Facade Materials

(1) Where 2 or more materials are proposed to be combined on a facade, the heavier and more massive elements should be located below the lighter elements (e.g., brick shall be located below stucco). ~~It is acceptable to provide the heavier material as a detail on the corner of a building or along cornices or windows.~~ Heavier materials may also be placed as a detail on the corner of a building or along cornices or windows.

(2) Primary facade materials ~~shall~~ should not change at outside corners, and shall continue around the corner to a logical point of conclusion such as a change in facade plane.

~~(3) Smooth face concrete block shall not be used on a building facade visible from a street.~~

~~(4) Field colors for the main body of a building shall be non-reflective.~~

(3) Exterior building materials shall be continued to the finished grade on any elevation.

(4) Building facades utilizing smooth-faced concrete block, or unfinished or untreated tilt-up concrete panels, shall be limited to building facades not visible from public streets as seen from the public right-of-way at a height of 6 feet.

(c) Facade Transparency

(1) ~~The~~ Front building facades facing a street shall maintain non-reflective, transparent windows on at least 50 percent of the facade area between 2 and 8 feet above average grade.

~~(2) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area.~~

(2) Ground level side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the facade area between 2 and 8 feet of the floor.

~~(2)~~(3) Upper stories on front and side facades facing a street shall maintain non-reflective, transparent windows on at least 20 percent of the upper story facade area per floor as measured between 2 and 8 feet.

~~(3)(4) Residential buildings, locally or nationally designated historic buildings, contributing structures within a historic district, civic uses, and institutional uses~~ Civic, religious institution, and utilities use categories are exempt from these transparency requirements.

- (4)(5) If the transparency requirements cannot be met due to internal configuration of the building, the location of gasoline pumps to the rear of the building, or other conflicting standards of this district, an alternative design shall be approved by the Planning and Development Director that meets the purpose and intent of these facade transparency standards through the use of, for example, ~~opaque glass~~, enclosed window wells supplemented with awnings, false storefront windows, and similar building wall fenestration techniques. Figure 3.5.6.G.4, Facade Transparency Alternatives, below shows some alternative designs that comply with the purpose and intent of this standard.

FIGURE 3.5.6.G.4, FACADE TRANSPARENCY ALTERNATIVES



(d) Main Street Entrance

- (1) Every building on Main Street shall have an entrance that faces the Main Street right-of-way.
- (2) A Main Street entrance on corner buildings may be located ~~on to face~~ the corner.
- (3) A Main Street entrance shall be distinguishable from the balance of the front facade through the use of one or more of any of the following or other similar features:
 - (i) Projecting or recessed entry;
 - (ii) Transom or sidelight windows;
 - (iii) Pediments, columns, or other vertical features; or
 - (iv) Marquees, arcades, or overhangs.
- (4) Buildings on lots without a frontage on Main Street shall comply with the standards of this subsection for the street they face.

(e) Roof Mounted Equipment

- (1) Flat roofs shall incorporate parapet walls ~~with 3-dimensional cornice treatments designed to screen the roof and roof-mounted equipment from view from the primary street fronting the building, to the maximum extent practicable. All parapet walls visible from a street shall be finished and be the same or similar in color and material to the building, and any abutting side streets as seen from~~

the public right-of-way at a height of 6 feet. The parapet wall should be finished in the same or similar material and color as the building.

- (2) For sloped roofs, ~~roof-mounted~~ equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from ~~the street or existing adjacent~~ residential uses **and the public right-of-way at a height of 6 feet.**
 - (3) In cases where complete screening is not practicable, all roof-mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.
 - (4) Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are ~~permitted as an alternative to the roof forms described in this subsection~~ **exempt from the screening requirements described in this subsection.**
- (f) Service or Vehicular Bays
- (1) Service or vehicular bays and their doors shall not be located so as to face Main Street (or the primary fronting street for properties located off of Main Street) if ~~such~~ the door is located within 50 feet of the street right-of-way.
 - ~~(2) Public safety facilities are exempt from this requirement.~~
 - (2) Other than the primary fronting street, all service or vehicular bay doors that face a street and are within 50 feet of the street right-of-way shall use the same or a similar color as the building so as to blend it in with the building they serve, to the maximum extent practicable.**

SECTION 23.

Delete MS District Section 3.5.6.G.6. Multi-family Residential Uses:

6. Multi-family Residential Uses

~~In addition to the standards in Section 4.3.2 B.5, Multi-Family Dwelling, multi-family development shall comply with the following standards.~~

- ~~(a) The finished floor of the ground floor shall be at least 3 feet above the grade of the adjacent street or sidewalk unless the unit is intended for occupancy by persons with physical disabilities, or subject to an administrative adjustment (see Section 2.5.2, Administrative Adjustment).~~
- ~~(b) Vehicular access to an individual unit shall occur from a common drive or public alley that provides access to the units in the development.~~
- ~~(c) A garage may be located at grade, if it is located at the rear of the building or in a detached structure.~~

SECTION 24.

That Section 6 of Ordinance No. 7202/16-26 adopted on May 16, 2016 that pertains to the property owner option to use the previous Development Ordinance until December 31, 2017 instead of the Development Ordinance that went into effect on January 1, 2017 shall not apply to applications submitted for a permit or a land development plan for property located in the

Mixed-Use (MX) and Central Business (CB) Districts on or after November 21, 2017; thereby, all approved permits and land development plans in those districts must adhere to the Development Ordinance adopted on May 16, 2016, as subsequently amended.

SECTION 25.

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 26.

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

SECTION 27.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 20th day of November, 2017
Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Special Use 17-01
City of High Point

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 8, 2017 and
November 15, 2017

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Special Use Permit

Advertised By: Planning & Development

PURPOSE:

A request by the City Manager's Office to permit a Major Assembly use in the MX-D District. The site is generally bounded by Gatewood Avenue, N. Elm Street, Lindsay Street and W. English Road.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended **approval** of this request, as outlined in the attached staff report.
- B. On October 24, 2017, a public hearing was held before the Planning and Zoning Commission regarding Special Use 17-01. The Planning & Zoning Commission recommended **approval** of this request, by a vote of 9-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point

Special Use 17-01

At its October 24, 2017 public hearing, the Planning and Zoning Commission reviewed a Special Use request to allow a major assembly use on an approximate 8.3-acre site in the northwestern portion of the downtown area. All members of the Commission were present. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking in favor of the request:

Speaking in favor of the requests was the applicant, Greg Demko, City Manager for the City of High Point, 211 S. Hamilton Street, High Point. Mr. Demko stated that he agrees with the statements provided by staff and made himself available to answer any questions.

Also speaking in favor of the request was Tim Gorkman, 308 Oakwood Street, High Point, N.C. Mr. Gorkman stated that he believes this request is vital to the downtown area and that the current city's historic downtown is dead, so we need to create a new one. Mr. Gorkman also stated that he believes that [the proposed stadium] is a catalyst project to start the mixed-use development downtown and is necessary to provide the city with a true downtown area. As a resident, he noted that he has no concerns and is in full support of the project.

Speaking in opposition of the request:

No one spoke in opposition to this request.

Planning & Zoning Commission Action

The Planning & Zoning Commission recommended **approval** of this request, as recommended by staff, by a vote of 9-0.

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

**STAFF REPORT
SPECIAL USE SU-17-01
October 25, 2016**

Request	
Applicant: City of High Point City Manager's Office	Owner: City of High Point; DR Management USA Inc, FHO Properties LLC, Gatewood Avenue, LLC, Glenaco Inc, Piedmont Urological, and United Way of Greater High Point Inc.
Proposal:	A Special Use request to permit a Major Assembly use in the Mixed-Use Downtown (MX-D) District.

Site Information	
Location:	The site is generally bounded by Gatewood Avenue, N. Elm Street, and S. Lindsay Street.
Tax Parcel Numbers:	Guilford County Tax Parcels 0186799, 0186800, 0186805, 0186806, 0186807, 0186808, 0186810, 0186811, 0186812, 0186813, 0186815, 0186827, 0186828, 0186834, 0186835 and 0186838
Site Acreage:	Approximately 8.3 acres
Current Land Use:	A mixture of medical offices, personal service uses, commercial uses, vacant structures and undeveloped parcels.
Physical Characteristics:	The site is mostly developed with a variety of non-residential structures with associated parking lots.
Water & Sewer Proximity:	A network of 6, 8 and 10-inch City sewer lines and 6, 8 and 12-inch City water line are lying within the various public streets adjacent and running through the site.
General Drainage and Watershed:	The site drains in a southerly direction and development is subject to the Yadkin Pee-Dee Watershed (non-water supply) requirements. Based upon the acreage of the site and the allowable development intensity, the watershed regulations may require stormwater controls to be provided.
Overlay Districts	Yadkin Pee-Dee (non-water supply) watershed

Adjacent Property Zoning and Current Land Use			
North:	OI	Office Institutional District	Medical and professional offices and personal service uses
South:	LI GB	Light Industrial District General Business District	Market Showroom and undeveloped parcel
East:	OI CB	Office Institutional District Central Business District	Medical office, office and undeveloped parcel
West:	OI	Office Institutional District	Office and personal service uses
NOTE: Subject to approval of Zoning Map Amendment 17-22, the site will be within and surrounded by the Mixed-Use Downtown (MX-D) District.			

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	The following goal and objectives of the Community Growth Vision Statement are relevant to this request Goal 4: Make Downtown High Point and its environs a vibrant, diverse and mixed-use environment. <u>Objective 4A:</u> Expand the role of Downtown High Point and its environs as the community's cultural and institutional hub through a variety of public facilities. <u>Objective 4D:</u> Establish more retail shops, services, restaurants, and entertainment through zoning and/or incentives. <u>Objective 4H:</u> Create public spaces with a variety of scales, designs and functions, and couple them with uses that will help to activate them, such as civic uses, retail and housing.
Land Use Plan Map Classification:	Subject to approval of Plan Amendment 17-05, the site and surrounding area will have a Community/Regional Commercial classification. This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Land Use Plan Goals, Objectives & Policies:	The following objectives of the Land Use Plan are relevant to this request: Obj.#4. Protect the City's older, established neighborhoods, and promote their revitalization through needed infrastructure improvements and new residential investment; Obj.#10. Target appropriate established neighborhoods and areas adjoining the central business district and industrial locations for conservation and revitalization activities including public and private investment; and
Relevant Area Plan(s):	<u>Core City Plan</u> MX-D Area – The Core City Plan shows the area proposed for special use as Downtown Mixed Mixed-Use. The Downtown Mixed-Use District is intended to function more like a conventional downtown including shopping, dining, entertainment, offices, institutional uses, cultural facilities, and housing where mixed-use buildings are encouraged. <u>Downtown Mixed-Use Area Plan</u> MX-D Area – The Downtown Mixed-Use Area Plan calls for the area to be rezoned to MX-D to create a cohesive downtown area that encourages the desired development style and mix of uses that are typical in traditional downtown areas. By consolidating this area under one zoning district, the City will establish one set of allowed uses and dimensional standards that promote an environment with an increased density and intensity of mixed uses.
Zoning History:	There have been a few zoning cases in the area over the past 10-15 years and they have all been to zone to a more intense zoning district. Two went from Office to General Business and one went from General Business to Central Business.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Pine Street	Local Street	50 feet
	Church Avenue	Local Street	60 feet
	Gatewood Avenue	Local Street	615 feet
Traffic Counts: (Average Daily Trips)	N. Main Street———	16,000 (2015 NCDOT AADT)	
	N. Elm Street———	4,100 (2015 NCDOT AADT)	
	N. Lindsay Street——	No information available	
	Gatewood Avenue——	1,200 (2014 HPDOT 12 Hour Count)	
	W. English Road——	5,900 (2015 NCDOT AADT)	

School District Comment
Not applicable.

Details of Proposal

This case is associated with Zoning Map Amendment 17-22 to establish a Mixed-Use Downtown (MX-D) District over this area. The applicant is requesting Special Use approval to allow a major assembly use on an approximate 8.3-acre site in the northwestern portion of the downtown area. An assembly use includes buildings that primarily provide meeting areas for civic, fraternal, business or professional organizations, or for conferences, seminars, recreation, training programs, and venues for sports, or entertainment. An assembly use with over 15,000 square feet of gross floor area is classified as a major assembly use.

A major assembly use is a permitted use in the MX-D District; however, a major assembly use with permanent seating for 1,000 or more requires Special Use approval. A multi-use stadium facility is proposed for the site that will consist of the following:

- 3,800 fixed seats and 1,200 other non-fixed seats (removable seats on field).
- A majority tenant will be an Atlantic League baseball team, which will play 70 home games per year.
- The facility will have flexibility to also host soccer, football and lacrosse as well as other events such as concerts and banquets.

Findings

A special use is an additional use to those permitted by right in a zoning district. Such a use requires analysis for its potential impact on the proposed site and its impact on surrounding properties. The purpose of the special use review process is to allow the Planning and Zoning Commission and City Council an opportunity to perform this analysis. Section 2.4.11 of the Development Ordinance requires that certain findings be made before a Special Use Permit may be approved. 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 required findings.

Will not materially endanger the public health or safety if located where proposed.

Compliance	The site is located in the northwestern portion of the downtown area where there is a mixture of commercial, office, personal service, medical and industrial uses. Based upon the building and development requirements for the proposed use, public health and safety will be ensured.
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Complies with all required standards, conditions, and specifications of the Development Ordinance, including Chapter 4: Uses.

Compliance	The Development Ordinance requires a major assembly use to meet the following standards: 1. Not front or gain access from a residential local street. <u>Compliance.</u> The site does not front or gain access from a residential local street. The abutting streets serve non-residential uses and are considered non-residential local streets. 2. Outdoor courts, swimming pools, and athletic fields shall be located at least 50 feet from any lot line abutting residential district. <u>Compliance.</u> The nearest residential zoning district is over 800 feet (approximately 1/4/ mile) to the west near Locke Street. 3. Assembly uses in residential districts shall be on a lot of at least two acres. <u>Compliance.</u> This is not a residentially zoned site. 4. Assembly uses with permanent seating for 1,000 or more shall require a special use in accordance with Section 2.4.11 Special Use. <u>Compliance.</u> The special use sketch plan has been reviewed by the Planning & Development Department and found to meet all applicable requirements of the Development Ordinance. All lots must be combined into one lot prior to development to insure compliance with setback requirements. In addition, the affected right-of-ways in SA-17-04 must be abandoned prior to development. Detailed engineered drawings will be reviewed as part of the site plan approval process by the Technical Review Committee if the special use is approved.
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Will not substantially injure the value of the abutting land, or the special use is a public necessity;

Compliance	Subject to approval of Zoning Map Amendment 17-22, a MX-D District zoning will govern development on the site and the area surrounding the proposed stadium development. The MX-D District is intended to establish compact, pedestrian-oriented, mixed-use development at key locations in the Core City in accordance with the City's adopted policy guidance. It seeks to revitalize existing neighborhoods by enabling the development of higher intensity neighborhood centers with new housing, shopping, working, and recreational options in close proximity to one another.
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	Based on the purpose and intent of the MX District, and the current mixture of non-residential uses surrounding the site, staff finds no evidence that the proposed major assembly use will negatively impact the value of abutting lands.
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Will be in harmony with the area in which it is to be located.

