

City of High Point

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



Meeting Agenda

Monday, November 19, 2018

5:30 PM

Council Chambers

City Council

*Jay W. Wagner, Mayor
Christopher Williams, Mayor Pro Tem
Jason P. Ewing, Jeffrey J. Golden,
S. Wesley Hudson, Victor A. Jones,
Britt W. Moore, Monica L. Peters,
Donald A. Scarborough*

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**CONSENT AGENDA ITEMS****FINANCE COMMITTEE - Council Member Moore, Chair**

- [2018-455](#) Contract - Transformers - Wesco
Council is requested to approve a contract awarding Bid No. 19 to WESCO in the amount of \$177,850.00 for the purchase five pad mounted transformers to replenish the stock in the warehouse.
Attachments: [1. Contract - Wesco - Underground Pad Mounted Transformers](#)
- [2018-456](#) Contract - Underground Cable - Anixter
Council is requested to approve a contract awarding Bid No. 21 to Anixter in the amount of \$298,120.00 for the purchase of 750 MCM underground cable for the Boundary Street substation and to replenish the stock in the warehouse.
Attachments: [2. Contract - Anixter - Underground Cable](#)
- [2018-457](#) Contract - Materials Recovery Facility Upgrade Phase III
Council is requested to approve a contract awarding the project to Holden Building Company, Inc. in the amount of \$1,152,495.00 for (MRF) Materials Recovery Facility Upgrade.
Attachments: [3. Contract - MRF upgrade Phase III](#)
- [2018-458](#) Contract - Materials Recovery Facility Upgrade Construction Administration
Council is requested to approve a contract to award a professional engineering services contract to CDM Smith, Inc. in the amount of \$197,955.00 for the construction of mechanical, structural, and electrical upgrades to the existing (MRF) Materials Recovery Facility Upgrade.
Attachments: [4. Construction Administration MRF upgrade Phase III](#)
- [2018-459](#) Contract - Microsoft Enterprise Agreement - SHI
Council is requested to renew the Microsoft Enterprise Agreement with the Office 365 component with SHI in the amount of \$570,267.09 annually for three years.
Attachments: [5. Agreement - Microsoft Enterprise](#)
- [2018-460](#) Contract - Cherry Bekaert LLP - Amend Audit Contract FY 2018 to Extend Timeframe for Completion
Council is requested to approve amendment to the audit contract with Cherry Bekaert, LLP for the fiscal year period July 1, 2017 and ending June 30, 2018 to extend the delivery date of the Comprehensive Annual Financial Report to the Local Government Commission until January 31, 2019. All other terms of the contract, including the audit fee, remain in

force as originally proposed.

Attachments: [6. Amend Audit Contract FY 2018](#)

[2018-461](#)

FY 2018-2019 Financial and Compliance Audit Contract - Cherry Bekaert LLP

City Council is requested to approve the proposal to extend our audit relationship with Cherry Bekaert LLP, for a period of two fiscal years and approve a contract for audit services for the fiscal year ending June 30, 2019 in the amount of \$72,500.

Attachments: [7. Contract - Renew Audit Services](#)

[2018-463](#)

Resolution - High Point Theatre/International Market Center HVAC Lease Amendment

Council is requested to adopt a resolution approving the Sixth Amendment to the original lease to standardize the HVAC expenses for the theatre to allow for consistent budgeting.

Attachments: [9. IMC Theatre HVAC 6th Lease Amendment](#)

PENDING ITEMS

[2018-169](#)

Amendment to License Agreement - Cingular Wireless PSC, LLC (AT&T)
City Council is requested to approve an Amendment to the License Agreement with Cingular Wireless PCS, LLC (AT&T) which allows the location of communication equipment at the City's Ward Water Plant; and authorize the City Manager to execute the agreement.

Sponsors: Committee of the Whole

Attachments: [7. Amendment to Lease Agreement - Crown Castle](#)

REGULAR AGENDA ITEMS

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

[2018-464](#)

Ordinance - Demolition of Structure - 306 Fourth Street

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 306 Fourth Street belonging to Mario M. Carreno, Juana J. Martinez and Pedro Carreno.

Attachments: [306 Fourth St Council](#)

PENDING ITEMS

[2018-438](#)

Ordinance - Demolition of Structure - 337 Wingo Street

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 337 Wingo Street belonging to Jennings V. and Lucinda Leviner.

Attachments: [337 Wingo St Council Packet](#)

- [2018-435](#) Ordinance - Demolition of Structure - 811 Willow Place
Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 811 Willow Place belonging to Fredy Machuca and Raul Salgado.

Attachments: [811 Willow Pl. Council Packet](#)

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Williams,
Chair

PUBLIC HEARINGS

- [2018-465](#) High Point University Street Abandonment 18-01
A request by High Point University to abandon the eastern 655 feet of the Barbee Avenue right-of-way and to abandon the eastern 305 feet of the Willow Place right-of-way.

Attachments: [Staff Report SA18-01](#)

- [2018-466](#) High Point University Zoning Map Amendment 18-16
A request by High Point University to rezone approximately 111 acres from the Single Family Residential-3 (R-3) District and a Conditional Zoning Institutional (CZ-I) District to a Conditional Zoning Institutional (CZ-I) District. The site is lying along the east side of N. Centennial Street, between E. Farriss Avenue and Barbee Avenue/Willow Place.

Attachments: [Staff Report \(ZA-18-16\)b](#)

GENERAL BUSINESS AGENDA

- [2018-467](#) Amendment to the 2019 City Council Meeting Schedule
Council is requested adopt to make the following changes to the 2019 City Council Meeting Schedule:
Cancellation of the Monday, January 21st Council Meeting due to the MLK Holiday
Cancellation of the Monday, July 1st Council Meeting due to the 4th of July Holiday
Cancellation of the Monday, September 2nd Council Meeting due to the Labor Day Holiday
Cancellation of the Monday, October 21st Council Meeting due to the High Point Furniture Market

Attachments: [Amendment of 2019 Council Meeting Schedule](#)

- [2018-468](#) Boards and Commissions - Appointment Human Relations Commission
Council Member Britt Moore is recommending Council confirm the appointment of Mary McInerney to the Human Relations Commission as the At-Large appointment. Appointment will be effective immediately and will expire November 1, 2020.

Attachments: [McInerney Mary - Appointment to HRC](#)

[MCINERNEY Mary 2017](#)

[McInerney Mary - Resume](#)

[2018-469](#)

Minutes to Be Approved

Finance Committee Meeting; Thursday, November 1 @ 4:00 p.m.

HPCC Special Called Meeting; Monday, November 5th @ 4:00p.m.

Regular Council Meeting; Monday, November 5th @ 5:30 p.m.

Sponsors: Committee of the Whole

Attachments: [1. November 1 2018 Finance Committee Minutes.pdf](#)

[2. November 5 2018 Special Meeting.pdf](#)

[3. November 5 2018 High Point City Council Meeting Minutes.pdf](#)

ADJOURNMENT

**AMENDMENT TO THE
ORDINANCE ESTABLISHING DATES AND TIMES FOR OFFICIAL SESSIONS OF THE
HIGH POINT CITY COUNCIL**

WHEREAS, Article II, Section 2.5 of the Charter of the City of High Point (Chapter 501 of the Session Laws of 1979, as amended), requires that the City Council establish specific dates for all meetings, and provide for the call of special meetings;

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

Pursuant to Article II, Section 2.5 of the Charter of the City of High Point, that on and after December 17, 2018, there shall be held Regular meetings of the High Point City Council in the Council Chambers on the Third Floor of the Municipal Building, located at 211 South Hamilton Street, High Point, North Carolina. The meeting schedule shall be as follows:

Regular Meetings of the City Council shall be held on the first and third Monday of each month at **5:30 p.m.** except for the following meetings:

Monday, January 21st Council Meeting due to the MLK Holiday
Monday, July 1st Council Meeting due to the 4th of July Holiday
Monday, September 2nd Council Meeting due to the Labor Day Holiday
Monday, October 21st Council Meeting due to the High Point Furniture Market

City Manager's Briefing Sessions shall be held on the 1st and 3rd Monday at 4:00 p.m. in the 3rd Floor Lobby Conference Room, unless otherwise announced.

Any Special Called Meetings—including Closed Sessions—may be called as provided by law.

All scheduled meetings shall be in accordance with the Open Meetings Law.

(these meetings could be subject to cancellation if there is no business to be considered)

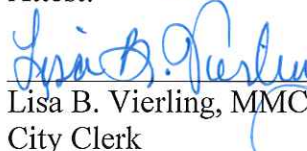
FURTHER, that the Mayor, when present, shall preside at all meetings of the City Council. If the Mayor is absent, then the Mayor Pro Tempore shall preside. If the Mayor Pro Tempore is also absent, then any other Member of City Council may be selected to preside at the meeting.

Meeting schedule to be effective upon adoption.

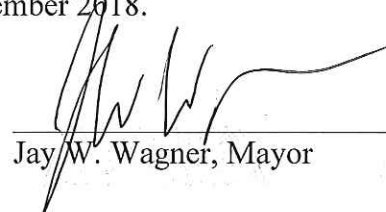
Adopted by the City Council this 4th day of December 2017.

Amended by the City Council this 19th day of November 2018.

Attest:


Lisa B. Vierling, MMC
City Clerk




Jay W. Wagner, Mayor

CITY OF HIGH POINT

AGENDA ITEM

**Title: Appointment – Human Relations Committee****From:** Council Member Britt Moore**Meeting Date:** November 19, 2018**Public Hearing:** N/A**Advertising Date /**
Advertised By: N/A**Attachments:** Memo
Application
Resume

PURPOSE:

To confirm appointment to the Human Relations Committee.

BACKGROUND:

Council Member Britt Moore is recommending the appointment of Mary McInerney to the Human Relations Committee. This appointment will be effective immediately and will expire November 1, 2020.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the appointment of Mary McInerney to the Human Relations Commission.



FINANCE COMMITTEE

Chaired by Council Member Moore

Members: Moore, Hudson, Ewing, and Jones

November 1, 2018 – 4:00 p.m.

Third Floor Lobby Conference Room

Present: Chair Britt Moore; Committee Member Wesley Hudson and Alternate Committee Member Jay Wagner (**arrived at 4:15 p.m.**)

Absent: Committee Members: Victor Jones and Jason Ewing

Staff Present:

Randy McCaslin, Deputy City Manager; Eric Olmedo, Budget and Administrative Director; Laura Altizer, Senior Budget Analyst; Kelly Latham, Interim Financial Services Director; Derrick Boone, Public Services Assistant Director; Wendell Pickett, Water Plant Supervisor; Andy Osborne, Customer Service Field Supervisor; Greg Venable, Transportation Planner; Kim Thore, Right of Way Coordinator; Amy Myers, Executive Assistant; Lisa Vierling, City Clerk and Sandra Keeney, Deputy City Clerk.

Chair Britt Moore called the meeting to order at 4:10 p.m.

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

2018-420

Contract - Purchase of Decorative Street Lights and Poles for the Stadium Project

Council is requested to award a contract to WESCO in the amount of \$586,269.54 for the purchase of 96 decorative lights for the stadium complex area.

Randy McCaslin, Deputy City Manager, advised the purchase of these fixtures is part of the new stadium project and surrounding areas noting WESCO is the low bidder.

Chair Moore asked about the design of the lights. Mr. McCaslin explained Stempel and Associates is responsible for the design of the fixtures.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-421 **Contract - Renewal with National Meter for 5/8" Water Meters**

The Customer Service Department recommends that City Council renew this contract to National Meter (formerly Carolina Meter) in the amount of \$1,295,100.00 for the purchase of 8000 of the 5/8" water meters and authorize the appropriate City Official to execute all necessary documents.

Randy McCaslin, Deputy City Manager, advised this is a continuation of meters that were purchased last year in an effort to replace aged meters with new meters that read more accurately and allow for remote reading. It is anticipated that 8,000 5/8' water meters will be installed for the fiscal year 2018-2019.

Andy Osborne, Customer Service Field Supervisor, showed the Committee an example of the new meters and explained how they work.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-422 **Sole Source Contract - Purchase of Turbidimeters at Ward Water Plant**

Council is requested to award a sole source contract to Swan Analytical in the amount of \$42,165.00 for the purchase of ten (10) turbidimeters, verification kit, and the parts required for the installation at the Ward Water Plant to monitor the humidity in the filters.

Derrick Boone, Public Service Assistant Director, explained this item is for the purchase of 10 turbidimeters, verification kit, and the parts required for the installation at the Ward Water Plant. The City conducted a 30-day trial with one of the meters and was impressed by the newer technology, less maintenance, and the 4-year warranty as well as the 60-day money back guarantee.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-423 Contract - Adkins Road Sewer Improvements

Council is requested to award a contract to KRG Utility Inc. in the amount of \$756,230.00 for the Adkins Road Sewer Improvements as part of the sanitary sewer availability in the City's northwestern jurisdiction.

Derrick Boone, Public Service Assistant Director, advised this is part of an overall expansion of sanitary sewer availability in the City's northwestern jurisdiction. The new 4,600 linear feet of 12-inch diameter gravity sewer outfall will service current residential properties and provide service for future and commercial properties that come to the area.

Randy McCaslin, Deputy City Manager, stated this is part of the City's obligation in the MOU agreement with D.H. Griffin in that the City would provide the sewer and they would provide the roads.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-424 Resolution - 2017 Local Water Supply Plan

Council is requested to adopt a Resolution for the 2017 Local Water Supply Plan (LWSP). This is an assessment of the water system's current and future water needs and is required for the City to be compliant with the requirements of the NC General Statute G.S. 143-355(1).

Derrick Boone, Public Service Assistant Director, explained a Local Water Supply Plan (LWSP) is an assessment of a water system's current and future water needs and its ability to meet those needs. The State of North Carolina requires local governments that provide public water service to prepare a LWSP.

The plan includes system information, water use information, water supply sources, local municipal customers and reviews projected water use for the next 50 years and ensures that there is adequate supply.

The High Point 2017 LWSP has been submitted and reviewed by the North Carolina Department of Environmental Quality, Division of Water Resources and was determined to meet the minimum requirements. The LWSP must be adopted by the High Point City Council by resolution, to ensure compliance with the requirements of North Carolina General Statute. He noted there would be no financial impact to the budget regarding this adoption.

Wendell Pickett, Ward Plan Superintendent, noted this plan use to be submitted every five years, now the requirement is every year.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-425 **Contract - Catalyst Traffic Study**

Council is requested to award a contract to Aecom, Inc. in the amount of \$108,796.00 to study the traffic related impacts of the new stadium and associated development around the project.

Greg Venable, Transportation Planner, explained the traffic study will identify potential transportation improvements to mitigate traffic impacts and parking around the Catalyst project; as well as study intersections around English Road, Elm Street, Martin Luther King, Jr. Drive and Lindsay street as it relates to the one-way conversions. He advised the budget for the study will utilize NPO Federal Funds with an 80/20 match in which the City will be responsible for the 20% which is an estimated cost of \$22,000.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-426 **Budget Ordinance Amendment - Catalyst Project**

Council is requested to adopt a Budget Amendment to properly account for the flow of funds for the reimbursement of the Catalyst Project loan approved by City Council on April 3, 2017.

Eric Olmedo, Budget and Administrative Director, stated this budget amendment is to properly account for the pay back of a loan of \$15 million dollars to which \$443,323 would be paid from the General Fund to the Central Service Fund. The proper flow of funds should have budgeted the funds to transfer from the General Fund to the General Capital Funds, and then transfer from the General Capital Projects Fund to the Central Services Fund. A budget ordinance is needed to account for the funds in the General Capital Projects Fund. The ordinance will properly account for the flow of funds for Fiscal Year 2019, and future budgets will be proposed with the proper flow of funds.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-450 **State of North Carolina - MOU**

The City Council is requested to approve a four party Memorandum of Understanding (MOU) to acquire software that will eventually be used by cities, counties and the State of North Carolina, and authorize the appropriate City Official to execute all necessary documentation.

Randy McCaslin, Deputy City Manager, explained the State would like the City of High Point to participate in a four-party effort to acquire software that will be used by cities, counties, and state to meet the requirements of the Local Government Budget and Fiscal Control Act. Once the software product is acquired, it will be implemented by volunteer pilot cities and counties and will become the training platform for the Department of the State Treasurer's staff to use in working with local government. He noted all cost will be paid by the State of North Carolina.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-427 **Resolution - Condemnation - 4461 Kendale Road**

Council is requested to adopt a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4461 Kendale Road. This acquisition of this property is needed for the purpose of constructing the Westmoreland Sewer Outfall Project.

Randy McCaslin, Deputy City Manager explained the next three items are Condemnations in which the city has been unable to acquire the needed easements in connection with the Westmoreland Sewer Line Project.

Mayor Wagner asked this was done by State Statute? Mr. McCaslin stated yes.

Council Member Hudson confirmed these are for acquisition of sewer right of ways. Kim Thor, Right of Way Coordinator, confirmed yes, these were for sewer easements.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent: (2): Council Member Jones, and Council Member Ewing

2018-428 Resolution - Condemnation - 4604 Johnson Street, Colfax NC

Council is requested to adopt a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4604 Johnson Street, Colfax, NC. This acquisition of this property is needed for the purpose of constructing the Westmoreland Sewer Outfall Project.

This item was discussed under item number 2018-427.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

2018-429 Resolution - Condemnation - 4510 Johnson Street, Colfax NC

Council is requested to adopt a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4510 Johnson Street, Colfax, NC. This acquisition of this property is needed for the purpose of constructing the Westmoreland Sewer Outfall Project.

This item was discussed under item number 2018-427.

A motion was made by Chair Britt Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council meeting. The motion carried by the following unanimous 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

PENDING ITEMS**2018-169 Amendment to License Agreement - Cingular Wireless PSC, LLC (AT&T)**

City Council is requested to approve an Amendment to the License Agreement with Cingular Wireless PCS, LLC (AT&T) which allows the location of communication equipment at the City's Ward Water Plant; and authorize the City Manager to execute the agreement.

There was no action or discussion regarding this item.

Chair Britt Moore made a motion, seconded by Committee Member Hudson, to recommend all items on the agenda to be submitted to the City Council for approval and placed on the consent agenda for the November 5, 2018, City Council Meeting. Motion carried unanimously with the following 3-0 vote:

Aye (3): Council Member Moore, Council Member Hudson, and Alternate Member Wagner

Absent (2): Council Member Jones, and Council Member Ewing

ADJOURNMENT

There being no further business to be discussed, the meeting adjourned at 4:32 p.m.

Sandra Keeney, Deputy City Clerk

Britt Moore, Chairman

CITY OF HIGH POINT

AGENDA ITEM



Title: Street Abandonment 18-01
(High Point University)

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 19, 2018

Public Hearing: Yes

Advertising Date: October 19 & 26, and
November 2 & 9, 2018

Advertised By: Planning & Development

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

PURPOSE:

A request by High Point University to abandon the eastern 655 feet of the Barbee Avenue right-of-way and to abandon the eastern 305 feet of the Willow Place right-of-way.

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 23, 2018, a public hearing was held before the Planning and Zoning Commission regarding Street Abandonment 18-01. The Planning & Zoning Commission recommended **approval** of this request, as outlined in the staff report and as recommended by staff, by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

High Point University

Street Abandonment 18-01

At its October 23, 2018 public hearing, the Planning and Zoning Commission reviewed Street Abandonment 18-01. All members of the Commission were present except for Andrew Putnam, Mark Walsh and Ray Wheatley. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking in favor of the request was the applicant's representative, Mr. Barry Kitley, Director of Special Projects Facilities & Auxiliary Operations at High Point University. Mr. Kitley provided an overview of the request and made himself available to address questions from the Commission.

Speaking neither in favor nor opposition was Ms. Joanne Stanback, 840 Willow Place. Ms. Stanback expressed concerns with the ongoing construction by High Point University, and the resulting noise in the neighborhood and dust accumulation on her home and vehicle.

Chairman Kirkman asked Mr. Kitley when the heavy construction is expected to end on this portion of the campus. Mr. Kitley responded that the pile of dirt at the end of Barbee Avenue will be gone within the next three to four months, and construction should end in this area of campus in about one-year.

Planning & Zoning Commission Action

The Commission recommended ***approval*** of Street Abandonment 18-01, as recommended by staff, by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 18-01
October 23, 2018**

Request	
Applicant: High Point University	Proposal: To abandon the eastern 655 feet of the Barbee Avenue right-of-way and to abandon the eastern 305 feet of the Willow Place right-of-way (ROW).

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Barbee Avenue	Local street	50-foot wide right-of-way; 30-foot (+/-) paving with curb and gutter
Willow Place (<i>formerly known as Crawford Street</i>)	Local street	50-foot wide right-of-way; 25-foot (+/-) paving with curb and gutter

Adjacent Property Zoning and Current Land Use		
North	Barbee Ave: Conditional Zoning Institutional District (CZ-I) District	High Point University campus
	Willow Place: Residential Single Family-5 (R-5) District	Single Family dwellings
South	Barbee Ave: Residential Single Family-5 (R-5) District	Single Family dwellings
	Willow Place: Residential Single Family-5 (R-5) District	Single Family dwellings
East	Conditional Zoning Institutional District (CZ-I) District	High Point University campus
West	Residential Single Family-5 (R-5) District	Barbee Avenue ROW and Willow Place ROW

Analysis

During the past decade, the High Point University campus has expanded in such a manner that it now extends south of International Avenue (formerly Montlieu Avenue) to the north side of Barbee Avenue. The University has requested and been granted zoning approvals to permit university-related uses in the blocks lying between Barbee Avenue and International Avenue, and the City has abandoned Willoubar Terrace, Fifth Street and that segment of former Montlieu Avenue right-of-way running between N. Centennial Street to N. University Parkway. These actions have left the eastern segment of Barbee Avenue as a dead-end public street. The University has recently purchased the properties at the eastern terminus of Barbee Avenue and at the eastern terminus of Willow Place. They wish to abandon the eastern portion of these streets, rezone the abutting parcels and incorporate this area into the campus.

Both Barbee Avenue and Willow Place have a right-of-way width of 50 feet and are improved with a paved cartway. The ROW and the abutting parcels are depicted on two recorded maps. First, on a map recorded in June 1939 entitled “Property of Mrs. Ina D. McGuirk – High Point, N.C.” in Plat Book 10 Page 99 and secondly on a map recorded in July 1944 entitled “Map of Section Two of the M. J. Wrenn Property - High Point N.C.” Plat Book 13 Page 76. These streets have historically served as a direct means of access for this residential neighborhood to the former Montlieu Avenue and to N. Centennial Street. With the incorporation of the former residential blocks along the north side of Barbee Avenue into the campus and the abandonment of Montlieu Avenue, traffic from this neighborhood can now only travel in a westward direction to N. Centennial Street. With the abandonment of Montlieu Avenue and the acquisition of residential properties there is little public purpose remaining for the eastern segment of Barbee Avenue and Willow Place. Therefore, the University is proposing to install cul-da-sacs at the eastern terminus of the public street portion of both Barbee Avenue and Willow Place.

The Technical Review Committee (TRC) reviewed this requested street abandonment and had no objections to the abandonment. However, the various public and private utility service providers noted that easements must be retained for the multiple utility lines within this ROW.

Findings & Recommendation

This abandonment of the public’s interest and conveyance of the right-of-way to the abutting property owner (High Point University), as provided by State statutes, is found not to be contrary to the public’s interest. Existing adjacent residential property owners still have access to the remaining public portion of Barbee Avenue and Willow Place from their property. This proposed ROW abandonment will not deprive any property owners in the vicinity of this request reasonable means of ingress and egress to their property.

The Planning and Development Department recommends approval of the requested street abandonment with the retention of the following easements:

- A 20-foot wide stormwater easement centered over all existing stormwater lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
- A 20-foot wide sanitary sewer easement centered over all existing sewer lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
- A 20-foot wide water easement centered over all existing water lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
- A 30-foot wide Piedmont Natural Gas easement offset over all existing gas lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way. These easements shall extend 10 feet south of existing gas lines and 20 feet north of existing gas lines.
- A 30-foot wide electric utility easement, which includes electric lines, City fiber optic lines, cable TV lines and some NorthState Communication lines, centered over all existing electric lines and existing poles within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way; and
- A 15-foot wide NorthState Communications easement shall be retained for NorthState Communication utility lines and poles that are separate from City electric lines and poles. This easement shall be centered over these separate NorthState Communication utility lines and poles that are within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way.

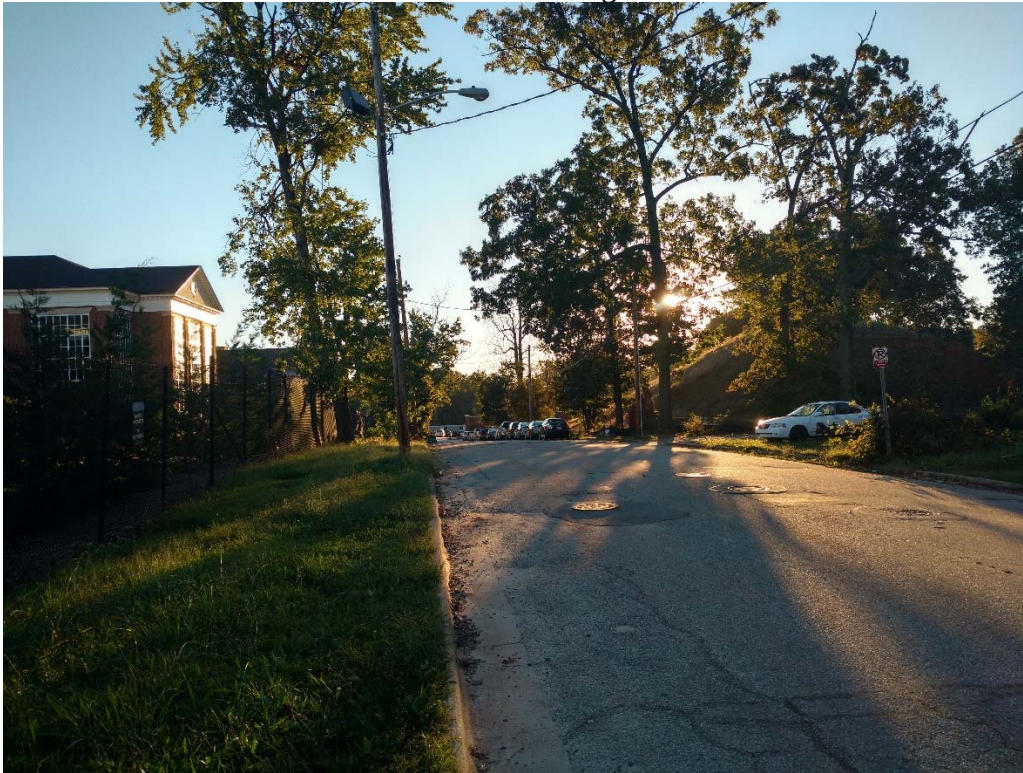
Report Preparation

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

Attachments: Photographs (October 2018) and Aerial (February 2010)

Portion of Barbee Avenue to be abandon

Photo taken looking east



Portion of Barbee Avenue to be remain open

Photo taken looking west



Portion of Willow Place to be abandon

Photo taken looking east



Portion of Willow Place to be remain open

Photo taken looking west

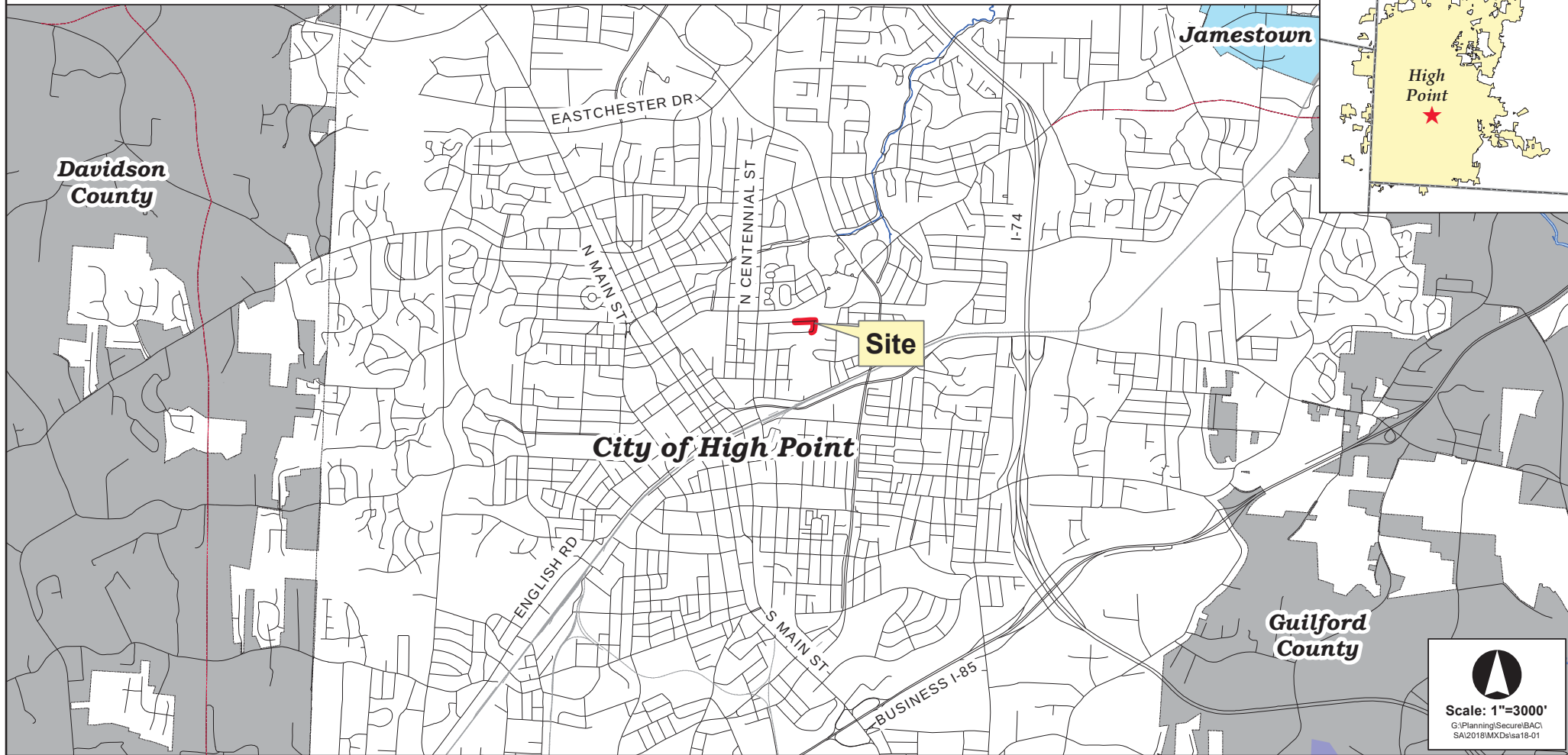
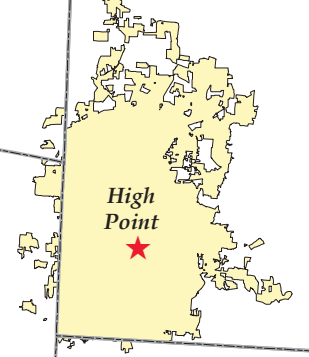


LOCATION MAP

STREET ABANDONMENT: SA-18-01

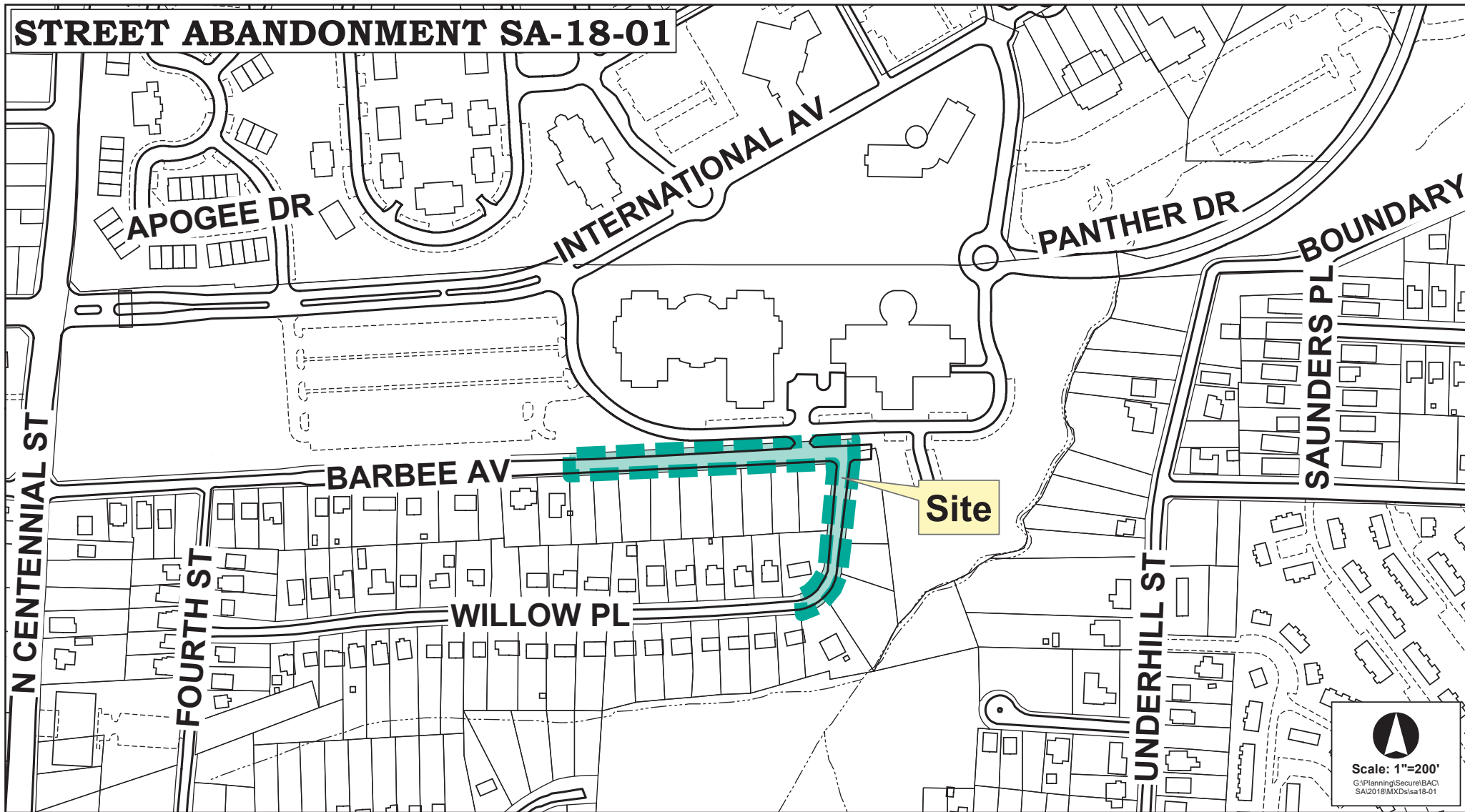
Applicant: High Point University

Vicinity Map



Scale: 1"=3000'
G:\Planning\Secure\BAC\SA\2018\MXDs\sa18-01

STREET ABANDONMENT SA-18-01



Scale: 1"=200'
G:\Planning\Secure\BAC\SA\2018\MXDs\sa18-01

Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. xxxx / 18-xx

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 5th DAY OF FEBRUARY, 2018, AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

Street Abandonment (Closure) Case 18-01

Part A: A request by High Point University to abandonment the eastern 655 feet of the Barbee Avenue right-of-way.

Part B: A request by High Point University to abandonment the eastern 305 feet of the Willow Place right-of-way.

WHEREAS, High Point University has petitioned the City Council of the City of High Point to permanently abandon (close) abandonment the eastern 655 feet of the Barbee Avenue right-of-way and to abandon the eastern 305 feet of the Willow Place right-of-way, which is more specifically described as follows.

Part A (eastern 655 feet of the Barbee Avenue right-of-way):

Beginning at a point in the southern right-of-way of Barbee Avenue, the northwest corner of Lot No. 2 of a plat entitled "Map of Section Two of the M. J. Wrenn Property" as recorded in Plat Book 13 Page 76 of the Guilford County Register of Deeds; thence in an easterly direction along the northern property lines of Lot Nos. 2 and 1 of the aforementioned plat, the same being the southern limits of the 50 foot public right-of-way of

Barbee Avenue; thence continuing along the southern right-of-way of Barbee Avenue, with the northern lines of Lot Nos. 1 - 7 of a map entitled "Property of Mrs. Ina D. McGuirk" as recorded in Plat Book 10 Page 99 to the intersection of Barbee Avenue and Willow Place (AKA Crawford Street); thence crossing Willow Place to the northwest corner of Lot No. 211 of College Heights Subdivision as recorded in Plat Book 4 Page 158 of the Guilford County Register of Deeds; thence in a northerly direction crossing the Barbee Avenue right-of-way approximately 50 feet, the same line being the western terminus of the Barbee Avenue right-of-way as described in Street Abandonment Case 17-06, Resolution 1748/18-10, approved by the City of High Point Council and as recorded in Deed Book 8019 Page 2116 of the Guilford County Register of Deeds; thence in a westerly direction along the northern right-of-way of Barbee Avenue as indicated in a Recombination Plat entitled "Exclusion Map - Sheet 2 of 2 for High Point University - Health Science Area" and as recorded in Plat Book 192 Page 95 of the Guilford County Register of Deeds approximately 605 feet to a point in the northern right-of-way of Barbee Avenue; thence crossing the Barbee Avenue right-of-way approximately 50 feet in a southern direction to the place and point of beginning.

Part B (eastern 305 feet of the Willow Place right-of-way):

Beginning at the southeast corner of the intersection of Barbee Avenue and Willow Place, said point also being the northwest corner of Lot No. 211 of College Heights as recorded in Plat Book 4 Page 158 of the Guilford County Register of Deeds, said point also being the point of beginning for the Barbee Avenue Street Abandonment Case 17-06 as approved in Resolution No. 1748/18-10 by the City Council of the City of High Point and recorded in Deed Book 8019 Page 2116 of the Guilford County Register of Deeds; thence in a southerly direction along the eastern right-of-way of Willow Place (AKA Crawford Street), the western line of Lot No. 211, to the northwest corner of Lot A of an Exception Map entitled "Property of Samuel Shavitz" recorded in Plat Book 46 Page 57 of the Guilford County Register of Deeds; thence continuing along the southern right-of-way of Willow Place along the northern lines of Lots A, B, and C of aforementioned plat, to a point in the southern right-of-way of Willow Place, said point being the northwest corner of Lot C of the aforementioned plat; thence crossing the right-of-way of Willow Place in a northerly direction approximately 50 feet to a point in the southern line of Lot No. 14 of a map entitled "Property of Mrs. Ina D. McGuirk" as recorded in Plat Book 10 Page 99 of the Guilford County Register of Deeds; thence along the eastern lines of Lot Nos. 14 and 7 of the property of Mrs. Ina D. McGuirk with the western right-of-way of Willow Place to the southwest corner of the intersection of Willow Place and Barbee Avenue; thence in an easterly direction crossing Willow Place to the place and point of beginning.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 1st day of October, 2018, at 5:30 p.m. setting the 19th day of November, 2018 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 City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning October 19 & 26, 2018 and November 2 & 9, 2018; 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 portions of Barbee Avenue and Willow Place; 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. That the portion of Barbee Avenue right-of-way and Willow Place right-of-way, as described above, be closed pursuant to North Carolina G.S. 160A-299;
2. That 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 the right-of-way; and
3. That the City of High Point shall retain a 20-foot wide stormwater easement centered over all existing stormwater lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
4. That the City of High Point shall retain a 20-foot wide sanitary sewer easement centered over all existing sewer lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
5. That the City of High Point shall retain a 20-foot wide water easement centered over all existing water lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
6. That the City of High Point shall retain a 30-foot wide Piedmont Natural Gas easement offset over all existing gas lines within and crossing the Barbee Avenue right-of-way

and the Willow Place right-of-way. These easements shall extend 10 feet south of existing gas lines and 20 feet north of existing gas lines;

7. That the City of High Point shall retain a 30-foot wide electric utility easement, which includes electric lines, City fiber optic lines, cable TV lines and some NorthState Communication lines, centered over all existing electric lines and existing poles within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way; and
8. That the City of High Point shall retain a 15-foot wide NorthState Communications easement shall be retained for NorthState Communication utility lines and poles that are separate from City electric lines and poles. This easement shall be centered over these separate NorthState Communication utility lines and poles that are within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way.
9. 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 19th day of November, 2018
Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 18-16
(High Point University)

From: Lee Burnette, Planning & Development
Director

Meeting Date: November 19, 2018

Public Hearing: Yes

Advertising Date: November 7 & 14, 2018

Advertised By: Planning & Development

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

PURPOSE:

A request by High Point University to rezone approximately 111 acres from the Single Family Residential-3 (R-3) District and a Conditional Zoning Institutional (CZ-I) District to a Conditional Zoning Institutional (CZ-I) District. The site is lying along the east side of N. Centennial Street, between E. Farriss Avenue and Barbee Avenue/Willow Place.

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 23, 2018, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 18-16. The Planning & Zoning Commission recommended **approval** of this request, as outlined in the staff report and as recommended by staff, by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

High Point University

Zoning Map Amendment 18-16

At its October 23, 2018 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 111 acres to a Conditional Zoning Institutional (CZ-I) District. All members of the Commission were present except for Andrew Putnam, Mark Walsh and Ray Wheatley. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking in favor of the request was the applicant's representative, Mr. Barry Kitley, Director of Special Projects Facilities & Auxiliary Operations at High Point University. Mr. Kitley provided an overview of the request and made himself available to address questions from the Commission.