Compliance	As outlined above, subject to approval of ZA-17-22, the MX-D District will govern uses in this area. As the site will be surrounded by this MX-D District, and the current development pattern includes a variety of non-residential uses, a regional hospital and an existing major assembly use (i.e. YWCA), the proposed stadium is consistent and compatible with similar uses located and permitted in the district.
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Is in general conformity with the City's adopted policy guidance.

Compliance	The Core City Plan in conjunction with the Downtown Mixed-Use Area Plan call for this area to function like a conventional downtown including shopping, dining, entertainment, offices, institutional uses, cultural facilities, and housing where mixed-use buildings are encouraged. The proposal to establish a multi-use stadium with the goal of having events year-round is in conformance with those adopted plans.
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Recommendation

Staff recommends approval

Subject to approval of Text Amendment 17-06, Plan Amendment 17-05 and Zoning Map Amendment 17-22, the requested Special Use to permit a major assembly use will be consistent with the surrounding zoning, surrounding uses, and in compliance with adopted policy guidance documents. On that basis, the Planning and Development Department recommends approval of the requested Special Use and the accompanying Special Use sketch plan, with the following conditions:

- 1) All lots must be combined into one lot prior to development, and
- 2) The affected right-of-ways in SA-17-04 must be abandoned prior to development.

Report Preparation

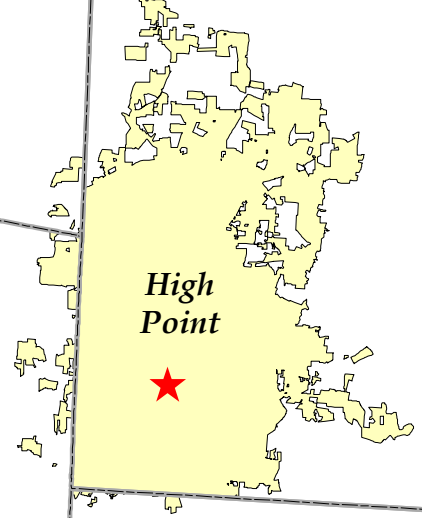
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.

LOCATION MAP

SPECIAL USE SU-17-01

Applicant: City of High Point

Vicinity Map



City of High Point

EASTCHESTER DR

N MAIN ST

N CENTENNIAL ST

I-74

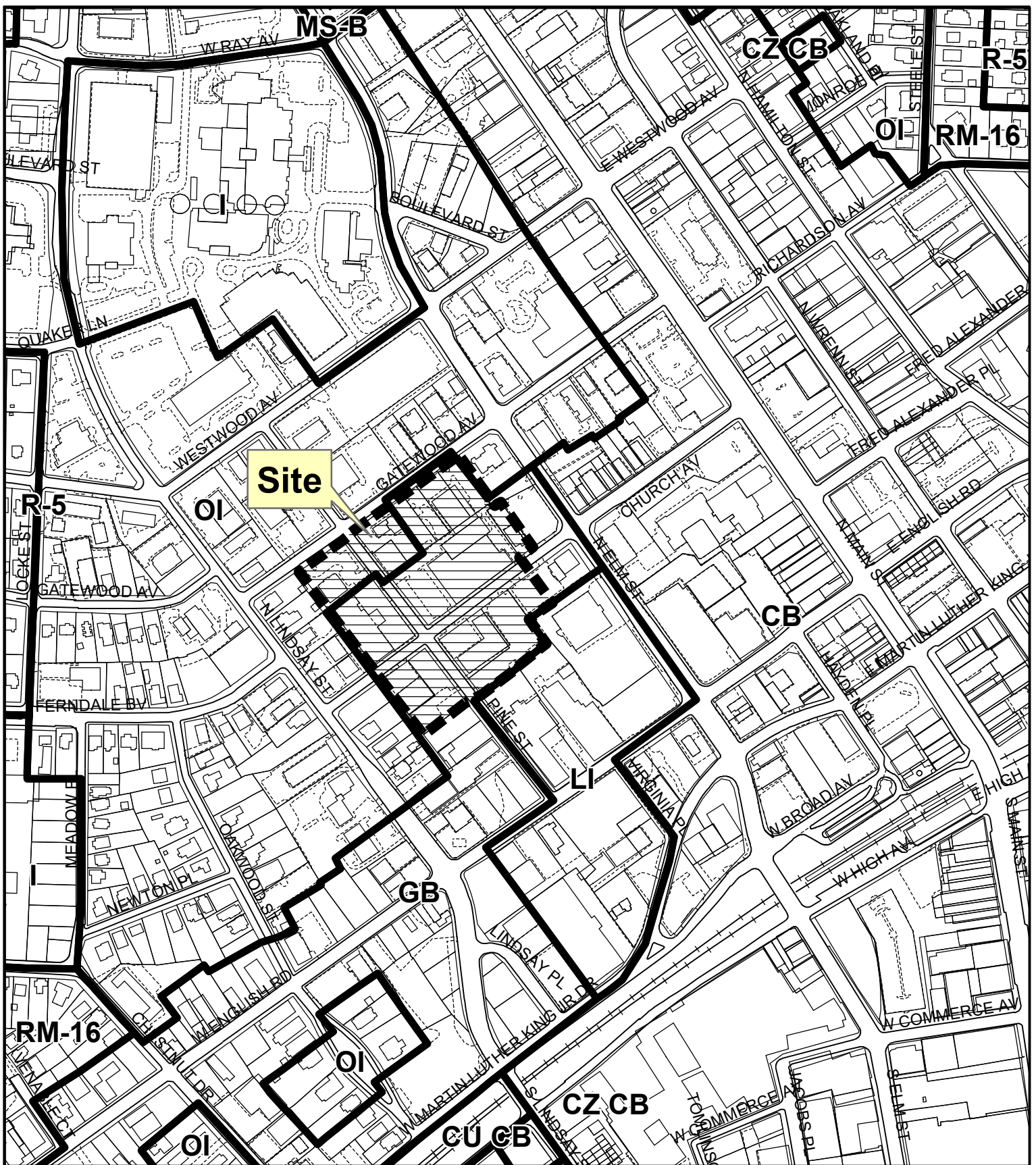
Site

ENGLISH RD

S MAIN ST

BUSINESS I-85





SPECIAL USE PERMIT SU-17-01

Request: To permit a Major Assembly use

Existing Zoning Boundary
Subject Property Boundary



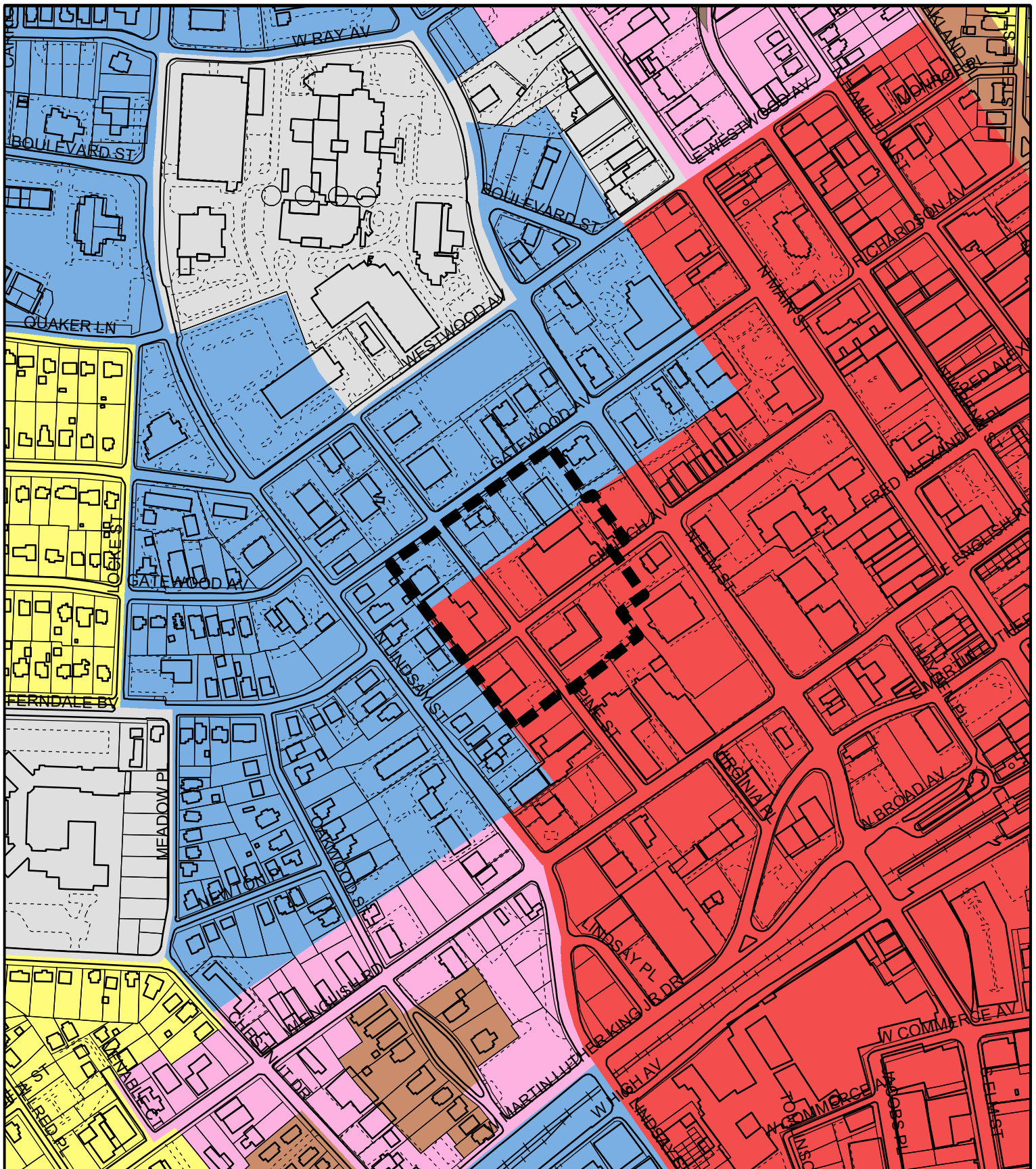
**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



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SPECIAL USE SU-17-01

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



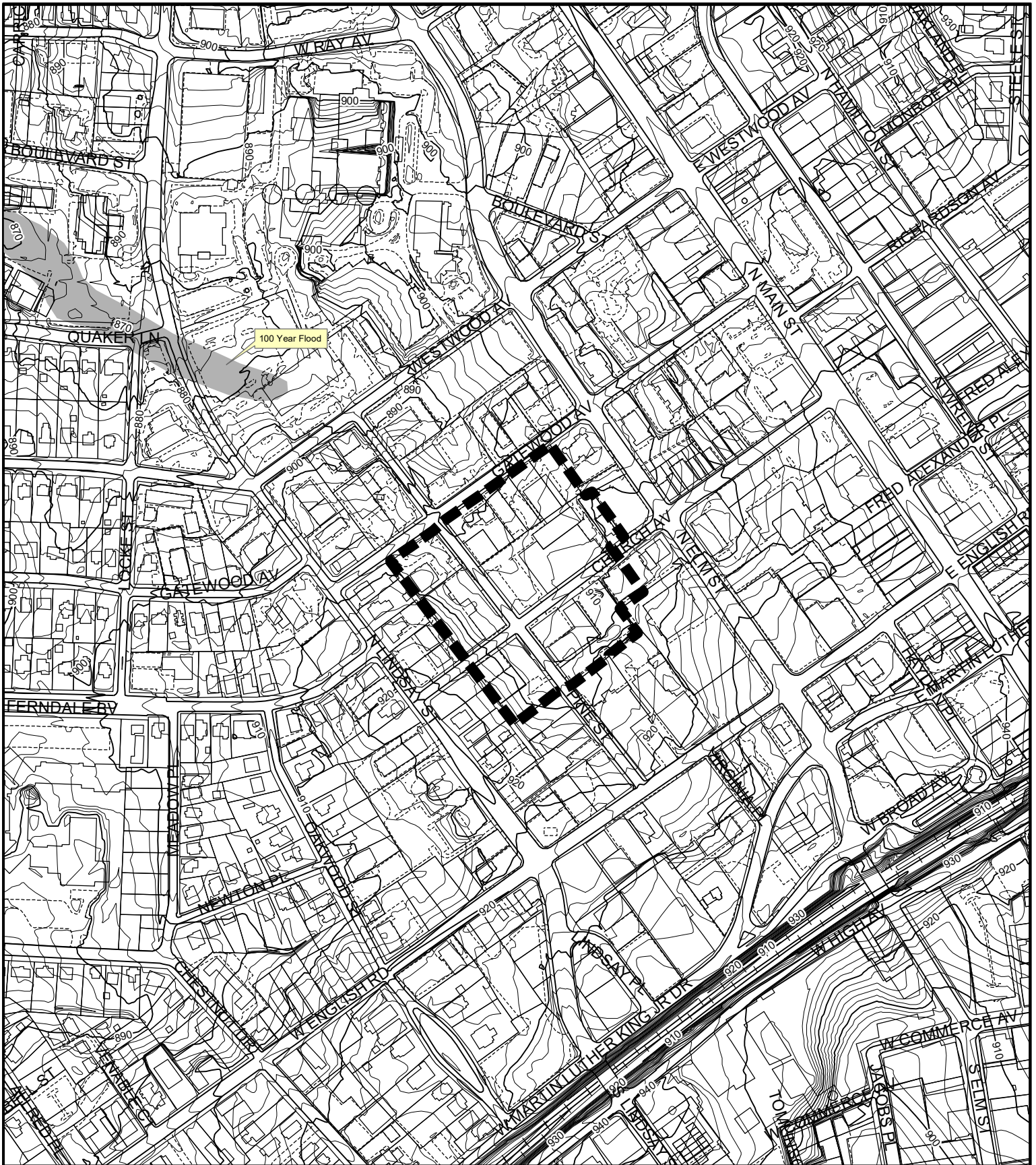
**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



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SPECIAL USE SU-17-01

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

Date: October 24, 2017



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2017\pz\su17-01\topo.mxd

SPECIAL USE SU-17-01



**SPECIAL USE 17-01
CITY OF HIGH POINT, NORTH CAROLINA**

October 24, 2017
(Submitted)

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 2.4.11, SPECIAL USE, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

USE:

Major Assembly Use with over 1,000 seats.