Speaking neither in favor nor opposition was Ms. Joanne Stanback, 840 Willow Place. Ms. Stanback expressed concerns with the ongoing construction by High Point University, and the resulting noise in the neighborhood and dust accumulation on her home and vehicle.

Chairman Kirkman asked Mr. Kitley when the heavy construction is expected to end on this portion of the campus. Mr. Kitley responded that the pile of dirt at the end of Barbee Avenue will be gone within the next three to four months, and construction should end in this area of campus in about one-year.

Planning & Zoning Commission Action

Consistency Statement

The Commission stated that the request is consistent with adopted policy guidance because even though the proposed campus expansion does not incorporate an entire block, it does encompass a significant area and would terminate streets to create a better border with the existing residential area.

Reasonableness Statement

The Commission stated that the request is reasonable and in the public interest because the proposed CZ-I District expansion abuts the existing campus, and zoning standards and conditions better mitigate impacts upon adjacent residences than currently provided.

Zoning Map Amendment

The Commission recommended **approval** of Zoning Map Amendment 18-16, as recommended by staff, by a vote of 6-0.

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

**STAFF REPORT
ZONING MAP AMENDMENT 18-16
October 23, 2018**

Request	
Applicant: High Point University	Owners: High Point University Betty L. Baines
Zoning Proposal: To rezone approximately 111 acres with the primary focusing being the addition of 3 acres to the southern portion of the High Point University Campus.	From: R-5 Single Family Residential-5 District CZ-I Conditional Zoning Institutional District
	To: CZ-I Conditional Zoning Institutional District

Site Information	
Location:	The site is lying along the east side of N. Centennial Street, between E. Farriss Avenue and Barbee Avenue/Willow Place.
Tax Parcel Numbers:	Guilford County Tax Parcels 0222031, 0183270, 0189888, 0189893, 0190122, 0190126, 0190228, 0190239 thru 0190041, 0190161, 0190162, 0190185 thru 0190187, 0190191 (portion), 0190694 thru 0190700, 0190707 thru 0190709, 0190727 and 0190735
Site Acreage:	The total zoning site is approximately 111 acres. The proposed addition to the campus is approximately 3 acres.
Current Land Use:	The area of the campus addition consists of undeveloped parcels and three single family dwellings.
Physical Characteristics:	Except for a perennial stream and steeper topography to the rear of parcels on the south side of Willow Place, the proposed 3-acre addition has no noteworthy physical features.
Water and Sewer Proximity:	A 6-inch City water line and an 8-inch City sewer line lie adjacent to the site along Barbee Avenue and Willow Place.
General Drainage and Watershed:	The 3-acre addition drains in a southeasterly direction and development is subject to the requirements of the City Lake General Watershed Area. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site.
Overlay District:	City Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	CZ-I	Conditional Zoning Institutional District	High Point University Campus
South:	R-5 I	Single Family Residential-5 District Institutional District	Single family dwellings and Penn-Griffin High School campus
East:	R-5 CZ-I	Single Family Residential-5 District Conditional Zoning Institutional District	Undeveloped parcel and High Point University Campus
West:	RS-5	Single Family Residential-5 District	Single family dwellings

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Map Classification:	The site has a Low-Density Residential land use designation. This classification is primarily intended for single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan:	Core City Plan <u>Neighborhood Planning Principles – Discernible Boundaries:</u> Do not allow neighborhoods to get chipped away at their edges by incompatible uses and development forms.
Zoning History:	Starting in the early 2000s, High Point University embarked on a campus growth campaign that has resulted in 24 zoning approvals that have expanded the footprint of the campus westward to N. Centennial Street, eastward to N. University Parkway and southward to Barbee Avenue/Boundary Avenue/Willow Place.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Barbee Avenue	Local Street	585 ft.
	Willow Place	Local Street	330 ft.
Vehicular Access:	Only one access point is permitted via a drive way from Barbee Avenue		
Traffic Counts: (Average Daily Trips)	Barbee Avenue and Willow Place, no counts available.		
Estimated Trip Generation:	Not applicable		
Traffic Impact Analysis (TIA):	Required		TIA Comments
	<u>Yes</u>	<u>No</u> X	None
Comments:	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
Not applicable to this zoning case.

Details of Proposal
High Point University has submitted this Zoning Map Amendment to revise the zoning of the southwestern portion of its campus. The southern 108 acres of the campus is currently governed by a Conditional Zoning Ordinance initially adopted in 2011 and revised in 2017 under Zoning Map Amendment 17-27 (ZA-17-27). This current amendment proposes to:
1) Revise the legal description to include a 3-acre campus expansion along Barbee Avenue and Willow Place, thus bringing the total area governed by the Conditional Zoning Ordinance to 111 acres;

- 2) Update the vehicular access conditions to prohibit access from Willow Place; and
- 3) Remove a condition, from the 2011 zoning approval, pertaining to maximum building height along N. Centennial Street. This condition is no longer relevant due to changes in the area and adoption of the new 2017 Development Ordinance.

Staff Analysis

There have been numerous university-related zoning cases approved by the City Council over the last decade. Policy guidance established by the Core City Plan and the University Area Plan was to ensure that residential neighborhoods do not get chipped away at their edges by the expansion of the University's campus. In most situations the incorporation of an entire city block is the preferred pattern of development.

More recently in 2017, a small expansion of the campus was approved to add two parcels of a former block. That staff report, which was accepted by City Council, stated that any further campus expansion along Barbee Avenue and Willow Place should incorporate the entire block.

This current request proposes rezoning only a portion of the residential block along Barbee Avenue and Willow Place. If this is to occur, then specific reasoning should be provided that states a justification for the zoning approval.

Barbee Avenue:

Barbee Avenue is a residential street that was previously developed with single family dwellings along both sides. Actions taken by City Council in 2013 and 2014 added the entire northern side of this street to the campus, leaving single family homes only along the south side of this street. That zoning action also allowed an access drive to the campus from Barbee Avenue, which is currently used by construction vehicles and construction workers as an access point into the campus. The removal of homes and the introduction of non-residential traffic has changed the character of the neighborhood and impacted the remaining residences. This new request proposes to rezone just under half of the remaining residential lots at the eastern portion of Barbee Avenue. The Barbee Avenue portion of the request contains more than 2 ½ acres of the 3-acre total rezoning request and is contiguous to the campus on two sides. Also, there is a corresponding Street Abandonment petition that proposes to close the eastern 655 feet of Barbee Avenue. The partial rezoning of this segment of Barbee Avenue is not the preferred means of promoting University expansion in this residential area. However, based on acreage of the request and the proposed abandonment of 655 feet of this public street, in total makes this a significant expansion. Furthermore, impacts to the Barbee Avenue residences have already occurred based on previous zoning actions and the University's acquisition of lots and removal of homes. This zoning request does not intensify those prior impacts.

Willow Place:

Willow Place is a residential street that is a fully developed and functioning residential neighborhood. The proposed rezoning would impact the eastern end of this street, and in conjunction with a street abandonment request for the eastern 305 feet of Willow Place, three lots at the eastern terminus of this street are proposed to be rezoned and added to the campus. The University has offered a condition that there be no vehicular access to the campus from Willow Place. This condition, in conjunction with the installation of a cul-da-sac at the area of street abandonment, creates a new terminus to this street and creates a self-contained pocket of single family dwellings. As conditioned,

this request does not negatively impact the remaining area of the neighborhood and prevents University-related construction traffic from using Willow Place to access the campus.

Zoning requests that allow the expansion of the University campus should continue to ensure that residential neighborhoods are protected and are not chipped away at their edges by incompatible uses. Where feasible, the University should pursue acquisition and rezoning that incorporates an entire block. However, when that is not practical, the rationale for partial block rezoning should be stated and measures taken to mitigate impacts upon adjacent residences.

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.

Review Factors:

Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:

<u>Factor #1</u>	Result in a development that is compatible with surrounding development character and land uses;
	These 3 acres abut the campus to the north and east. The dwellings along the Barbee Avenue portion of the site were razed. That land is being used for parking by campus construction workers and to stock-pile soil for campus construction projects. The incorporation of this area into the campus will trigger provisions to install proper screening and perimeter landscaping yards that will assist in maintaining a respectful relationship with nearby residences.
<u>Factor #2</u>	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.;
	Zoning conditions offered by the applicant retain previously adopted conditions pertaining to fencing, landscaping and adds access restrictions that will assist in mitigating adverse impacts from campus development on adjacent properties. Also, standards in the Development Ordinance pertaining to lighting, screening of mechanical equipment/dumpsters and parking lot landscaping will also assist in mitigating impacts to nearby lands.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	This addition to the campus is within the City Lake General Watershed Area and development will be subject to the watershed regulations.
<u>Factor #4</u>	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 adequately served by City of High Point utilities and municipal services.

Factor #5	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent lands. ❖ Based on previously adopted development conditions that are being carried forward, and a new condition that prohibits access to Willow Place, the request will not increase impacts on the remaining residences along Barbee Avenue and will not adversely impact residences along Willow Place. ❖ In conjunction with street abandonment petition and access restrictions, the zoning map amendment does not add any new impacts along Barbee Avenue and shields the residences along Willow Place from University-related impacts that may effect the enjoyment of their land.
------------------	--

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 north side of Barbee Avenue was historically a residential neighborhood near the High Point University campus. During the past decade, the University has purchased this block, razed the residences, and obtained zoning approval to facilitate the development of university-related uses. In addition, the University obtained Council approval to abandon the public street network in nearby areas, including Willoubar Terrace, Fifth Street and International Avenue (formerly known as Montlieu Avenue). These actions have changed the character of this area from residential to institutional.

Development Patterns:

The proposed Conditional Zoning District results in development that promotes a logical, preferred and orderly development pattern.

The fact that entire blocks are not being rezoned is not the preferred development pattern. However, the abandonment of adjacent public streets in conjunction with prohibiting access to the campus from Willow Place protects that neighborhood.

Consistency with Adopted Policy Guidance:

Whether and the extent to which the proposed conditional zoning district is appropriate for its proposed location, and is consistent with the City's adopted policy guidance;

Even though the proposed campus expansion does not incorporate an entire block, it does encompass a significant area and would terminate streets to create a better border with the existing residential area.

Reasonableness/Public Interest:

Whether an approval of the Conditional Zoning District is reasonable and in the public interest.

The proposed CZ-I District expansion abuts the existing campus, and through zoning standards and conditions better mitigates impacts upon adjacent residences than currently provided.

Recommendation

Staff Recommends Approval

The Planning & Development Department recommends approval of the request to rezone this 111-acre area to the CZ-I 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

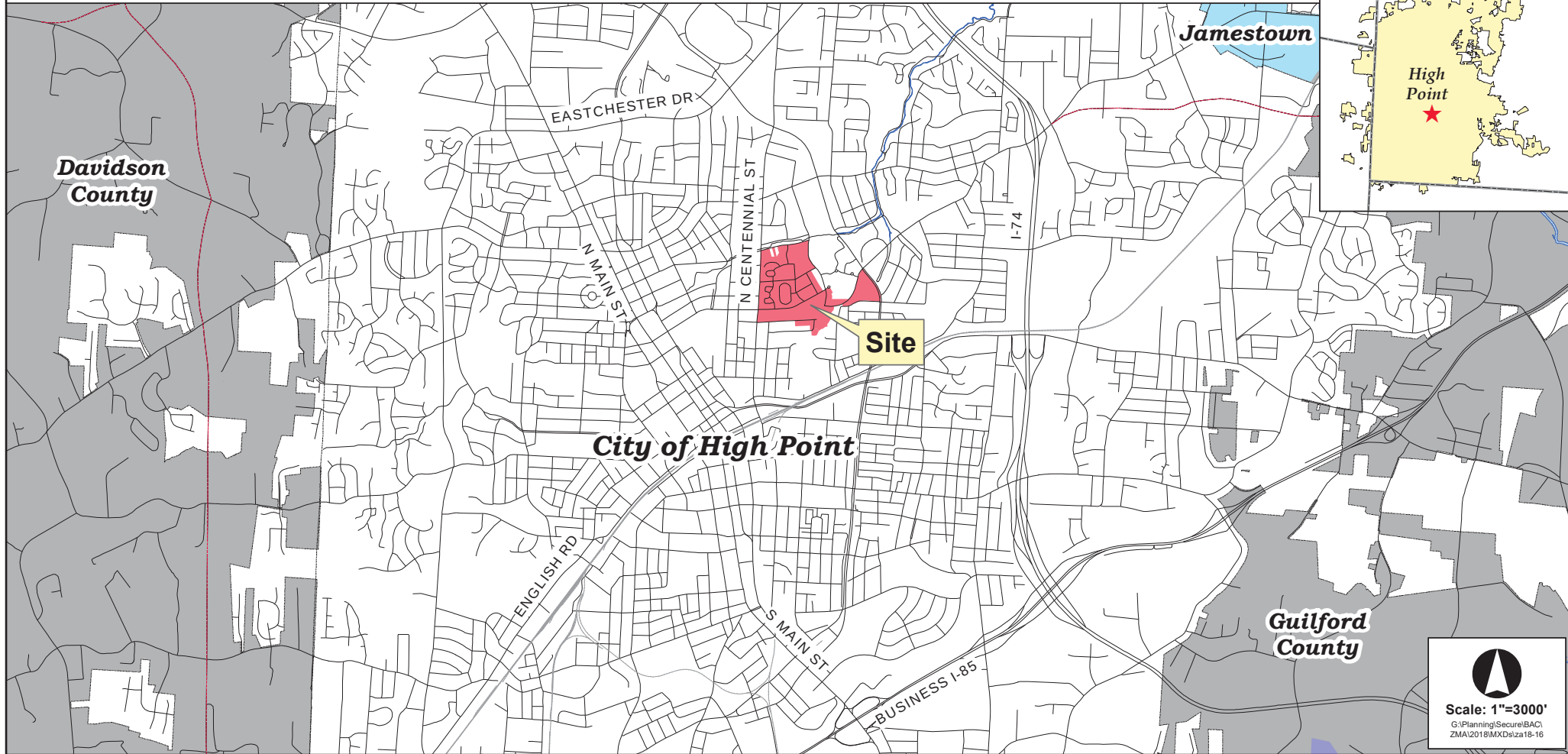
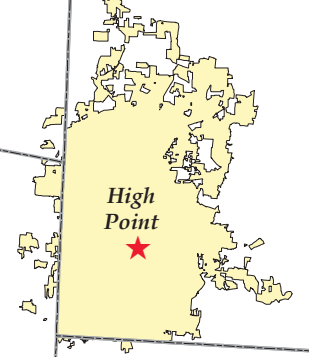
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and G. Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-18-16

Applicant: High Point University

Vicinity Map



**Davidson
County**

Jamestown

**High
Point**

Site

City of High Point

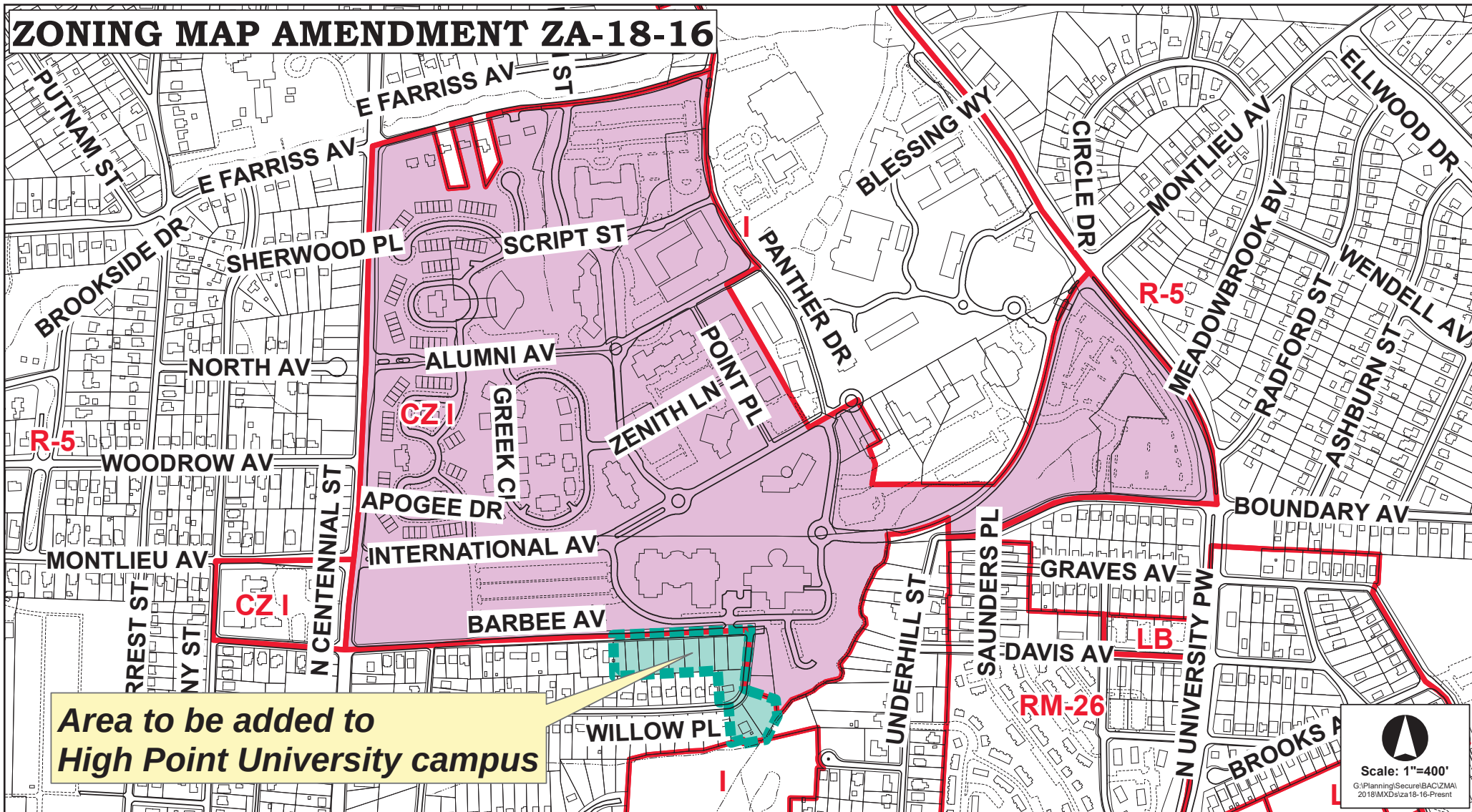
**Guilford
County**



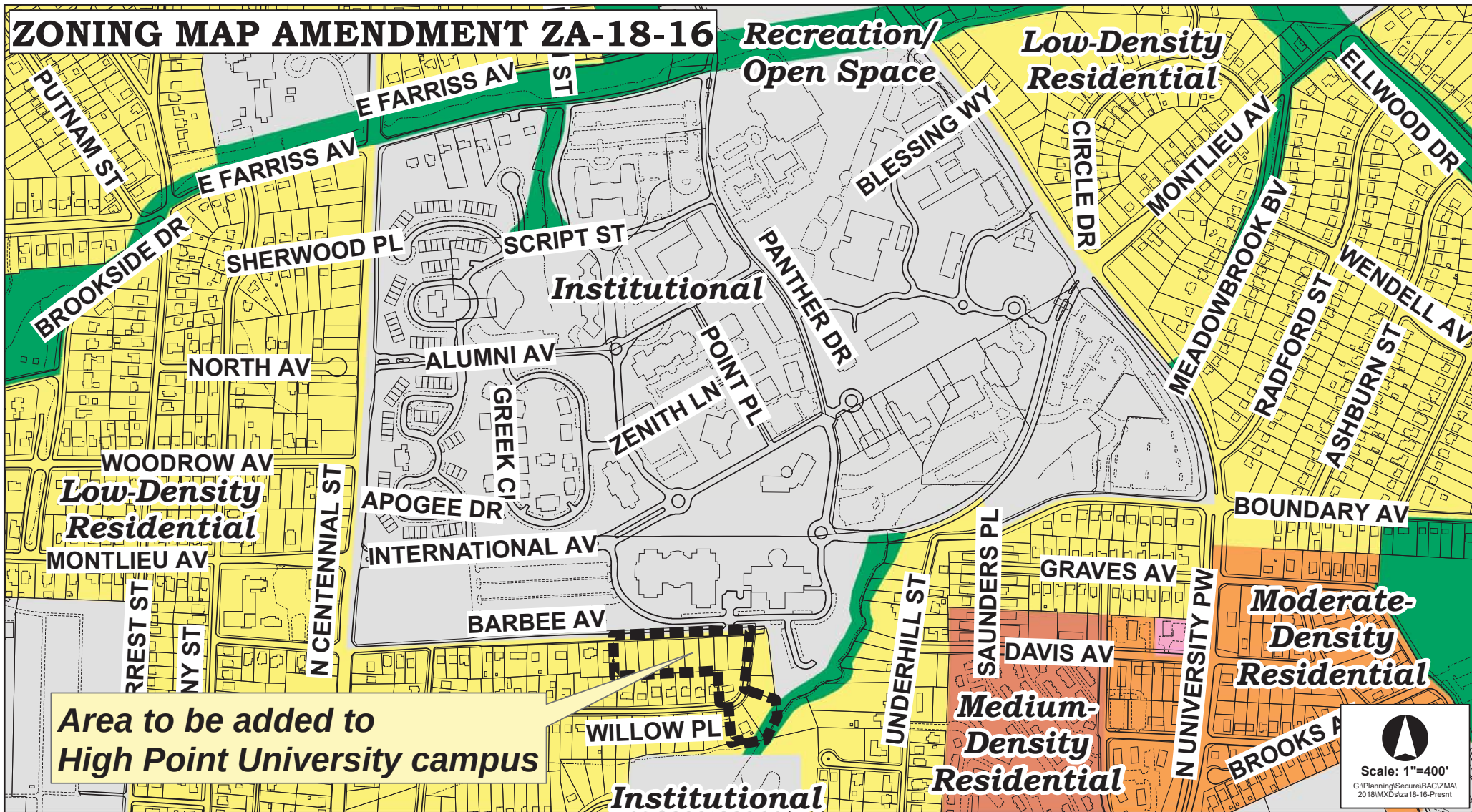
Scale: 1"=3000'