CONDITIONS:

Development of the site shall be generally consistent with the attached SUP Sketch Plan.

DESCRIPTION OF PROPERTY:

The property is approximately 8.3 acres generally bounded by Gatewood Avenue, N. Elm Street, and S. Lindsay Street. The property is also known as Guilford County Tax Parcels 0186799, 0186800, 0186805, 0186806, 0186807, 0186808, 0186810, 0186811, 0186812, 0186813, 0186815, 0186827, 0186828, 0186828, 0186834, 0186835 and 0186838 0169206 and 0169220.

This Special Use and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use approval shall be null and void and of no effect. If for any reason any condition imposed this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

The issuance of this Special Use authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 17-01 AND THE ACCOMPANYING AMENDED SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE XX DAY OF NOVEMBER, 2017.

Lisa B. Vierling
City Clerk

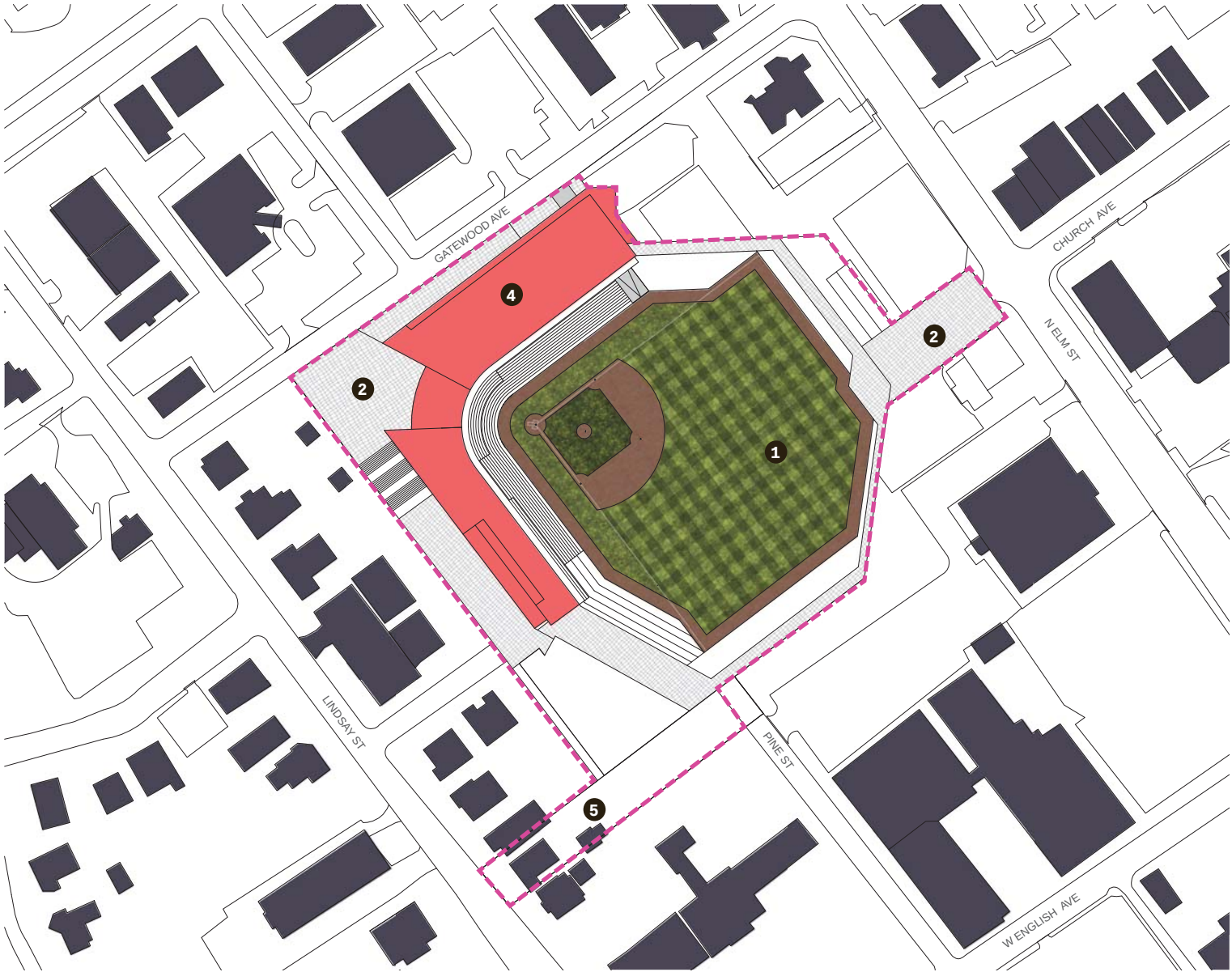
Date

Conceptual Site Plan

Legend

- 1 Ballpark
- 2 Ballpark Entrance / Plaza
- 4 Ballpark Program Area
- 5 Area for Proposed Street to intersect with Pine St.

Ballpark Project area



**Citizens Information Meeting Report
Special Use 17-01**

Citizen Information Meeting for Special Use Permit for Multi-Use Stadium

The City held a citizen information meeting for the Special-Use for the Multi-use stadium on September 25, 2017 at the First Baptist Church located at 405 N. Main Street, High Point, NC 27260 from 4:00 – 6:00 pm. The City provided a handout to attendees describing the project. Notices were sent to property owners on September 8, 2017. Attached is a list of owners that were mailed a notice.

Christ Spangle was the only person to attend the meeting. Her interest was to find out the latest on the status of the project.

BENWAY PROFESSIONAL BLDG LLC
1602 BENJAMIN PKY
GREENSBORO NC 27408

BOEDICKER CONSTRUCTION INC
2229 PLAINVIEW DR
HIGH POINT NC 27265

CAROLINA 225 LIMITED PARTNERSHIP
PO BOX 2324
HIGH POINT NC 27261

CECIL, DAVID L
102 QUAIL HOLLOW RD
HIGH POINT NC 27265

CHEEK, OLIVIA W ; WILSON, SHARON W
1102 GATEHOUSE RD
HIGH POINT NC 27262

CRISIS PREGNANCY CENTER OF HIGH POINT INC
212 LINDSAY ST
HIGH POINT NC 27262

DILLEN L L C
142 CHURCH AVE
HIGH POINT NC 27262

DJ WORLDWIDE LLC
PO BOX 5108
HIGH POINT NC 27262

DR MANAGEMENT USA INC
215 BOULEVARD OUEST
MASKINONGE QUEBEC JOK 1N0

ELMWOOD PROPERTIES LLC
400 N ELM ST
HIGH POINT NC 27262

EVANS, MITCHELL DWAYNE
2300 W MEADOWVIEW RD SUITE 121
GREENSBORO NC 27407

FHP PROPERTIES LLC
1912 EASTCHESTER DR SUITE 400
HIGH POINT NC 27265

FIELDEN HOLDINGS LLC
115 GATEWOOD AVE
HIGH POINT NC 27262

FIRST BAPTIST CHURCH
405 N MAIN ST
HIGH POINT NC 27260

FOWLER, MADELINE L TR ; HEDGECOCK,
REBECCA F TR ; GREEN, JAMES M
1303 WALES DR
HIGH POINT NC 27262

GATEWOOD AVENUE LLC
1109 ROCKFORD RD
HIGH POINT NC 27262

GINSBURG, ALAN L ; GANOUNG, JANET RAE ;
TRUST U/W OF LEA M GINSBURG FBO HARVEY J
GINSBURG
1312 WESTMINSTER DR
HIGH POINT NC 27262

GLENACO INC
PO BOX 2318
HIGH POINT NC 27261

GOLDBERG FAMILY LLC
315 N ELM ST
HIGH POINT NC 27262

HIGH POINT REGIONAL HEALTH SYSTEM
PO BOX HP-5
HIGH POINT NC 27261

JARRELL, HAROLD T ; JARRELL, MARY L
5425 GENEVA TERRACE
COLFAX NC 27235

JNS PROPERTIES LLC
284 N EMILY CT
HIGH POINT NC 27262

KALIL-AL-KHORI LLC
1709 FARNSWORTH CT
HIGH POINT NC 27262

KSHREE LLC
520 LAUSANNE DR
GREENSBORO NC 27410

L & J G STICKLEY INC
1 STICKLEY DRIVE
MANLIUS NY 13104

L E O COMPANY LLC
PO BOX 138
KNOXVILLE TN 37901

LD PROPERTIES OF HP LLC
457 ORINOCO DR
HIGH POINT NC 27265

LINDSAY COURT PARTNERS LLC
PO BOX 5778
HIGH POINT NC 27262

MACKENZIE, BRUCE ; MACKENZIE, SONJA
1410 COVENTRY RD
HIGH POINT NC 27262

MORENO, BARBARA ; MORENO, JAY M
304 N LINDSAY ST
HIGH POINT NC 27262

NOWELL DORN PROPERTIES LLC
405 N LINDSAY ST
HIGH POINT NC 27262

PARKER PRICE PROPERTIES LLC
308 N LINDSAY ST
HIGH POINT NC 27262

PENNELL, WAYNE H ; PENNELL, NANCY B
221 N LINDSAY ST
HIGH POINT NC 27262

PETERS HOLDINGS LLC
507 LINDSAY ST
HIGH POINT NC 27262

PIEDMONT ELECTRIC REPAIR CO
PO BOX 2318
HIGH POINT NC 27261

PIEDMONT UROLOGICAL LLC
218 GATEWOOD AVE
HIGH POINT NC 27262

RICKETSON, J E
405 WESTWOOD AVE
HIGH POINT NC 27262

SILVER MAIN LLC
PO BOX 6363
HIGH POINT NC 27262

SMITH-BISSELL LLC
2800 ST LEOS ST
GREENSBORO NC 27405

SNOW, JAMES M ; SNOW, VIRGINIA K
1112 FORREST HILL DR
HIGH POINT NC 27262

SURLES, CHARLES H ; BRADDY, CLAUDE
JEFFERY ; BRADDY, MARGUERITE ATTKISSON
404 N LINDSAY ST
HIGH POINT NC 27262

TEPCO LLC
3115 CAMP RANGER LANE
JAMESTOWN NC 27282

THE DENTAL FOUNDATION OF NORTH CAROLINA
INC
1090 FIRST DENTAL CB #7450
CHAPEL HILL NC 27599

THIBODEAU, BEVERLY N TR ; WHITWORTH, GALE
T TR ; BEVERLY N THIBODEAU REVOCABLE
LIVING TRUST
661 SPARTINA CT
SOUTHPORT NC 28461

TRAWETS LLC
449 S WRENN STREET
HIGH POINT NC 27260

TYSINGER RANDALL PROPERTIES LLC
609 NATIONAL HWY
THOMASVILLE NC 27360

UNITED WAY OF GREATER HIGH POINT INC
201 CHURCH AVE
HIGH POINT NC 27262

WESTMORELAND, PAUL E
506 CONCORD ST
THOMASVILLE NC 27360

CITY OF HIGH POINT

AGENDA ITEM



Title: Parks and Recreation Fees and Charges Adjustments

From: Lee Tillery –Parks and Recreation Director

Meeting Date: November 20, 2017

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Fees and Charges Changes Outline

PURPOSE:

Ensure current fees and charges in parks and recreation are fair and equitable and make adjustments where warranted and outline any new categories of fees not previously adopted.

BACKGROUND:

Our Department reviews our fees and charges every 3-4 years to ensure our rates are fair, accurate and in line with comparable entities and departments. Recommendations were presented to the Parks and Recreation Commission at the October 9 meeting and unanimously endorsed. The Department's budgeted revenue for 2017-18 is \$2,958,760 with expenses of \$12,031,888.

BUDGET IMPACT:

The impact of these fees, albeit minimal, will increase department revenues and address opportunities for additional funds with athletics and tournaments held at our facilities. The adjustment of other fees and new categorizations will allow for us to more easily meet citizen demands, improve customer service and better meet our needs at respective facilities.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council approve new and adjusted fees to the High Point Parks and Recreation Fee and Charges Policy.

High Point Parks & Recreation

Proposed Changes to Fees & Charges

To become effective January 1, 2018

Athletics- (changes and new fees)

Field Reservations- Game Fees

Facility	Current	Proposed	Comparisons
Athletic Facilities- Includes baseball, softball, and soccer fields at Allen Jay, Armstrong, Cedrow, Deep River, Harvell, Hedgecock, North, South, and West soccer fields at High Point Athletic Complex, Oakview, Morehead, Macedonia, Washington Terrace, and West End.	\$75 per game	\$100 per game	- Durham: \$145 lighted field - Mecklenburg County: \$237 lighted field - Raleigh: \$215 lighted field
Ed Price Baseball Stadium, Correll-Morris Soccer Stadium	\$100 per game/ day \$125 per game/ night	\$125 per game	
Johnson Street Complex		\$125	

Tournament Fees- for all locations

Current	Proposed	Comparisons
\$200 1 st field \$175 2 nd field \$150 3 rd field Per day	\$250 1 st field \$200 2 nd field \$150 3 rd field Per day	- Durham: \$40 hr. with lights, \$20 hr. without lights (est.\$260 per field) - Mecklenburg Co: \$306-\$840 per day plus \$306 deposit per tourney - Greensboro: \$100-\$680 per field per day - Asheboro: \$175 1st field, \$300 2nd field for residents, \$225 1st field, \$400 2nd field for non-residents

New Athletic Fees

New Fee	Proposed	Comparisons
Track Equipment Fee	\$250 per month	
Gate Fee	\$50 per tournament at all fields	• Cornelius: \$100 • Greensboro: \$200 • Mecklenburg: \$52 • Wilmington: \$.50 per ticket nonprofit events, \$1.00 per ticket for profit events
Concession Fee	\$50 per tournament at all fields	• Raleigh: 20% of concession revenue • Mecklenburg County: Charges vendor directly, \$50 per day • Asheboro: \$50
Merchandise Fee	\$50 per tournament at all fields	• Greensboro: \$200
Attendant Fee	\$20 hr., 2-hour minimum	• Chapel Hill: \$15 hr. • Wilmington: \$35 hr.
West End Cross Country Course	\$100 per meet	Fee equivalent to cost of all 3 soccer fields.

Facility Rentals- (change to pricing structure)

We would like to transition to a per hour charge for facility rentals instead of a block of time to make the pricing structure more customer friendly. An hourly rate would allow the customer to choose the exact number of hours needed, rather than renting for hours they don't need. This will also increase efficiency in staff scheduling. An hourly fee will also make the reservation and scheduling process simpler and easier to understand.

Recreation Centers	Current Fees	Proposed Fees
Gym - Type A: (resident, nonprofit, civic, or religious groups)	Time block, starting at \$50 hr.	\$35 per hr.
Gym - Type B: (Where admission or tickets are charged, or merchandise is sold.)	Time block starting at \$75 hr.	\$50 per hr.
Small Activity Room	Time block starting at \$50 for 2 hrs.	\$25 hr.
Large Activity Room	Time block starting at \$85 for 2 hours	\$35
Entire Center	Time block starting at \$210 for 2 hours	\$110 hr. (sum of all rooms added together)
Senior Center	Current Fees	Proposed Fees
Multipurpose Room (carpeted area)	Time block starting at \$100 for 2 hrs.	\$50 per hr.
Multipurpose Room (tile area)	Time block starting at \$75 for 2 hrs.	\$35 per hr.
Multipurpose Room (combined carpet and tile area)	Time block starting at \$175 for 2 hrs.	\$85 per hr.
Conference Room	Time block starting at \$35 for 2 hours	\$20 per hr.
Washington Terrace	Current Fees	Proposed Fees
Stage area	Time block starting at \$50 for 2 hours	\$25 hr. per hr.
Large Activity Room with Kitchen	Time block starting at \$100 for 2 hours	\$50 hr. per hr.
Conference Room	Time block starting at \$75 for	\$35 hr. per hr.
Conference Room with Kitchen	Time block starting at \$90 for 2 hours	\$45 hr. per hr.
Entire Community Center	Time block starting at \$175 for 2 hours	\$85 hr. per hr.
Oak Hollow Marina Conference Room	Current Fees	Proposed Fee
	Time block starting at \$50 for 2 hours	Proposed: \$25 per hr.
City Lake Gym Rental	Current Fees	Proposed Fees
	Time block starting at \$35 hr.	\$35 per hr.

Golf- (new fees)

Proposed new fees provide a variety of price points at different times of the day, and add rates for junior and college student aged golfers.

Play & Ride- Weekdays	Blair Park	Oak Hollow
Juniors (must be licensed and 16 years of age to drive cart)	\$ 22.00	\$ 24.00
College Student Rate	\$ 20.00	\$ 22.00
Junior Special- (after 12 pm) playing with an adult who paid the Regular 18-hole fee	\$ 12.00	\$ 15.00
Junior Special- (after 12 pm) playing with an adult who paid the Regular 9-hole fee	\$ 9.00	\$ 10.00
Grillroom Voucher for \$3 given to Regular 18 hole customers from 12-3 pm		
Play & Ride- Weekends	Blair Park	Oak Hollow
Twilight Rate (based on time of year, could be 1pm, 2pm or 3 pm.)	\$ 21.00	\$ 25.00
Super Twilight (after 5 pm)	\$ 18.00	\$ 22.00
Walking – Weekends	Blair Park	Oak Hollow
18 holes From 8 am-12 noon	\$ 30.00	\$ 39.00
Juniors (after 2 pm)	\$ 10.00	\$ 13.00
College Student (after 12 pm)	\$ 13.00	\$ 20.00

Discounts and Dynamic Pricing:	The use of Dynamic Pricing is used to adjust rates, both up and down, for golfers booking tee times through our online tee booking program. Prices will be determined based on demand, availability, how far in advance the tee times are being booked, and weather. Special discount fees or promotions may be established, with permission of the Parks & Recreation Director or his/her designee. This flexibility allows the golf courses to remain competitive.
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Parks & Recreation Fees and Charges Recommendations

November 15, 2017

Athletic Field Reservations



Athletic Facilities

Current: \$75 per game

Suggested: \$100 per game

High Point Athletic Complex

Current: \$100 day game, \$125 night game

Suggested: \$125 anytime

Johnson Street Complex:

Suggested: \$125 anytime

Athletic Tournament Fees



Current: \$200 1st field
 \$175 2nd field
 \$150 3rd field

Proposed: \$250 1st field
 \$200 2nd field
 \$150 3rd field

New Athletic Fees



- **Track Equipment Fee:** \$250 per month
- **Gate Fee:** \$50 per tournament at all fields
- **Concession Fee:** \$50 per tournament at all fields
- **Merchandise Fee:** \$50 per tournament at all fields
- **Attendant Fee:** \$20 hr., 2-hour minimum
- **West End Cross Country Course:** \$100 per meet

Facility Rental Fees

Current Structure



Recreation Centers

(Allen Jay, Deep River, Morehead, Oakview and Southside)

Area	1 hour	2 hour	4 hours	6 hours	8 hours	12 hours
Gym - Type A	\$50	\$70	\$100	\$145	\$190	\$290
Gym - Type B	\$75	\$100	\$150	\$200	\$250	\$400
Activity Room		\$50	\$65	\$75	\$80	
Large Activity Room (Oakview, Deep River, Allen Jay, Morehead)		\$85	\$100	\$125	\$135	
Entire Center		\$210	\$275	\$345	\$385	
City Holidays		\$150 additional fee for events on approved City Holidays				
Staff Fee for events that run past their end time		\$25 per hour/ per employee				

Facility Rental Fees Proposed Structure



Recreation Centers

(Allen Jay, Deep River, Morehead, Oakview and Southside)

Area	Per hour
Gym - Type A	\$35
Gym - Type B	\$50
Activity Room	\$25
Large Activity Room (Oakview, Deep River, Allen Jay, Morehead)	\$35
Entire Center	\$110
City Holidays	\$150 additional fee for events on approved City Holidays
Staff Fee for events that run past their end time	\$25 per hour/ per employee

Golf Course Rates



Play & Ride- Weekdays	Blair Park	Oak Hollow
Juniors (must be licensed and 16 years of age to drive cart)	\$ 22.00	\$ 24.00
College Student Rate	\$ 20.00	\$ 22.00
Junior Special- (after 12 pm) playing with an adult who paid the Regular 18-hole fee	\$ 12.00	\$ 15.00
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Juniors (after 2 pm)	\$ 10.00	\$ 13.00
College Student (after 12 pm)	\$ 13.00	\$ 20.00

Golf Now



- Point of sale system used at Oak Hollow and Blair Park Golf Courses.
- Golf Now is the world's leading tee time platform.
- Allows golfers to find our golf courses and book tee times online.
 - 9,000 course partners
 - 2 Million unique golfers in their system
- Uses vast email database and social media platforms to market the courses.
- Golf Now Plus also manages the Dynamic Pricing model.

No-Shows: 0 | Paid: 19 | Internet: 18 | Booked: 55 | Total: 244

Date: **Friday, November 10, 2017** Course: ****ALL****

Course Name	Time	1st Customer	2nd Customer	3rd Customer	4th Customer
WDay S	08:24 AM				
WDay S	08:32 AM	Sun, Paul			
WDay S	08:40 AM				
WDay S	08:48 AM	Smith, Tom	Smith, Tom	Smith, Tom	
WDay S	08:56 AM				
WDay S	09:04 AM				
WDay S	09:12 AM	Grove, Kyle		Grove, Kyle	
WDay S	09:20 AM				
WDay S	09:28 AM				
WDay S	09:36 AM	Grubb@ \$32.00 , Jere	Grubb@ \$32.00 , Jere		
WDay S	09:44 AM				
WDay S	09:52 AM	Bair, Robert "rob"	Bair, Robert "rob"	Bair, Robert "rob"	
WDay S	10:00 AM	Foster, Otis	Foster, Otis	Foster, Otis	
WDay S	10:08 AM	Foster, Otis	Foster, Otis	Foster, Otis	
WDay S	10:16 AM	Foster, Otis	Foster, Otis	Foster, Otis	
WDay S	10:24 AM	Foster, Otis	Foster, Otis	Foster, Otis	
WDay S	10:32 AM	Whitaker, Justin	Whitaker, Justin		
WDay S	10:40 AM				
WDay S	10:48 AM				
WDay S	10:56 AM				
WDay S	11:04 AM				
WDay S	11:12 AM				
WDay S	11:20 AM	Lopez, Edgar	Lopez, Edgar		
WDay S	11:28 AM	Lindow, Larry	Lindow, Larry		
WDay S	11:36 AM				
WDay S	11:44 AM				
WDay S	11:52 AM				
WDay S	12:00 PM				
WDay S	12:08 PM	Cupito@ \$0.00 , Susan	Cupito@ \$0.00 , Susan	Berry@ \$0.00 , Dav	
WDay S	12:16 PM				
WDay S	12:24 PM	Master@ \$0.00 , Carrol	Master@ \$0.00 , Carrol	McDonald@ \$0.00 , Dav	
WDay S	12:32 PM	Hughes, Nick	Hughes, Nick	Hughes, Nick	
WDay S	12:40 PM				
WDay S	12:48 PM				
WDay S	12:56 PM				
WDay S	01:04 PM				
WDay S	01:12 PM				
WDay S	01:20 PM				
WDay S	01:28 PM				
WDay S	01:36 PM				

Booked: Smith, Tom
Receipt#: 364717
Friday, November 10, 2017 8:25:09 AM
User: Prlrain
Tom Smith

Item #	Description	Qty	Price	Total
1310	Employees for 8:48 AM 11/10/2017 WDay S	1	\$0.00	\$0.00
1305	Pga/supt for 8:48 AM 11/10/2017 WDay S	1	\$0.00	\$0.00
1306	Rangers for 8:48 AM 11/10/2017 WDay S	1	\$0.00	\$0.00
Total:				\$0.00
Change:				\$0.00

Fee: 1306: Rangers for \$0.00
11/9/2017: Prlrain moved reservation for 4 from 8:00 AM to 8:48 AM at 2:31:29 PM.
11/10/2017: Prlrain reduced Qty from 4 to 3 at 8:26:24 AM.

Calendar

November, 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	1	2
3	4	5	6	7	8	9

Customer List

Name	Address	City	State	Postal Co
Whitaker, Justin				
Whitaker, Lonnie				
Whitaker, Mark				
Whitaker, Mark	3728 Deerfield St	High Point	NC	27265
Whitaker, Mark			NC	
Whitaker, Robbie				
Whitaker, Rodney				

Shopping Cart

By Description | By Item | Reprint / Tips | Customer | 0 Open Tickets

Qty	Description	%	Unit Price	Total Price

Internal Note | Receipt Note

Subtotal: \$0.00
Taxes: ☒ \$0.00
Total: \$0.00

☒ WDay GF
☐ WEnd GF
☐ Misc
☐ Vending
☐ Winter GF
☐ Balls
☐ Open Price
☐ Comp Rds.

GF-Wd 18 Hole \$17.00	18 Hole Cart Fee \$15.00	Senior 18 Hole GF \$13.00	Tuesday Ladies \$13.00	Twilight With Cart \$25.00	Range Extra Large	Range Small
GF-Wd 9 Hole \$13.00	9 Hole Cart Fee \$9.00	Senior GF / Cart \$24.00	Tues Lad GF / Cart \$24.00	Wd Twilight \$16.00	Range Large	Rg Discount Open Key
DC 18 GF / Cart \$27.00	DC Senior 18 GF / Cart \$19.00	Senior 9 Hole GF \$10.00	GF-Wd Extra 9	GF-Wd DC Twilight With Cart	Range Medium	Golf Now

📍 Oak Hollow Golf Course

📅 Nov 15, 2017

Any Golfers ▾

Search

✓ Search Courses → ● **Select Tee Time** → ● Select Rate → ● Select Golfers → ● Checkout

🔥 Hot Deals

Date

📅 Nov 15, 2017

Filter Options

Reset

Time

5 AM - 9 PM+

Price

\$0 - \$130+

Golfers

Any

1

2

3

4

Holes

Any

9

18

Rate Types

All Rate Types ▾



Oak Hollow Golf Course

3400 N Centennial St High Point, NC 27265

Holes: 18 Par: 72 Length: 6483 yards Slope: 131 Rating: 72.1

[View Ratings, Reviews and more](#)

91% of golfers recommend this course

★★★★☆ 161 Golfer Reviews

Played this course? [Write a Review](#)

View By: **Tee Times**

Sort By:

Time ▾

Showing Tee Times for: Oak Hollow Golf Course on [Nov 15, 2017](#)

🔥 Hot Deals

12:08 PM

\$24

12:24 PM

\$24

8:00 AM Tee Time

Golfers: 1 - 4 Holes: 18 Cart: Included

Online Rate

\$32.00

~~\$39.00~~

Book Now

8:32 AM Tee Time

Golfers: 1 - 4 Holes: 18 Cart: Included

Online Rate

\$32.00

~~\$39.00~~

Book Now

8:48 AM Tee Time

Golfers: 1 - 4 Holes: 18 Cart: Included

Senior

\$24.00

Book Now

Dynamic Pricing



- Adjust online pricing using parameters set by the golf course and known demand for tee times.
- 3-4 price points per day
- Daily/ Weekly adjustments based on utilization
- Courses that use the Dynamic Pricing program book 58% more rounds and collect 79% more revenue

**RESOLUTION OF HIGH POINT CITY COUNCIL
APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND
GATEWOOD AVENUE, LLC**

WHEREAS, North Carolina General Statutes § 160A-272 authorizes the City to enter into lease agreements of one year or less without public notice, pursuant to a resolution of City Council authorizing the execution of the lease, adopted at a regular meeting; and

WHEREAS, the City Council is convened in regular meeting on the date so noted below;
and

WHEREAS, the City has made a formal offer to purchase the premises located at 303 Gatewood Avenue, High Point, North Carolina (“Property”) owned by Gatewood Avenue, LLC (“Gatewood”) and Gatewood has accepted the City’s offer to purchase the Property, with an anticipated closing date (“Closing Date”) of November 21, 2017; and

WHEREAS, Gatewood has a need to remain on the Property through and including May 8, 2018 to continue its business operations while it prepares for relocation; and

WHEREAS, the City and Gatewood have entered into negotiations for a Lease Agreement for the Property with the term to be effective upon the Closing Date on the Property through and including May 8, 2018; and

WHEREAS, the City and Gatewood have agreed that Gatewood will lease the Property for the term beginning upon Closing Date through May 8, 2018 for considerations including rental payment of One Dollar (\$1.00) per month; and

WHEREAS, the City Council has determined that the Property will not be needed by the City for term of the Lease Agreement; and

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the Lease Agreement for the Property located at 303 Gatewood Avenue, High Point, North Carolina to Gatewood Avenue, LLC, for a period beginning on the Closing Date, anticipated to be November 21, 2017, through and including May 8, 2018, for considerations including rental payment of One Dollar (\$1.00) per month, and authorizes the City Manager to execute any instruments as necessary.