G:\Planning\Secure\BAC\ZMA\2018\MXDelza18-16

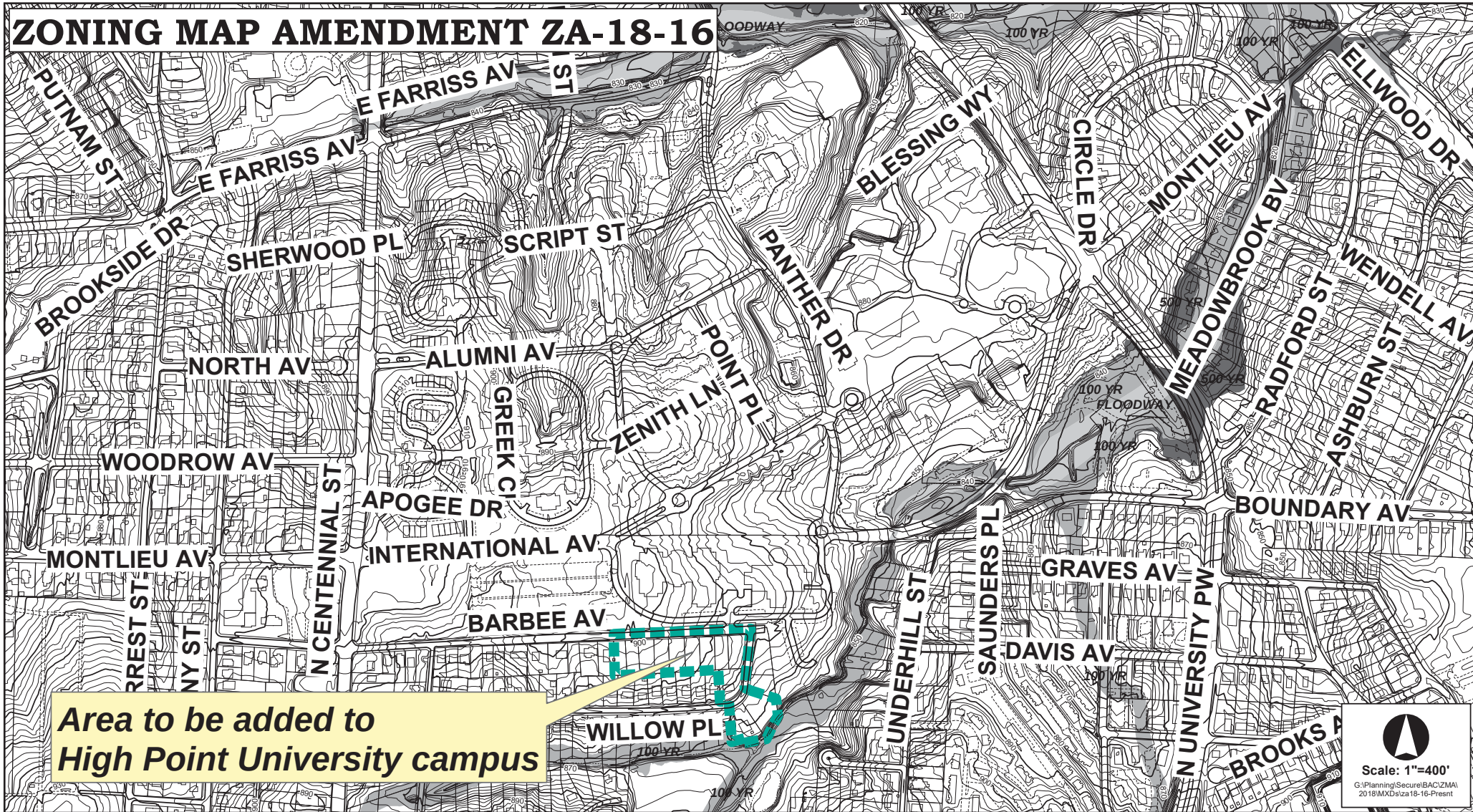
ZONING MAP AMENDMENT ZA-18-16



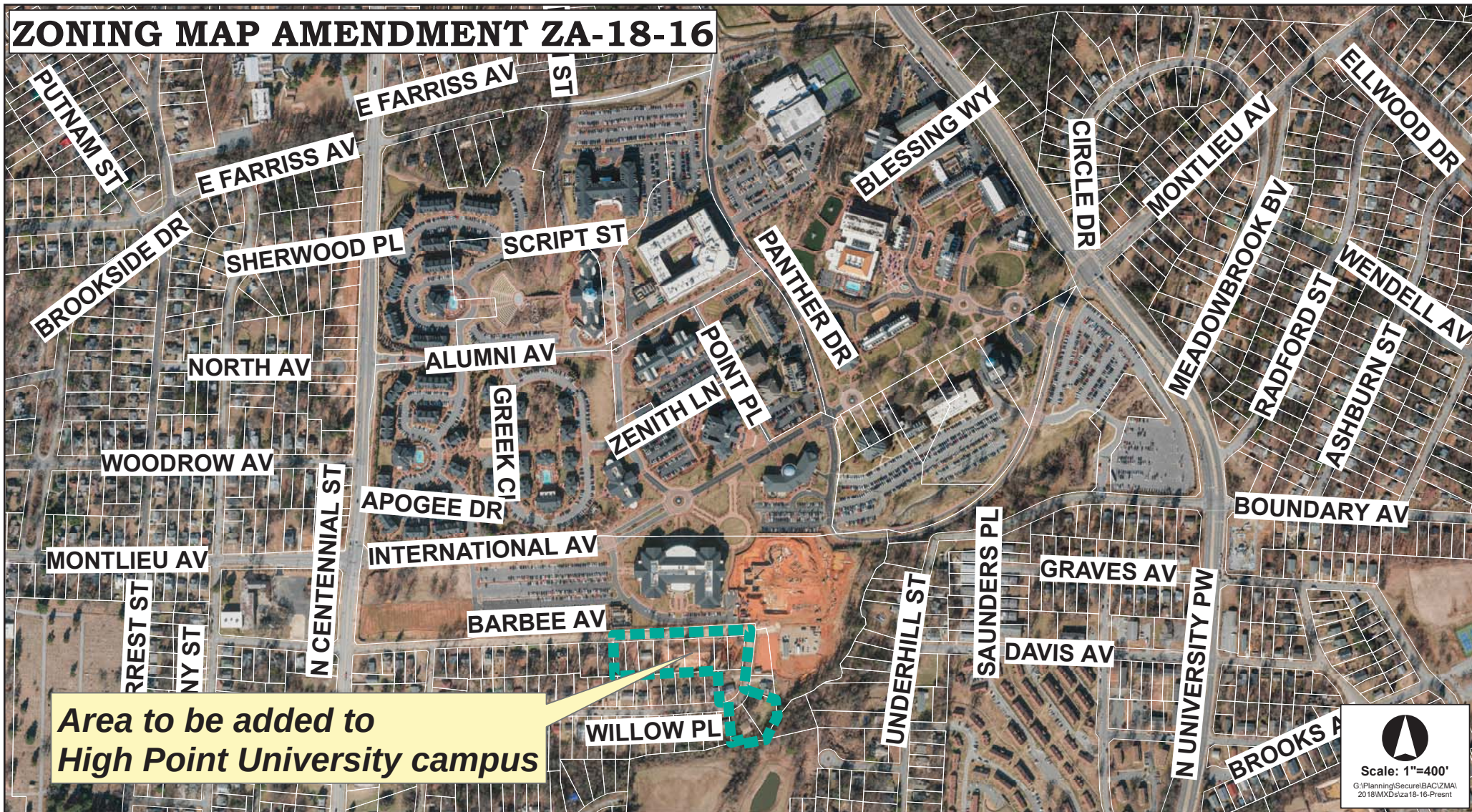
ZONING MAP AMENDMENT ZA-18-16



ZONING MAP AMENDMENT ZA-18-16



ZONING MAP AMENDMENT ZA-18-16



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 23, 2018 and before the City Council of the City of High Point on November 19, 2018 regarding **Zoning Map Amendment Case 18-16 (ZA-18-16)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on October 14, 2018, for the Planning and Zoning Commission public hearing and on November 6, 2018 and November 13, 2018, 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 13, 2018**.

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 Institutional (CZ-I) District**. The property is approximately ~~111~~ 408.02 acres lying between N. Centennial Street and N. University Parkway, and between E. Farriss Avenue and Barbee Avenue/**Willow Place**/Boundary Avenue. The property is also known as Guilford County Tax Parcel 0222031, 0183270, 0189888, 0189893, 0190122, 0190126, 0190228, 0190239, 0190140, 0190041, 0190161, 0190162, 0190185, 0190186, 0190187, 0190191 (portion), **0190694, 0190695, 0190696, 0190697, 0190698, 0190699, 0190700, 0190707, 0190708, 0190709, 0190727 and 0190735**

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:** The College or University Use Type (Education Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance, subject to the development and dimensional requirements of the Institutional (I) and the specific conditions listed in this ordinance

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. General Standards for the entire zoning site.

- a. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.
- b. Welcome Center (i.e. campus entrance gatehouses) Standards.
 - i. Welcome Centers shall not be permitted within public right-of-ways.
 - ii. Welcome Center(s) shall be oriented in such a manner that a minimum of seven (7) vehicular stacking spaces, per dimensional standards of Section 5.4.7.I of the Development Ordinance, shall be provided as measured perpendicular from the adjacent public street right-of-way (See Exhibit A).

2. N. Centennial Street Development Standards

The following development standards shall apply to townhome type dormitories or townhome type student housing developed within 100 feet of the N. Centennial Street right-of-way

- a. All buildings shall have a hip or gable pitched roof design.
- b. The size of each building(s) shall be limited to a maximum building footprint of 7,500 square feet.
- c. Except for where approved vehicular access points are located, parking, and vehicle circulation areas shall be located to the interior of the site so that buildings are located between the N. Centennial Street right-of-way and any parking or vehicle circulation areas. This shall not preclude placement of parking between buildings fronting along N. Centennial Street.
- d. ~~The maximum building height shall be fifty (50) feet for any building within 100 feet of the N. Centennial Street right-of-way.~~
- e. Building Setback: Building setback shall meet standards of the Institutional District except as noted below:
 - i. Accessory Structure(s): A minimum twenty (20) foot setback shall be provided from the N. Centennial Street right-of-way for covered and uncovered porches, decks and patios whether attached or unattached to a principal building, and any other accessory structure.

3. Barbee Avenue Development Standards

- a. Development and dimensional requirements of the Institutional District shall apply, except as follows:
 - i. A minimum fifty (50) foot building setback shall be provided from the Barbee Avenue right-of-way.

B. Landscaping, Buffers, and Screening:

a. Fencing:

- i. N. Centennial Street: If fencing is installed along the N. Centennial Street frontage of the zoning site, the decorative perimeter fencing (brick & wrought iron/aluminum fencing) that generally outlines the boundary of the University shall be installed.
- ii. Boundary Avenue, Willow Place, Barbee Avenue and E. Farriss Avenue: If opaque fencing is installed along these street frontages of the zoning site, said fencing shall be located behind the street planting yard.
- iii. Where the zoning site abuts a residentially zoned parcel(s), an opaque fence shall be installed in the required planting yard adjacent to the residential parcel.

b. Landscaping:

- i. Centennial Street frontage (from International Avenue to E. Farriss Avenue): A minimum thirty (30) foot wide Street Yard, planted at Type C rate, shall be installed.
- ii. Alternative Land Scape Plan along N. Centennial Street (from International Avenue to E. Farriss Avenue):
 - a) In lieu of ordinance requirements for street planting yards, a landscaping plan shall be required to be submitted for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. The objective of this plan is to screen the rear of structures located along N. Centennial Street frontages of the zoning site with an assortment of planting species, and to enhance the visual appearance of the permanent edge areas as identified in the University Area Plan. This plan shall at a minimum address the following:
 - b) This plan is specifically for the initial 75 feet of the site's N. Centennial Street frontages and should be designed to enhance the visual appearance of this corridor.
 - c) Through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments, the exterior activity area at the rear of buildings shall be screened. The planting rate shall be sufficient to provide the desired screening effect within three (3) years of planting.
 - d) Fifty percent (50%) of trees and shrubs utilized on the plan along this roadway shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.
 - e) Along with the landscaping plan, a depiction of the building elevations and/or parking areas after landscaping, as viewed from N. Centennial Street may be requested from the property owners Landscape Architect to assist in assessing the effectiveness of the plan.

- iii. Boundary Avenue, Willow Place, Barbee Avenue and E. Farriss Avenue frontage:
 - a) The Street Yard planting standards shall be increased from eight (8) foot width to a minimum width of fifteen (15) feet, and the planting rate for understory trees shall be increased from none to a minimum of 4 per 100 linear feet, and 33 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species and are expected to reach a minimum height of thirty (30) inches within three years of planting.
 - b) Fifty percent (50%) of trees and shrubs utilized shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.
 - c) Where parking is located within fifty (50) feet of the Boundary Avenue, Willow Place, Barbee Avenue or E. Farriss Avenue right-of way, landscaping or site topography shall be arranged in such a manner to provide low-level screening from vehicle headlights that may face towards Barbee Avenue or E. Farriss Avenue. The intent is to provide a low-level screening of the off-street parking area near adjacent residential uses. A combination of landscaping and topography alternating techniques may be incorporated to achieve the low-level screening of the parking lot.

C. Transportation

1. Vehicular Access:

1. N. Centennial Street

No new vehicular access shall be permitted from N. Centennial Street. Access shall be permitted to N. Centennial Street from the following existing streets, Montlieu Avenue (private street) and Alumni Avenue (private street).

2. Barbee Avenue

One (1) point of access shall be allowed to Barbee Avenue. This access point shall be gated and not intended for general vehicle access; and shall be installed as approved by the High Point Department of Transportation.

3. Boundary Avenue

Access to Boundary Avenue shall only be permitted at the former Meadowbrook Boulevard intersection. This portion of Meadowbrook Boulevard was abandoned by the City of High Point in September 2013 (Street Abandonment Case 13-11; City of High Point Resolution 1331 / 13-56 and Recorded in Book 7545 Page 2281 at the Guilford County Register of Deeds Office).

4. Willow Place: - No access shall be permitted to Willow Place.

2. Right-of-way Dedication and Improvements:
 - a. The property owner shall dedicate an easement to cover the loop detectors for the signal operation on the closed (abandoned) portion of Montlieu Avenue where it intersects N. Centennial Street.
 - b. Intersection of N. Centennial Street and E. Farriss Avenue (southern portion of E. Farriss)
The property owner shall dedicate right-of-way along N. Centennial Street for the installation of a northbound right turn lane from N. Centennial Street into E. Farriss Avenue; and construct a north bound right-turn lane from N. Centennial Street into E. Farriss Avenue prior to the construction of a welcome center/guard house on E. Farriss Avenue.
 - c. **A cul-da-sac, as approved the City of High Point Technical Review Committee, shall be installed at the eastern terminus of the public portion of the Barbee Avenue right-of-way and at the eastern terminus of the public street portion of the Willow Place right-of-way. These street improvements shall be installed within 270 days of the recording of Street Abandonment petition 18-01.**
3. The City of High Point Director of Transportation shall approve the exact location and design of all access points and turn lanes. In addition, the Director of Transportation and the North Carolina Department of Transportation (NCDOT), if applicable, shall approve all construction and improvements.

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.

19th day of November, 2018.

Lisa B. Vierling, City Clerk

Conditional Zoning Case Supplemental Information	
Initial Zoning Application	Adopted September 15, 2014 (Ordinance # 1798 / 14-77)
Amendment (ZA-14-09)	Adopted October 20, 2014 (Ordinance # 1800 / 14-79)
Amendment (ZA-17-27)	Adopted February 19, 2018 (Ordinance # 7386 / 18-15)

Citizens Information Meeting Report Zoning Map Amendment 18-16

Submitted by: Barry Kitley, Director of Community
Relations, High Point University

Meeting Recap

September 27, 2018

To: City of High Point, North Carolina
Planning and Development Department

From: Barry Kitley
Director of Community Relations

Re: Rezoning Case ZA-18-16
Citizens Information Meeting, September 26, 2018, 5:30 P.M.

High Point University conducted a Citizens' Information Meeting in support of Rezoning Case ZA-18-16. The meeting was held at High Point University in Wilson School of Commerce, Room 212. Letters of invitation were mailed to 40 residents on September 18, 2018 (letter is attached). The application is for Rezoning Case ZA-18-16, which includes the rezoning from R5 to Conditional Zoning Institutional (I) District (CZ-I) of 12 residential lots on Barbee Avenue and Willow Place. The University has also requested that sections of Barbee Avenue and Willow Place, be abandoned. Barry Kitley, Director of Community Relations, and Rich Glover of Jamestown Engineering Group, Inc., represented the University.

Mr. Kitley informed the attendants what facilities are proposed to be placed at the site in support of University needs, and buffer and landscaping requirements offered to support the rezoning request. It was a positive meeting with specific discussion focused on the following:

- Many of the attendants questioned the University's future expansion plans, and if the University was interested in purchasing additional property near the University's current boundaries.
- Several residents expressed concern about the speed of trucks using Barbee Avenue and dust.
- Several residents stated that the width and grades along some sections of Willow Place affected their access.
- Some residents were in favor of the cul-de-sacs, noting that it would reduce thru traffic of both vehicles and pedestrians.

A copy of the Sign-in Sheet for this case is also attached.