Adopted this the 20th day of November 2017.

Mayor William S. Bencini, Jr.

ATTEST:

Lisa B. Vierling, City Clerk

**RESOLUTION OF HIGH POINT CITY COUNCIL
APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND
UNITED WAY OF GREATER HIGH POINT, INC.**

WHEREAS, North Carolina General Statutes § 160A-272 authorizes the City to enter into lease agreements of one year or less without public notice, pursuant to a resolution of City Council authorizing the execution of the lease, adopted at a regular meeting; and

WHEREAS, the City Council is convened in regular meeting on the date so noted below;
and

WHEREAS, the City has made a formal offer to purchase the premises located at 201 Church Avenue, ("Property") owned by United Way of Greater High Point, Inc. ("United Way"), and United Way has accepted the City's offer to purchase the Property, with an anticipated closing date ("Closing Date") of November 21, 2017; and

WHEREAS, United Way has a need to lease the Property from the Closing Date through and including January 19, 2018; and

WHEREAS, the City and United Way have entered into negotiations for a Lease Agreement for the Property with the term to be effective upon the Closing Date on the Property through and including January 19, 2018; and

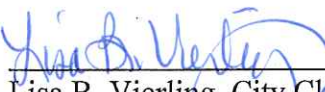
WHEREAS, the City and the United Way have agreed that United Way will lease the Property for the term beginning upon Closing Date through and including January 19, 2018 for considerations received including rental payment of One Dollar (\$1.00) per month; and

WHEREAS, the City Council has determined that the Property will not be needed by the City during the term of the Lease Agreement; and

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the Lease Agreement for the Property located at 201 Church Avenue, High Point, North Carolina to United Way of Greater High Point, Inc. for a period beginning on the Closing Date, anticipated to be November 21, 2017 through and including January 19, 2018, for considerations received, including rental payment of One Dollar (\$1.00) per month, and hereby authorizes the City Manager to execute any instruments as necessary.

Adopted this the 20th day of November 2017.

ATTEST:



Lisa B. Vierling, City Clerk





Mayor William S. Bencini, Jr.

**RESOLUTION OF HIGH POINT CITY COUNCIL
APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND
PIEDMONT ELECTRIC REPAIR COMPANY**

WHEREAS, North Carolina General Statutes § 160A-272 authorizes the City to enter into lease agreements of one year or less without public notice, pursuant to a resolution of City Council authorizing the execution of the lease, adopted at a regular meeting; and

WHEREAS, the City Council is convened in regular meeting on the date so noted below;
and

WHEREAS, the City has made a formal offer to purchase the premises located at 500 and 504 West English Road, High Point, North Carolina ("Property") owned by Glenaco, Inc. ("Glenaco") and Glenaco has accepted the City's offer to purchase the Property with an anticipated closing date of November 21, 2017 ("Closing Date"); and

WHEREAS, Piedmont Electric Repair Company ("Piedmont Electric") has a need to lease the Property beginning January 1, 2018 through and including December 31, 2018; and

WHEREAS, the City and Piedmont Electric have entered into negotiations for a Lease Agreement for the Property with the term to be effective beginning January 1, 2018 through and including December 31, 2018; and

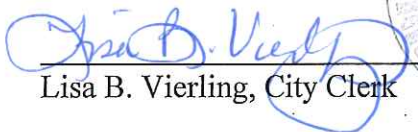
WHEREAS, the City and Piedmont Electric have agreed that Piedmont Electric will lease the Property for the term beginning January 1, 2018 through and including December 31, 2018 for considerations received from Glenaco, Inc. and Piedmont Electric, including rental payment of One Dollar (\$1.00) per month; and

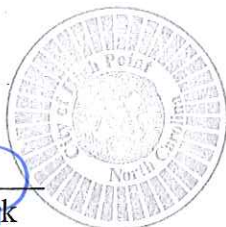
WHEREAS, the City Council has determined that the Property will not be needed by the City for term of the Lease Agreement; and

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the Lease Agreement for the Property located at 500 and 504 West English Road, High Point, North Carolina to Piedmont Electric Repair Company, for a period beginning January 1, 2018 through and including December 31, 2018 for considerations received from Glenaco, Inc. and Piedmont Electric including rental payment of One Dollar (\$1.00) per month, and hereby authorizes the City Manager to execute any instruments as necessary.

Adopted this the 20th day of November 2017.

ATTEST:


Lisa B. Vierling, City Clerk




Mayor William S. Bencini, Jr.

**RESOLUTION OF HIGH POINT CITY COUNCIL
APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND
PIEDMONT ELECTRIC REPAIR COMPANY**

WHEREAS, North Carolina General Statutes § 160A-272 authorizes the City to enter into lease agreements of one year or less without public notice, pursuant to a resolution of City Council authorizing the execution of the lease, adopted at a regular meeting; and

WHEREAS, the City Council is convened in regular meeting on the date so noted below;
and

WHEREAS, the City has made a formal offer to purchase the premises located at 211 Pine Street, ("Property") owned by Glenaco, Inc. ("Glenaco") and Glenaco has accepted the City's offer to purchase the Property with an anticipated closing date of November 21, 2017 ("Closing Date");
and

WHEREAS, Piedmont Electric Repair Company ("Piedmont Electric") has a need to lease the Property from the Closing Date through and including December 31, 2017; and

WHEREAS, the City and Piedmont Electric have entered into negotiations for a Lease Agreement for the Property with the term to be effective upon the Closing Date on the Property through and including December 31, 2017; and

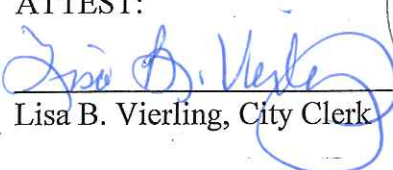
WHEREAS, the City and Piedmont Electric have agreed that Piedmont Electric will lease the Property for the term beginning upon Closing Date through December 31, 2017 for considerations received from Glenaco, Inc. and Piedmont Electric, including rental payment of One Dollar (\$1.00) per month; and

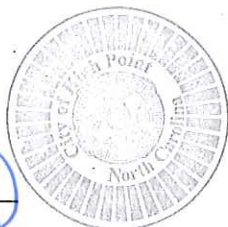
WHEREAS, the City Council has determined that the Property will not be needed by the City for the term of the Lease Agreement; and

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the Lease Agreement for the Property located at 211 Pine Street, High Point, North Carolina to Piedmont Electric Repair Company, for a period beginning on the Closing Date, anticipated to be November 21, 2017, through and including December 31, 2017, for considerations received from Glenaco, Inc. and Piedmont Electric including rental payment of One Dollar (\$1.00) per month, and hereby authorizes the City Manager to execute any instruments as necessary.

Adopted this the 20th day of November 2017.

ATTEST:


Lisa B. Vierling, City Clerk




Mayor William S. Bencini, Jr.

**RESOLUTION OF HIGH POINT CITY COUNCIL
APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND
GATEWOOD AVENUE, LLC**

WHEREAS, North Carolina General Statutes § 160A-272 authorizes the City to enter into lease agreements of one year or less without public notice, pursuant to a resolution of City Council authorizing the execution of the lease, adopted at a regular meeting; and

WHEREAS, the City Council is convened in regular meeting on the date so noted below;
and

WHEREAS, the City has made a formal offer to purchase the premises located at 303 Gatewood Avenue, High Point, North Carolina ("Property") owned by Gatewood Avenue, LLC ("Gatewood") and Gatewood has accepted the City's offer to purchase the Property, with an anticipated closing date ("Closing Date") of November 21, 2017; and

WHEREAS, Gatewood has a need to remain on the Property through and including May 8, 2018 to continue its business operations while it prepares for relocation; and

WHEREAS, the City and Gatewood have entered into negotiations for a Lease Agreement for the Property with the term to be effective upon the Closing Date on the Property through and including May 8, 2018; and

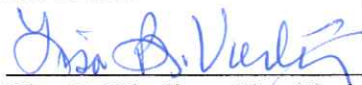
WHEREAS, the City and Gatewood have agreed that Gatewood will lease the Property for the term beginning upon Closing Date through May 8, 2018 for considerations including rental payment of One Dollar (\$1.00) per month; and

WHEREAS, the City Council has determined that the Property will not be needed by the City for term of the Lease Agreement; and

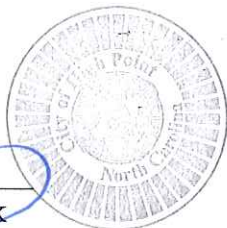
NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the Lease Agreement for the Property located at 303 Gatewood Avenue, High Point, North Carolina to Gatewood Avenue, LLC, for a period beginning on the Closing Date, anticipated to be November 21, 2017, through and including May 8, 2018, for considerations including rental payment of One Dollar (\$1.00) per month, and authorizes the City Manager to execute any instruments as necessary.

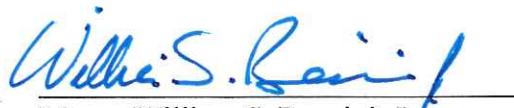
Adopted this the 20th day of November 2017.

ATTEST:



Lisa B. Vierling, City Clerk





Mayor William S. Bencini, Jr.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.19, ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted “The City of High Point Development Ordinance” on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 24, 2017 and before the City Council of the City of High Point on November 20, 2017 regarding **Zoning Map Amendment Case 17-24 (ZA-17-24)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on October 15, 2017, for the Planning and Zoning Commission public hearing and on November 8, 2017 and November 15, 2017, 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 **November 20, 2017.**

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: **General Business (GB) District.** The property is approximately 1.74 acres lying west of Johnson Street and north of E. Parris Avenue (295 E. Parris Avenue). The property is also known as Guilford County Tax Parcel 0199859).

SECTION 2

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 3

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 4

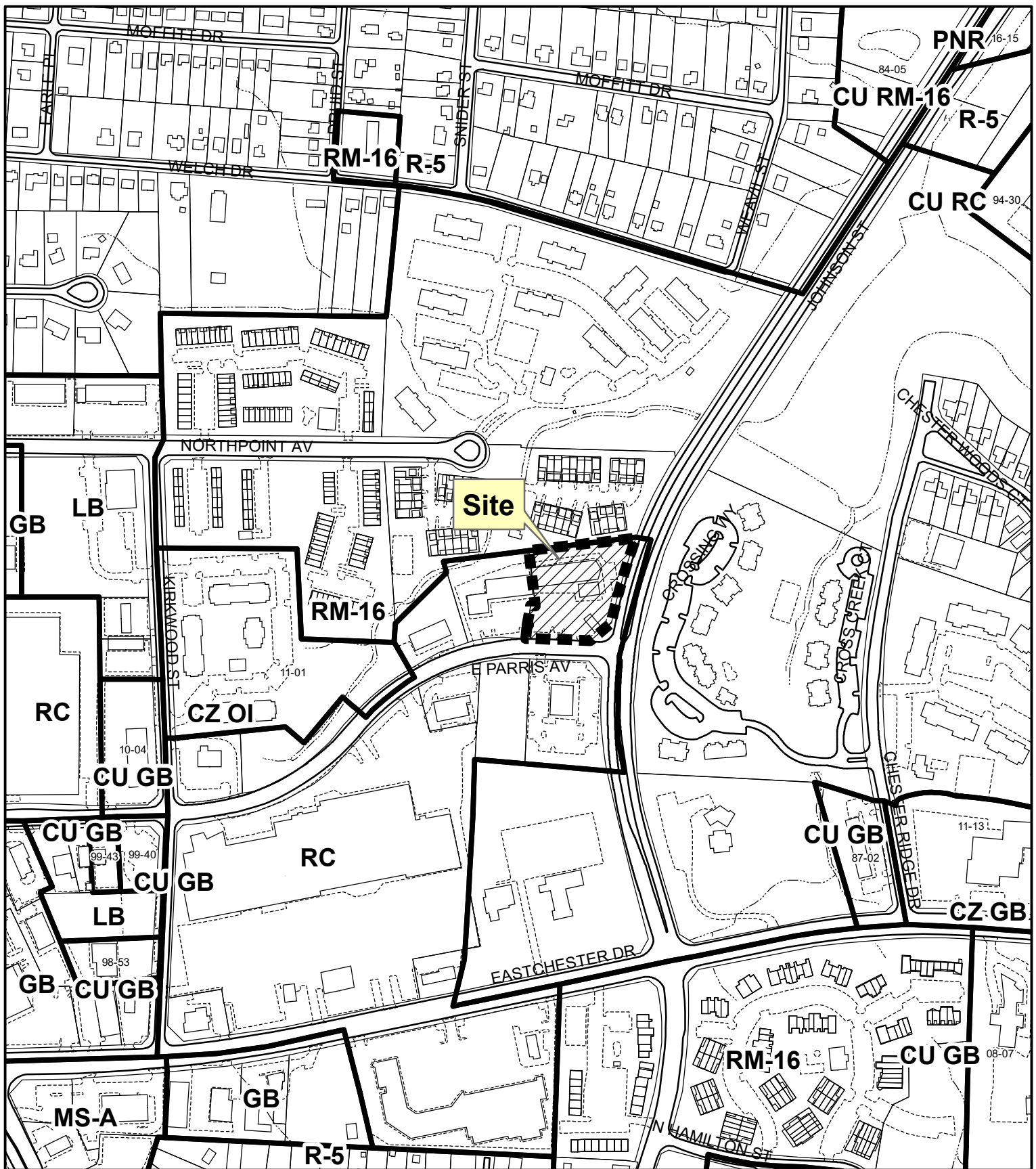
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5.

This ordinance shall become effective upon the date of adoption.

20th day of November, 2017.

Lisa B. Vierling, City Clerk



ZONING MAP AMENDMENT ZA17-24

From: Retail Commercial (RC)
To: General Business (GB)

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

**Planning & Development
 Department**

City of High Point

Date: October 24, 2017



Scale: 1"=400'

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CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish –1011 Granby Ave.

From: Michael McNair, Director
Community Development & Housing

Meeting Date: 11/20/17

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Demolish
- C. Photos
- D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 1011 Granby Avenue.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 8/31/17. No action occurred by the compliance date of 10/2/17. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling.

PENDING ACTION:

The ordinance becomes effective from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.