Sign-In Sheet

Citizens Information Meeting
September 26, 2018
High Point University
Willow & Barbee Street Abandonment & Rezoning

Name

Address

William Lofgren	826 Willow Pl - High Point, NC
Virginia Lofgren	826 Willow Pl - High Point, NC
Christina Russell	835 Willow Pl. High Point, NC
Shirley Mae Hill	724 Willow Pl High Point, NC
J. Garner Properties, LLC	842 Willow Pl. High Point, N.C.
Charles Lunn	836 Willow Pl High Point, NC
DANIEL BELL	838 Willow Pl High Point, NC
Nellie G. Bell	838 Willow Pl High Point, NC
LELIE C. MARTIN	908 BARBEE AVE HIGH POINT NC
JoAnne Stanback	840 Willow Pl High Point, NC
Beatrice McEachin	839 Willow Pl High Point, NC
Denise Hamilton	830 Willow Pl High Point, N.C.
Shirley Perkins	828 Willow Pl, High Point, NC
Alfred L. Hinson	1197 & 1199 Day Place

Phone call: 846 Willow (brother of property owner)



HIGH POINT UNIVERSITY

September 18, 2018

SAMPLE

Re: High Point University Rezoning and Street Abandonment Requests
Zoning Map Amendment ZA18-16

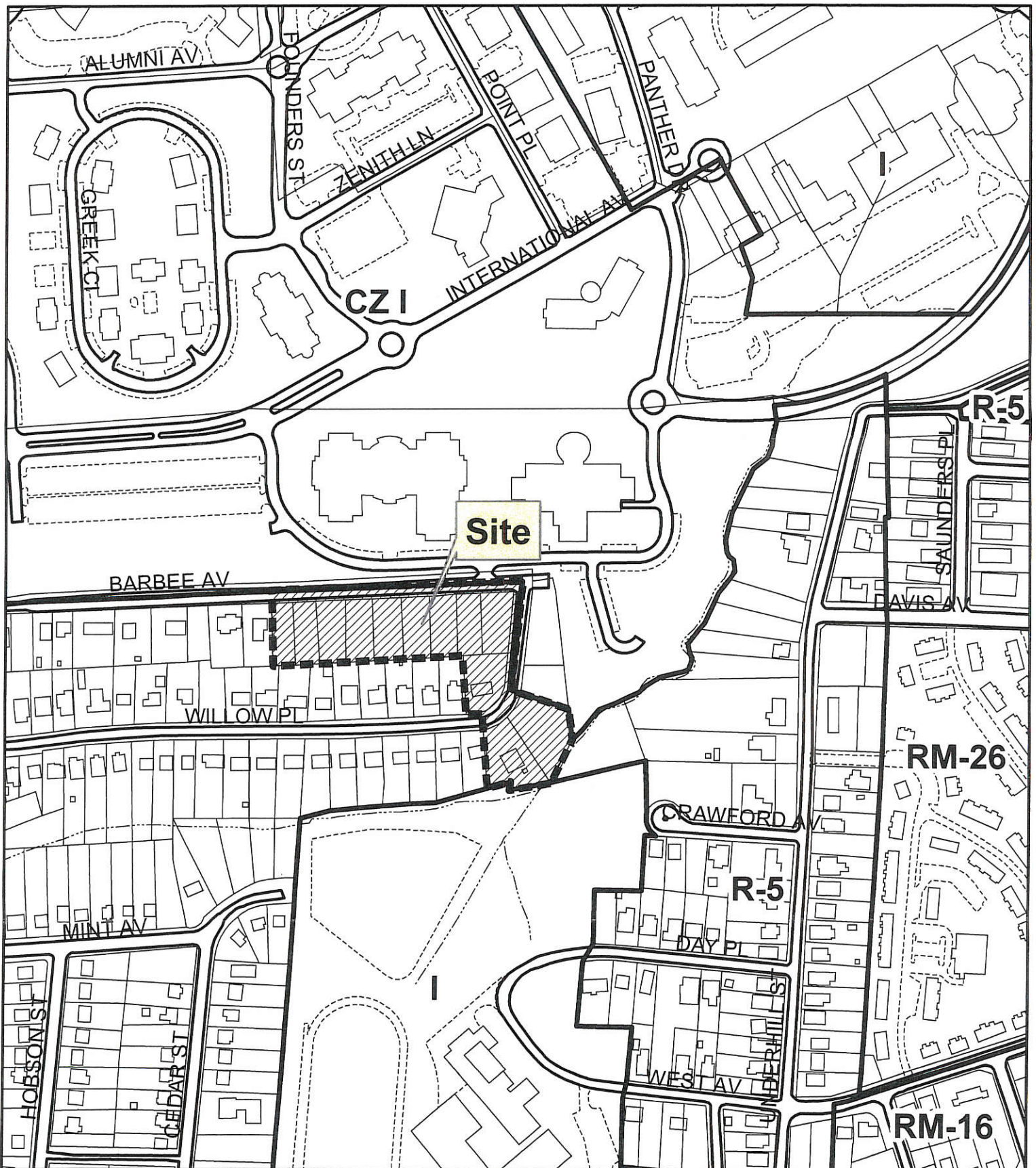
Greetings! High Point University would like to invite you to a community meeting on Wednesday, September 26, 2018, from 5:30pm to 6:30 pm (drop-in format), on the High Point University Campus. The meeting is being held to inform and discuss a rezoning request of twelve (12) residential lots at Barbee Avenue and Willow Place from a residential Single Family – 5 (R-5) to an Institutional District. The University is also requesting that sections of Barbee Avenue and Willow Place along the frontage of these lots be abandoned. The area to be added to the University's campus is indicated on the attached map for your reference. The rezoning request will annex the properties into the current CZI site allowing for improvements consistent with campus properties contiguous to the sites. If you are unable to attend this community meeting, please feel free to contact me and we can discuss via phone or meet at a later time/date. We want to insure you are informed and hear your opinions.

The Rezoning Application was submitted on September 10, 2018 with a scheduled regular meeting of the City of High Point Planning & Zoning Commission scheduled for October 23, 2018 at 6:00 pm. This meeting will be held in the City Council Chambers. A Citizen Information Meeting Statement prepared by the City of High Point is enclosed. This statement outlines the requirements of the rezoning process.

Prior to the Planning & Zoning meeting, please join us on September 26, 2018, from 5:30pm to 6:30 pm (drop-in format), to discuss our application. We will be meeting at the Wilson School of Commerce, Board Room (Rm 212). Please see attached map for directions and parking. Please do not hesitate to call me if you have questions, Barry Kitley, at 336-841-9363.

Sincerely,

Barry Kitley
Director of Community Relations



ZONING MAP AMENDMENT ZA-18-16

From: R-5 & CZ I

To: CZ I

Existing Zoning Boundary
Subject Property Boundary



Planning & Development
Department

City of High Point



Scale: 1"=300'

G:\Planning\Secure\ba-pz/
2017\pz\za17-27.mxd



Profile

Mary

First Name

McInerney

Last Name

marymcinerney@hotmail.com

Email Address

3118 Log Cabin Cove

Street Address

Suite or Apt

High Point

City

NC

State

27265

Postal Code

What district do you live in? *

☒ Within High Point Corporate Limits

Home: (336) 885-2538

Primary Phone

Mobile: (917) 670-5176

Alternate Phone

Retired

Employer

Which Boards would you like to apply for?

Human Relations Commission: Submitted

Parks and Recreation Commission: Submitted

Guilford County Historic Preservation Commission: Submitted

Ward 6

Ward you reside in?

Interests & Experiences

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application.

CURRENT: Retired, currently designing and editing print newsletters for several non-profit groups.
VOLUNTEER: Eight years as president of one of New York's largest dog owner clubs, FIDO (Fellowship for the Interests of Dogs and their Owners) in Prospect Park, with over 600 active members.
<http://fidobrooklyn.org> (Some parks in New York, such as Prospect Park, are time-share dog parks. Really!) Vice-President of the New York Council of Dog Owner Groups (NYCDOG), an association of dog clubs from across the City, with 36 member organizations and a combined membership of several thousand.
EMPLOYMENT: Director of Technical Services, Broadway Video, New York, 3 years.
Broadway Video is the parent company of Saturday Night Live. Started as a temp and worked my way up. Total 12 years with the company. Post-Production Technical Manager, Lifetime Television, 6 years.
Freelance live-to-air graphics trainer, designer and operator for major companies in New York City (NBC, CBS, HBO, etc.), 8 years.

[McInerney_Mary_Resume_11_17.pdf](#)

Upload a Resume

Have you participated in Leadership High Point?

☐ Yes ☒ No

If yes, please list the year in which you participated in Leadership High Point:

Gender

☒ Female

Mary McInerney
3118 Log Cabin Cove
High Point, NC 27265-8219
336-885-2538 (H) 917-670-5176 (C)
marymcinerney@hotmail.com

Freelance Deko/Duet Designer and Operator

December, 1998-March, 2009

Operated Avid Systems Deko and Chyron Duet during live events for such clients as College Sports Television, CBS News, HBO Studios, Showtime, and BET. Designed on-air graphics looks for such clients as Sanofi-Aventis Pharmaceuticals, CONCACAF (Soccer Confederation), Morgan-Stanley and Prudential Financial.

Freelance Instructor, Avid Deko Character Generators

October, 1999-November, 2005

Taught introductory course on the Deko line of character generators, both in-house at the manufacturer's facilities in New Jersey and California and at client sites around the United States, Canada, and the Caribbean.

Post Production Technical Manager, Lifetime Television QUEENS, NY

February, 1993-November, 1998

Supervised over a dozen staff and freelance video technicians; devised and implemented training and operations procedures for on-line and non-linear editing, on-air quality control, and studio set-up. Acted as technical liaison between post department and studio and engineering departments. Trained operators on Chyron SuperScribe and Deko as well as Paintbox, Photoshop, and digital still stores.

Director of Technical Services, Broadway Video NEW YORK, NY

January, 1990-February, 1993

Created documentation and training procedures for large post-production facility during transition from analog to digital on-line and non-linear editing. Trained staff of technicians on procedures for tape duplication and edit room set-up, including Chyron Infinit operation; non-linear edit preparation, basic Paintbox operation, and digital still-store operation.

Assistant Editor, Broadway Video NEW YORK, NY

December, 1982-January, 1990

Assisted in on-line edit rooms, operating Vidifont, Abekas A-72, Chyron 4100 and Infinit; audio mixing, camera stand, tape setup and duplication, basic Paintbox and Abekas A-62 operation.

Production Assistant/Tape Librarian, Broadway Video NEW YORK, NY

August, 1980-December, 1982

Client services, scheduling, tape purchasing, library management, tape duplication.

Freelance Product Information Writer and Product Demonstrator, Zaxcom Video

1986-1990

Wrote product information for company's Emmy Award winning Remote Time Base Corrector Controller, GPI Interface Box, and first audio board. Demonstrated products at SMPTE and NAB shows.

CITY OF HIGH POINT

AGENDA ITEM



Title: Amendment of the 2019 City Council Meeting Schedule

From: Randy McCaslin, Deputy City Manager

Meeting Date: November 19, 2018

Public Hearing:

Advertising Date /

Advertised By:

Attachments: Revised Ordinance

PURPOSE:

Revisions to the High Point City Council 2019 Meeting Schedule

Council is requested to approve the following changes to the 2019 City Council Meeting Schedule:

Cancellation of the Monday, January 21st Council Meeting due to the MLK Holiday

Cancellation of the Monday, July 1st Council Meeting due to the 4th of July Holiday

Cancellation of the Monday, September 2nd Council Meeting due to the Labor Day Holiday

Cancellation of the Monday, October 21st Council Meeting due to the High Point Furniture Market

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to adopt a revised ordinance amending the High Point City Council 2019 Meeting schedule as recommended by staff.

**AMENDMENT TO THE
ORDINANCE ESTABLISHING DATES AND TIMES FOR OFFICIAL SESSIONS OF THE
HIGH POINT CITY COUNCIL**

WHEREAS, Article II, Section 2.5 of the Charter of the City of High Point (Chapter 501 of the Session Laws of 1979, as amended), requires that the City Council establish specific dates for all meetings, and provide for the call of special meetings;

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

Pursuant to Article II, Section 2.5 of the Charter of the City of High Point, that on and after December 17, 2018, there shall be held Regular meetings of the High Point City Council in the Council Chambers on the Third Floor of the Municipal Building, located at 211 South Hamilton Street, High Point, North Carolina. The meeting schedule shall be as follows:

Regular Meetings of the City Council shall be held on the first and third Monday of each month at **5:30 p.m.** except for the following meetings:

Monday, January 21st Council Meeting due to the MLK Holiday
Monday, July 1st Council Meeting due to the 4th of July Holiday
Monday, September 2nd Council Meeting due to the Labor Day Holiday
Monday, October 21st Council Meeting due to the High Point Furniture Market

City Manager's Briefing Sessions shall be held on the 1st and 3rd Monday at 4:00 p.m. in the 3rd Floor Lobby Conference Room, unless otherwise announced.

Any Special Called Meetings—including Closed Sessions—may be called as provided by law.

All scheduled meetings shall be in accordance with the Open Meetings Law.

(these meetings could be subject to cancellation if there is no business to be considered)

FURTHER, that the Mayor, when present, shall preside at all meetings of the City Council. If the Mayor is absent, then the Mayor Pro Tempore shall preside. If the Mayor Pro Tempore is also absent, then any other Member of City Council may be selected to preside at the meeting.

Meeting schedule to be effective upon adoption.

Adopted by the City Council this 4th day of December 2017.
Amended by the City Council this 19th day of November 2018.

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
November 5, 2018 – 4:00 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

MINUTES

Call To Order

Mayor Jay Wagner called the meeting to order at 4:00 p.m.

Present:

Mayor Jay W. Wagner, Mayor Pro Tem Christopher Williams (Ward 2); Council Member Britt Moore (At Large), Council Member Donald Scarborough (At Large), Council Member Jeffrey Golden (Ward 1), Council Member Monica Peters (Ward 3), Council Member Wesley Hudson (Ward 4), Council Member Victor Jones (Ward 5), and Council Member Jason Ewing (Ward 6)

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Loren Hill, Economic Development Director; Kenneth Shultz, Chief of Police; Jeron Hollis, Community and Public Engagement Director; Eric Olmedo, Budget and Administrative Director; Mark McDonald, Transportation Director; Matt Carpenter, Traffic Signal Engineer; Keith Pugh, Engineer Services Director; Scott Dingus, Civil Engineer II, JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk and Sandra Keeney, Deputy City Clerk

Others Present:

Scott Lambeth, Citizen

Bruce Ashley, Attorney with Smith Moore Leatherwood and Fox Rothschild

2018-451 **Rockers Ball Park Tour POSTPONED**

City Council will take a tour of the Rockers Ball Park.

Mayor Wagner announced this item was postponed due to weather.

2018-452 **Presentation on Main Street Crosswalks**

The Transportation Department will give a presentation regarding Main Street crosswalks.

Mark McDonald, Transportation Director, showed pictures of the current crosswalk on North Main Street noting this crosswalk was built about 2 years ago when the restaurant Brown Truck opened. The Transportation Department added the over head flasher's and the "State Law Yield to Pedestrian" sign noting there were also push buttons on both sides of the crosswalk. He stated there are plans to relocate the crosswalk and put in a new high visibility crosswalk with higher ramps and new push buttons. He shared photos of the new location of the crosswalk noting the different locations for the push buttons and

signage. He advised that one update that could be considered is to place a "HAWK" (High-Intensity Activated crossWALK) signal noting that when there is not a pedestrian in the crosswalk the signal is off, when a pedestrian pushes the button, the flasher's will flash yellow for a period of time and then turn red, all traffic will stop in both lanes, and then a walk signal will come on allowing the pedestrian to walk. The whole sequence will take about 45 seconds.

Council Member Moore asked what happens to the traffic lights that are before and after the crosswalk. Mr. McDonald stated it would disrupt coordinated flow especially if the signals are very close in proximity, because it will completely stop traffic when it is activated without regard to the adjacent signal. He stated the crosswalk is about 700 feet from the Main Street and Lexington Avenue intersection. He explained the HAWK signal is not frequently used but there are some in various locations across the state. Mr. McDonald stated that because the changes would be on North Main which is a State road, permission from the state is needed.

Council Member Ewing stated he thought that the mast arms create more attention to the crosswalk than the current signal, which seems to blend in with other wires in the background. He stated that a mast arm that signals for that specific component, would have more success than switching over to a different signal. Mr. McDonald stated back plates could be added to give more of an outline.

Council Member Scarborough asked if there is a sensor or would the signal only turn on when activated by a pedestrian. Matt Carpenter, Traffic Signal Engineer, stated it responds to push button activation.

Mark McDonald stated they have made a request to the State to lower the speed limit to 30 mph and sees no reason why the state would deny the request. Council Member Moore asked what the next steps are. Mr. McDonald stated approval to move forward with Yates Construction as the contractor, as well as a decision on the more restrictive flashing signal.

Council Member Moore asked about the timeframe for the project. Randy McCaslin, Deputy City Manager, stated this has been added to the contract with Yates Construction and he will request they make this project priority. He noted that the mast arm poles take six to eight months to engineer and receive.

Mayor Wagner introduced Scott Lambeth, citizen, and explained that Mr. Lambeth's friend was the last person that was hit trying to cross the street in the current crosswalk. Mr. Lambeth told the story of his friend trying to cross the road which resulted in him being hit and landing 21 feet from the crosswalk. Mr. Lambeth's friend survived with minor injuries, but he is adamant that something needs to be done regarding the crosswalk. He listed the changes that have been made since his friend was hit such as the two signs that have been added and the lights blink all the time. He asked that the buttons be moved and be made more visible and noted that the residents, business owners and employees in that area wish that the lights would not flash constantly and only flash when the buttons were activated.

Randy McCaslin, Deputy City Manager, stated the City will move as quickly as possible to make the upgrades mentioned today and stated with DOT approval they would install the red lights, and the push buttons would be much more visible.

Matt Carpenter, Traffic Engineer clarified the next steps are to move forward with the rapid flashing beacon and the HAWK signal. Mr. McCaslin stated yes.

A discussion ensued regarding the cost and flashing lights of the crosswalk.

Mayor Wagner suggested a flyer be distributed in the area alerting the business owners and residence of the changes. Council Member Moore suggested that in the future rumble strips be considered.

Council Member Moore stated he is having trouble with the concept of red lights. Council Member Ewing agreed stating he would rather have the same signalling system and use rumble strips to create awareness as well as bigger signs that light up and place them at pedestrian eye level. Mr. McDonald stated the signage for the crossing is appropriate in that it fits the requirements for pedestrian crossing.

Mr. Lambeth reiterated the fact that the signs blend in with the background and noted the current blinking lights have been there for two years and have not been successful in stopping traffic. He stated in his opinion that 90% of people using the crosswalk only get across when no traffic is coming.

Mr. McDonald announced that Keith Pugh has an update regarding the Main Street and Lexington Avenue intersection.

Keith Pugh, Engineer Services Director, stated a couple of years ago, the City entered into an agreement with NCDOT to make pedestrian and signal improvements at the intersection of North Main and Lexington Avenue. We designed the project and it was placed out to bid and no one bid. In the mean time, Blue Bourbon Jacks started having trouble with their sanitary sewer in the connections on Main St. We started investigating the sanitary sewer and found all the utilities that are buried under the intersection range in from 50 to 100 years old. Infrastructure under the intersection was built between 1907 and 1960. Instead of making aesthetic improvements to an intersection to where we would likely have to rip it out to replace the infrastructure, it was decided to do it all at one time. The water and sewer lines will be replaced as well as placing vaults and duct banks so that when we go under ground with utilities we have a place to put them. He explained to do this at all at one time would mean dealing with one contractor and it could be completed between Furniture Markets. He advised in order to keep traffic moving on Main Street the road would need to drop to one lane and move traffic from one side to the other. This might also require that the Lexington intersection be closed during the construction but there could be periods where right turns would be permitted. He stated these improvements will be cumbersome and inconvenient, yet it is needed. He advised he is working with Transportation for the mast arm construction noting the mast arms are here and are ready to be placed and have that done before spring market. A contract will be initiated for all the other work. Randy McCaslin, Deputy City Manager, stated it will take 90 days to

complete, and will start after spring market to be completed before fall market at a cost of \$1 million dollars in which NCDOT will pay \$240,000. We will do all we can to provide access to all the businesses in that area.

Mayor Wagner requested that the area business owners be kept informed of the improvements and changes.

2018-453 Closed Session - Preserve Attorney Client Privilege.

Closed Session pursuant to N.C. General Statute §143-318.11(a)3 to Preserve Attorney Client Privilege.

At 4:52 p.m. Council Member Jones made a motion, seconded by Council Member Ewing, to enter into Closed Session pursuant to N.C. General Statute 143-318.11(a) 3 to Preserve Attorney Client Privilege. Motion carried unanimously with the following 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

At 5:23 p.m. Council Member Moore made a motion, seconded by Council Member Ewing, to recess the Special Meeting until after the adjournment of the High Point City Council Meeting that was scheduled for 5:30 p.m. Motion carried unanimously by a 9-0 vote.

**HIGH POINT CITY COUNCIL
RECESSED MEETING**

November 5, 2018 – 7:55 P.M.

3RD FLOOR LOBBY CONFERENCE ROOM

Mayor Wagner reconvened the Special Meeting of the High Point City Council and announced that a motion was needed to go into Closed Session to complete the City Manager's performance evaluation.

2018-454 Closed Session - Personnel

Closed Session pursuant to N.C. General Statute §143-318.11(a) 6 Personnel.

At 7:55 p.m., Council Member Moore made a motion, seconded by Council Member Hudson, to go into Closed Session for a personnel matter. Motion carried by a 9-0 unanimous vote.

Upon reconvening into Open Session at 8:50 p.m., Mayor Wagner made a motion, seconded by Mayor Pro Tem Williams, to approve revisions to the City Managers Contract and to approve a 4% salary increase retro to July 1. Motion carried.

Adjournment

There being no further business to come before Council, Council Member Ewing made a motion, seconded by Council Member Jones to Adjourn at 8:51 p.m.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Sandra Keeney, Deputy City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish –306 Fourth St.

From: Michael McNair, Director
Community Development & Housing

Meeting Date: 11/19/18

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 306 Fourth St.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 10/1/18. No action occurred by the compliance date of 11/5/18. 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 and all outbuildings on the property.

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:**

306 Fourth St.

OWNER:

Mario M. Carreno, Juana J. Martinez &
Pedro Carreno

**REASON FOR
INSPECTION:**

Local Codes observed condition of property

**FIRST
INSPECTION:**
8/6/18

Summary of Major Violations

1. Repair or replace damaged roof covering
2. Repair or replace damaged exterior wall framing & sheathing
3. Repair or replace damaged framing throughout house
4. Repair or replace damaged/missing subfloor throughout
5. Repair or replace damaged ceiling joists and rafters

**HEARING
RESULTS:**
8/29/18

Mario Carreno appeared for the Hearing. Mr. Carreno stated during the Hearing that they had no intention of repairing the property and asked about giving the property to the City. 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:**
10/1/18

Order to Repair or Demolish
Date of Compliance 11/5/18

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

None

ADDITIONAL:

Guilford County property taxes are delinquent in the amount of \$12,919.00.