1011 Granby Avenue

Ordinance to Demolish



Location of subject property

**Community Development
and Housing**

City of High Point

Date: November 7, 2017



Scale: 1"=200'

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**COMMUNITY DEVELOPMENT AND HOUSING
CODE ENFORCEMENT
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

812 Westchester Drive

OWNER:

Doris J. Austin (deceased)

**REASON FOR
INSPECTION:**

Fire occurred at house June 30, 2015

**FIRST
INSPECTION:**
11/18/16

Summary of Major Violations

1. Repair or replace roof framing, sheathing, covering
2. Repair or replace electrical system throughout
3. Repair or replace heating heating system throughout
4. Repair or replace plumbing system throughout

**HEARING
RESULTS:**
8/30/17

No one appeared for the Hearing. During the Hearing it was determined there are several violations of the Minimum Housing Code. There are multiple violations of the minimum housing code in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 65% of the value of the structure.

**ORDER(S)
ISSUED:**
8/30/17

Order to Repair or Demolish
Date of Compliance 10/4/17

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

None

ADDITIONAL:

Dana McKittrick (daughter of owner) did speak with the inspector prior to the Hearing and stated that no one in the family is interested in repairing or demolishing the house. She stated she would reach out to owners on each side to see if they are interested in purchasing the property. The property taxes are delinquent in the amount of \$7,191.50. The owner is deceased, therefore we had to advertise notices in the newspaper for proper service per NC General Statutes.

















CITY OF HIGH POINT

AGENDA ITEM



Title: Annexation Case 17-11

Willard Family Trust and Willard Survivors

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 20, 2017

Public Hearing: Yes

Advertising Date: November 10, 2017

Advertised By: Planning & Development
Department

Attachments: A. Staff Report
B. Map
C. Annexation Ordinance of Adoption

PURPOSE:

A request by the Willard Family Trust and Willard Survivors to consider a voluntary contiguous annexation of approximately 22.209 acres lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. The property is also known as Guilford County Tax Parcel 0169933.

BACKGROUND:

Staff report and recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends approval of Annexation Case 17-11.

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

**STAFF REPORT
ANNEXATION 17-11
November 20, 2017**

Request	
Applicant: Willard Family Trust and Willard Survivors (Ruth S. Willard, Brenda Wood, John M. Willard)	Owners: Willard Family Trust and Willard Survivors (Ruth S. Willard, Brenda Wood, John M. Willard)
Proposal: Voluntary contiguous annexation.	Effective Date: Upon adoption.
	Associated Zoning Case: Zoning Map Amendment 17-21 and Zoning Map Amendment 17-20

Site Information	
Location:	The site is lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road.
Tax Parcel Number:	Guilford County Tax Parcel 0169933.
Site Acreage:	Approximately 22.209 acres
Current Land Use:	Undeveloped
Current Fire District:	Guilford County has contracted with the City of High Point Fire Department to provide services to the unincorporated areas lying south of I-40.
Proposed Development:	An 86-unit townhome subdivision is proposed to be developed on the property.
Proposed Unit Type, Number and Average Value:	The applicant's developer estimates the cost for developing the proposed townhome subdivision to be approximately \$17,850,000.
Proposed Build-out Schedule:	Approximately 3-years
Proposed City of High Point Council Ward:	The proposed annexation site is adjacent to Ward 6. If approved, the annexation area will be part of Ward 6.
Physical Characteristics:	The zoning site is wooded with a moderate to severely sloping terrain. A perennial stream runs in a west to east direction along the northern portion of the property and an intermittent stream runs in a south to north direction through the middle of the site.
Water and Sewer Proximity:	A 12-inch City water line terminates approximately 640 feet to the west at the intersection of Willard Dairy Road and Southwest School Road, and a separate water line terminates approximately 1,200 feet to the east near the intersection of Willard Dairy Road and Penny Road. An 8-inch City sewer line runs along the northern portion of the site following the perennial stream corridor.

General Drainage and Watershed:	The property drains in a general northerly direction and development is subject to the City Lake General Watershed Area (GWA) requirements. Engineered storm water treatment measures are required for multi-family 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 Districts:	City Lake General Watershed Area (GWA) Airport Overlay (Zone 2)

Adjacent Property Zoning and Current Land Use			
North:	CU-LI	Conditional Use Light Industrial District	Undeveloped parcels
South:	AG	Agricultural District (<i>Guilford County</i>)	Undeveloped parcels
East:	AG	Agricultural District (<i>Guilford County</i>)	Single family dwelling, agricultural use with multiple accessory structures and a warehouse building
West:	AG	Agricultural District (<i>Guilford County</i>)	Single family dwelling and agricultural use with multiple accessory structures

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Willard Dairy Road	Minor Thoroughfare	600 feet
Vehicular Access:	Access will be taken from Willard Dairy Road.		

City Department Comment Summary

Comments were not requested for this proposed annexation due to the fact the site is surrounded by the City's corporate limits. Annexation petitions for uses within close proximity to existing service areas do not warrant individual department comment.

Details of Proposal

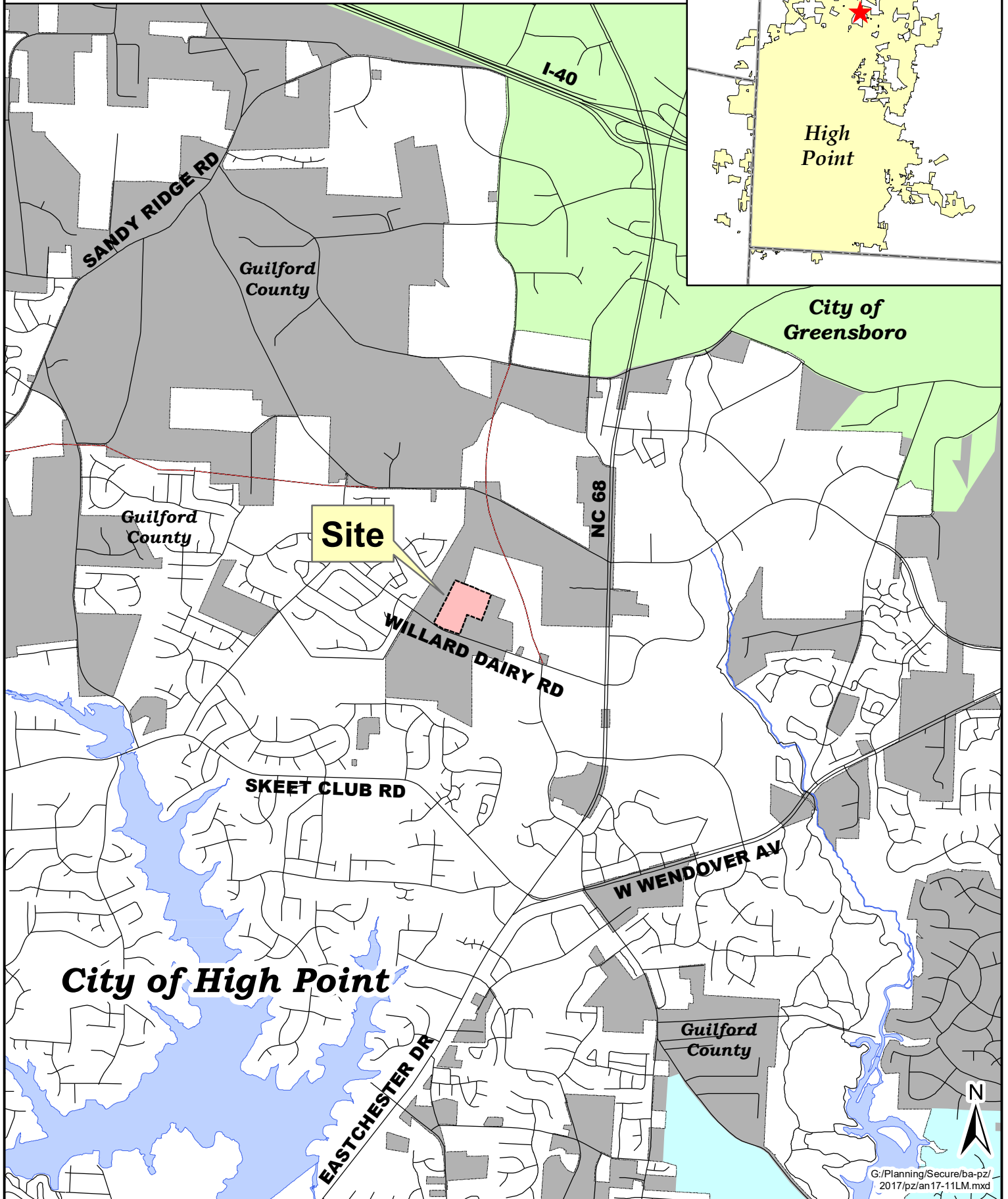
The applicant is requesting annexation to have access to City utilities for development of a residential subdivision. The annexation site is lying in the northern portion of the City's Planning Area and is generally surrounded by the High Point Corporate limits. There has been significant residential development to the east and commercial/industrial development to the southeast of the site. Therefore, this annexation petition represents a logical progression of the City's annexation policy and will not negatively impact the City's ability to provide services, as City services and service vehicles are already present in this area.

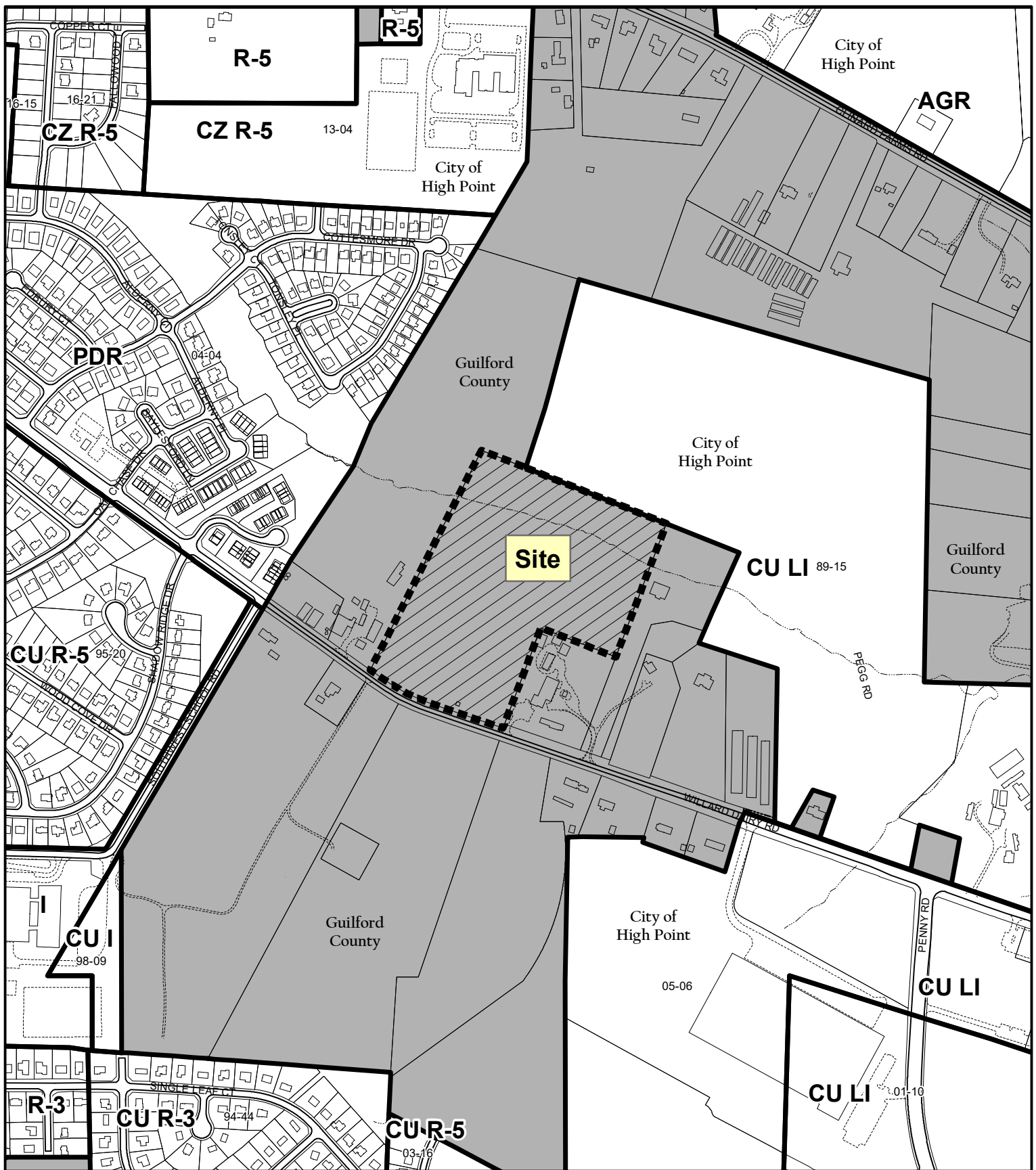
Report Preparation

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

LOCATION MAP

ANNEXATION CASE: AN-17-11
Applicant: Willard Family Trust





ANNEXATION REQUEST AN17-11

Applicant: Willard Family Trust
Area: 22.209 acres

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

**Planning & Development
 Department**

City of High Point

Date: September 8, 2017



Scale: 1"=600'
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 2017/pz/an17-11.mxd

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. xxxx / xx-xx

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE
CITY OF HIGH POINT, NORTH CAROLINA**

WHEREAS, The City of High Point has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid; and

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30 p.m. on the 20th day of November 20, 2017; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-31 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of November 20, 2017.

ANNEXATION DESCRIPTION

Willard Family Trust and Willard Survivors
(Ruth S. Willard, Brenda Wood, John M. Willard)

Annexation Case 17-11

BEGINNING at an iron pipe in the center of Willard Road, said iron pipe being South 52 degrees, 52 minutes, 50 seconds 266.61 feet from a corner of E. L. Willard presently owned land; thence North 26 degrees, 5 minutes, 50 seconds East along the line of E. L. Willard, 1158.61 feet to an iron pipe thence South 67 degrees, 8 minutes East 921.75 feet to an iron pipe and a new corner with

the land of Martha Clegg as shown on said map; thence South 22 degrees, 5 minutes, 20 seconds West 668.0 feet to an iron pipe, another corner with Martha Clegg; thence North 67 degrees, 8 minutes West 371.75 feet to an iron pipe, another corner with Martha Clegg; thence with the Martha Clegg line South 22 degrees, 5 minutes, 20 seconds West 509.10 feet to an iron pipe; thence with the center of Willard Road, North 68 degrees, 36 minutes, 40 seconds West 526.54 feet to a point; thence still with the center of said road, North 52 degrees, 52 minutes, 50 seconds West 148.23 feet to the point of BEGINNING, containing 22.209 acres, Book 7161 Page 2922 more or less, as shown on aforesaid plat as the property of H. M. Willard.

LESS AND EXCEPT such portions conveyed to others prior to the execution of this instrument, and such matters and things as may be revealed by a current survey. And being the same property acquired by the Willard Living Trust by deed recorded in Book R6987, Page 2820, Guilford County Registry.

SECTION 2. Upon and after **November 20, 2017** the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds of ***Guilford*** County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Guilford County Board of Elections, as required by G.S. 163-288.1.

Adopted by City Council,
this the **20th** day of **November, 2017**.
Lisa B. Vierling, City Clerk

North Carolina Water and Wastewater Agency Response Network

Mutual Aid and Assistance Agreement For Water and Wastewater Utilities

This Agreement is made and entered into by public and private Water and Wastewater Utilities in North Carolina that have, by executing this Agreement, manifested their intent to participate in an Intrastate Program for Mutual Aid and Assistance.

This Agreement is authorized under Section 160A-318 of the North Carolina General Statutes which provides that public and private Water and Wastewater Utilities may contract with each other to provide mutual aid and assistance in restoring water and sewer in the event of natural disasters or other emergencies.

ARTICLE I. PURPOSE

Recognizing that emergencies may require assistance in the form of personnel, equipment, materials, and supplies from outside the area of impact, the signatory utilities established an Intrastate Program for Mutual Aid and Assistance. Through the Mutual Aid and Assistance Program, Members coordinate response activities and share resources during emergencies whether localized to the utilities or a declared disaster. This Agreement sets forth the procedures and standards for the administration of the Intrastate Mutual Aid and Assistance Program.

ARTICLE II. DEFINITIONS

A. Authorized Official— An employee or officer of a Member that is authorized by the Member's governing board or management to:

- request assistance;
- offer assistance;
- Refuse to offer assistance or;
- Withdraw assistance under this Agreement.

B. Disaster – An emergency event that reaches a specific financial threshold related to magnitude of loss and property damage.

C. Confidential Information – Information defined NCGS 132-1.2 as confidential information or NCGS 132-1.7 as sensitive public security information.

D. Emergency— An unanticipated and/or sudden natural or manmade event that requires immediate action and is, or is likely to be, beyond the control of the services, personnel, equipment, and facilities of a Mutual Aid and Assistance Program Member.

E. Incident Command System (ICS) – A standardized on-scene emergency management system designed for use for all kinds of emergencies and is applicable to small as well as large and complex incidents. ICS is the combination of facilities, equipment, personnel procedures, and communications operating within a common organization structure, designed to aid in the management of resources during incidents.

F. Indemnity – Security against hurt, loss, or damage. An exemption from incurred penalties or liabilities.¹

G. Indemintee – A party to this Agreement that is entitled to be indemnified by another party to this Agreement pursuant to the terms of Article X.

H. Indemnitor – A part to this Agreement that is obligated to indemnify another party to this Agreement pursuant to the terms of Article X.

I. Large water and or wastewater utility— A utility that is represented with a population in excess of 10,000.

J. Member— Any public or private Water or Wastewater Utility that manifests intent to participate in the Mutual Aid and Assistance Program by executing this Agreement.

K. Mutual Aid and Assistance Agreement – A formal agreement among emergency responders to lend assistance across jurisdictional boundaries when required; either by an emergency that exceeds local resources or a disaster

L. National Incident Management System (NIMS) — A national, standardized approach to incident management and response that sets uniform processes and procedures for emergency response operations.

M. The North Carolina Water and Wastewater Agency Response Network (NCWaterWARN) - A network of public and private water and wastewater utilities united under an agreement to provide and receive mutual aid and assistance to signatories to the agreement during emergencies ranging from those that may arise from declared disasters or are specific to a single utility.

N. Period of Assistance — A specified period of time when a Provider assists a Recipient. The period commences when personnel, equipment, materials, or supplies depart from a Provider's facility and ends when the resources return to their facility (portal to portal). All protections identified in the agreement apply during this period. The specified Period of Assistance may occur during response to or recovery from an emergency, as previously defined.

O. Provider — A Member that responds to a request for assistance under the Mutual Aid and Assistance Program.

P. Recipient — A Member who requests assistance under the Mutual Aid and Assistance Program.

¹ Merriam-Webster. Retrieved August 22, 2007, from Merriam -Webster.com website:
<http://www.merriam-webster.com/>

Q. Small water and or wastewater Utility— A utility is represented with a population less than 10,000.

R. Private Water Utility— An entity that is not a unit of government that owns or operates a water and/or wastewater utility, whether on a for-profit or not-for-profit basis.

S. Public Utility— A unit of government that owns or operates a water and/ or wastewater utility.

ARTICLE III. ADMINISTRATION

The Mutual Aid and Assistance Program shall be administered through the North Carolina Water and Wastewater Agency Response Network (NCWaterWARN) Committee. The purpose of the NC WARN Committee is to provide coordination of the Mutual Aid and Assistance Program before, during, and after an emergency. The NCWaterWARN Committee, under the leadership of an elected Chairperson, shall meet quarterly as deemed necessary by the Chair to address Mutual Aid and Assistance Program issues.

The administration of NCWaterWARN will be through the NCWaterWARN Committee. The committee shall consist of a chair and vice chair, an eastern regional section, a western regional section, and (3) At-Large members. The NC WARN Committee shall consist of an eastern regional section with three (3) seats representing large and small public water and wastewater utilities and private water systems. The western regional section shall consist of three (3) seats representing large and small public water and wastewater utilities and private water systems. Also, there shall be three (3) At-Large seats for additional representatives from either large and small public water and wastewater utilities or private water systems.

NCWaterWARN regional sections are divided along the NC Department of Environment and Natural Resources (NCDENR) regional office areas. A map of the regional sections is included in Appendix A of this agreement.

Representatives from large and small public water and wastewater utilities and private utilities shall be elected at the NC WARN Annual Meeting. Election and voting procedures will be described in the NC WARN Operational Procedures.

Under the leadership of the NCWaterWARN Committee Chair, NCWaterWARN Committee Members shall plan and coordinate emergency preparedness and response activities for the Mutual Aid and Assistance Program. The NCWaterWARN Committee Chair (or his/her designee) shall maintain a master list of all members of the Mutual Aid and Assistance Program.

The NCWaterWARN Committee shall elect a Chair and a Vice Chair. The first Chair and Vice Chair will serve a two (2) year term and subsequent Chairs and Vice Chairs will serve one (1) year thereafter.

The NCWaterWARN Committee shall:

- A. Convene an annual meeting for members.
- B. Provide for the development and maintenance of a database of all participating utilities through one of the members, sponsor agencies, or participating agencies or associations.

- C. Meet as a NCWaterWARN Committee at least quarterly, as needed and at the discretion of the Chair, to address and resolve concerns, create and modify procedures and any additional policy or legal issues related to NCWaterWARN.
- D. Provide for the development and maintenance of a secure website.
- E. Include an advisory board in its meetings to provide input based on the expertise of their agency.

The additional responsibilities of the Chair are described throughout the agreement. Those duties will be highlighted in the agreement for review by the NCWaterWARN Committee and the Sponsors. Those duties will be listed together in the protocols.

The NCWaterWARN shall have an advisory board that consists of representatives from partner agencies and stakeholders. Representatives to the advisory board from the respective agencies shall be named by those agencies. The advisory board is not a voting member. NCWaterWARN Advisory Board may include at least one representative from the following agencies:

- North Carolina Department of Environment and Natural Resources Public Water Supply Section
- North Carolina Department of Environment and Natural Resources Division of Water Quality
- North Carolina Section of the American Water Works Association and Water Environment Association
- North Carolina Rural Water Association
- North Carolina Waterworks Operators Association
- North Carolina Emergency Management
- North Carolina League of Municipalities
- Eastern Water and Wastewater Network
- Environmental Protection Agency Region IV
- Department of Homeland Security Protective Security Advisor

Other agencies may be invited to join or have representation on the advisory board at the discretion of the NCWaterWARN Committee.

ARTICLE IV. PROCEDURES

In coordination with other response partner agencies, *the* NCWaterWARN Committee shall develop operational and planning procedures for the Mutual Aid and Assistance Program. These procedures shall be reviewed at least annually and updated as necessary.

ARTICLE V.
PRE-EVENT PLANNING

Members shall identify resources available for deployment and develop plans for housing and providing for the necessities and maintenance of personnel and equipment deployed to provide mutual aid and assistance when a request for assistance is made by the member.

In addition, Members shall provide training to their response personnel related to:

- NIMS compliance
- Mutual aid response protocols
- Required documentation for providing mutual aid and assistance and for receiving mutual aid and assistance

ARTICLE VI.
REQUESTS FOR ASSISTANCE

Member Responsibility: Members shall identify an Authorized Official and alternates, provide contact information including 24-hour access, and maintain resource information made available by the utility for mutual aid and assistance response.

In the event of an Emergency, a Member's Authorized Official may request mutual aid and assistance from a participating Member. Requests for assistance can be made orally or in writing. When made orally, the request for personnel, equipment, materials, and supplies shall be prepared in writing as soon as practicable. Requests for assistance shall be directed to the Authorized Official of the participating Member. The Chair will be notified of all activations of the agreement. Specific protocols for requesting aid shall be provided in the required procedures (Article IV).

Response to a Request for Assistance: After a Member receives a request for assistance, the Authorized Official evaluates whether resources are available to respond to the request for assistance. Following the evaluation, the Authorized Representative shall inform, as soon as possible, the Recipient whether it has the resources to respond. If the Member is willing and able to provide assistance, the Member shall inform the Recipient about the type of available resources and the approximate arrival time of such assistance.

Discretion of Provider's Authorized Official: Execution of this Agreement does not create any duty to respond to a request for assistance. When a Member receives a request for assistance, the Authorized Official shall have absolute discretion as to the willingness to respond and/or availability of resources. An Authorized Member's decisions on the availability of resources shall be final.

ARTICLE VII.
PROVIDER PERSONNEL

National Incident Management System: When providing assistance under this Agreement, the Requesting Utility and Responding Utility shall be organized and shall function under the National Incident Management System if State or Federal preparedness funding is desired.

Control: Provider personnel shall remain under the direction and control of the Provider. The Recipient's Authorized Official shall coordinate response activities with the designated supervisor(s) of the Provider(s). Whenever practical, Provider personnel must be self sufficient for up to 72 hours.

Food and Shelter: The Recipient shall supply reasonable food and shelter for Provider personnel. If the Recipient is unable to or fails to provide food and shelter for Responding personnel, the Provider's designated supervisor is authorized to secure the resources necessary to meet the needs of its personnel. The cost for such resources should not exceed the State per diem rates for that area without further justification of good faith efforts to secure accommodations within the per diem. The Recipient remains responsible for reimbursing the Provider for all costs associated with providing food and shelter, if such resources are not provided.

Communication: The Recipient shall provide Provider personnel with radio equipment as available, or radio frequency information to program existing radio, in order to facilitate communications with local responders and utility personnel.

Status: Unless otherwise provided by law, the Provider's officers and employees retain the same privileges, immunities, rights, duties, and benefits as provided in their respective jurisdictions.

Licenses and Permits: To the extent permitted by law, Provider personnel who hold licenses, certificates, or permits evidencing professional, mechanical, or other skills shall be allowed to carry out activities and tasks relevant and related to their respective credentials during the specified Period of Assistance. Members should comply with NIMS credentialing where applicable.

Right to Withdraw: The Provider's Authorized Official retains the right to withdraw some or all of its resources at any time. Notice of intention to withdraw must be communicated to the Recipient's Authorized Official as soon as possible.

ARTICLE VIII.

COST REIMBURSEMENT

Unless otherwise mutually agreed in whole or in part, the Recipient shall reimburse the Provider for each of the following categories of costs incurred while providing aid and assistance during the specified Period of Assistance. Such cost may include damage or loss to equipment.

Personnel: Provider personnel are to be paid for assigned duty during a specified Period of Assistance (refer to definition of period of assistance in Article II) according to the terms provided in their employment contracts or other conditions of employment. Either Member may require Provider's personnel to observe a rest period prior to travel back to the Provider's base of operations to ensure safety of personnel. The Provider designated supervisor(s) must keep accurate records of work performed by personnel during the specified Period of Assistance. Recipient reimbursement to the Provider must consider all personnel costs, including salaries or hourly wages, costs for fringe benefits, and indirect costs.

Equipment: The Recipient shall reimburse the Provider for the use of equipment during a specified Period of Assistance, including but not limited to, reasonable rental rates, all fuel,

lubrication, maintenance, transportation, and loading/unloading of loaned equipment. All equipment shall be returned to the Provider in similar condition to its condition at the time of the request for mutual aid and assistance. As a minimum, rates for equipment use must be based on the Federal Emergency Management Agency's (FEMA) Schedule of Equipment Rates. If a Provider uses rates different from those in the FEMA Schedule of Equipment Rates, the Provider must provide such rates in writing to the Recipient prior to supplying resources. Mutual agreement on rates other than FEMA Schedule of Equipment Rates must be reached in writing prior to dispatch of the equipment. Reimbursement for equipment not referenced on the FEMA Schedule of Equipment Rates must be developed based on actual recovery of costs. If Provider must lease a piece of equipment while its equipment is being repaired, Recipient shall reimburse Provider for such rental costs.

Materials and Supplies: The Recipient must reimburse the Provider in kind or at actual replacement cost, plus handling charges, for use of expendable or non-returnable supplies. The Provider must not charge direct fees or rental charges to the Recipient for other supplies and reusable items that are returned to the Provider in a clean, damage-free condition. Reusable supplies that are returned to the Provider with damage must be treated as expendable supplies for purposes of cost reimbursement.

Payment Period: The Provider must provide an itemized bill to the Recipient for all expenses it incurred as a result of providing assistance under this Agreement. The Provider must send the itemized bill to the authorized official not later than ninety (90) days following the end of the Period of Assistance. The Recipient must pay the bill in full on or before the one hundred eightieth (180th) day following the billing date. Unpaid bills become delinquent upon the one hundred eighty-first (181st) day following the billing date, and, once delinquent, the bill accrues interest at the rate of prime, as reported by the *Wall Street Journal*, plus two percent (2%) per annum.

Records – Each Provider and their duly authorized representatives shall have access to a Recipient's books, documents, notes, reports, papers, and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance, or regulatory audit. Each Recipient and their duly authorized representatives shall have access to a Provider's books, documents, notes, reports, papers, and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance, or regulatory audit. Such records shall be maintained and made accessible for at least three (3) years or longer where required by law.

ARTICLE IX.
DISPUTES

Any claim arising out of or relating to this agreement shall be subject to mediation as a condition precedent to the institution of legal or equitable proceedings by any Member. The parties shall share the mediator's fee and any filing fees equally. Mediation shall be held in the County of the Providing Member if a place has not been mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court of competent jurisdiction. Claims not resolved by mediation shall be decided by a court of competent jurisdiction unless the parties mutually agree otherwise.