Mary McInerney
3118 Log Cabin Cove
High Point, NC 27265-8219
336-885-2538 (H) 917-670-5176 (C)
marymcinerney@hotmail.com

Freelance Deko/Duet Designer and Operator

December, 1998-March, 2009

Operated Avid Systems Deko and Chyron Duet during live events for such clients as College Sports Television, CBS News, HBO Studios, Showtime, and BET. Designed on-air graphics looks for such clients as Sanofi-Aventis Pharmaceuticals, CONCACAF (Soccer Confederation), Morgan-Stanley and Prudential Financial.

Freelance Instructor, Avid Deko Character Generators

October, 1999-November, 2005

Taught introductory course on the Deko line of character generators, both in-house at the manufacturer's facilities in New Jersey and California and at client sites around the United States, Canada, and the Caribbean.

Post Production Technical Manager, Lifetime Television QUEENS, NY

February, 1993-November, 1998

Supervised over a dozen staff and freelance video technicians; devised and implemented training and operations procedures for on-line and non-linear editing, on-air quality control, and studio set-up. Acted as technical liaison between post department and studio and engineering departments. Trained operators on Chyron SuperScribe and Deko as well as Paintbox, Photoshop, and digital still stores.

Director of Technical Services, Broadway Video NEW YORK, NY

January, 1990-February, 1993

Created documentation and training procedures for large post-production facility during transition from analog to digital on-line and non-linear editing. Trained staff of technicians on procedures for tape duplication and edit room set-up, including Chyron Infinit operation; non-linear edit preparation, basic Paintbox operation, and digital still-store operation.

Assistant Editor, Broadway Video NEW YORK, NY

December, 1982-January, 1990

Assisted in on-line edit rooms, operating Vidifont, Abekas A-72, Chyron 4100 and Infinit; audio mixing, camera stand, tape setup and duplication, basic Paintbox and Abekas A-62 operation.

Production Assistant/Tape Librarian, Broadway Video NEW YORK, NY

August, 1980-December, 1982

Client services, scheduling, tape purchasing, library management, tape duplication.

Freelance Product Information Writer and Product Demonstrator, Zaxcom Video

1986-1990

Wrote product information for company's Emmy Award winning Remote Time Base Corrector Controller, GPI Interface Box, and first audio board. Demonstrated products at SMPTE and NAB shows.

BK: R 8112

PG: 234-239

RECORDED:

12-17-2018

09:24:08 AM

BY: JANE SCHULTZ

DEPUTY-HP



2018064814

GUILFORD COUNTY, NC

JEFF L. THIGPEN

REGISTER OF DEEDS

NC FEE \$26.00

68
Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. 1808/18-70

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 19th DAY OF NOVEMBER, 2018, AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

Street Abandonment (Closure) Case 18-01

Part A: A request by High Point University to abandonment the eastern 655 feet of the Barbee Avenue right-of-way.

Part B: A request by High Point University to abandonment the eastern 305 feet of the Willow Place right-of-way.

WHEREAS, High Point University has petitioned the City Council of the City of High Point to permanently abandon (close) abandonment the eastern 655 feet of the Barbee Avenue right-of-way and to abandon the eastern 305 feet of the Willow Place right-of-way, which is more specifically described as follows.

Part A (eastern 655 feet of the Barbee Avenue right-of-way):

Beginning at a point in the southern right-of-way of Barbee Avenue, the northwest corner of Lot No. 2 of a plat entitled "Map of Section Two of the M. J. Wrenn Property" as recorded in Plat Book 13 Page 76 of the Guilford County Register of Deeds; thence in an easterly direction along the northern property lines of Lot Nos. 2 and 1 of the aforementioned plat, the same being the southern limits of the 50 foot public right-of-way of

Barbee Avenue; thence continuing along the southern right-of-way of Barbee Avenue, with the northern lines of Lot Nos. 1 - 7 of a map entitled "Property of Mrs. Ina D. McGuirk" as recorded in Plat Book 10 Page 99 to the intersection of Barbee Avenue and Willow Place (AKA Crawford Street); thence crossing Willow Place to the northwest corner of Lot No. 211 of College Heights Subdivision as recorded in Plat Book 4 Page 158 of the Guilford County Register of Deeds; thence in a northerly direction crossing the Barbee Avenue right-of-way approximately 50 feet, the same line being the western terminus of the Barbee Avenue right-of-way as described in Street Abandonment Case 17-06, Resolution 1748/18-10, approved by the City of High Point Council and as recorded in Deed Book 8019 Page 2116 of the Guilford County Register of Deeds; thence in a westerly direction along the northern right-of-way of Barbee Avenue as indicated in a Recombination Plat entitled "Exclusion Map - Sheet 2 of 2 for High Point University - Health Science Area" and as recorded in Plat Book 192 Page 95 of the Guilford County Register of Deeds approximately 605 feet to a point in the northern right-of-way of Barbee Avenue; thence crossing the Barbee Avenue right-of-way approximately 50 feet in a southern direction to the place and point of beginning.

Part B (eastern 305 feet of the Willow Place right-of-way):

Beginning at the southeast corner of the intersection of Barbee Avenue and Willow Place, said point also being the northwest corner of Lot No. 211 of College Heights as recorded in Plat Book 4 Page 158 of the Guilford County Register of Deeds, said point also being the point of beginning for the Barbee Avenue Street Abandonment Case 17-06 as approved in Resolution No. 1748/18-10 by the City Council of the City of High Point and recorded in Deed Book 8019 Page 2116 of the Guilford County Register of Deeds; thence in a southerly direction along the eastern right-of-way of Willow Place (AKA Crawford Street), the western line of Lot No. 211, to the northwest corner of Lot A of an Exception Map entitled "Property of Samuel Shavitz" recorded in Plat Book 46 Page 57 of the Guilford County Register of Deeds; thence continuing along the southern right-of-way of Willow Place along the northern lines of Lots A, B, and C of aforementioned plat, to a point in the southern right-of-way of Willow Place, said point being the northwest corner of Lot C of the aforementioned plat; thence crossing the right-of-way of Willow Place in a northerly direction approximately 50 feet to a point in the southern line of Lot No. 14 of a map entitled "Property of Mrs. Ina D. McGuirk" as recorded in Plat Book 10 Page 99 of the Guilford County Register of Deeds; thence along the eastern lines of Lot Nos. 14 and 7 of the property of Mrs. Ina D. McGuirk with the western right-of-way of Willow Place to the southwest corner of the intersection of Willow Place and Barbee Avenue; thence in an easterly direction crossing Willow Place to the place and point of beginning.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 1st day of October, 2018, at 5:30 p.m. setting the 19th day of November, 2018 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 City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning October 19 & 26, 2018 and November 2 & 9, 2018; 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 portions of Barbee Avenue and Willow Place; 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.

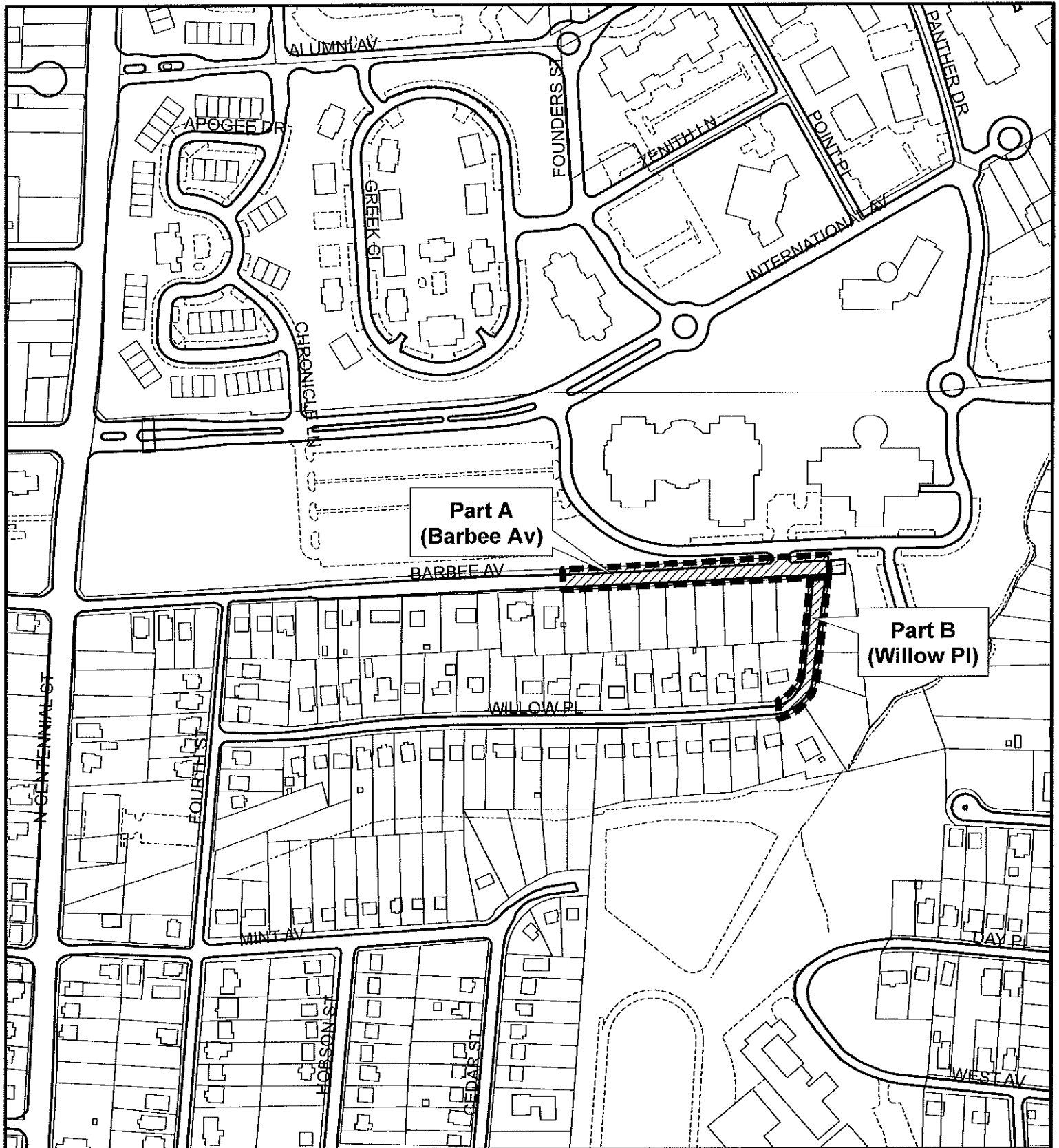
NOW THEREFORE BE IT RESOLVED:

1. That the portion of Barbee Avenue right-of-way and Willow Place right-of-way, as described above, be closed pursuant to North Carolina G.S. 160A-299;
2. That 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 the right-of-way; and
3. That the City of High Point shall retain a 20-foot wide stormwater easement centered over all existing stormwater lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
4. That the City of High Point shall retain a 20-foot wide sanitary sewer easement centered over all existing sewer lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
5. That the City of High Point shall retain a 20-foot wide water easement centered over all existing water lines within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way;
6. That the City of High Point shall retain a 30-foot wide Piedmont Natural Gas easement offset over all existing gas lines within and crossing the Barbee Avenue right-of-way

and the Willow Place right-of-way. These easements shall extend 10 feet south of existing gas lines and 20 feet north of existing gas lines;

7. That the City of High Point shall retain a 30-foot wide electric utility easement, which includes electric lines, City fiber optic lines, cable TV lines and some NorthState Communication lines, centered over all existing electric lines and existing poles within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way; and
8. That the City of High Point shall retain a 15-foot wide NorthState Communications easement shall be retained for NorthState Communication utility lines and poles that are separate from City electric lines and poles. This easement shall be centered over these separate NorthState Communication utility lines and poles that are within and crossing the Barbee Avenue right-of-way and the Willow Place right-of-way.
9. 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 19th day of November, 2018
Lisa B. Vierling, City Clerk



STREET ABANDONMENT SA-18-01

Applicant: High Point University
Area: 0.98 acres



Location of requested street abandonment

Planning & Development
Department

City of High Point



Scale: 1"=300'

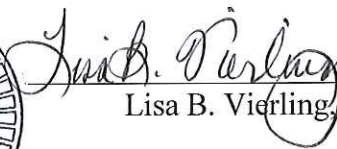
G:/Planning/Secure/BAC/
SA/2018/MXD/sa18-01

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 19, 2018 and upon approval by City Council will be recorded in Book 93 of the Official Minute Books and Resolution Book XX 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 13th day of December 2018.

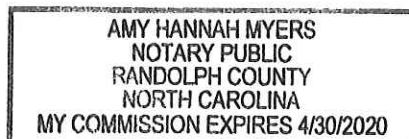


Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

I, Amy Hannah Myers, 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 13th day of December 2018.



Amy Hannah Myers, Notary Public

Commission Expires: 4/30/2020

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
November 5, 2018 – 5:30 P.M**

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Mayor Wagner called the meeting to order at 5:30 p.m.

*Upon call of the roll, the following Council Members were **Present (9)**:*

Mayor Jay W. Wagner, Mayor Pro Tem Christopher Williams (Ward 2); Council Member Britt Moore (At Large), Council Member Donald Scarborough (At Large), Council Member Jeffrey Golden (Ward 1), Council Member Monica Peters (Ward 3), Council Member Wesley Hudson (Ward 4), Council Member Victor Jones (Ward 5), and Council Member Jason Ewing (Ward 6)

Mayor Wagner called for a Moment of Silence. The Pledge of Allegiance followed.

RECOGNITIONS AND PRESENTATIONS

2018-449 North Carolina Housing Finance Agency Award

Mike McNair, Director of Community Development and Neighborhood Housing, will present a plaque to the City Council that the City was awarded at the North Carolina Housing Finance Agency (NCHFAF) 2018 Affordable Housing Conference in Raleigh for housing activities such as Operation InAsMuch, and the Southside Neighborhood Redevelopment.

Mike McNair, Director of Community Housing & Development, announced that the City of High Point along with Community Housing Solutions and the City of Greensboro received an affordable housing award from the NC Housing Finance Agency. Six council members were present to witness the presentation of the award during the Affordable Housing Conference that was held in Raleigh. Mr. McNair recognized and invited Gene Brown with Community Housing Solutions to share his comments.

Mr. Brown provided some background on the process that is used for the awards. He advised this is the first time that they have done this type of award that is called the "Collective Impact" and included initiatives within the Southside Neighborhood in High Point and the Ole Asheboro Neighborhood in Greensboro working collaboratively with organizations. Mr. Brown recognized Tony Collins, President of the Southside Neighborhood Association, who was present in the audience and applauded the work of organizations like the Housing Consultants Group and other organizations working together collaboratively in these efforts.

Appreciation was expressed to the City Council for its leadership and support in not only providing funding, but for physically participating in the events such as Operation In As Much. Appreciation was also expressed to the community, homeowners, and other volunteers that have given so much of their time and talent to make it so successful.

He then shared a video of the presentation. Mr. McNair then presented the award to Mayor Wagner. [photo op followed]. Mayor Wagner returned the award to Mr. McNair so it could be displayed in the Community Housing & Neighborhood Development Department.

[applause]

2018-418 STRATEGIC PLAN UPDATE

Council will receive an update on the Strategic Plan from 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.

Connect HP

Council Member Jason Ewing, Chairman of the Prosperity & Livability Committee, reported that the Young Professional group met last week to discuss current plans for the upcoming YP Summit as well as other things that they could do to continue to engage young professionals within High Point. He mentioned the following upcoming events:

- *"Engage in High Point's Future" to be held at High Point University;*
- *YP Summit that will be held on November 27th @ 4:00 p.m.*

He also reported that the Connect HP Board has taken over the old High Point YP Facebook page, which is where information on upcoming events they have planned can be found.

Blight Reduction

Council Member Jeff Golden, Chair of the Community Housing, Neighborhood Development & Public Safety Committee provided an update on some numbers as they relate to the Code Enforcement. He then shared numbers for the October 2018 activities as follows:

*30 - Minimum Housing Complaints
283 - Active Minimum Housing Cases
1 - Active Backlog Cases (270 original)
9- City Demolished Houses
92 - Public Nuisance Complaints
146 - Active Public Nuisance Cases
56 - City Abated Public Nuisance Cases
140 - Owner abated Public Nuisance Cases
30 - Zoning Complaints (vehicles, signs, Banners etc.)
91 - Active Zoning Cases
81 - Signs Collected*

Lori Loosemore, Local Codes Enforcement Supervisor, shared some before and after photographs of public nuisances and abatements that were completed, as well as some success stories.

2018-419 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 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.

The following persons were recognized and spoke during the Public Comment Period.

Sean Brown, a resident at 703 Overbrook Drive in High Point, addressed Council regarding racial profiling of black male drivers in the City of High Point. He shared some data that showed more than 50% of all tickets issued in the City of High Point were issued to black male drivers. He noted that he has personally been pulled over more than five times. He claimed that profiling stops almost always cause car insurance rates to go up on all High Point car owners because all insurance rates are increased when more people are charged with violations in the city. He went on to say that according to the North Carolina Profiling laws, it is illegal to profile any North Carolina resident. Mr. Brown requested that the City Council meet with police leadership to develop a solution to end racial profiling in the City of High Point, and requested a Task Force be established by the City Council to end racial profiling in the City of High Point and the High Point Police Department.

Cynthia Jennings, mother of Sean Brown and temporarily residing with him at his residence at 703 Overbrook Drive, also addressed Council regarding racial profiling of black males in High Point. She advised that she is a Civil Rights attorney licensed to practice in Federal court and was also a former attorney for the State of Connecticut and the NAACP (National Association for the Advancement of Colored People). She felt it would be important for the City of High Point to draft a resolution addressing the issue of police profiling in High Point. She referenced a 107-page report of what happened to the City of Ferguson Police Department when they continued to profile black residents causing the U.S. Justice Department to disband the entire Ferguson Police Department. She stressed that it is wrong to profile someone based on the color of their skin and it was also illegal. She requested those individuals that have been profiled should receive waivers or releases from the City of High Point so they could get their driver licenses back so they won't have to continue to pay higher car insurance. She further believed that there should be some kind of reparation to those individuals who have been stopped and fined and paid an unfair, unjust amount of money to the city.

Mayor Wagner assured Ms. Jennings and Mr. Brown that High Point does take allegations of racial profiling very seriously. She recommended they provide their contact information to

Deputy City Manager Randy McCaslin so a meeting could be scheduled for them to speak with the Chief of Police and Capt. James McNeill, who is the officer in charge of Internal Affairs.

Ken Orms, a resident at 3525 Sainsbury Lane, expressed concerns regarding some finance-related agenda items for tonight's meeting having to do with money being expended for the stadium and areas around the stadium. By his calculations, the city would be spending a total of \$70 million on the stadium, instead of the \$35 million that was initially projected for the stadium. He questioned where the money was coming from and asked if there were any other city programs or other city departments that are not going to have the money they need to carry out services. He clarified that he has always wanted the stadium project to be a huge success, but his concern has always been about the process, not about the product. He accused the city of spending way too much money without seeking voter approval. Mr Orms felt it was time to bring spending money to an end.

Magic McDonald, a resident at 900 E. Kearns Avenue, was going to address Council on corruption, but changed his mind.

Robert Perara, a resident at 1004 Charlotte Avenue in High Point for the past 12 years, and a dual veteran of the Air Force and Army, addressed Council regarding the Medical Assault Law (MAL). He noted he was the creator and co-founder of MAL. He explained that MAL was created to make sure that the hospitals that do wrong pay the consequences and are held accountable for their actions. Mr. Perara shared some bad and good experiences he and his family has had with local hospitals. He advised Council of his plans in moving MAL forward and hoped High Point would be the start of everything coming down the pipeline.

Mayor Wagner asked if there was anyone else present who would like to speak. There being none, the Public Comment Period was closed.

CONSENT AGENDA ITEMS

Finance Committee Chairman Council Member Moore reported that the Finance Committee did meet as scheduled on Thursday, November 1st and placed all the Finance-related matters on the Consent Agenda with a favorable recommendation for approval.

Council Member Moore then made a motion, seconded by Council Member Hudson, to approve the finance-related items on the Consent Agenda. The motion carried unanimously by a unanimous 9-0 vote.

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 Moore, Chair
Committee Members: Moore, Hudson, Jones, and Ewing

2018-420 Contract - Purchase of Decorative Street Lights and Poles for the Stadium Project

Council is requested to award a contract to WESCO in the amount of \$586,269.54 for the purchase of 96 decorative lights for the stadium complex area.