ARTICLE X.
LIABILITY

Each Member shall be responsible for any and all claims, demand, suits, actions, damages and causes of action related to or arising out of or in any way connected with its own actions, and the actions of its personnel, in providing mutual aid and assistance rendered or performed pursuant to the terms and conditions of this Agreement.

ARTICLE XI.
INDEMNIFICATION

In the event of a liability, claim, demand, action, or proceeding of whatever kind or nature arises out of a specified Period of Assistance, the Members who receive and provide assistance during said Period of Assistance shall indemnify and hold harmless those other Members, NCWaterWARN Committee and Sponsor Agencies, but had no involvement with the transaction or occurrence that is the subject of the aforementioned claim, action, demand, or other proceeding of whatever kind or nature is limited to execution of this Agreement.

ARTICLE XII.
WORKERS' COMPENSATION CLAIMS

Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's employees under the terms of the North Carolina Workers' Compensation Act, Chapter 97 of the General Statutes, due to personal injury or death occurring during the period of time such employees are engaged in the rendering of aid and assistance under this Agreement. It is mutually understood that Recipient and Provider shall be responsible for payment of such workers' compensation benefits only to their own respective employees. Further, it is mutually understood that Provider will be entirely responsible for the payment of workers' compensation benefits to its own respective employees pursuant to G.S. 97-51.

ARTICLE XIII.
NOTICE

A Member who becomes aware of a claim or suit that in any way, directly or indirectly, contingently or otherwise, affects or might affect other Members of this Agreement shall provide prompt and timely notice to the Members who may be affected by the suit or claim. Each Member reserves the right to participate in the defense of such claims or suits as necessary to protect its own interests.

ARTICLE XIV.
CONFIDENTIAL INFORMATION

Pursuant to NCGS 132-1.7, any Member shall maintain in the strictest confidence and shall take all reasonable steps necessary to prevent the disclosure of any confidential information shared between Members under this Agreement. If any Member, third party, or other entity requests or demands, by subpoena or otherwise, that a Member disclose any confidential information disclosed under this Agreement, the Member shall immediately notify the owner of the confidential information and shall take all reasonable steps necessary to prevent the disclosure of any confidential information by asserting all applicable rights and privileges with respect to such information and shall cooperate fully in any judicial or administrative proceeding relating thereto.

ARTICLE XV.
EFFECTIVE DATE

This Agreement shall be effective after the Water and/or Wastewater Utility's authorized representative executes the Agreement. An executed copy will be provided to the NCWaterWARN Committee Chair as soon as possible.

ARTICLE XVI.
WITHDRAWAL

A Member may withdraw from this Agreement by providing written notice of its intent to withdraw to NCWaterWARN Committee Chair. Withdrawal takes effect sixty (60) days after the NCWaterWARN Committee Chair receives notice.

Membership may be suspended or revoked by the NCWaterWARN Committee for failure to comply with the Articles of this Agreement.

**ARTICLE XVII.
MODIFICATION**

Modifications to this Agreement may be made to incorporate programmatic operational changes to support the Agreement. Modifications require a two-thirds majority vote of Members. The NCWaterWARN Committee Chair must provide written notice to all Members of proposed modifications to this Agreement sixty (60) days in advance of the vote. The NCWaterWARN Committee Chair must provide written notice to all members of approved modifications to this Agreement. Approved modifications take effect sixty (60) days after the date upon which notice of the approved modifications are sent to the Members.

No provision of this Agreement may be modified, altered, or rescinded by individual parties to the Agreement.

**ARTICLE XVIII.
SEVERABILITY**

The Members agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

**ARTICLE XIX
PRIOR AGREEMENTS**

This Agreement supersedes all prior Agreements between Members to the extent that such prior Agreements are inconsistent with this Agreement.

**ARTICLE XX.
MULTIPLE AGREEMENTS**

When multiple mutual aid and assistance agreements exist between two Members, if inconsistencies exist between the agreements, the conditions of this Agreement take precedence except by mutual written acceptance of an alternate agreement of both Members for that specific event.

**ARTICLE XXI.
PROHIBITION ON THIRD PARTIES AND ASSIGNMENT OF RIGHTS/DUTIES**

This Agreement is for the sole benefit of the Members and no person or entity must have any rights under this Agreement as a third-party beneficiary. Assignments of benefits and delegations of duties created by this Agreement are prohibited and must be without effect.

ARTICLE XXII.
INTRASTATE AND INTERSTATE MUTUAL AID AND ASSISTANCE PROGRAMS

To the extent practicable, Members of this Agreement shall participate in Mutual Aid and Assistance activities conducted under the North Carolina Statewide Mutual Aid and Assistance Agreement and the Interstate Emergency Management Assistance Compact (EMAC). Members may voluntarily agree to participate in an interstate Mutual Aid and Assistance Program for water and wastewater utilities through this Agreement if such a Program were established.

Now, therefore, in consideration of the covenants and obligations set forth in this Agreement, the Water and Wastewater Utility listed here manifests its intent to be a Member of the Intrastate Mutual Aid and Assistance Program for Water and Wastewater Utilities by executing this Agreement on this _____ day of _____ year of _____.

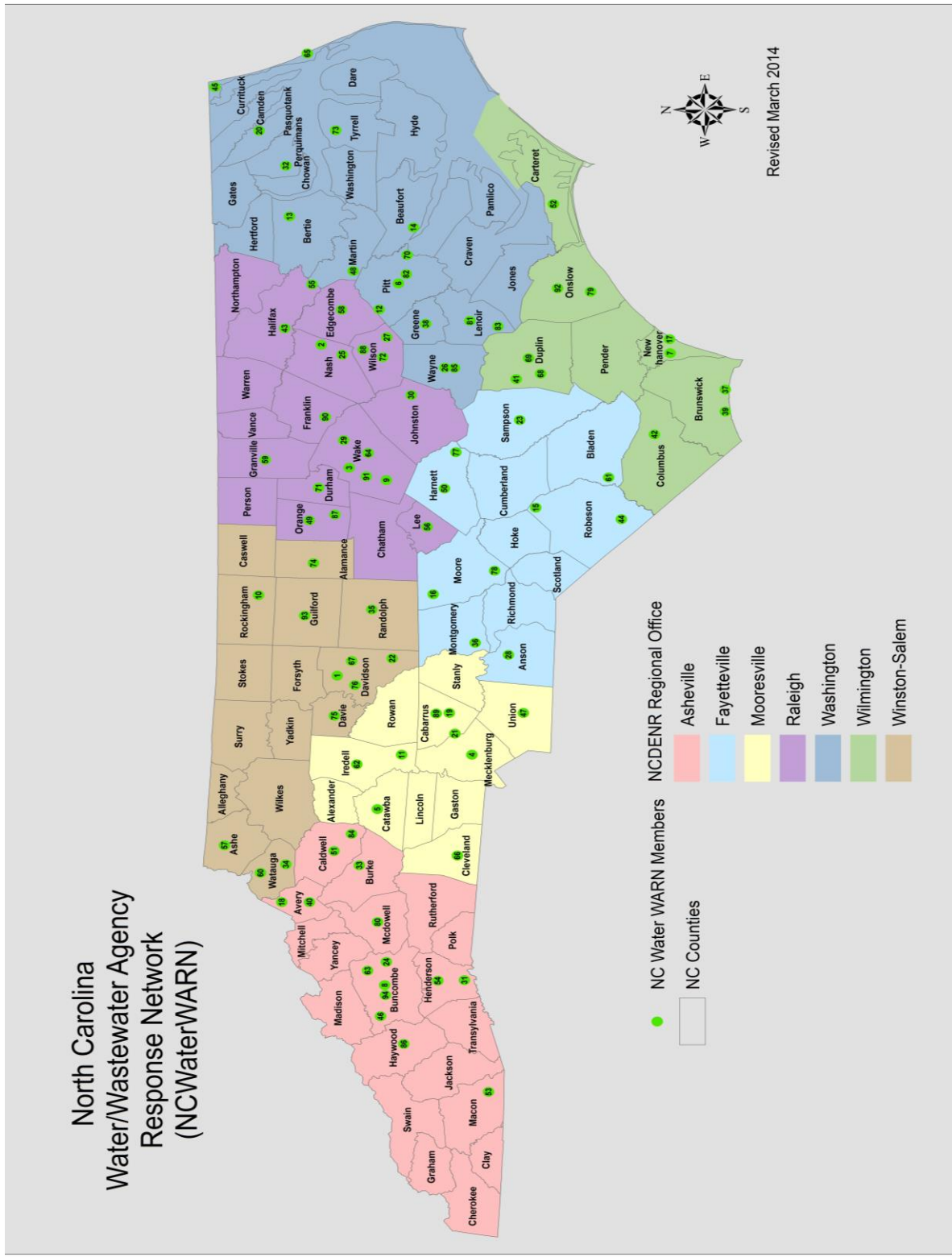
Legal Name of Water/Wastewater Utility: _____

Authorized Representative

Title

Please Print Name

APPENDIX A - NCWaterWARN REGIONAL MAP



CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish –605 Langford Ave.

From: Michael McNair, Director
Community Development & Housing

Meeting Date: 11/20/17

Public Hearing: No

Advertising Date:

Advertised By:

Attachments: A. Staff report
B. Ordinance to Demolish
C. Photos
D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 605 Langford Ave.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 9/13/17. No action occurred by the compliance date of 10/16/17. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling.

PENDING ACTION:

The ordinance becomes effective from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.

**COMMUNITY DEVELOPMENT AND HOUSING
CODE ENFORCEMENT
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

605 Langford Ave.

OWNER:

Schwarz Properties

**REASON FOR
INSPECTION:**

Received complaint about the dwelling not being secured

**FIRST
INSPECTION:**
7/28/17

Summary of Major Violations

1. Repair or replace damaged walls throughout
2. Repair or replace damaged sheathing, rafter tails and fly rafters
3. Install heating system
4. Repair or replace light fixtures, missing outlets and panel box
5. Repair or replace damaged/missing plumbing fixtures

**HEARING
RESULTS:**
8/22/17

No one appeared for the Hearing. During the Hearing it was determined there are several violations of the Minimum Housing Code. There are multiple violations of the minimum housing code in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 65% of the value of the structure.

**ORDER(S)
ISSUED:**
9/13/17

Order to Repair or Demolish
Date of Compliance 10/16/17

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

None

ADDITIONAL:

The inspector has spoken to James Campbell (employee of Schwarz Properties) on several occasions about this house. Mr. Campbell indicated that the house is on their list to demolish.



605 Langford Avenue

Ordinance to Demolish



Location of subject property

**Community Development
and Housing**

City of High Point

Date: November 7, 2017



Scale: 1"=200'
G:/Planning/Secure/ba-pz/
Inspections/ord-demo.mxd



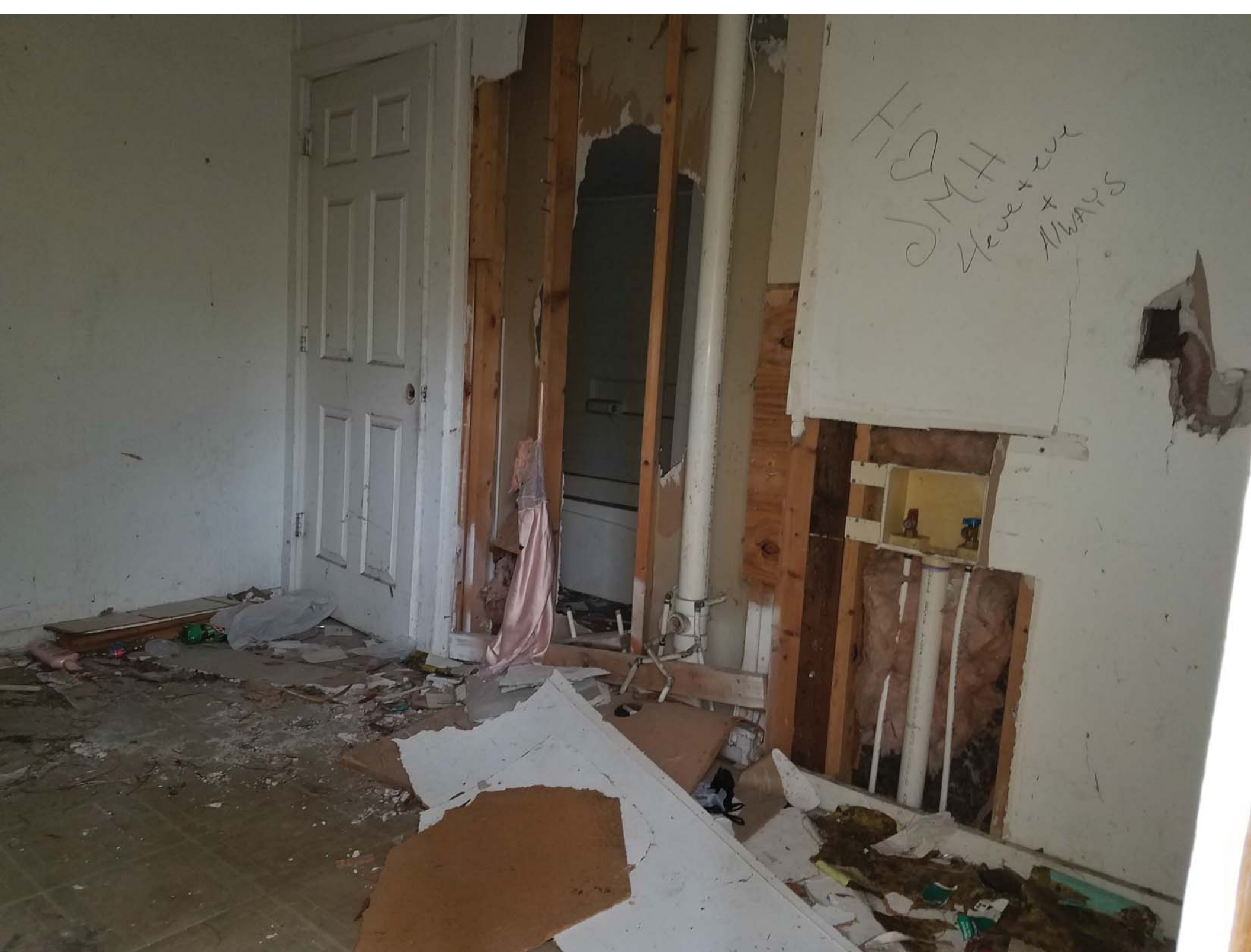












H
J.M.H.
Have + ever
x
Always