Approved the award of a contract to WESCO in the amount of \$586,269.54 for the purchase of 96 decorative lights for the stadium complex area.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-421 Contract - Renewal with National Meter for 5/8" Water Meters

The Customer Service Department recommends that City Council renew this contract to National Meter (formerly Carolina Meter) in the amount of \$1,295,100.00 for the purchase of 8000 of the 5/8" water meters and authorize the appropriate City Official to execute all necessary documents.

Approved renewal of a contract to National Meter (formerly Carolina Meter) in the amount of \$1,295,100.00 for the purchase of 8000 of the 5/8" water meters and authorized the appropriate City Official to execute all necessary documents.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-422 Sole Source Contract - Purchase of Turbidimeters at Ward Water Plant

Council is requested to award a sole source contract to Swan Analytical in the amount of \$42,165.00 for the purchase of ten (10) turbidimeters, verification kit, and the parts required for the installation at the Ward Water Plant to monitor the humidity in the filters.

Approved award of a sole source contract to Swan Analytical in the amount of \$42,165.00 for the purchase of ten (10) turbidimeters, verification kit, and parts required for installation at the Ward Water Plant to monitor the humidity in the filters.

A motion was made by Council Member Moore, seconded by Council Member Hudson, that this sole source contract be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-423 Contract - Adkins Road Sewer Improvements

Council is requested to award a contract to KRG Utility Inc. in the amount of \$756,230.00 for the Adkins Road Sewer Improvements as part of the sanitary sewer availability in the City's northwestern jurisdiction.

Approved award of a contract to KRG Utility, Inc. in then amount of \$756,230.00 for the Adkins Road Sewer Improvements as part of the sanitary sewer availability in the City's northwestern jurisdiction.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-424 Resolution - 2017 Local Water Supply Plan

Council is requested to adopt a Resolution for the 2017 Local Water Supply Plan (LWSP). This is an assessment of the water system's current and future water needs and is required for the City to be compliant with the requirements of the NC General Statute G.S. 143-355(1).

Adopted a Resolution for the 2017 Local Water Supply Plan (LWSP).

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Resolution No. 1801/18-63

Resolution Book, Volume XX, Page 63

Introduced 11/5/2018; Adopted 11/5/2018

2018-425 Contract - Catalyst Traffic Study

Council is requested to award a contract to Aecom, Inc. in the amount of \$108,796.00 to study the traffic related impacts of the new stadium and associated development around the project.

Approved award of contact to Aecom, Inc. in the amount of \$108,796.00 to study the traffic related impacts of the new stadium and associated development around the project.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-426 Budget Ordinance Amendment - Catalyst Project

Council is requested to adopt a Budget Amendment to properly account for the flow of funds for the reimbursement of the Catalyst Project loan approved by City Council on April 3, 2017.

Adopted an Ordinance amending the FY 2018-2019 Budget to properly account for the flow of funds for the reimbursement of the Catalyst Project loan approved by the City Council on April 3, 2017.

A motion was made by Council Member Moore, seconded by Council Member Hudson, that this Budget Ordinance Amendment be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

**Ordinance No. 7458/18-87
Ordinance Book, Volume XX, Page 87
Introduced 11/5/2018; Adopted 11/5/2018**

2018-450 State of North Carolina - MOU

The City Council is requested to approve a four party Memorandum of Understanding (MOU) to acquire software that will eventually be used by cities, counties and the State of North Carolina, and authorize the appropriate City Official to execute all necessary documentation.

Approved a four-party Memorandum of Understanding (MOU) to acquire software that will eventually be used by cities, counties, and the State of North Carolina and authorized the appropriate City Official to execute all necessary documentation.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-427 Resolution - Condemnation - 4461 Kendale Road

Council is requested to adopt a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4461 Kendale Road. This acquisition of this property is needed for the purpose of constructing the Westmoreland Sewer Outfall Project.

Adopted a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4461 Kendale Road as needed for the construction of the Westmoreland Sewer Outfall Project.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

**Resolution No. 1802/18-64
Resolution Book, Volume XX, Page 64
Introduced 11/5/2018; Adopted 11/5/2018**

2018-428 Resolution - Condemnation - 4604 Johnson Street, Colfax NC

Council is requested to adopt a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4604 Johnson Street, Colfax, NC. This acquisition of this property is needed for the purpose of constructing the Westmoreland Sewer Outfall Project.

Adopted a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4604 Johnson Street, Colfax, NC needed for the construction of the Westmoreland Sewer Outfall Project.

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

**Resolution No. 1803/18-65
Resolution Book, Volume XX, Page 65
Introduced 11/5/2018; Adopted 11/5/2018**

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-429 Resolution - Condemnation - 4510 Johnson Street, Colfax NC

Council is requested to adopt a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4510 Johnson Street, Colfax, NC. This acquisition of this property is needed for the purpose of constructing the Westmoreland Sewer Outfall Project.

Adopted a Resolution authorizing the City Attorney to proceed with the condemnation of property located at 4510 Johnson Street, Colfax, NC needed for the purpose of construction of the Westmoreland Sewer Outfall Project.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Resolution No. 1804/18-66

Resolution Book, Volume XX, Page 66

Introduced 11/5/2018; Adopted 11/5/2018

PENDING ITEMS

2018-169 Amendment to License Agreement - Cingular Wireless PSC, LLC (AT&T)

City Council is requested to approve an Amendment to the License Agreement with Cingular Wireless PCS, LLC (AT&T) which allows the location of communication equipment at the City's Ward Water Plant; and authorize the City Manager to execute the agreement.

Note: This matter was initially heard by the City Council at the May 21, 2018 Meeting and action was taken at that time to refer the matter to the Finance Committee for further discussion.

At the Finance Committee Meeting held on August 16, 2018, City Attorney JoAnne Carlyle provided an update. This is the 5th amendment to this license. She advised this should actually be a Lease Agreement rather than a License Agreement as this equipment is installed for more than 30 days on real city property. She explained that she has been corresponding with the attorney representing Cingular to correct the language in the Agreement.

REGULAR AGENDA ITEMS

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

Committee Members Golden, Peters, Scarborough, and Williams

2018-431 Public Hearing - HUD Section 108 Loan Application - Wynnefield Properties

Monday, November 5th at 5:30pm is the date and time established for a public hearing authorizing staff to prepare a section 108 loan application for HUD approval for Wynnefield Properties to construct the Avondale Trace Apartments.

Mike McNair, Director of Community Development & Housing advised that staff is asking for authorization to move forward with the Section 108 Loan Application. He provided a brief overview of the Action Plan and noted that Council approved a loan to Wynnefield Properties to construct another affordable housing project, Avondale Trace apartments. construction of the Avondale Trace. Mr. McNair explained that the Section 108 Loan Program is designed to allow cities that receive CDBG funds to borrow up to five times their allocation to do capital projects such as this. Staff estimates the city's borrowing capacity is just under \$1,000,000.00.

The Avondale Trace apartments will be built off of W. Wendover Avenue. Mr. McNair shared a site plan that identified the layout of the three proposed buildings. Proposed rents will range from \$235 to \$795 a month.

Council Member Golden opened the public hearing and asked if there was anyone present who would like to comment. There was no one present that stepped forward to comment.

Council Member Golden asked about the total number of affordable housing units that have been built thus far in the City of High Point. Mr. McNair replied that between the City and Park Terrace, there have been right around 600 units, but pointed out that doesn't come close to meeting the need for affordable housing.

Council Member Golden asked again if there was anyone present who would like to speak. There being no one present to comment, the public hearing was closed.

Authorized staff to prepare a Section 108 loan application for HUD for Wynnefield Properties to construction the Avondale Trace Apartments.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-432 Reallocation of Public Service Grant Award

Council is requested to approve the reallocation of the 2018-19 Public Service Grant Award from the MIND Group to the agencies requested by the Citizens Advisory Council. Funds will be reallocated to 1) Housing Authority Youth Financial Literacy Project \$3,650, 2) Housing Authority Youth Agriculture Project \$2,150, 3) Carl Chavis YMCA \$2,000.

Mike McNair, Director of Community Housing & Development, informed Council that the Citizens Advisory Council (CAC) had a subrecipient grant award that was part of the Annual Action Plan where the recipient was also a prior year recipient which resulted in a non-compliance issue with the recipient. He noted this has yet to be resolved and staff advised the CAC that the recipient is not in good standing with the city so they could not issue them a new contract. The CAC met and made the following recommendations for reallocation of the \$7,800 in question:

- *\$3,650 to the Housing Authority for the Youth Financial Literacy Project;*
- *\$2,150 to the Housing Authority for the Youth Agriculture Project;*
- *\$2,000 for Carl Chavis YWCA*

Mr. McNair advised this was reviewed by the Citizens Advisory Council as well as the Community Housing, Neighborhood Development & Public Safety Committee.

Approved the reallocation of \$7,800 of the 2018-2019 Public Service Grant Award from the MIND Group to the preceding agencies.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-433 Ordinance - Demolition of Structure - 2435 West English Street

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a condemned structure located at 2435 West English Street.

Reggie Hucks, Inspections Administrator, advised the initial visit to this site was on December 4, 2017 at which time the inspectors observed a part of the structure was leaning over on the neighbors property. A title search was conducted and a notice of the hearing was posted on the building. There was no communication from the absentee property owners. A hearing was held and the property owner was not present. Following the hearing an Order to Repair or Demolish was posted on the building, and notification was also provided through the High Point Enterprise. There was no response or action from the owners.

Mr. Hucks proceeded to share some pictures of the building showing a huge hole in the roof of the building. The city received notification from Guilford County that they are ready to move forward on the property as the property owner owes almost \$40,000 in delinquent taxes on the property. Council Member Golden asked how far back the taxes go on the property. Mr. Hucks stated he was not certain, but could find out.

Council Member Moore inquired about the role Guilford County would play in the cost of demolition of the structure. Mr. Hucks stated he wasn't sure and noted the cost could be quite expensive. Deputy City Manager Randy McCaslin explained the city would do the demolition and put a lien on the property and noted if Guilford County follows through on the tax foreclosure, then it would be sold at the courthouse.

No one was present to speak regarding this matter.

Adopted an Ordinance ordering the building inspector to effectuate the demolition of a structure located at 2435 West English Street.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Williams, that this Demolition Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7459/18-88

Ordinance Book, Volume XX, Page 88

Introduced 11/5/2018; Adopted 11/5/2018

2018-434 Ordinance - Demolition of Structure - 500 Washington Street

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a condemned structure located at 500 Washington Street.

Reggie Hucks, Inspections Administrator, advised that staff received a complaint from the property owner at 512 Washington Drive regarding loose masonry falling from the building next to the property. Inspectors went out to inspect and found that the peripheral wall was coming loose and was leaning towards the neighbors property. A letter was sent to the property owner for corrective action. Staff received a voicemail from Aaron Alexander, the property owner's representative who is in California. The property owner did provide staff access to the interior of the building for inspection through Craven Johnson Pollock. Inspectors did find a considerable amount of water damage inside the building, as well as some rot.

A condemnation notice was sent to the property owner requesting a response within ten days. Mr. Alexander acknowledged receipt of the notice and stated that he would respond in writing within ten business days. Notice of the hearing was sent out due to the lack of no written response. The hearing date was set for December 5, 2017. Mr. Alexander responded to the Notice of Hearing and requested 90 days stating his company, A & R International had just become the owners of the property and the time was needed in order to formulate a plan for stabilization and repair. On December 14, 2017 following the hearing, a 90-day order was issued and the property owner was given a 90-day extension as requested.

On April 30, 2019, an Order was posted on the building and published in the High Point Enterprise as well, but with no response. Subsequently, the building was sold to A & R International Exports out of Cheyenne, Wyoming. On July 11, 2018, the building was again condemned and Mr. Scott and Mr. Alexander were sent notices of a request for a response in 10 days; however, no response was ever received. The Notice of Hearing was sent out to both parties with a hearing date set for September 10, 2018. A Notice was posted on the building and it was also advertised in the High Point Enterprise.

Mr. Hucks advised that Mr. Alexander did visit the Inspections Office this afternoon and obtained a permit to repair the roof of the structure. He pointed out Mr. Alexander was present in the audience and would like to address Council.

Aaron Alexander, representative of the property owner, A & R International Exports, reported that essentially the property was purchased by an out of state non-profit. They reached out to local commercial brokers to try to work with them because his company was from out of state. In summary, he shared that they do care about the property and also care about the community and they did not want the building to be demolished. He pointed out the property is strategically placed between High Point University, High Point Regional Hospital, and the municipal area that includes the new baseball stadium and surrounding developments. He assured Council that they want to see it succeed and as a gesture of his company's commitment, he brought a cashier's check made out to the city as a deposit to show their intentions on having the property repaired.

Mr. Alexander stated the approximate dollar amount for repairs to the roof are close to \$30,000. He advised that he did have half of that amount and they are looking to partner with other agencies for the whole amount due. He further explained it was a bit of a challenge because he was in California making it difficult. They have worked with various commercial brokers and confirmed that they are committed to making this work. He stated they did apply for the permit for the roof repairs and asked for Council's understanding and approval to allow them to remediate this.

Chairman Golden asked if that side of the building might possibly need to be shored up in addition to whatever repairs are going to happen with the roof. Mr. Hucks replied that it would and noted that the parapets would definitely need attention.

Council Member Peters asked if anything has been done to the building over the last eight years. As part of the High Point Community Theatre, she did go inside the building because they were offered a free lease to revitalize it. She pointed out that the building was in such terrible shape

Mr. Alexander reiterated that his company is committed to making this work and that's why he flew all the way to High Point from California. He explained their plan is two-fold. They plan to relist the property with a more prominent broker in the Triad area to see if there are other investors or community stakeholders that would like to partner with developing the property. He reiterated that the main goal for them is to repair the roof and make the building safe.

They hope to take advantage of tax credits since the building is on the National Historic Register of Places and hope to be able to sell the property because they felt it could be a tremendous property in terms of the proximity of the location and in terms of the other downtown development going on in High Point. Mr. Alexander shared their goal initially for the building was to build a live/work area, an artistic community.

Mr. Hucks reiterated his main concern is to make the building safe and pointed out it would more than likely cost more than \$30,000 to repair the roof on the building. Addressing the contractor issue, he pointed out they would have to use a NC State General Contractor although the current permit that was issued was issued as an owner permit. He further explained that once they exceed \$30,000, it would require a licensed NC General Contractor to be involved.

Several council members questioned why the permit was issued when the demolition order was on tonight's agenda. Mr. Hucks explained that the state law says to "repair" or "demolish" and if the property owner is willing to repair the building, they have that right. Council Member Ewing asked if there is anything legally that would prohibit the city from having a policy so that no permits can be issued from the date the notice is posted until a hearing is scheduled. City Attorney JoAnne Carlyle explained this step is necessary because of property rights and due process and advised that the property owner does have the right to take whatever action is necessary to try to repair the structure or prevent demolition.

Council Member Jones recalled that there was a donation affiliated with this structure a few years ago.

Charity Jackson, President of the High Point Fine Art Guild, the prior owner and one of the interested owners of the building, stated that they did transfer the property to Shield of Faith Economic Development Corporation (a 501(c)(3) non-profit corporation) with the agreement they would not sell the property whatsoever. She stated the High Point Fine Art Guild is the managing partner of the building and they also have possession of the building. She confirmed that they acquired the building in 2012 and did receive a grant to get a feasibility study done for an art collected incubator in 2016. In 2015, they got a study done on the roof and the estimate for a complete repair of the roof at that time was \$175,000.

She advised that the ownership changed this past March and the property was sold and transferred from Shield of Faith Economic Development Corporation to A & R, who is now the current owner. She reiterated that they have been working with them and have let them know that they do not want the building to sell or be demolished because they want to renovate the building for the community locally. She stated it has been challenging to try to mitigate some of the problems since they are no longer the owner of the building, so they have reached out to a lawyer to see what can be done to save the building. She further stated that they currently have art work in the building and have held art shows in the past there.

Council Member Ewing asked if Shield of Faith received any compensation from transferring the title in March and Ms. Jackson replied they did not and noted the agreement between the High Point Fine Art Guild and Shield of Faith was to partner with getting grants and renovating the building and that the building would not be sold. Council Member Ewing clarified his question and asked if the building was sold when the title was transferred from Shield of Faith to A & R. Ms. Jackson stated she could not speak to that.

Mr. Alexander clarified that A & R International paid for consideration of this property, but he was unsure as to the March 2018 timeframe. He further stated they have cancelled the first and second trustees and paid approximately \$85,000 to the previous owners. He agreed the circumstances revolving around the building seem to be convoluted, but whatever arrangement that the High Point Fine Art Guild had with the previous owners was not clear. He stated he was before Council to ask for a 60-day extension in order to repair it.

Council Member Golden then moved adoption of the Demolition Ordinance with an effective date of 60 days from adoption. Council Member Moore made a second to the motion.

As a matter of clarification, Mr. Alexander asked if the demolition could be revoked pending significant progress. Chairman Golden explained that would be at the direction of the inspector.

There being no further discussion, the motion to adopt the Demolition Ordinance with an effective date of 60 days from adoption carried by a unanimous 9-0 vote as follows:

A motion was made by Council Member Golden, seconded by Council Member Moore, that this Demolition Ordinance be adopted matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7460/18-89

Ordinance Book, Volume XX, Page 89

Introduced 11/5/2018; Adopted 11/5/2018

2018-435 Ordinance - Demolition of Structure - 811 Willow Place

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 811 Willow Place belonging to Fredy Machuca and Raul Salagado.

Council Member Golden made a motion to place this matter in Pending and refer this matter to the Community Housing, Neighborhood Development & Public Safety Committee.

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-436 Ordinance - Demolition of Structure - 834 Putnam Street

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 834 Putnam Street belonging to Heirs of Winifred Holdren.

Lori Loosemore, Local Codes Enforcement Supervisor, reported staff received a complaint of someone living in the house with no utilities and this prompted the initial inspection. An inspection was made on May 11, 2018 with a hearing on May 25, 2018. No one appeared for the hearing and an Order to Repair or Demolish was issued on July 12, 2018 with a compliance date of August 13, 2018. Staff has not heard from anyone in reference to this property. Ms. Loosemore noted it is heir property and staff did advertise it in the newspaper, as well as posted the property. Delinquent taxes in the amount of \$7,444 are due on the property.

There was no one present at tonight's meeting to speak regarding this matter.

Adopted an Ordinance ordering the building inspector to effectuate the demolition of a structure located at 834 Putnam Street.

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 Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7461/18-90
Ordinance Book, Volume XX, Page 90
Introduced 11/5/2018; Adopted 11/5/2018

2018-437 Ordinance - Demolition of Structure - 1208 Leonard Avenue

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 1208 Leonard Avenue belonging to Elly's Place LLC.

Lori Loosemore, Local Codes Enforcement Supervisor, reported that an inspector observed the condition of this property and made an inspection on November 14, 2017. A hearing was held on December 7, 2017. No one appeared for the hearing which resulted in the issuance of an Order to Repair or Demolish with a compliance date of January 16, 2018. Staff had no contact with the property owner until after they were sent the notice that it would be on the City Council's agenda tonight. Ms. Loosemore stated that a representative of Elly's Place LLC then called and asked that it be continued. They were invited to appear before the City Council and speak on their behalf at tonight's meeting.

Neither the property owner, nor the property owner's representative were present to speak.

Adopted an Ordinance ordering the building inspector to effectuate the demolition of a structure located at 1208 Leonard Avenue.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Williams, that this Demolition Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7432/18-91
Ordinance Book, Volume XX, Page 91
Introduced 11/5/2018; Adopted 11/5/2018

2018-438 Ordinance - Demolition of Structure - 337 Wingo Street

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a structure located at 337 Wingo Street belonging to Jennings V. and Lucinda Leviner.

Lori Loosemore, Local Codes Enforcement Supervisor, reported that an inspection was conducted on this property on April 30, 2019. A hearing was held on May 22, 2018 and the property owner did appear for the hearing. At that time, the property owner stated that he intended to sell the property and donate it to a non-profit, or he may repair it if he has time. He also checked with the Fire Department to see if they may have an interest in burning it. An Order to Repair or Demolish was issued on May 29, 2018 with a compliance date of July 2, 2018. Taxes are current on the property.

On June 8, 2018, the property owner did submit a quote for demolition, but stated it was higher than anticipated. After several conversations with staff, the property owner stated he would start making repairs to the property in October.

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

The property owner, Victor Leviner, 372 Joe Lyda Drive, addressed Council. He noted he does plan on making the repairs, but asked for additional time due to it being the busy season for his job (construction/paving of parking lots). Mr Leviner stated he could start making the repairs by the end of the month.

Ms. Loosemore reminded Mr. Leviner that if he does not plan on living in the house, he could not do any of the electrical, plumbing, or mechanical repairs so he would have to contract that work out. She asked Mr. Leviner if he would have the finances to pay the contractors and Mr. Leviner replied that he would.

Ms. Loosemore then amended her request and suggested putting this matter in Pending to allow the property owner additional time to make the repairs. City Attorney Carlyle suggested action could be taken to place this matter in Pending to bring it back out the first meeting in January.

A motion was made by Council Member Golden, seconded by Council Member Jones, that this matter be placed in Pending and referred to the Community Housing, Neighborhood Development & Public Safety Committee to be brought out of Pending the first meeting in January. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-439 Ordinance - Demolition of Structure - 709 Hilltop Street

Council is requested to adopt an ordinance ordering the building inspector to effectuate the demolition of a single-family dwelling belonging to Victor Manuel Campos Rivas and Cynthia Lanto.

Lori Loosemore, Local Codes Enforcement Supervisor, advised this property was originally inspected on January 4, 2017. A hearing was held on January 24, 2017. The property owner was in attendance at the hearing and stated she planned to make the repairs to the property. An Order to Repair or Demolish was then issued on January 26, 2017. Since that time, the property owner advised that due to unforeseen circumstances they would not be able to do the work and get it completed, so they intended to demolish it. Ms. Loosemore stated that the property owner was made aware that the Council could still move forward with the request.

The property owner was not present.

Adopted an Ordinance ordering the building inspector to effectuate the demolition of the structure at 709 Hilltop Street.

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 Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

**Ordinance No. 7463/18-92
Ordinance Book, Volume XX, Page 92
Introduced 11/5/2018; Adopted 11/5/2018**

PENDING ITEMS

2018-333 Ordinance - Demolition of Structure - 1700 Edmondson Place

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1700 Edmondson Place, belonging to Che Lawrence Reynolds, Jr.

Lori Loosemore, Local Codes Enforcement Supervisor, advised that action was taken by Council to place this housing case in Pending for 30 days. She shared that the property owner has made progress on making the repairs and suggested it be turned back over to staff to monitor the progress.

This matter was removed from Pending and withdrawn from the agenda for staff to continue monitoring the progress.

Council Member Golden moved to withdraw this matter from the agenda. Council Member Moore made a second. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Williams, Chair *Committee Members: Williams, Jones, Moore, and Scarborough*

2018-440 Resolution of Intent - Street Abandonment 18-02

Approval of a Resolution of Intent that establishes a public hearing date of Monday, December 3, 2018, at 5:30pm to consider a request by Amada North America, Inc. to abandon all of the Executive Drive right-of-way. Executive Drive lies along the west side of Penny Road, approximately 820 feet north Premier Drive.

Adopted a Resolution of Intent establishing a public hearing date of Monday, December 3, 2018 at 5:30 p.m. to consider request by Amada North America, Inc. to abandon all of the Executive Drive right-of-way.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Golden, that this matter be adopted. The motion carried by the following vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Resolution No. 1805/18-67

Resolution Book, Volume XX, Page 67

Introduced 11/5/2018; Adopted 11/5/2018

2018-441 Bob Uber (Healing Our Heroes) - Minor Amendment to Special Use 17-02

A Minor Amendment to Special Use 17-02 to revise the use of Buildings B, C and D in the adopted SU permit. The site is lying at the northeastern and southeastern corner of Bridges Drive and Futrelle Drive.

Herb Shannon, Senior Planner with the Planning and Development Department, provided an overview of the staff report for this matter. The staff report is hereby attached in Legistar as a permanent part of these proceedings.

*The applicant is requesting a minor amendment to **Special Use Permit 17-02** to amend their Special Use Site Plan which was adopted by the City Council in January of this year. At that time, Council granted a Special Use Permit to allow a major social service use for Healing our Heroes to repurpose the former John Wesley Camp for a veteran's resource center. As part of that approval, there were building site plants and Special Use site plans that noted how the various buildings on the property are to be used.*

The property owner is now requesting a minor amendment to revise the use for Buildings B, C, and D to also permit housing as an allowable use. Building B was approved for office use; Building C was approved for bathhouse/laundry; and Building D was approved for a computer lab.

Mr. Shannon advised that the Development Ordinance does permit the City Council to grant a minor change to a Special Use permit without having to go through the Planning & Zoning Commission public hearing process. The size of these structures, along with the requirements in the NC Building Code would limit the number of people that could be housed in these structures.

Staff recommends approval of the Minor Amendment request as it qualifies for a Minor Amendment and will result in equal or better performance. It will not alter the objectives and the purpose of the Special Use Permit, nor will it change the Findings originally approved by Council for allowing the Special Use Permit.

Approved a Minor Amendment to Special Use 17-02 to revise the use of Buildings B, C, and D in the adopted Special Use Permit.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jones, that this matter be approved. The motion carried by the following vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

PUBLIC HEARINGS

2018-442 Ordinance - Lee Bunemann and Jane Bunemann - Annexation 18-04

A request by Lee Bunemann and Jane Bunemann to consider a voluntary contiguous annexation of approximately 2.6 acres. The request consists of a 2.3-acre parcel lying along the east side of Shadow Valley Road, approximately 500 feet north of Carolyndon Drive and a 0.3-acre parcel lying along the north side of Carolyndon Drive, approximately 275 feet east of Shadow Valley.

*The joint public hearing for this matter and related matter **2018-443 Zoning Map Amendment 18-13** was held on Monday, November 5, 2018 at 5:30 p.m.*

Herb Shannon, Senior Planner with the Planning & Development Department, provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. He advised that although staff will do a combined presentation on the Annexation petition and the Zoning Map Amendment, separate votes would need to be taken. Mr. Shannon also shared that a Resolution of Approval for this annexation request was approved by the Davidson County Commissioners.

Both requests pertain to a 2.6-acre tract of land near the intersection of Shadow Valley Road and Carolyndon Drive. The applicant is requesting annexation to allow access to city utilities and owns the abutting property. He has purchased the parcel to the north that's a 2.3-acre parcel and the 0.3-acre parcel to the south. The applicant is proposing for a single-family home to be developed on the larger parcel to the north and for the smaller 0.3-acre parcel to be added to the corner lot.

Mr. Shannon noted this is a logical progression to the city's annexation policy for this area and advised the annexation of these parcels will not in any way impede the city's ability to provide services to this area.

Regarding Zoning Map Amendment 18-13, this area is designated in the Land Use Plan as Low Density Residential and the applicant is requesting an R-3 (Residential-3) zoning for the property which would be compatible with the surrounding zoning that has already been established in this area. The Planning & Development Department is recommending approval of the rezoning request. The Planning & Zoning Commission reviewed the request at their September 25, 2018 public hearing and also recommended approval by a vote of 8-0. The Commission stated that the request is consistent with adopted policy guidance because the R-3 District is consistent with the Low Density Residential Land Use Map designation applied to this area. The Commission also stated that the request is reasonable as the adjacent properties in this area are similarly zoned.

Following staff's presentation on these matters, Chairman Williams asked if there were any questions. There being none, he opened the public hearing and invited the applicant to the podium.

Lee Bunemann, 300 Shadow Valley Road in High Point, stated he has owned the property for the past 20 years and approximately 10-12 years ago, he purchased the parcel to the north located at 302 Shadow Valley as a buffer, but has since decided to sell this property. He advised that he has an offer to purchase from someone who desires to build a single-family home on the property and because the area does not perk, he needs to hook up to city services. He also pointed out that he subsequently purchased the sliver of land on Carolyndon and plans to incorporate it into his existing property to run the sewer easement from the sewer on Carolyndon through his property up to the property at 302 Shadow Valley.

Chairman Williams asked if there was anyone present to speak for or against these matters. There being no one present to speak, the public hearing was declared closed.

The following actions were taken:

Annexation 18-04

Adopted an Ordinance providing for the annexation of this property.

Ordinance No. 7464/18-93

Ordinance Book, Volume XX, Page 93

Introduced 11/5/2018; Adopted 11/5/2018

Zoning Map Amendment 18-13

Adopted an Ordinance rezoning an approximate 2.6-acre tract from the Low Density Residential (RS) District within Davidson County's jurisdiction to the Residential Single Family-3 (R-3) District based on consistency with the City's adopted plans and that the request is reasonable and in the public interest as stated in the staff report.

Ordinance No. 7465/18-94

Ordinance Book, Volume XX, Page 94

Introduced 11/5/2018; Adopted 11/5/2018

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Moore, that this Annexation Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-443 Ordinance - Lee Bunemann - Zoning Map Amendment 18-13

A request by Lee Bunemann to rezone approximately 2.6 acres from the Low Density Residential (RS) District, within Davidson County's jurisdiction, to the Residential Single Family - 3 (R-3) District. The request consists of a 2.3-acre parcel lying along the east side of Shadow Valley Road, approximately 500 feet north of Carolyndon Drive, and a 0.3-acre parcel lying along the north side of Carolyndon Drive, approximately 275 feet east of Shadow Valley Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

*The joint public hearing for this matter and related matter **Annexation 18-04** was held on Monday, November 5, 2018 at 5:30 p.m.*

*Note: For specific comments made during the public hearing on **2018-443 Zoning Map Amendment 18-13**, please refer to **2018-442 Annexation 18-04**.*

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Peters, that this Ordinance providing for the rezoning of this property be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7465/18-94

Ordinance Book, Volume XX, Page 94

Introduced 11/5/2018; Adopted 11/5/2018

2018-444 O'Reilly Automotive Stores, Inc. - Zoning Map Amendment 18-14

A request by O'Reilly Automotive Stores, Inc. to rezone approximately 1.7 acres from the General Business (GB) District and the Residential Multifamily - 16 (RM-16) District to a Conditional Zoning General Business (CZ-GB) District. The site is lying along the west side of S. Main Street, approximately 135 feet south of W. Springfield Road.

The public hearing for this matter was held on Monday, November 5, 2018 at 5:30 p.m.

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

The applicant is requesting Council rezone an approximate 1.7-acre tract to facilitate development of this land for a commercial project. The property is located along S. Main Street and Business-85 and consists of six small parcels. The parcels along S. Main Street do not have sufficient area depth to support a commercial development, so the applicant is looking to reuse all this land for commercial development. The applicant is requesting a Conditional Zoning General Business zoning on the property and they have included a Conditional Zoning Ordinance which they have offered a condition that all six parcels are to be combined to form one large parcel. The applicant has also offered a condition prohibiting vehicle access to the west to the rear of the site from Dane Street.

Mr. Shannon shared the following key points from the staff analysis:

Consistency: The request is consistent with the City's adopted policy guidance, specifically the Land Use Map Compatibility: The request is compatible with the neighborhood to the rear. The condition offered by the applicant that there be no access to Dane Street would ensure no matter how the site is developed, development would be oriented toward the S. Main Street commercial corridor.

Staff is recommending approval of the request that this 1.7-acre area be rezoned to a Conditional Zoning General Business District. The Planning & Zoning Commission reviewed this proposal at their September 25th meeting and also recommended approval by a vote of 8-0. The Commission stated the request is consistent with the Local Convenience Commercial designation and also stated the request is reasonable in the public interest because the site fronts along an established commercial corridor and the conditions offered by the applicant will assure that commercial development would be oriented toward S. Main Street.

Following the staff presentation, Chairman Williams opened the public hearing and asked the applicant to come forward.

Paul Engel, P.E., applicants representative, Anderson Engineering, 2045 Woodland Street, Springfield, MO, spoke in favor of the request. He stated they have agreed to all of the conditions and could answer any questions.

Chairman Williams asked if there was anyone else present that would like to speak regarding this matter. There being no one to comment, the public hearing was closed.

Adopted an Ordinance providing for the rezoning of this property from the Low Density Residential (RS) District within Davidson County's jurisdiction, to the Residential Single Family-3 (R-3) District based on consistency with the City's adopted plans and that the request is reasonable in the public interest as stated in the staff report.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Golden, that this Ordinance providing for the rezoning of this property be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7466/18-95

Ordinance Book, Volume XX, Page 95

Introduced 11/5/2018; Adopted 11/5/2018

2018-446 The Presbyterian Homes, Inc. - Plan Amendment 18-05

A request by the Presbyterian Homes, Inc. to change the Land Use Map classification for approximately 127.3 acres from the Future Growth Area classification to the Rural Development classification. The site is generally lying north of Sandy Ridge Road, west of the W. Fork Deep River and east of Idol Wind Lane.

The joint public hearing for this matter and related matters 2018-445 Annexation 18-05 and 2018-447 Zoning Map Amendment 18-15 was held on Monday, November 5, 2018 at 5:30 p.m.

Andy Piper with the Planning & Development Department explained that he would be doing the staff presentation on **Plan Amendment 18-05**, which would be followed by presentations by Herb Shannon on **Annexation 18-05** and **Zoning Map Amendment 18-15**.

Regarding **Plan Amendment 18-05**, the applicant, Presbyterian Homes, Inc., owners of River Landing, are requesting the change in the Land Use Map designation because they are seeking annexation of two parcels to the west of their retirement community. Their intent is not to develop the property at this time, but to use the additional land area to maintain their Low-Density classification for watershed regulation purposes. Because the site is currently designated as a future growth area, according to city policy, properties with this designation are not to be considered for annexation; therefore, an amendment to the Land Use designation is necessary for the annexation to move forward.

After a thorough review by staff, it was determined that an expanded boundary would make sense in this location, so the Land Use Amendment is actually larger than the Annexation or the Rezoning.

Mr. Piper pointed out most of the site is currently undeveloped with some rural residential properties and two Low-Density residential subdivisions in the area to the south with similar uses on properties to the north, west, and south. Staff believes the change to a rural development designation is most appropriate because it reflects and is consistent with the existing Land Use pattern that is in the Northwest Area Plan. Any future development that involves anything other than a very low density residential or limited amount of low intensity non-residential use will require a subsequent Land Use Amendment.

The Planning & Zoning Commission reviewed this request at their October meeting and recommended approval by a vote of 6-0 based on staff's recommendation.

Following staff's presentation on **Plan Amendment 18-05**, Herb Shannon provided an overview of the staff report for **Annexation 18-05** and **Zoning Map Amendment 18-15** which is hereby attached in Legistar as a permanent part of these proceedings.

Regarding **Annexation 18-05** and **Zoning Map Amendment 18-15**, Mr. Shannon advised this involves the annexation and rezoning for 61 acres located directly next to the city limits directly abutting River Landing's development. This will be a reasonable expansion of the city's annexation policy in this area and it would not in any way affect the city's ability to provide services in the area.

Regarding **Zoning Map Amendment 18-15**, the applicant is requesting the City of High Point Agricultural Rural or AGR District. Mr. Shannon reiterated that the applicant does not have an intent to develop the area and further explained that last year Council reviewed and approved a request for an expansion to the River Landing development for additional homes associated with that project. He pointed out that would put their overall impervious area over 24% and they are trying to stay under the 24% to be considered Low Density in regards to watershed standards. In the case that they exceed the 24%, they will be subject to higher watershed requirements and higher stream buffer requirements. In order to mitigate that, they have purchased this property and are requesting annexation of the property and establishment of City zoning so this land can be used to offset development on the other part of their campus.

Staff has reviewed this request and finds that the request is consistent with policy documents. Staff is recommending approval of Zoning Map Amendment 18-15, as well as the Planning & Zoning Commission. The Planning & Zoning Commission found that the request is consistent with adopted policy guidance because subject to approval of Plan Amendment 18-05, the request would be consistent with the Rural Development Land Use classification. They also found the request was reasonable and in the public interest because the requested AGR District is compatible with the surrounding Guilford County Agricultural District and with abutting land and Land Use patterns in this area.

Following Mr. Shannon's presentation, he entertained any questions.

Council Member Ewing questioned adding parcels of property and asked about any ramifications to the watershed if they did not have the extra parcel. Logistically he did not believe it makes sense to add a parcel that has nothing to do with the existing density. Mr. Shannon replied that it does not impact the density, it just allows them to meet one set of standards from the ordinance for stormwater purposes and environmental purposes. It was further explained that it deals with the amount of impervious surface, so the more land area equals less impervious surface and State rules/regulations allow for the balance.

Chairman Williams asked if there were any additional questions for staff. There being none, he opened the public hearing and asked the applicant to come forward to address Council.

Tim Webster, Presbyterian Homes, 2109 Sandy Ridge Road, spoke in favor of the request and thanked the city's development team for supporting Presbyterian Homes and River Landing over the years. He asked if there were any questions.

There being none, Chairman Williams asked if there was anyone in the audience that would like to speak regarding Plan Amendment 18-05, Annexation 18-05, or Zoning Map Amendment 18-15. There being no one present to comment, the public hearing was declared closed.

The following actions were taken:

Annexation 18-05

Adopted an Ordinance providing for the annexation of an approximate 61/1-acre tract lying approximately 1,900 feet north of the intersection of Sandy Ridge Road and Squire Davis Road.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Golden, that this Annexation Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9):

Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7467/18-96
Ordinance Book, Volume XX, Page 96
Introduced 11/5/2018; Adopted 11/5/2018

Plan Amendment 18-05

Adopted a Resolution amending the Land Use Plan for this property changing the classification for approximately 127.3 acres from the Future Growth Area classification to the Rural Development classification based on consistency with the goals, objectives, and policies of the Land Use Plan, the Northwest Area Plan, and the existing land use pattern would not change as a result of this amendment.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Hudson, that this Resolution approving Plan Amendment 18-05 be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Resolution No. 1806/18-68
Resolution Book, Volume XX, Page 68
Introduced 11/5/2018; Adopted 11/5/2018

Zoning Map Amendment 18-05

Adopted an Ordinance providing for the rezoning of 61.1 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction to the Agricultural/Rural (AGR) District based on consistency with the City's adopted plans, and that the request is reasonable and in the public interest based on the statements contained in the Staff Analysis section of the Staff Report.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Hudson, to adopt the Ordinance providing for the rezoning of this property from the Agricultural (AG) District within Guilford County's zoning jurisdiction to the Agricultural/Rural (AGR) District.

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7469/18-98
Ordinance Book, Volume XX, Page 98
Introduced 11/5/2018; Adopted 11/5/2018

2018-445 **Presbyterian Homes, Inc. - Annexation 18-05**

A request by the Presbyterian Homes, Inc. to consider a voluntary contiguous annexation of approximately 61.1 acres lying approximately 1,900 feet north of the intersection of Sandy Ridge Road and Squire Davis Road. The property is also known as Guilford County Tax Parcels 0169205 and 0169210.

The joint public hearing for this matter and related matters **2018-446 Plan Amendment 18-05** and **2018-447 Zoning Map Amendment 18-15** was held on Monday, November 5, 2018 at 5:30 p.m.

*Note: For specific comments made during the public hearing regarding **Annexation 18-05**, please refer to **2018-446 Plan Amendment 18-05**.*

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Golden, that this Annexation Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7467/18-96
Ordinance Book, Volume XX, Page 96
Introduced 11/5/2018; Adopted 11/5/2018

2018-447 The Presbyterian Homes, Inc. - Zoning Map Amendment 18-15

A request by the Presbyterian Homes, Inc. to rezone approximately 61.1 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to the Agricultural/Rural (AGR) District. The site is generally lying approximately 1,900 feet north of the intersection of Sandy Ridge Road and Squire Davis Road, along the east and west sides of the W. Fork Deep River. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

*The joint public hearing for this matter and related matters **2018-445 Annexation 18-05** and **2018-446 Plan Amendment 18-05** was held on Monday, November 5, 2018 at 5:30 p.m.*

Note: For specific comments made during the public hearing on this matter, please refer to 2018-446 Plan Amendment 18-05.

Adopted an Ordinance providing for the rezoning of 61.1 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction to the Agricultural/Rural (AGR) District based on consistency with the City's adopted plans, and that the request is reasonable and in the public interest based on the statements contained in the Staff Analysis section of the Staff Report.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7469/18-98
Ordinance Book, Volume XX, Page 98
Introduced 11/5/2018; Adopted 11/5/2018

GENERAL BUSINESS AGENDA**2018-416 Boards and Commission - ABC Board- Reappointment James Tanner**

Council is requested to confirm the reappointment of James Tanner to the ABC Board. Term will be effective November 15, 2018 and expiring November 15, 2021.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-417 Boards and Commissions - Human Relations Committee - Appointment William Pope, Jr.

Council is requested to appoint William Pope, Jr. to the Human Relations Committee. Term will be effective immediately and expire November 1, 2020.

A motion was made by Mayor Wagner, seconded by Mayor Pro Tem Williams, that this appointment be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-448 Minutes to Be Approved

- Finance Committee Meeting; Thursday, September 27th @ 4:00 p.m.
- HPCC Special Called Meeting; Monday, October 1st @ 4:00 p.m.
- Regular Council Meeting; Monday, October 1st @ 5:30 p.m.
- Community Housing, Neighborhood Development and Public Safety Committee Meeting; October 2nd @ 10:00 a.m.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that the preceding minutes be approved as submitted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 7:46 p.m. upon motion duly made by Council Member Ewing and seconded by Council Member Peters.

Respectfully submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk